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SESSION ON

THE FILIPINO PEOPLE

and

THE BANGSA MORO PEOPLE

Antwerp, October 30 - November 3, 1980

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The Permanent Peoples' Tribunal operates within the constitutional framework established by the Universal Declaration of the Rights of Peoples ("The Algiers Declaration") as adopted at Algiers on July 4, 1976. After holding hearings in June 1979 at Bologna, the Tribunal agreed to receive separate, yet joined, complaints about violations of legal rights, on behalf of the Filipino and Bangsa Moro Peoples. These complaints were directed against the Marcos government in the Philippines, against various specific political, business and military leaders and their agents, against the United States Government and its representatives, against specific multinational corporations and commercial banks, and against certain international financial institutions, specifically the International Monetary Fund, the World Bank and the Asian Development Bank. A specially selected jury of ten prominent citizens drawn from the larger international panel of the Tribunal, received oral testimony and written evidence in support of these complaints, at its Antwerp session of 30 October - 3 November 1980.

The separation of these two judgments requires comment, especially as the Tribunal agreed to hear the charges at this single session⁺. Both the Filipino and Bangsa Moro peoples are joined in a common struggle against the Marcos government and against a wider neo-colonial system dominated by the United States. Their analysis of the issues is identical. The Bangsa Moro people, living in the southern Philippine islands, have a long history of separate cultural and political identity, have been victims of a particularly vicious campaign of genocide, and are devoted to the goals of national self-determination for their 5,000,000 or so people. In these respects their circumstances are different from those of the Filipino people in general and appear, on balance, to justify two distinct judgments by the Tribunal.

+ Sections I, III, IV and V are identical in the two judgments, whereas section II refers to the specific circumstances of the Filipino and Bangsa Moro peoples.

It should be noted that the Tribunal notified the principal defendant governments, the Philippines and the United States of America, of these pending proceedings and afforded them a full opportunity to participate in their own defence. These invitations were ignored. The Tribunal decided to proceed in their absence, given its failure to have any means to compel participation and given the seriousness and well-documented character of the complaints. Furthermore, although its procedures are informal and non-technical by comparison with a normal court of law, every effort at fairness was made, including some consideration of possible lines of defence. The whole purpose of the Permanent Tribunal is to overcome the deficiency in international society that allows gross crimes of state to persist without notice or remedy. Our efforts conceive of law as existing on behalf of people, not to serve the interests of abstractions such as the sovereign state or the multinational corporation.

In this respect, the Algiers Declaration, drafted and approved by leading jurists drawn from all regions in the world, challenges the idea that governments and their institutions enjoy a monopoly over law-making. The Permanent Tribunal is committed to the notion that individuals, as citizens of the world as well as of their own country, have the right and obligation to shape emerging law in accordance with human needs and human values. Such an obligation is especially strong in the present historical period where crimes of state are widespread and intense, go unpunished, and are often committed in concert with international institutions, especially those institutions operating in the economic sphere. We refuse to sit idly by and watch, without attempting to remedy, this accumulating record of official abuse and institutionalised repression.

The Algiers Declaration is also a response to substantive gaps in the law. In particular, many of the peoples of the Third World are being subjected to a cruel and exploitative transnational system of rule, often known as "neo-colonialism". This system takes different forms in different countries, as the evidence on the Philippines demonstrates. Yet, there is a common reality of

economic plunder by foreign interests, often spearheaded by multinational corporations and their banking partners, that is made effective by a militaristic apparatus that combines internal and international elements of repression. Conventional international law is virtually oblivious to these realities so central to the lives of Third World peoples, and so the Algiers Declaration has been developed and will be applied to provide a legal instrument of detection and judgment.

At the same time, conventional international law is itself developing in accordance with the flow of history and under pressure from progressive elements in international life. To the extent that international law reflects these progressive tendencies we draw upon its conclusions to reinforce our findings. We rely, for instance, on the rules of emerging international law that endorse the legitimacy to claims of national self-determination and to claims on behalf of the human rights, including economic and cultural rights, of individuals and groups. We rely, also, on the legal precedents created after World War II when leaders of governments, their officials and even industrialists were tried for crimes of state and crimes against humanity, which precedents have now been codified into accepted principles of international law. We believe, as the prosecuting governments back in 1945 claimed they believed at the time, that all governments, not just governments defeated in war, should be held accountable for obedience to law, if necessary by the peoples of the world, organised as best they can.

