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RINJ: Fighting for the safety of women and children.

Duterte Pulls Philippines from ICC. UN Next.

The Duterte takeover of the Philippines has been both brutal and swift at the will of the people. “Fake News” outlets and “Yellowtards” are decimated. (*Yellowtards are liberals. Liberals are the Opposition Party. They are as effective as a soaking wet month-old Lipton tea bag.*)

Politics aside, Civil Society should move on and deal with the safety of women and children in the Philippines. Rape, incest and the spread of HIV are the real threats.

by Melissa Hemingway (Feminine Perspective Staff writer)

There are countless thousands of dirty cops and filthier politicians and bureaucrats who by virtue of their jumping on the Duterte bandwagon have obtained impunity for being kleptocrats—for now.

President Duterte once said he will fatten the fish of the Manila Harbour with these vermin once he is done with them. That harbour is so polluted like the rest of the Philippines that it is doubtful there are man-eating fish, but maybe President Duterte knows something we do not know. Mr. Duterte is *God-like* to most Filipinos. Maybe he knows about the stinking depths of Manila harbour. But Mr. Duterte has said he will send troops to Boracay to stop (“blow up”) the excrement dumping exploiters of the environment who have turned the region from a beautiful tourist oasis to a fecal-fishy stinker.

That sounds more like *Greenpeace* than a mean dictator.

Rodrigo Duterte's gang has harnessed or hog-tied a million-man army of corrupts to help him by hook or crook take control of the Philippines governance. But one by one he is exposing the corruption and doing away with them. Occasionally he promotes to the bench a prosecutor who drops charges against pals in the drug business but surely the President has a reason.

If you are a farmer in Luzon or Mindanao, you and your family are screwed. You will work for peanuts to keep the Duterte-tag-alongs rich. President Duterte did not intend that but it happened anyway, just like lunatic vigilantes exploited his war on drugs to murder witnesses to their crimes or people they just did not like.

In Malabon, Philippines, Raymart Siapo, a student of the 'Alternative Learning System' was born with a congenital disease that gave him two club feet. At the end of last March he was to be starting a new job, but that would not happen.

In the picture below you see Luzviminda Siapo, who like millions of Philippines women in this impoverished country, left her home and family to work as a domestic helper in another country. Mrs. Siapo sent all her money home and lived in a "servant" class of visa in Kuwait where Filipino women are commonly mistreated and even murdered.

She had to beg her employer on her knees to come to her teen son's funeral last Easter.

"Any closer look at this case would break your heart into pieces", says Sharon Santiago, [RINJ](https://rinj.org) South East Asia manager.



A meddling neighbour who thought that this innocent boy with his lurching walk and different mannerisms (in Philippines parlance: “PWD” – ‘person with disability’) was a drug user, called police who quickly put him on a list and killed him.

The Poor Will Suffer No Longer Under Duterte

If you are a poor person in Manila, you will be chopped like a chicken. Duterte posses hate the poor so they use the “Drug War” to kill poor people. Everyone hates the poor. There are over 30 million desperately poor and homeless. Everyone hates them. “What good are they,” asks a nurse at *Manila Doctors Hospital* on United Nations Boulevard in Manila.

“All they do is beg for money and get exploited by criminals. They are either panhandling you or they are conning you or they are picking your pockets and running your money to some scumbag who manages a dozen such slave-thieves paying the poor slob each the equivalent of a bottle of C2.”

Either that or they are *poor slobs* doing three slave-labour jobs and snorting methamphetamine to stay awake. They are showered and cleaned by ladle and bucket like most Filipinos and they love their families and they love *Jesus* whom they believe also lived a meagre life. But Duterte's followers want them dead. So also does Justice Secretary Vitaliano Aguirre and Philippine Police Director General Ronald Dela Rosa, both who say the poor are *not human*.



We Must Move Forward

Some UN officials have acted as if this is all some kind of personal thing against them. The ICC has been diplomatic in its approach but the arrogance we have witnessed from unskilled UN persons is scary. Is that the best they have?

This may be our fault. *RINJ Women* have always been *over the top*. It's a tone and methodology we borrow from the stage and made our own but

it is a fair response to the horrible mistreatment of women *we, our women, have endured*. Don't copy our style. It will not work for you. We have fought monsters including corporate, state and non-state sponsors of violence toward women. The same kind of people Duterte is now fighting in Kuwait. We have fought on the front lines and in the trenches. But the voice of women is equal to that of a mouse in a patriarchal society. Hence when a mouse roars it must be loud.

We take exception to *EJKs and rape culture* stimulated by President Duterte. We have explained this in great detail and have been heard. Duterte people tell us this will stop. So be it. We backed off.

We need to move forward and deal with the problem of safety for women and children in the Philippines and clearly for women from the Philippines suffering elsewhere.

Incest, rape, HIV/AIDS, and other STIs in the Philippines threaten the quality of life and threaten the country as a whole. Philippines health care is not up to the challenge. It needs more Civil Society help, better funding and motivated leadership. [Join us](#).

Let's get focussed on the needs of the people.

