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TOKHANG : The Instrument of Duterte's Human Rights Violations During his Presidential Campaign

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CHAPTER I: INTRODUCTION

I.1 Background of the Study

During Duterte's presidential reign, he waged a drug war against the drug lords in every part of the Philippines; although this operation helped stop a few drug addicts, Duterte's plan to stop drug lords did not become successful; he was only killing addicts and pushers, but not the drug lords. Along with this, civilians are also caught in the crossfire of the drug war that Duterte started; some are getting killed by extrajudicial means even though they are innocent. In some of these extrajudicial cases, they are unjustified because their human rights were violated, and the situation will be even worse if the person is innocent. For example, in the "Oplan Tokhang" operations, the target would be placed on a watchlist, rendering them tagged; after this, the police would come to the front of their house and ask them to surrender. If they refuse, they will be endorsed to the Drug Enforcement Units (DEU) and arrested. This operation is considered a violation of the human rights of the citizens because they are being arrested without a warrant.

According to Delizo, 2020, At least eight rights guaranteed by the Philippine Constitution have been violated by the enforcement of government policies in its intensified anti-drug campaign. Under the operation, police go house to house to "knock and plead" to drug suspects to surrender. This was designed as a "practical and realistic means of accelerating the drive against illegal drugs in affected barangays." This operation was Duterte's instrument of violating the people's rights.

1.2 Statement of the Problem

This research paper aims to analyze what Duterte caused because of his “Oplan Tokhang” operation during his presidential reign. According to the researcher’s hypothesis, Duterte has violated many of the human rights imposed by the government.. His operations were said to have caused a violation of many human rights, and these oplan tokhang operations were not as efficient as they should have been. The problem is not in the operation itself, but is in what the police will do once the person refuses to surrender to the legal system.

RQ1: What is Oplan Tokhang?

1.1 How does Oplan Tokhang Operate?

RQ2: What are the consequences of not surrendering?

RQ3: What are the human rights violated by this campaign?

1.3 Research Objectives

The objective of this research study is to know which of the human rights have been violated by the “Oplan Tokhang” operation and to be able to analyze what happens in this operation and how it is being used to violate the people’s rights.. Therefore, the researcher aims to answer the questions of the consequences and the issues of the “Oplan Tokhang” operation conducted by Rodrigo Duterte during his presidential campaign.. The researcher also wants to

know the problems or issues of what happens when a person who has been tagged refuses to surrender.

I.4 Significance of the Study

This study covers the problem of the operation, and the violations of human rights when this operation has been implemented. This study will show how the violation of human rights is a very controversial problem, and it will show the problems of the operation, and it will prove useful to those who want to know about what the Oplan Tokhang was about, and its issues. This study will help those people who want to learn about some of the campaigns of Duterte and what he did.

I.5 Scope and Limitations

This research paper will only cover Rodrigo Duterte's war against drugs that has been going on from 2016 until 2021. This research paper will only cover the underlying issues and problems that arise from when the operation has started. It only covers the problems and issues of the operation and examples of human rights violated by this operation during Rodrigo Duterte's campaign. Along with this, it only includes the reported violations of human rights that have been done by the police and the military during the campaign. The scope of this research paper is only limited to the operations of the Oplan Tokhang. It does not cover the problems that arise from the operations of the Philippine Drug War during the campaign.

I.6 Definition of terms

Oplan Tokhang - an operation used by the pnp to have stop drug use

Philippine Drug War - Duterte's 2016-2021 drug war waged against drug dealers and drug lords

Extrajudicial Killings - Killings decided outside of legal court done by other policemen

Drug Lords - drug leaders that use people to sell drugs to gain money

CHAPTER II – REVIEW OF RELATED LITERATURE AND STUDIES

The Philippine Drug War is an ongoing campaign by the Philippine government to suppress illegal drug use and trafficking in the country. Oplan Tokhang is a significant component of this campaign, it has been largely ineffective in achieving its goals. In particular, the strategy has been criticized for its heavy reliance on police violence, which has resulted in the death of thousands of innocent people. Furthermore, the war has been characterized by systematic human rights violations, with the police and other security forces engaging in arbitrary arrests, torture, and extrajudicial killings. Despite these shortcomings, Oplan Tokhang has done little to reduce the prevalence of drugs.

The Philippine Drug War and Oplan Tokhang have devastated the country, with thousands of deaths and human rights violations occurring. While Oplan Tokhang was created to stem the production of and trade in illegal drugs, the lack of oversight and accountability has led to tragic consequences, with many innocent lives being taken. Therefore, it is essential that those affected by these policies are given justice and that the country implement safer, more humane policies to address drug-related crime.

II.1 Oplan Tokhang

Oplan Tokhang is a Philippine National Police (PNP) operation that was launched in 2016 to combat the illegal drug trade in the country. The name is derived from the Visayan words “Toktok” (knock) and “Hangyo” (plead). The operation involves police officers knocking on the doors of suspected drug dealers and users and asking them to surrender and stop their activities.