Finally, it should be noted that this inquiry into the charges made by the Filipino and Bangsa Moro peoples has been made only after it was evident that there was a complete absence of political will on the part of established forums in the international community to investigate these grievances. We felt obliged under these circumstances to act, given the seriousness of these grievances and their continuing character. Indeed, a failure by the Tribunal to heed the urgent moral and political situation in the Philippines would contribute

further to the impression that little or no international resistance exists to those dark and powerful forces at work in the world to devalue human society.

IIA THE FUNDAMENTAL GRIEVANCES OF THE FILIPINO PEOPLE

1. The social and economic situation of the great majority of the people is one of misery and oppression. A 1971 University of the Philippines study reports that 69% of the rural people live below the poverty line. In 1975 that proportion rose to 71.3%. Malnutrition plagues 70% of the population and, according to the Food and Nutrition Research Institute, malnutrition causes fully 40% of the mortality. In 1975 unemployment reached 40% which is 9.6 million persons. In Metro-Manila, 1.5 million people live in slums. In the countryside there are 4 million landless squatters.

2. The situation of the Filipino people is not unique. It is common to most of the Third World countries, dominated as they are by an expanding capitalist economy which, in the present phase of concentration and transnationalization, maximizes and accelerates. As a result, countries like the Philippines are brought into a growing dependency on powerful economic institutions which are then able to dictate policy in the fields of investment; wages, capital repatriation, profit remittances, etc. This policy promotes, at one and the same time, both economic growth and the impoverishment of the majority of the people. Following this contradictory pattern, the Gross National Product grew from 77.958 million Pesos in 1977 to 82,477 million Pesos in 1978; the real income of the rice-peasants decreased 53.4% between 1976 and 1979; the real income of urban workers fell 39% between 1972 and 1978. While in 1952 the average worker received 0.36 Pesos on each peso produced as value, in 1971 the same average worker received only 0.24, and in 1975 only 0.09. Clearly when profit and economic power become the exclusive criteria for production, "growth" results in a total neglect for human beings and for the natural environment. The internationalization of the market economy thus deprives the people of the right to determine for themselves their economic and cultural fate.

3. It is also true that, in spite of the problems it has in common with other Third World countries, the Philippines is also in some ways unique. It is a former colony of the U.S.A. and continues to live in an unfinished process of decolonisation; it is tied by a number of treaties and agreements of a political and economic nature to the United States of America. In 1946, parity rights were conceded to U.S. citizens, for persons as well as for corporations. In 1951, the Quirino-Foster Agreement on Economic and Technical Cooperation established the

principle of a close American supervision over economic policy making. The Laurel-Langley Agreement of 1954 tied the Filipino monetary system to the dollar, whose value in pesos could not be changed without the approval of the United States of America. This pattern of unequal treaties with the U.S. gave the U.S. virtual control over the Philippine government and opened the door to such treaties with other countries, including especially Japan. It should be added that U.S. investments represent 80% of the total foreign investments in the Philippines and 60% of the total American investment in Southeast Asia.

4. The economic exploitation of local resources including natural capital, and local agricultural and industrial manpower, has been increasing in recent years. This comes from the role played by outside economic powers, particularly transnational corporations and foreign commercial banks. In 1978, there were 324 multinational enterprises, representing 52.6% of the total sales and 66.7% of the total income of the top 1,000 corporations. Among the transnational corporations, agribusiness is an important activity. Four corporations own 27,000 hectares of banana land. Among them Del Monte who own 9,000 hectares pineapple plantations and Dole. Among the foreign owned mines, Benguet plays an important role. In the industrial field the Mitsui group has important investments and in the banking field the Chase Manhattan Bank should be mentioned.

5. Through political measures and in particular through the establishment and institutionalisation of Martial Law, now a permanent and indispensable instrument of rule, the Government of Mr. Marcos serves as an intermediary for this international economic exploitation, and an agent of local oppression. During the two years preceding the Martial Law, foreign investments amounted 16.3 million Dollars, and during the two years after it (1972-1973) new investments rose to 362.1 million. The increase in the capital of foreign firms which were already present in the Philippines when Martial Law was promulgated was 1,100% growing from 83.7 million to more than one billion pesos. These increased profits were built on the repressive control of labour and of democratic institutions. General Order No. 5 prohibits the right to strike. Decree No. 21 gives businesses the right to dismiss without notice any worker opposing productive policy. By Decree No. 143 Sunday as an obligatory holiday for the workers has been abolished. Decree No. 148 reduced the advantages given to pregnant women. Decree No. 823 reinforced General Order No. 5 by forbidding any foreign organisation to give direct or indirect support to workers organisations, except through the official unions recognized by the Ministry of Labor. Arbitrary arrests of

hundreds of individuals took place, including three senators and several priests. Many of those arrested are still in detention. An executive prohibition on all forms of public protest was imposed, the writ of Habeas Corpus was suspended, newspapers, television and radio stations were closed, and government employees were arbitrarily dismissed.