Let's Kick Out The ICC. So what?

Numerous cases presented to the International Criminal Court (ICC) will go away, believes Philippines President Rodrigo Roa Duterte, including RINJ accusations related to the crime of rape in a warzone against the Armed Forces of the Philippines (AFP) as well as accusations of [murdering a class of people](#) leveled by ordinary citizens of the Philippines against:

1. Philippines President Rodrigo Duterte
2. Justice Secretary Vitaliano Aguirre
3. Philippine Police Director General Ronald Dela Rosa
4. House Speaker Pantaleon Alvarez
5. Former Interior Secretary Ismael Sueno
6. Police Superintendent Edilberto Leonardo
7. Senior Police Officer 4 Sanson “Sonny” Buenaventura
8. Police Superintendent Royina Garma
9. National Bureau of Investigation Director Dante Gierran
10. Solicitor General Jose Calida
11. Sen. Richard Gordon
12. Sen. Alan Peter Cayetano.

March 15, 2018 – Mr. Duterte is unilaterally, without political opposition, withdrawing the Philippines from the Rome Statute and the International Criminal Court. He will eventually learn that this withdrawal inculcates him and his officials to a worse degree than if he cooperated with the investigation. It’s one of many very bad decisions our great President keeps making. He needs to get out of the gangland territorial mindset of Crips and Bloods and be a statesman instead of a thug. But he is the President for the next four plus years so let’s try and work with what we have. There is no one else. Nobody.



The RINJ Foundation Women
@RapelsNoJoke

Rape king #Duterte pulls #Philippines from #ICC International Criminal Court "immediately" while being a #personofinterest for #massmurder crimes against humanity & due to rumours about the case's + progress. Duterte is betting on a long process says RINJ woman Melissa Hemingway

12:24 PM - Mar 15, 2018

2 See The RINJ Foundation Women's other Tweets

Corruption in the Philippines is pervasive. The courts in much of the country are run by judges controlled by the highest bidder unless by President Duterte. The process is protected by a villainous Justice Secretary Vitaliano Aguirre who cusses President Duterte behind his back despite being appointed by the President. Shameful.

There is no way on Earth that a Philippines Court would hear a **complaint against Rodrigo Duterte** about Mr. Duterte's (Vigilante) Death Squads (DDS) killing persons they basically don't like. President Duterte loves the Filipino people and only wishes them well. A prosecutor bringing such a case would not make it home that night. Duterte supporters would slaughter him. Just as in Davao City, Duterte's terror campaign worked across the Philippines once he became President with the help of Russia which now regularly has its ships in Philippines harbours and coastal sea lanes. It is good that the Philippines has friends.

Are Filipinos to be Puppets for whoever controls Access to the South China Seas?

Well, why would Russia seek to help President Duterte get elected?

Why is China courting Duterte and pouring praise on him?

Yes, The Philippines is cursed with being in a strategic location. Controlling the Philippines government is convenient for many nation states regardless if that marginalizes the will of the Philippines.

The gateway through the South China Seas has a rampart which China, not the USA controls. Albeit the U.S. has 5 strategically placed operational military bases with obscure purpose overlooking the west toward the Spratlys and Viet Nam but China has the edge on man-made islands that bristle with surface and underground installations including military airports and new-generation anti-shipping Silkworm missile launchers. China is winning and it looks like Xi Jinping will be around for a long time to keep up that momentum. He recently attacked the UN Humanitarian people and praised President Duterte for being the greatest upholder of Filipino rights. Maybe Xi Jinping knows things none of the rest of us know. He certainly has control of China.

Russia Wants a Taste

For what purpose and for who does Duterte seize control of the Philippines and why is the Russian aura so strong?

The methods of power and control are in everything. Rape talk; instructing soldiers to kill, maim and rape with impunity. “Shoot the women in their vaginas”; “rape three women each”; “will kill you humanitarians”; “Americans are sons of bitches”; “you will die”—it is extreme psychopathic thought-processes that the world cannot comprehend; it is a way of psychological warfare the Soviet Union played with and with which the CIA was kicked in the face more than a few times when it propped up Ferdinand Marcos who got completely out of control. ISIS did the same thing in the Middle East. Who do you really believe is the mastermind of terror in the world?

This Duterte terror campaign is not much different than what our medical people witnessed in Mosul, Iraq, done by Chechens and Russians hired as militants by Abu Bakar al-Baghdadi who created the policy on the insistence of Abu Musab al-Masri in Syria, and Abu Omar al-Shishani in Iraq. The Islamic State fighters (Daesh is what we call them because of an Arabic acronym that basically implies “fake-Muslim”) would round up

Nazarene persons and crucify them in public places. They would behead others and many were lined up and shot by laughing morons with Kalashnikovs. By the end of June, 2014, everyone, and I mean *everyone* was terrified. In hordes, like sheep, people joined the Daesh. You could not trust a soul. Nurses at Ibn Sena Hospital on the west side of the Tigris River who in a scrub room would criticize the Daesh Shariah laws would be murdered in front of everyone in the O/R (operating room) deafening the room, sending gas analyzers and patient monitors into a screaming frenzy and splattering blood everywhere. Terrified civilians and military persons joined Daesh in Mosul by the thousands. Hundreds of thousands did little things from time to time in support of ISIS *until the infrastructure of the city began to fall apart in late 2015 and life began its path to unbearability.*

The same happened in the Philippines. Terrified people joined Duterte's teams in the millions. They will seriously hurt you if you speak out anywhere. Duterte has asked them to back off.

