

# CHAPTER III

## INTERNATIONAL PRESSURE TOWARDS DUTERTE POLICY

President Rodrigo Duterte's war on drugs policy has caused many controversies both domestically and abroad. Because the war on drugs policy indicates the existence of crimes against humanity. There are several allegations to President Rodrigo Duterte's that his policies indicate a violation of human rights. For approximately six months since Rodrigo Duterte's was chosen as the President of the Philippines, more than 7000 people were killed during the war on drugs operation. This policy is causing many people killed and makes people worry, and starting to give critics and threat toward the 16 Philippines President. Not just from domestic but also from an international organization that works for human rights (Amnesty International UK, 2018).

### **A. International Response**

In recent years, contemporary issues especially the concerns of the world community towards Human Rights, have become mainstream. All international actors, both countries, organizations, and individuals are competing to show their concern for the importance of understanding and implementing Human Rights as well as possible.

#### **1. International Actor**

##### **a. Justin Trudeau as the Prime Minister of Canada**



*Figure 1. Justin Trudeau*

While Justin Trudeau was doing his conference before the ASEAN Summit begins he mentioned that he ever tell Duterte about how Canada concerning on the human rights

issue and extrajudicial killings that happen in the Philippines. He also implied that even Canada still not perfect in conducting the human rights, he wished for best for the Philippines (Rappler, 2017).

**b. Jacinda Arden as the Prime Minister of New Zealand**



*Figure 2. Jacinda Arden*

Arden has said that the human rights will be one of the issues that she will bring up with Duterte's because the emerge of the drug of a war policy that becomes the most controversial issues

during Duterte's administration. She also implied that the number of death requires investigation and oversight (Rappler, 2017).

**c. Donald Trump as the President of United States**



*Figure 3. Donald Trump*

At the White House, Summit Donald Trump has said that even Rodrigo Duterte's has done an excellent job on the drug problem but he cannot claim Duterte's as his role model, he only saw Duterte's as the reported killer that murders the people who believed to be

involved with drugs. Trump claimed that the death penalty is the wrong response to the drug war. He suggests to do evidence-based treatment programs for those drugs user, so they can get the help they need (The Hill, 2018).

**d. Antonio Guterres as the Secretary of United Nations**

As the representative of United Nations Antonio Guterres said that the UN wants to work with ASEAN



*Figure 4. Antonio Guterres*

to strengthen the regional blocs of the human rights body. This action is to support the ASEAN's strong commitment to the promotion and protection of human rights and fundamental freedoms. This action emerges because of the concern about what happening

in ASEAN countries such as Duterte's bloody drug war, and also violence against the Rohingya Muslim minority (Rappler, 2017).

## **2. Other State**

### **a. United State of America**

On September 8<sup>th</sup> 2016 the US President at that time Barack Obama said in his in his press conference at the end of the ASEAN Summit that the US will not back down on its position against waging war on drugs that is not consistent with the rule of law and respect for human rights, because the US wants to work with a country that is consistent with international norms and the rule of law. The consequences when you do it the wrong way, innocent people get hurt. Moreover, you have a whole bunch of unintended consequences that don't solve the problem (ABS-CBN News, 2016).

### **b. Bangladesh**

The government of Bangladesh also supports the war on drugs policy launched by Duterte's. This support can be seen from how the Bangladesh government imitated Duterte's actions by shooting dead drug users and dealers (N.A, 2018). More than 70 people have been killed lately, and thousands have been arrested in Bangladesh. Analysts began labeling the action as a Filipino-style anti-narcotics action in the country. Duterte's has succeeded in using drug war as

a political tool to sow fear and division, discredit democratic institutions and free press, and push back pressure from the international community while maintaining popular support. By imitating this action, Bangladesh wants to get the same results (Inquirer, 2018).

**c. China**

Beijing has expressed the support for President Rodrigo Duterte's campaign against the illegal drug trade despite the criticisms given by the United States, the European Union, and other human rights group. China is well aware of the Philippine government which is under Rodrigo Duterte's leadership to crack down on drug crimes as a top priority. China has stated that its willingness for practical cooperation in this regard, and wants to develop a particular action plan with the Philippines (ABS-CBN News, 2016).