6. Part of the Filipino dominant classes are associated with this exploitation process building up their wealth and power by participating in political power and through subservient functions in the local operations of international corporations. They have even accumulated massive fortunes through corrupt economic practices. For instance, Defense Minister Juan Ponce Enrile has been able to acquire control over the entire coconut industry, through his influence in government. At the same time, coconut workers (who, with their dependents, number 15 million people) became the category of workers most affected by the real wage decreases. The same Mr. Enrile also accumulated a great amount of real property.

7. In implementing their policies, the Marcos Government has particularly infringed the rights of ethnic minorities, like the Kalingas and the Bontocs, for instance, who have been deprived of their land, without proper compensation or relocation, and culturally destroyed. Several leaders of minorities have been assassinated and tortured.

8. The Marcos Government has also engaged on a full-scale war against the Bangsa Moro people, using the Philippine army, air force and navy for the bombing of villages. This violent action has been accompanied by mass murders, expulsion of thousands of people from their homeland and has resulted in 200,000 people becoming refugees.

9. The economic policies followed by the Philippine Government have been increasingly guided and even framed by International Financial Institutions, such as the World Bank; the International Monetary Fund and the Asian Development Bank. The principal features of such policies particularly since 1972 (Martial Law) are: unrestricted flow of foreign investment and profit; dismantling of the protective tariff structure; industrialization of the export sector through centralisation of the marketing of several export commodities; provision of cheap unorganised labour. So, for instance, the extension of sugar and coconut plantations (by 663,000 hectares between 1972 and 1976) resulted in a diminution of rice production (3.2 million tons in 1960, against 3.1 million in 1970) in spite of the population

increase, a deficit of 400,000 tonnes. The average rice consumption is only 76 kgs per year as against 104 kgs in the other ASEAN countries, whereas the necessary minimum is estimated by the WHO at 114 kgs. The foreign aid programmes mainly reinforce the same economic policy. The Center for International Policy of Washington D.C. estimates that between 1976 and 1978 only 22% of U.S. aid went into projects directly benefiting the poor. The rest went for tobacco loans, insurance for a Bank of America branch office, military aid, rural electrification priced out of the reach of the poor, and balance of payments loans conditioned on the adoption of government policies that reduce real wage for the poor. In that same period, military aid increased by 138%.

10. The support given by U.S. Government has internal security dimensions, such as financial contributions for military build up, training for counter-insurgency, legal authority for military units to perform security activities off military bases in Philippine territory. When the military budget of the Philippines passed from 584 million Pesos in 1972 to 2.449 million in 1978 (at the same time as the education budget passed from 1.360 million to 1.499 million), the military assistance of the U.S.A. which was 60.2 million dollars between 1970-1972, nearly doubled to 118.8 between 1973-1975. But this military presence of the U.S. has also international dimensions, the U.S. bases serving to control the Pacific and the Indian Oceans and even to intervene in the Middle East. This close relationship between the Marcos regime and the U.S. government belies the former's claim of being a "non-aligned" state.

11. Facing such oppression, the Filipino and the Bangsa Moro peoples, having lost most of the democratic means of defence and of expression, have organised themselves in underground resistance movements and even in armed struggle, the legitimacy of such resistance arising from the oppression itself.

IIB. FUNDAMENTAL GRIEVANCES OF THE BANGSA MORO PEOPLE

The situation of the Bangsa Moro People also reflects the experiences of the Filipino people under the Marcos regime of "permanent" Martial Law described in the preceding section. In this section we call particular attention to the additional experience of repression endured by the Bangsa Moro people.

1. For centuries the southern islands existed as separate sultanates. Even during the American colonization of the Philippines, in spite of formal integration, the separate status of the Moros was recognized by special arrangements and policies. It was lost only in the treaty of independence from the U.S. in 1946, which merged the southern islands, in spite of Moro protests, into one entity with the northern Philippines.

2. The southern islands have had a distinct culture. At the beginning of U.S. colonial rule at the turn of the century, the population of Mindanao and Sulu was 98% Muslim. A programme of government-sponsored colonisation with northern Philippine Christian settlers began in 1912. It was greatly accelerated by the Public Land Act of 1919, which declared the ancestral lands of the Moro and other indigenous peoples public lands, title to which would henceforth be issued by the government in Manila. The rate of infiltration of Moro areas with settlers from the North has increased markedly since 1946, particularly under the Marcos regime, so that now the Muslims comprise only 60% of the population, Christian Filipinos 25%, while the remaining 15% are distributed among other ethnic groups.

