

How effective are our systems for enforcing human rights?

Key Concepts:

International Criminal Court (ICC): A permanent international court based in The Hague, Netherlands, that prosecutes individuals for the most serious crimes: genocide, war crimes, and crimes against humanity.

Crimes Against Humanity: Widespread or systematic attacks on a civilian population, including murder and torture, carried out as part of a deliberate policy.

When governments commit serious human rights abuses, who stops them? The answer is rarely simple. It usually involves many different actors working over many years. Each actor plays a different role, each has different tools, and each faces different limits.

Duterte came to power in 2016 promising to eliminate the drug trade. What followed was one of the most documented campaigns of state violence in recent Southeast Asian history. The campaign resulted in the deaths of over 12,000 Filipinos, mostly from the urban poor; at least 2,555 killings were attributed directly to the Philippine National Police. Families who sought justice in Philippine courts found little help.

Role of Human Rights Watch:

Into this gap stepped Human Rights Watch, an international NGO. HRW researchers worked undercover in Manila's poorest neighbourhoods, using secure WhatsApp networks to reach crime scenes quickly and interviewing witnesses in safe locations away from police informants. They examined police reports in nearly all the cases they investigated and found the accounts significantly differed from what relatives and witnesses described. Yet, the police versions were nearly identical to each other, virtually all claiming drug bust operations gone wrong. HRW's 2017 report, *"License to Kill,"* documented this pattern of fabricated evidence and called for an independent international investigation. It could not

prosecute anyone. But it created a public, verifiable record that other actors could build on.

Role of the International Criminal Court (ICC):

Based on an ICC arrest warrant, Duterte was apprehended on March 11, 2025 by the Philippine National Police and Interpol, an international organization that facilitates cooperation between police forces in different countries.

That record contributed to the ICC opening an investigation in 2021. The ICC is a permanent international court with legal authority to try individuals for crimes against humanity, but it has no police force of its own. It depends entirely on states to enforce arrest warrants. When the Philippine government under President Marcos Jr. cooperated in 2025, Duterte was arrested and transferred to this ICC in The Hague, Netherlands. In April 2026, all three charges against him were unanimously confirmed, and he was committed to trial.

The lesson of this case is not that one institution saved the day. It is that documentation, advocacy, legal action, and political will all had to align over nearly a decade, before a single leader faced accountability.



Former President of the Philippines, Rodrigo Duterte

Comprehension Questions

1. What specific methods did HRW use to prove that police reports were fabricated?
2. Why does the ICC depend on governments to enforce its arrest warrants?
3. What role did the change in Philippine government (from Duterte to Marcos Jr.) play in Duterte's arrest?
4. Why is documentation by an NGO important even when it cannot lead directly to prosecution?
5. What is the difference between an NGO like HRW and a court like the ICC?

Thinking Questions

1. HRW can expose abuse but cannot prosecute it. The ICC can prosecute but cannot arrest without state cooperation. What does this reveal about the design of human rights systems?
2. Is "naming and shaming" by an NGO a powerful tool or a weak one? Use evidence from this case.
3. Could this accountability have happened if Duterte were still in power? What does that tell you about the limits of international institutions?
4. Is the Duterte case evidence that the international human rights system works, or evidence that it rarely works? Argue a position.

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The reading claims that if you remove the contribution of any one of the different actors involved in bringing Duterte before the ICC, the case might stall. Explain what might happen if the following actors were not involved in the Duterte case:	
Human Rights Watch	The ICC
Interpol	Marcos Jr.'s Philippine Government

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Further Research

1. Research another case undertaken by the ICC:

Who was put on trial – where were they from?:

What were they charged with?

What was the verdict?

What was the sentence? If any?

2. Can you use this case to predict what might happen in the Duterte case when it goes to trial?