In 2016, on July 1, Duterte became President. By the end of August, everyone was terrified. Hundreds had been slaughtered by cops and vigilantes. Millions of fearful Filipinos joined the "Team Duterte". They are the volatile, angry, death-threatening attackers we see on the malignant sepsis Facebook.

Over 17,000 persons in the Philippines have been *mysteriously killed* since Duterte took office.

A war was fought against people deliberately stimulated to an uprising; the Abu Sayyaf group partially managed by the CIA and partially managed by segments of the AFP took a back seat but incentivised unrest in the chaotic region of Lanao del Sur in Mindanao. Pushing the

academic Islamic-fundamentalist Maute brothers' militant groups, arming them, the Americans and Filipinos with the help of Australia destroyed a 4th-class city, slaughtered Muslims, raped women, and creating 300,000 internally displaced people for whom the government supplied horrid encampments for 24,000. RINJ volunteers have meet migrant *civilians* from Marawi all over the country. You must know the history of the oppressed Muslims in Mindanao to understand how this works. Take a look at the Rohingya in Burma. It's not much different. The Catholic nation of the Philippines hates its Muslim brothers and sisters. The history of Muslim oppression is outrageous. Sick. Sad. Stupid. The Pope and his misguided cardinals and bishops should be held to account.

In the rest of the country Duterte opponents are cleaned out by the DDS. Two-person crews including women, who operate tiny, shiny new motorcycles and use imported sidearms kill their targets from a list. They are modestly paid by global standards. They wear masks and hurry away from their crime scenes to collect their money. You can't make this stuff up. Witness accounts are more horrific.

Cops Who Are Killers

In the case of murderous police, they boldly clear areas, slaughter their targets and haul away the bodies to waiting *pedicabs*.

Sadly there are thousands of dead including many women and children, journalists and humanitarians that everybody knows about but dare not speak about for fear of joining the deceased—just like in Mosul where you could not trust anyone.

The International Criminal Court is supposed to be the court of last resort for the oppressed people. It has failed the people of the Philippines who by now do not trust anyone from a foreign nation, particularly black people from Africa which folks believe is the only concern of the ICC. That's

how it is under Duterte. Same Hell as the former Islamic State. Who teaches this malevolence? Russia is the one thing in common.

The only leadership Filipinos trust is Duterte. He will kill everything that is bad and he will fight for the interests of the Filipinos. Folks are willing to overlook the police murders you will see in [this CCTV imagery](#). Or they are in denial. Who knows. Who cares. Ones next meal is far more important than this material.

Proof Beyond a Reasonable Doubt of Pre-Meditated State-Sponsored Murder

Police Clear out Witnesses in Barangay 19, Manila October 11, 2017
1 Normal 2 Police Arrive 3 Police Clear people out 4 Killings 5 Dead Bodies Removed



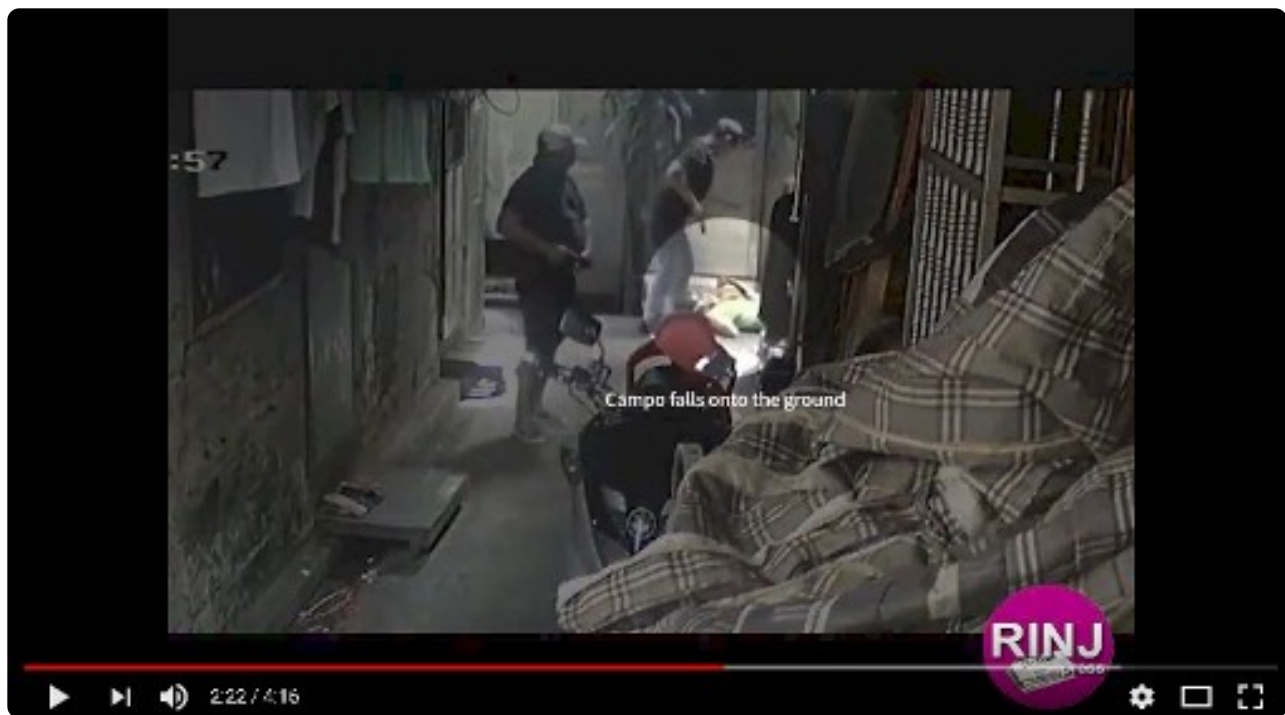
Danica being pushed past the Barangay 19 eatery and out of the planned kill zone.