3. The Southern islands are predominantly rural with few and small cities. Development in the sense of industrial and large-scale enterprises is new, foreign and still in its beginnings. The Northern islands are ahead in this regard. For this reason the Moros feel almost as much threatened by Filipino entrepreneurs and exploitation as by the neo-colonial powers. As one MNLF representative said, "We feel that the Filipinos come halfway between the Americans and us." We have the impression that the Moros are struggling to regain their lost farms, to retain their barrio tradition and, if it comes to that, to determine and carry out their own technological development.

4. The Moros are being subjected to a planned and accelerating programme of displacement from their ancestral lands and physical extermination. Of the 5.5 million Moros roughly half are already

refugees, and about 250,000 have emigrated to the Malaysian province of Sabah. It has been suggested that such emigration is being fostered by the present Philippine regime. To put it plainly, the Moros are felt to be "in the way" in their own homeland; and a policy of displacement and extermination is in progress, reminiscent of that which involved the American Indians when they got in the way of the Western expansion of the white population of the United States.

5. What is planned for the Southern islands is not primarily industrial development, but exploitation as a source of raw materials and food. In the little industry that has so far been developed by outsiders, the Moros are hardly involved. They are not wanted either as workers or consumers, since major products are intended for export. The Southern islands are fabulously wealthy in resources. At present, Mindanao produces half of all the corn and coconut in the Philippines, 20% of all rice, 50% of fish, 40% of cattle, almost all exported bananas and pineapples, 89% of nickel and cobalt, 90% of iron ore, 62% of limestone, almost all aluminum ore (bauxite), 72% of logs and all the rubber. Yet the islands of Mindanao and Sulu cover hardly more than one-third the land area of the Philippines and contain less than one-fourth of the total population.

6. That population is now stratified into a small elite of industrialists and landlords, mainly Filipino and foreign, only a remnant deriving from the old Muslim aristocracy; a large number of new Filipino farmers, poor and with small holdings of a few hectares, and the Moros. In his report to the World Bank on September 21, 1970, Robert McNamara, its President, spoke of what he called "marginal men". These, he explained, are not merely unemployed; there is no use for them in the market economy. They are not needed either as producers or consumers. They are not only in the way, their very existence is an embarrassment. The American, Japanese and European entrepreneurs and the Philippine ruling elite apparently have decided to regard the entire Bangsa Moro people as "marginal" in just this sense, and are proceeding callously and brutally to remove them from their homelands, by displacement and genocide, as impediments to their planned programme of so-called development, the exploitation for profit of the rich resources of the southern islands.

7. The struggle of the Bangsa Moro people, as represented by the MNLF and the Bangsa Moro Army, has achieved significant international recognition. In this context reference should be made to the recognition

of the MNLF by the Islamic Conference which led to negotiations, and a consequent agreement (the Tripoli Agreement of 23 December 1976) concluded between the MNLF and the Marcos regime. This agreement represents formal recognition of the MNLF by the Philippine Government.

8. The international recognition of the armed struggle of the Bangsa Moro people places an obligation on the Philippine government to fully respect the provisions of the Geneva Conventions in relation to the combatants of the MNLF. It also places an obligation on international bodies to allow the MNLF to take part in their activities.

III

LEGAL FRAMEWORK

This general situation of severe oppression in the Philippines discloses a vast pattern of illegal and criminal conduct involving numerous specific violations.

The basic Marcos-U.S. role in the Philippines contravenes virtually every provision of the Algiers Declaration, suggesting the severity of the situation facing the Filipino and Bangsa Moro Peoples. We call particular attention to the following violations.

The neo-colonial system operating in the Philippines manifestly denies to its peoples the promise of the Algiers Declaration Articles 2 and 3 that "Every people has the right to the respect of its national and cultural identity" and "Every people has the right to retain peaceful possession of its territory...". Neocolonialism in the various forms already described violates Article 5's promise of the right to self-determination, as well as the assurance of Article 6 that: "Every people has the right to break free from any colonial or foreign domination, whether direct or indirect...".

