

ICC Jurisdiction of the President of the Philippines, Rodrigo Duterte

By:

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ABSTRACT

This research is aimed to gain comprehensive knowledge on the jurisdiction of the international criminal court; the implementation of the Rome Statute, how to trigger the jurisdiction of the ICC through *proprio motu*, the ‘war on drugs’ in the Philippines. The method of research is normative. In this sense, the writer conducted library research. The data compiled was later used to analyze the issues at hand. The analysis focused on two perspectives. First, the jurisdiction of the international criminal court towards the ‘war on drugs’ in the Philippines, committed by the President Rodrigo Duterte. Second, the legal implication if the international criminal court can exercise its jurisdiction. Based on the analysis of these perspectives, conclusions were that international criminal court could exercise its jurisdiction to the President of the Philippines through *proprio motu*.

Keywords: Philippines ‘war on drugs’, Drug addiction, International Criminal Court, Rodrigo Duterte, *proprio motu*, Rome Statute.

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INTISARI

Penelitian ini bertujuan untuk mendapatkan pemahaman komprehensif terkait yurisdiksi mahkamah pidana internasional; Penerapan Statuta Roma tentang cara memicu yurisdiksi mahkamah pidana internasional melalui proprio motu, ‘perang melawan narkoba’ di Filipina. Penelitian ini menggunakan metode normatif. Dimana, penulis melakukan studi pustaka. Data yang telah terkumpul, kemudian akan di gunakan untuk menganalisa permasalahan yang dikemukakan. Analisa ini difokuskan pada dua aspek. Pertama, terkait dengan yurisdiksi mahkamah pidana internasional terhadap “perang melawan narkoba” di Filipina yang dilakukan oleh Presiden Filipina, Rodrigo Duterte. Kedua, implikasi hukum apabila mahkamah pidana internasional dapat melaksanakan yurisdiksinya. Berdasarkan dari kedua analisis tersebut, penulis mendapatkan kesimpulan bahwa mahkamah pidana internasional dapat melaksanakan yurisdiksinya melalui proprio motu.

Kata Kunci: ‘Perang Melawan Narkoba’ di Filipina, Pecandu narkoba, Mahkamah Pidana Internasional, Rodrigo Duterte, proprio motu, Statuta Roma

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