Danica Campo whose grandfather is on the kill list this day is forced to leave her home crying, by Police, in Barangay 19.



*At the end of this alley at the top where you see the police officer in uniform, Danica's grandpa will be killed in cold blood minutes later. Danica is terrified. Police killings have happened all around her in this poor area of Manila. She knows why they are here but does not know who will be killed. Three listed names were killed within minutes. Police are unaware of the CCTV which has *happened many times*. (The cold-blooded murder of Erica Angel Navales Fernandez is one such case which will some day see justice done says a very determined RINJ Woman, Sharon Santiago.)*

Three men were murdered this October 11 in Barangay 19.



The corpse of an innocent man is removed to a waiting pedicab.





*Children attend the October 13, 2017 wake of Rolando Arellano Campo and Sherwin Bitas inside a house two days after they were killed in a police operation captured on CCTV, in Tondo, Manila. Picture taken October 13, 2017. **REUTERS**/Dondi Tawatao*

President Duterte, says he is the Benevolent Dictator

The mess President Duterte has inherited is beyond description. He has shown considerable signs of willingness to help his fellow Filipinos, like a modern, just, and responsible policy on reproductive rights of women and families. Bravo. For real.

In contrast to Duterte's hurtful rape jokes about Filipino daughters, his loyalty to abused and murdered Filipino women in Kuwait where a quarter million household servants are Filipino women is heartfelt. What's going on inside this man's heart?

President Duterte needs to decide whose side he is on.

President Duterte must deliver better health care to Filipinos as promised.

President Duterte must get rid of the corrupt police judges and prosecutors and return the country to the rule of law. What's happening is that many people misread Mr. Duterte and commit crimes against the entire population, like plunder and theft, thinking their impunity is guaranteed by supporting Duterte. We no longer believe that.

Bibliography and References:

1. [The Actual Congress of the Philippines Impeachment Document](#)
2. [If you are Poor in the Philippines You Are Killed](#) – Amnesty International
3. [Philippines A Pariah in the 2016-2017 Report of Amnesty International](#)
4. [Human Rights Watch – License To Kill](#)

Read Also:

- [Duterte Supports Reproductive Rights of Filipinos](#)
- [Largest Global Woman's Group sees Fierce 2017 Fight for Safety of Woman & Kids](#)
- [Fear Spreads in Philippines as Women on Drug List Raped, Kids Killed](#)

What follows is an assumption by President Duterte that all people are stupid and he can say anything and we will lap it up like kitties drinking our milk. Do not take this faked legaleze as real. It is not. But it is what our President wants us to repeat and to believe with all our hearts. If you use anything like this in school you will likely fail and even worse get canned for plagiarizing a trickster and not being smart enough to realize it. C'mon. Be real. Duterte is joking just like his murders and rapes. But that's the President we elected so get the f*ck over it and shut the f*ck up (STFU).


Be friends with our great President and love him *for he knows not what he is doing.*

Luke 23:34 — When they came to the place called The Skull, they crucified Him there, along with the criminals, one on His right and the other on His left.

Then Jesus said, “Father, forgive them, for they do not know what they are doing.” And they divided up His garments by casting lots. The people stood watching, and the rulers sneered at Him, saying, “He saved others; let Him save Himself if He is the Christ of God, the Chosen One.”

Duterte Statement Withdrawing the Philippines from the ICC

STATEMENT OF THE PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES ON THE JURISDICTION OF THE INTERNATIONAL CRIMINAL COURT



'Feminists should laugh at Duterte's rape jokes, like the one about offering virgins as a tourist attraction.'