Directly the Chinese government supports drug eradication operations carried out by President Duterte's. China offers military equipment worth more than the US \$ 14 million or around Rp188 billion to the Philippines to assist operations in combating narcotics and terrorism (BBC, 2016).

**d. Sri Lanka**

The Sri Lankan government also supports Duterte's war on drugs policy, by applying the same punishment to traffickers or drug users in Sri Lanka. The Sri Lankan government said that Colombo would also use the military to curb the trade. Rajitha Senaratne as the government spokesman said that from now on the Sri Lankan Government will hang drug offenders without forgiving their death sentences (N.A, 2018).

**3. International Organization**

**a. United Nation Commission of Human Rights (UNCHR)**

On December 10<sup>th</sup>,1948 the United Nations Commission of Human Rights (UNHCR) legitimate the

Universal Declaration of Human Rights (UDHR) (OHCHR). With this declaration the beginning of the development of Human Rights (HAM) in the world, as well as being a benchmark for human rights in countries. In this declaration, the UN gives the understanding that human rights are a device of fundamental human rights that cannot be separated from their existence as human beings.

There are five characteristics of human rights determined by the United Nation, namely universal, interconnected, inalienable, indivisible, and non-discriminatory. Universal means that human rights are owned by all humanity regardless of where they come from, race, ethnicity, nation, gender, religion, political views, social status, sexual orientation, work, and others. All individuals are in the same place in human rights affairs, so that one individual cannot look down on or treat other humans arbitrarily. Interconnected means that human rights are interdependent with one another because in essence humans are interconnected social beings interacting with each other in social life. Indivisible, meaning that human rights cannot be crushed separately. Non-discriminatory, meaning that each must respect their respective rights without prejudice (Advocates, 2017).

Outline Rights in UDHR (Advocates, 2017):

- 1) The right to equality and freedom from discrimination
- 2) The right to life, liberty, and personal security
- 3) Freedom from torture and degrading treatment
- 4) The right to equality before the law
- 5) The right to a fair trial
- 6) The right to privacy
- 7) Freedom of belief and religion
- 8) Freedom of opinion
- 9) The right of peaceful assembly and association

- 10) The right to participate in government
- 11) The right to social security
- 12) The right to work
- 13) The right to an adequate standard of living
- 14) The right to education
- 15) The right to health
- 16) The right to food and housing

The points above are indeed very contrary to what President Rodrigo Duterte did in the Philippines with his War on Drugs policy. The Philippines became one of 48 countries that signed the 1948 UDHR, as well as the International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights (ICESCR). However, indeed in practice, there are still many countries that violate the international agreement, and one of them is the Philippines. President Duterte's War on Drug policy received negative attention from the international eye because it was considered to violate human rights that had been agreed since a long time ago.

**b. International Narcotics Control Board (INCB)**

INCB argues that using extrajudicial killings to control and stop drug problems violates the International Drug Conventions. Not only organizations but international media also starts to preach Duterte's policies from a humanist perspective. From the perspective of international mainstream media, the War on Drug Duterte's policy is very deviated from human rights values. The International Drug Convention is a collection of international agreements or agreements related to drug use and abuse.

**c. United Nations Office on Drugs and Crime (UNODC)**

UNODC argues that using extrajudicial killings to control and stop drug problems will not help to ensure that all people can live in health, dignity, and peace, with security and prosperity. Duterte's is purely wrong because of changes in the agreement already in the world, and firstly many points of human rights (UNODC, 2013).

**4. International Non-Governmental Organization**

**a. Amnesty International**

Amnesty International is one of the international non-governmental organizations dedicated to promoting human rights. Amnesty International has a mission to conduct research and actions that focus on preventing gross human rights violations which result in disrupting mental integrity, freedom of expression, and freedom from discrimination in the context of human rights enforcement enshrined in the Universal Declaration of Human Rights and other international standards. Amnesty International intensively conducted research and campaigns on cases of human rights violations that occurred in all corners of the world (Amnesty International, 2018).