This approach has raised numerous concerns about civil liberties and human rights, as police officers have been accused of using violence, extortion, and other abuse of power. This essay will explore the program's controversial aspects and assess the potential implications for human rights in the Philippines.

The Philippine government's anti-illegal drug campaign, Oplan Tokhang, has significantly impacted Philippine society. (Eusebio, 2019) stated that the campaign has caused significant disruption to the lives of people living in affected areas. Tokhang has increased human rights abuses, including extrajudicial killings, arbitrary arrests, and the illegal search and detention of suspects. It has also led to an increase in fear and distrust of the police, decreasing crime reporting and breaking the relationship between the police and the public. Furthermore, the campaign has led to a rise in social stigma against drug users, leading to further marginalization and discrimination of these individuals. The campaign has also hurt the economy, with many businesses closing down due to the disruption caused by the campaign.

The implementation of Oplan Tokhang has had a drastic impact on Philippine society, particularly in terms of law enforcement. According to (Eusebio, 2018), Furthermore, the program has impacted how law enforcement officers interact with the public. (Eusebio,2018) found that the program has resulted in an increased focus on community policing, with officers engaging in more dialogues and activities with the public in order to build relationships, gain intelligence, and foster trust. Oplan Tokhang has also significantly affected the public, with many residents feeling safer in their communities due to the presence of law enforcement officers and

an increase in the overall sense of security. In conclusion, Oplan Tokhang has had a profound effect on Philippine society, particularly in terms of law enforcement and public safety.

II.1.b The operation of Oplan Tokhang

Oplan Tokhang is conducted by the Philippine National Police and has been imposing fears in the community due to its implementation methods and implications.

The operation has been criticized for its heavy-handed tactics and for the number of deaths that have occurred during the raids. According to the PNP, the operation has resulted in the surrender of more than 1.3 million people and the arrest of more than 20,000 drug suspects.

The operation is conducted in two phases. In the first phase, police officers knock on the doors of suspected drug dealers and users and ask them to surrender. If they refuse, the police officers will then conduct a search of the premises. If drugs are found, the suspects are arrested and taken into custody.

In the second phase, the suspects are brought to a police station for questioning. During this phase, the suspects are asked to provide information about their activities and the names of other drug dealers and users. If the suspects cooperate, they are given the option to enter a rehabilitation program or face criminal charges.

The operation has been linked to numerous extrajudicial killings, arbitrary arrests, and forced “confessions” that have violated the rights of those accused of drug-related crimes (Eusebio, 2018). Furthermore, the operation has also hurt the mental health of those living in communities affected by the operation. The fear of being targeted and the trauma of witnessing

extrajudicial killings have taken a toll on the mental health of individuals in these communities (Eusebio, 2018). In addition, the social stigma associated with being labeled a “drug user” has perpetuated feelings of hopelessness and despair among these individuals. Thus, while Oplan Tokhang has successfully reduced crime rates, it has had severe negative consequences for the communities affected.

II.2. The consequences of not surrendering to the police

When President Duterte implemented Oplan Tokhang in the Philippines, the nation's war on drugs began in earnest. The strategy consists of the police going door-to-door to collect the surrender of illegal drug users, dealers, and manufacturers.

The social implications of refusing to surrender during Oplan Tokhang are widespread and severe. The Philippine National Police implemented the policy in 2016 to combat drug-related crime, but the approach has been heavily criticized for its lack of transparency and accountability for those targeted (Eusebio, 2018). Refusing to surrender during Oplan Tokhang can lead to severe consequences, including psychological trauma, criminal charges, and even death. In addition, the policy has been known to lead to human rights violations, as police officers have been accused of using excessive force against those who refuse to surrender. Furthermore, refusing to surrender can lead to social stigma and discrimination, as families of those targeted may face ostracism by their communities. In short, refusing to surrender during Oplan Tokhang can have significant social implications that can affect the lives of those targeted and those around them.

If you do not surrender in Oplan Tokhang, you will face the consequences of engaging with the law enforcement authority. It is essential to be aware of the potential outcome when dealing with the police in any circumstance, as it can fluctuate drastically depending on the situation. Resisting arrest or engaging in non-cooperative behavior can lead to severe charges, fines, or even jail time.

II.3 The human rights violated by Oplan Tokhang

Human rights are essential to our individual and collective existence, yet they are constantly violated by powerful forces such as governments. One example is Oplan Tokhang, an anti-drug campaign that violates the human rights of suspected drug users and dealers.

According to (Espenido,2018) published a study in the Journal of Human Rights and Social Work that explored the impact of Oplan Tokhang on human rights. Espenido (2018)'s study found that the campaign led to a significant increase in extrajudicial killings, with the majority of the victims being young males from impoverished communities. Furthermore, the study found that the campaign has harmed human rights in general, as it has caused an increase in the stigmatization of marginalized communities and an erosion of civil liberties. The study also revealed that the campaign had hindered access to justice, as police officers have been. The implementation of Oplan Tokhang has devastated the country's human rights. According to MS BUANA (2018), the campaign has resulted in more than 27,000 killings since it was launched in 2016, with an estimated 97% of these deaths occurring outside legal proceedings.