- 1) Each time Rodrigo Duterte, leader of 105+ million Filipinos, says that rape is a joking matter, more rapes happen. But his spokesperson, Harry Roque says feminists must, "Laugh."
- 2) Lately the Duterte jokes are about tourists raping virgins. ('Sex tourists' in the thousands are this minute raping Filipino kids.) Virgins are children. That is what Duterte is talking about: the child sex trade in the Philippines where it is mostly child virgins who are victims of rape. Naturally the rapists are Duterte fans to whom Roque says Duterte has endeared himself. For kids though, rape is no joke. You don't need to be a feminist to be appalled.
- 3) That Duterte & Roque encourage this crime is no surprise. They profile as that type of criminal. They are exploiting to a globe of pedofiles their country's kids (virgins). They abuse the people who hold them in a trust in order that they enhance their own personal power and line their own pockets. Raping virgins is the Philippines' number-one financially performing underground economies. That's not funny & neither are these men, who wilfully violate human rights every single day of their vile lives. RINJ.org/rape/

The RINJ Foundation Women

Duterte's Disingenuous Lawyer-Spokesperson Drooler Harvey Roach had a part in this.

March 13, 2018

Enshrined in the Constitution is the fundamental provision that protects a person of not being deprived of his life, liberty, or property without due process of law, to wit:

“SECTION 1. No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.” (Section 1, Article III, Constitution)

Due process of law has been defined as a process that hears before it condemns. It affords the accused the opportunity to be heard, to be informed of the nature of the offense charged, and a reasonable time to prepare for his defense.

The Constitution expressly gives the mantle of protection to a person charged and commands that:

“Section 14 (1). No person shall be held to answer for a criminal offense without due process of law.” (Section 14 (1), Article III, Constitution)

For a person to be charged with a criminal offense, there must be a law that shall specify a particular act as criminal with an imposition of a corresponding penalty – thus the *latim maxim*:

“Nullum crimen sine lege”

“There is no crime without a law making it so. One cannot be punished for doing something that is not prohibited by law.”

A person cannot invoke as a defense that he is ignorant of the law that penalizes a particular criminal act hence the basic legal principle, that:

“Ignorantia juris non excusat or ignorantia legis neminem excusat”

“Ignorance of the law excuses no one from compliance therewith.”

“Dura lex, sed lex.”

“The law may be harsh, but it is the law.”

A penal law to be enforceable must be effective. In our jurisdiction, it must be published in the Official Gazette within a certain period of time from its signing into law.

An unenforceable law cannot vest jurisdiction on courts to try a charged person.

The courts must first acquire jurisdiction over the subject matter and over the person of a defendant.

No law or a statute lacking in the required publication can vest any court of jurisdiction over the person of a defendant because it will violate the constitutional injunction that the person so charged must be informed of the nature of his offense.

Thus, the Constitution states:

“SECTION 14 (2). In all criminal prosecution the accused shall be presumed innocent until the contrary is proved, xxxx, to be informed of the nature and cause of the accusation against him, xxxx.” (Section 14(2), Article III, Constitution)

How can the accused be informed of the nature of the offense, if he is not aware of the same because the law penalizing the act he is being charged with has not seen the light of day by way of a publication as required by law?

In our jurisdiction, our country adopts the generally accepted principles of international law – and in fact they are deemed to be part of the law of the land, to wit:

“SECTION 2. The Philippines xxxx adopts the generally accepted principles of international law as part of the law of the land xxxx.” (Section 2, Article II, Constitution)

The constitutional provision above-quoted however is not absolute as any principle of international law even if generally accepted, if it contravenes our Constitution, cannot supplant nor diminish the Philippine Constitution.

Domestic laws are supreme over international law unless the former are violative of internationally recognized principles of justice.

At the same time, “[t]reaties become part of the law of the land through transformation pursuant to Article VII, Section 21 of the 1987 Constitution which provides that ‘[n]o treaty or international agreement shall be valid and effective unless concurred in by at least two-thirds of all the members of the Senate.’” Given that a treaty or an international agreement has the force and effect of a law, the same cannot also go against the Constitution. Otherwise, such treaty or international agreement may be invalidated for being unconstitutional.

In this regard, the Supreme Court, by virtue of Section 5 (2), Article VIII of the 1987 Constitution, has been given the authority to rule upon the constitutionality or validity of any treaty and international agreement.

Having laid the foregoing predicate, in relation to the preliminary examination being conducted by the International Criminal Court Special Prosecutor Fatou Bensouda, which she explained by saying that:

“The preliminary examination of the situation in the Philippines will analyze crime allegedly committed in the State Court since at least 1 July

2016, in the context of the ‘war on drugs’ campaign launched by the government of the Philippines. Specifically, it has been alleged that since 1 July 2016, thousands of persons have been killed for reasons related to their alleged involvement in illegal drugs use or dealing. While some of such killings have reportedly occurred in the context of clashes between or within gangs, it is alleged that many of the reported incidents involved extra-judicial killings in the court of police authority operations.”

And while the International Criminal Court’s Special Prosecutor states that:

“xxxx I emphasize that a preliminary examination is not an investigation but a process of examining the information available in order to reach a fully informed determination whether there is a reasonable basis to proceed with an investigation pursuant to the criteria established by the Rome Statute xxx.”