A large number of victims caused Amnesty International began its action to stop the way of eradicating Narcotics by Duterte's. Amnesty International began its actions in opposing the eradication of narcotics carried out by Duterte's at exactly 100 days of Duterte's leadership. The opposition action was not only carried out once, but Amnesty International continued to carry out its actions until Duterte's stopped the method of eradicating Narcotics carried out (Amnesty International, 2016).

The basis for Amnesty International's involvement in carrying out this opposition was to fight

for the rights of the Filipino people who had been violated. This right is the right to life and the right to obtain legal protection. The nine articles that were reintroduced did not require that narcotics abuse be shot on the spot (FIFTEENTH CONGRESS OF THE REPUBLIC OF THE PHILIPPINES, 2002). So that even though they were found guilty in cases of drug abuse, the suspects for drug abuse must go through a judicial process before the sentence is given. Through the judicial process that should have been carried out, the suspects in Narcotics abuse could defend themselves so that they could reduce the penalties that would be received without having to go through the death penalty. Amnesty International's involvement in the Philippines was strengthened by the existence of an international agreement ratified by the Philippines regarding the opposition to the death penalty. The agreement was made by Amnesty International and ratified by 81 countries. So based on the agreement, Amnesty International did not approve the use of the death penalty in the Philippines.

**b. Human Rights Watch ( HRW)**

Human Rights Watch (HRW) is an International Non-Governmental Organization (INGO) which has a focus on cases relating to Human Rights (HAM) throughout the world. HRW has headquarters in the city of New York, United States and has offices in various cities from various countries. HRW defends the rights of people throughout the world. HRW investigates violations, discloses facts widely, and presses those who have the power to respect rights and guarantee justice (Human Right Watch, 2017).

The execution of the death sentence on President Rodrigo Duterte's war on drugs policy can be indicated that there is a crime against humanity. Because in its implementation, President Rodrigo did not use the legal basis of the thousands of defendants



and drug suspects killed and ignored his commitment to the protection of human rights both in his country and internationally (Human Rights Watch, 2017).

## **B. Domestic Response**

### **People of the Philippines**

Even though they knew that Duterte's anti-drug war policy carried out extrajudicial killings and reaped harsh criticism from the international community. Then human rights activists accuse the police of killing people suspected of using and circulating drugs without trial. However, almost 90% of Filipinos support the anti-drug war. About 88% of 1,200 respondents to the poll held last month by Pulse Asia said that they supported Duterte's strict policies, and only two percent firmly refused. While the remaining nine percent claimed they could not decide. However, people support did not last long (Antara, 2017).

The drug war launched by President Rodrigo Duterte's since he took office in June 2016 has now begun to get protests from Filipinos. They ask Duterte's to stop the murder. Because the ones who have to be killed are non-human drugs. Many Filipinos believe that the violence committed by Duterte's during the drug war was very outrageous. So many victims who died in the war made Filipinos condemn the Duterte's policy. A number of those killed in the war that was killed by the Duterte's were innocent people. Many Filipinos previously strongly supported the anti-drug war launched by Duterte's since a year ago, but now they are beginning to question the effectiveness of the war. Because over the past year more than 12,500 have been killed without undergoing a judicial process. Many of those killed were victims of wrongful arrests. Residents began to dare to criticize Duterte's policies

after 90 people died on two days of the drug war in Manila (Pikiran Rakyat, 2017).

A lawyer named Jude Sabio represented Edgar Matobato who was a member of one of the firing squads who carried out orders on the war on drugs policy of President Rodrigo Duterte's report President Rodrigo Duterte's to the International Criminal Court (ICC). According to testimony from Matobato in the Philippine Senate, the war on drugs policy was implemented not entirely based on law and not all police operations carried out were legal. In his claim, at least 11 senior government officials were also responsible for the killings.

Judging from the rejection given by INGOs and International Organizations which eventually triggered around 300 groups such as Human Rights Watch, Stop Aids and International HIV / AIDS Alliance and the United Nations signed joint letters addressed to the International Narcotics Control Board and the UN Office on Drugs and Crime which contained demands to stop the policy of War on Drugs by Duterte's. The deputy director of Human Rights Watch for the Asian region said that killing bookies and drug users without going through a proper legal process is not justified for efforts to control crime, and the International Drug Control must affirm the Philippine President about it (Sullivan, 2016).