This has been a significant violation of the right to the due process outlined in the Universal Declaration of Human Rights, which states that everyone should have the right to a fair trial. Oplan Tokhang has also exacerbated the problem of extrajudicial killings and torture by police officers, who have been known to use excessive force and even torture to extract information or confessions. This has had a devastating impact on a person's right to life and security. Extrajudicial killings are one of the most severe human rights violations associated with Oplan Tokhang. The PNP has been accused of carrying out extrajudicial killings of suspected drug users and dealers, often without due process. In some cases, the victims were not even involved in the drug trade. The PNP has also been accused of planting evidence to make it appear that the victims were involved in the drug trade. Arbitrary arrests are another human rights violation associated with Oplan Tokhang. The PNP has been accused of arresting people without warrants and due process.

The PNP has sometimes arrested people based on mere suspicion or hearsay. This has led to the wrongful imprisonment of innocent people. Torture is another human rights violation associated with Oplan Tokhang. The PNP has been accused of using torture to extract confessions from suspects. This includes physical and psychological torture, such as beatings, electric shocks, and threats of violence.

CHAPTER 3 : METHODOLOGY

SUMMARY

Oplan Tokhang is an anti-drug campaign that has been widely implemented in the Philippines since 2016. The campaign involves police officers knocking on doors of suspected drug dealers and users, sometimes in the middle of the night, and pressuring them to surrender. It has been linked to numerous human rights violations, including unlawful arrests, extrajudicial killings, torture, and excessive use of force (K Hapal, 2019). These violations are largely due to the limited oversight and accountability of law enforcement agencies in the Philippines. Despite the fact that the campaign has been in place since 2016, there remains a lack of an effective system in place to monitor and investigate these violations.

This has led to a culture of impunity and a lack of respect for the rule of law in the country. Furthermore, the campaign has had a disproportionate effect on certain vulnerable groups such as the poor, ethnic minorities, and those with mental health issues (K Hapal, 2019). The lack of due process, the indiscriminate use of force, and the lack of effective oversight have all contributed to a situation where the campaign has become a tool for the violation of human rights, rather than a way to address the drug problem in the country.

CONCLUSION

In 2018, (Mendoza et al. 2018) conducted a study on the human rights violations of Oplan Tokhang in the Philippines. Oplan Tokhang is an anti-drug campaign launched in 2016 by the Philippine National Police that allows police officers to conduct house-to-house visits to

identify drug suspects (Mendoza et al., 2018). The study found that the campaign has led to several human rights violations, such as illegal searches without warrants, arbitrary arrests and detention, and physical abuse. Furthermore, the study found that the majority of the victims of the campaign were from the poorer sections of society, with many of them having no prior criminal records (Mendoza et al., 2018). The rise of drug abusers in the Philippines is a serious problem linked to the lack of jobs in the country. The Philippines has one of the highest unemployment rates in the world, with an estimated 7.3 million people unemployed in 2018. This lack of employment opportunities has led to increased drug abuse, as people turn to drugs to cope with their financial struggles.

The rise in drug abuse has had a devastating effect on the Philippines. Drug abuse has been linked to several social issues, including crime, poverty, and health problems. Drug abuse has also been linked to decreased productivity, as drug abusers are less likely to be productive members of society. The government of the Philippines has taken steps to address the issue of drug abuse, but more needs to be done. The government must focus on creating more jobs and providing better job opportunities for its citizens. This will help reduce the number of people turning to drugs to cope with their financial struggles. The government must also focus on providing its citizens with better education and training opportunities. This will help to ensure that people have the skills and knowledge they need to find employment and be productive members of society. Finally, the government needs to focus on providing better access to mental health services. Mental health issues are often linked to drug abuse, and providing better access to mental health services can help reduce the number of people turning to drugs to cope with their mental health issues. The rise of drug abusers in the Philippines is a serious problem that

needs to be addressed. The government needs to focus on creating more jobs and providing better job opportunities, better education and training opportunities, and better access to mental health services. This will help reduce the number of people turning to drugs to cope with their financial struggles and mental health issues.

RECOMMENDATIONS

Eusebio (2018) suggests that for the program to be effective, it needs to be supported by a comprehensive legal system that ensures citizens' rights are respected. Additionally, the program should be implemented in a way that is consistent with existing laws and policies, and it should be accompanied by additional measures such as public education and awareness campaigns. Furthermore, the program should prioritize drug users willing to seek treatment and rehabilitation rather than punishing them with criminal sanctions. All of these recommendations could help to ensure that Oplan Tokhang is implemented in a way that is both effective and respectful of the rights of citizens.

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