I was appalled however by the fact that she has to make public announcements of the preliminary examination she is conducting thereby giving the false impression that the International Criminal Court has already acquired jurisdiction – or that the International Criminal Court will be acquiring jurisdiction, when she knows that before the International Criminal Court can acquire jurisdiction over me, it must be first firmly established that the state of the national being subject of the investigation is unwilling or unable to investigate or prosecute the national for the crime of genocide; crimes against humanity; war crimes and crime of aggressions.

The Special Prosecutor is also aware that national jurisdictions have the primary responsibility to investigate and prosecute those responsible for international crimes – as in her public declaration she recognized such basic principle, thus, she stated:

“xxx Under the Rome Statute, national jurisdiction has the primary responsibility to investigate and prosecute those responsible for international crimes, xxx.”

Moreover, the International Criminal Court’s Special Prosecutor is likewise aware that before placing the national under investigation, she must first reconsider issues of whether or not the International Criminal Court has jurisdiction over the person or the subject-matter complained of; whether or not the evidence submitted to it in relation thereto passes the rules on admissibility; and whether or not it is in the interest of justice that she makes such determination as shown in her public statement, to wit:

“xxx Specifically, under Article 53 (1) of the Rome Statute, I, as Prosecutor, must consider issues of jurisdiction, admissibility and interest of justice in making this determination.”

Given these foregoing considerations I cannot help but believe that the International Criminal Court’s Special Prosecutor’s premature public statements was intended to foist to the world that I am being subjected now to an investigation for crimes falling under the International Criminal Court’s jurisdiction.

To my mind, the Special Prosecutor commended the preliminary examination in the wrong foot by picturing me as one who most likely has committed any of the crimes punishable under the Rome Statute violating therefore the presumption of innocence guaranteed me by our Constitution.

Let us tackle the questions on jurisdiction of the International Criminal Court, assuming that the preliminary examination ripens into an informed determination that there is a reasonable basis to proceed with an investigation pursuant to the criteria established by the Rome Statute. Does the International Criminal Court have jurisdiction over the subject matter? The answer must be in the negative.

The jurisdiction of the International Criminal Court is limited to the most serious of crimes in the international community a.) crime of genocide b.) crime against humanity c.) war crimes and d.) crime of aggression.

The crime of genocide cannot be said to be applicable because the act must be committed with intent to destroy in whole or in part a national ethnical, racial or religious group as such:

Killing members of the group

Causing serious bodily or mental harm to members of the group;

Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

Imposing measures intended to prevent births within the group;

Forcibly transferring children of the group to another group

The so-called war against drugs is lawfully directed against drug lords and pushers who have for many years destroyed the present generation specially the youth. The deaths resulting in the process of making lawful arrests arising from the violent resistance of the suspects that endangered the lives of the police officers cannot be said to have been committed against a national, ethical, racial or religious group.

Nor can they be considered crimes against humanity because the deaths is a direct result of a lawful exercise of a police duty, and under our criminal law, is a justifying circumstance that removes from the police officer criminal culpability, the same being an exercise of self-defense. The killing of the suspects cannot be said to be murder as there is no intent to kill rather an instinct exercise of self-preservation.

The campaign against illegal drugs does not also fall within the purview of a war crime because of the absence of the element of armed conflict, whether international or domestic.

The campaign against illegal drugs may not also be deemed as a crime of aggression because of the absence of the element of intention to control or

direct the political or military action of another State.

What about the International Criminal Court's jurisdiction over my person? Does the International Criminal Court have jurisdiction?

The answer again must be in the negative for following reasons:

In our jurisdiction, it is required that a law before it takes effect, the same must be either published in the Official Gazette or in a newspapers of general circulation.

On August 30, 2011, the Philippine Senate ratified the treaty in the matter of the enforcement of the Rome Statute between the Philippine Government and the United Nations.

Official record particularly the Official Gazette, the Rome Statute or the law by which I am now being subjected to a preliminary examination was not published thereat. Neither is there any showing that the said Rome Statute was ever published in a newspaper of general circulation.

There being no jurisdiction of the said law, it stands to reason that the Rome Statute cannot be enforceable in the Philippines hence the International Criminal Court has not acquired jurisdiction nor can it acquire jurisdiction over my person.

Article 126 (Entry into force) of the Rome Statute providing that it becomes in effect on the first day of the month after the 60th day following the date of the deposit of the 60th instrument of ratification with the Secretary-General, to wit:

“Article 126

Entry into force

This Statute shall enter into force on the first day of the month after the 60th day following the date of the deposit of the 60th instrument of ratification, acceptance, approval or accession with the Secretary-General of the United Nations.

For each State ratifying, accepting, approving or according to this Statute after the deposit of the 60th instrument of ratification, acceptance, approval or accession, the statutes shall enter into force on the first day of the month after the 60th day following the deposit by such state of its instrument of ratification, acceptance, approval or accession.”

cannot prevail over our domestic law, the New Civil Code, that requires the publication of a law in the Official Gazette or in a newspaper of general circulation to make it effective and enforceable, to wit:

“ARTICLE 2. Laws shall take effect after fifteen days following the completion of their publication either on the Official Gazette or in a newspaper of general circulation in the Philippines, unless it is otherwise provided,”

In the leading case of Lorenzo M. Tañada, Abraham F. Sarmiento, Movement of Attorneys For Brotherhood, Integrity and National [MABINI], Petitioners, V. Mon Juan C. Tuvera, in His Capacity As Executive Assistant To The President, Hon. Joaquin Venus, In His Capacity As Deputy Executive Assistant To The President, Melquiades P. De La Cruz In His Capacity As Director, Bureau of Printing, Respondents; the Supreme Court ruled:

“Due process was invoked by the petitioners in demanding the disclosure of a number of presidential decrees which they claimed was not published as required by law. The government argued that while publication was necessary as a rule, it was so when it was “otherwise provided”, as when the decrees themselves declared that they are to become effective immediately upon their approval. In the decision of this case on April 24, 1988, the Court affirmed the necessity for the publication of some of these decrees, declaring in the dispositive position as follows:

WHEREFORE, the Court hereby orders respondents to publish in the Official Gazette all unpublished presidential issuances which are of general application, and unless so published, they shall have no binding force and effect.”

“Publication is indispensable in every case, but the legislature may in its discretion provide that the usual fifteen-day period shall be shortened or extended.xxxx”

“It is not correct to say that under the disputed clause publication may be dispersed with altogether. The reason is that such omission would offend due process insofar as it would deny the public knowledge of the laws that are supposed to govern the legislation could validly provide xxxx.”

“It is unlikely that persons not aware of it would be prejudiced as a result and they would be so not because of a failure to comply with but simply because they did not know of its existence. Significantly, this is not true only if penal laws as it is commonly supposed. One can think of many non-penal measures, like a law on prescription, which must also be communicated to the persons they may affect before they can begin to operate.”

“We note at this point the conclusive presumption that every person knows the law which of course presupposes that the law has been published if the presumption is to have any legal justification at all. It is no less important to remember that Section 6 of the Bill of Rights recognizes the “right of the people to information on matters of public concern and this certainly applies to among others, and indeed specially the legislative enactments of the government.”

“We hold therefore that all statutes, including those of local application and private laws, shall be published as a condition for their effectivity, which shall begin fifteen days after publication unless different effective date is fixed by the legislature.”

“We agree that publication must be in full or it is no publication at all since its purpose is to inform the public of the content of the laws. As correctly pointed out by the petitioners, the mere mention of the number of the presidential decree, the title of such a decree, its whereabouts xxx the supposed date of effectivity, and in a mere supplement of the Official Gazette cannot satisfy the publication requirement.”

“Laws must come out in the open in the clear light of the sun instead of skulking in the shadows with their dark deep secrets. Mysterious pronouncements and rumored rules cannot be recognized as binding unless their existence and contents are confirmed by a valid publication intended to make full disclosure and give proper notice to the people. The furtive law is likely a scabbarded saber that cannot persist parry or out unless that naked blade is drawn.”

Moreover, the ICC cannot subject the President of the Philippines to any investigation during his tenure following the doctrine of the immunity from suit of the President while in office. The immunity doctrine of the President is a basic constitutional doctrine that has been consistently upheld by the Supreme Court. While the said immunity is not explicitly stated in the 1987 Constitution, its framers unanimously agree that such doctrine is deemed written in the 1987 Constitution. Thus, considering that such immunity is part and parcel of the organic law of the Philippines, it cannot be removed through the enactment of a statute or be bargained away through the negotiation of a treaty.

In so far as Article 27 of the Rome Statute provides for the irrelevance of official capacity, in that “[i]mmunities or special procedural rules which may attach to the official capacity of a person, whether under national or international law, shall not bar the Court from exercising its jurisdiction over such a person,” the Rome Statute once again is violative of the 1987 Constitution. Therefore, as regards the Philippines, the President during the period of his tenure, can never be subject to the jurisdiction of the ICC.

EFFECTS OF BELATED PUBLICATION

It may be that the International Criminal Court's Special Prosecutor or the International Criminal Court itself having been informed by the glaring and fatal error of lack of publication of the Rome Statute would now cause the publication of the aforesaid law thereafter, the question arises: Would the belated publication cure the mistake and place my person under its jurisdiction?

The answer cannot be in the affirmative.

The Constitution provides that no ex post facto law shall be enacted, stated differently it means that one cannot be prosecuted for acts committed before the effectivity of the law that makes those acts criminal.

The International Criminal Court does not have retroactive jurisdiction. It may only consider crimes committed after the Rome Statute has come to force.

Since the Rome Statute is deemed to be ineffective and enforceable by reason of the lack of publication required by our domestic law, necessarily, it cannot acquire jurisdiction over any person as the acts complained of were committed prior to its effectivity.

PHILIPPINES WITHDRAWING AS SIGNATORY IN THE ROME STATUTE

At the onset of my presidency, there appears to be a systematic assault by the United Nations as well as its special rapporteurs not only on my person but on my administration as well, more particularly on the relentless campaign against the proliferation of illegal drugs industry in the country.

Special rapporteur Agnes Callamard, without proof, and merely relying on news reports and accusations from my critics, have embarked on a campaign against me before the international public and has pictured me

as a ruthless violator of human rights and directly responsible for the deaths of its suspects which she describes as extra-judicial killings.

Recently, two Filipino United Nations special rapporteurs, Victoria Tauli-Corpuz and Cecilia Jimenez-Damary made public announcements effectively accusing the Philippine government of human rights abuses, killings, and attacks being carried by members of the armed forces against the indigenous communities.

The United Nations High Commissioner for human rights, Zeid Ra'ad Al Hussein, has joined the United Nations special rapporteurs in maligning my person by saying that I should submit myself to psychiatric examination. He likewise accused me of attacking the "special rapporteur of committing "widespread extra-judicial executions" and engaging in "on-going attacks against voices who are critical of the current appointment, including human rights defender."

As stated earlier, the International Criminal Court's Special Prosecutor Fatou Bensouda gave a premature public announcement of a preliminary examination thereby creating the impression that I am likely to be charged before the International Criminal Court violating therefore the presumption of innocence accorded me by the Constitution. The accusations of these United Nations officials have the effect of painting me guilty before the eyes of the world. There appears to be a concerted effort on those aforesaid United Nation officials to paint me as a ruthless and heartless violator of human rights.

When the Philippine government made itself a signatory to the Rome Statute, it was on the assumption that the internationally accepted principles of justice in relation to our Constitutional requirement on due process will be upheld.

Given the baseless, unprecedented and outrageous attacks on my person as well as against my administration, engineered by the officials of the United

Nations, as well as the attempt by the International Criminal Court special prosecutor to place my person within the jurisdiction of the International Criminal Court, in violation of due process and the presumption of innocence expressly guaranteed by the Philippine Constitution and recognized no less by the Rome Statute, I therefore declare and forthwith give notice, as President of the Republic of the Philippines, that the Philippines is withdrawing its ratification of the Rome Statute effective immediately.

I also give notice that Article 127 of the Rome Statute providing that:

“Article 127

Withdrawal

A state may, by written notification addressed to the Secretary-General of the United Nations, withdraw from this Statute. The withdrawal shall take effect one year after the date of receipt of the notification, unless the notification specifies a later date.”

is not applicable in so far as the effectivity of the withdrawal of the Philippines as a signatory to the Rome Statute is concerned, for the reason that there appears to be fraud in entering into such agreement.

The Philippines in ratifying the Rome Statute was made to believe that the principle of complementarity shall be observed; that the principle of due process and the presumption of innocence as mandated by our Constitution and the Rome Statute shall prevail; and that the legal requirement of publication to make the Rome Statute enforceable shall be maintained.

In addition, it is worthy to note that out of the five (5) permanent members of the United Nations Security Council, only France and the United Kingdom are State Parties to the Rome Statute, While the United States signed the Rome Statute on December 30, 2000, then President William

Jefferson Clinton refused to submit the Rome Statute to the Senate of the United States for ratification because of serious concerns, among others, on the possibility of politicized prosecutions, and even recommended that his successor defer such submission until such time that said concerns are properly addressed. Thereafter, on May 6, 2002, the United States, under the administration of then President George H.W. Bush, transmitted a letter to the United Nations Secretary-General, stating that “the United States does not intend to become a party to the treaty.” In line with the politicization of the ICC, Burundi withdrew from the ICC effective October 27, 2017 because “[t]he ICC has shown itself to be a political instrument and weapon used by the west to enslave [other states].”

The actions and statement of the UN special rapporteur Agnes Callamard and the UN High Commissioner on Human Rights Zeid Ra’ad Al-Hussein readily show international bias and refusal of some sectors of the international community to support the Philippine’s legitimate efforts at self-determination, nation building and independence from foreign influence and control. Coupled with the implication of culpability that the preliminary examination by the Prosecutor Fatou Bensouda unduly and maliciously created, it is apparent that the ICC is being utilized as a political tool against the Philippines. Given that the ICC shows a propensity for failing to give due respect to the State Parties of the Rome Statute and that there is clear bias on the part of the UN against the Philippines, the Philippines may very well consider withdrawing from the Rome Statute.

As demonstrated above, the very considerations upon which the Philippines agreed to be a signatory to the Rome Statute have not been observed nor complied with hence the Philippines hereby withdraws from the Rome Statute.

RODRIGO ROA DUTERTE

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[RINJ](#) Claims the right for any of its members capable, to arrest and detain for transport to the Hague any ISIS person who

1) in a contiguous set of actions to the moment or from the moment of being observed doing an act in contravention to the Rome Statute;
and

2) who in so doing also simultaneously claims to be or showing that they are, by uniform, flag bearing or outright statement, members of the alleged War Criminal Group known as "The Islamic State".

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