In more concrete terms, in relation to economic matters, Article 8 calls for every people to have "an exclusive right over its natural wealth and resources." Such a fundamental legal assurance is completely inconsistent with the elaborate Marcos-U.S. transnational economic structure that deprives the Filipino and Bangsa Moro people of their rights and illegally confers economic benefits on foreign imperial powers and their accomplices in the corporate and banking world. Furthermore, in concrete terms, Article 10 provides that "Every people has the right to a fair evaluation of its labour." Article 11 adds that "Every people has the right to choose its own economic and social system and pursue its own path to economic development freely and without any foreign interference." These legal standards are completely undermined by the arrangements governing the economic life of the Filipino and Bangsa Moro peoples, the essence of which, as the evidence shows so convincingly is to rely upon the fruits of their labour and to deny the country as a whole the benefit of its natural resources and capital producing wealth. In particular, we determine that international financial institutions, including the International Monetary Fund, the World Bank and the Asian Development Fund perform a major role as accomplices in the violation of these main provisions of the Algiers Declaration.

The evidence also demonstrates that multinational corporations

violate Article 16 of the Algiers Declaration, to the extent that they locate polluting industries in the Philippines. These offences are particularly serious in those cases where the industry is not permitted to operate for environmental reasons in its country of origin (e.g. the Kawasaki sintering plant in Mindanao).

The evidence also shows that the mistreatment of various tribal peoples in the Philippines was a direct deliberate consequence of this neo-colonial structure. There exist blatant violations of those rights of minority peoples which are specified in Articles 19 to 21 of the Algiers Declaration, for which the Marcos regime, its multinational corporate and international financial institutional accomplices are mainly responsible. By dispossessing minority people from their ancestral lands, the Marcos regime has carried out discriminatory policies of a criminal character which have inevitable genocidal effects.

Indeed, the entire repressive apparatus of the Marcos Martial Law system violates the political and civil rights of the Filipino and Bangsa Moro peoples, with the connivance, collaboration and participation of the United States Government and its various agencies. Cruel and brutal policies are used to silence opponents and to prevent even the most peaceful forms of opposition to express themselves. Daily existence is turned into a perpetual nightmare by the continuous exercise of arbitrary authority by Marcos' military and para-military security forces. These abuses of state power not only violate the Algiers Declaration, but also are condemned by the specific provisions of the Universal Declaration of Human Rights which all governments acknowledge as expressive of binding law.

The net result of the documentation on abuse of peoples' rights is summed up by Article 22 of the Algiers Declaration which concludes that disregard of its provisions "constitutes a breach of obligations towards the international community as a whole."

Relief called for is specified in the Algiers Declaration Articles 23 to 27 and includes the right to receive reimbursement for losses incurred, which covers the excess profits earned by foreign corporations and banks. Article 25 specifically declares, further, that unequal treaties, of the sort binding the Philippines to the United States "shall have no effect".

Article 26 calls for the disregard of foreign debts that have "become excessive and unbearable for the people", a description that reflects the situation of the Filipino people and is a direct result of the corrupt and repressive policies of the Marcos dictatorship. Significantly, the commission of these violations is held by Article 27 to "constitute international crimes for which their perpetrators shall carry personal penal liability". The Tribunal regards it important to conclude that the Marcos-

U.S. neo-colonial system amounts to a continuing criminal enterprise under emerging international law and that the respective leaders and agents of these Governments should properly be held personally responsible.

It is also affirmed by the Algiers Declaration as a matter of legal right, that liberation movements specifically, in this case the National Democratic Front (NDF) and the Moro National Liberation Front (MNLF), enjoy status in international society. They are empowered, by Article 28 to enforce the rights of their peoples, by armed struggle if necessary. The Tribunal would add that given the enormity of the crimes committed by the Marcos regime, that regime has lost its legitimacy and that in its place, these liberation movements are recognized as enjoying the international status of being legitimate representatives of their respective peoples.

This detailed indication of the relevance of the Algiers Declaration to the evidence brought before the Tribunal discloses the general legal framework relied upon to reach our conclusions.

It should be understood, however, that the Marcos regime and the neo-colonial support system would be multiply indictable under traditional international law and punishable for international crimes without reliance under the Algiers Declaration. That is, these defendants would be equally culpable if a proper international Court was convened, as indeed it should be, by the United Nations or by the concerted action of foreign Governments, as in fact was done at the end of World War II to bring charges against the German and Japanese warleaders, including some of their prominent business leaders.

Particularly relevant in this regard are Article 55 and 56 of the U.N. charter calling upon the United Nations and its members to assure respect for the principle of self-determination of peoples, and for the promotion of "higher standards of living, full employment, and conditions of economic and social progress and development" and "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion". Also relevant are the Universal Declaration of Human Rights and the various human rights covenants and conventions endorsed by the United Nations and its specialised agencies.

Most important as a general legal underpinning for this inquiry are the Nuremberg Principles, first endorsed unanimously by the General Assembly of the United Nations and later formulated in authoritative terms by the U.N. International Law Commission. These Nuremberg Principles, in their essence, hold individuals and groups criminally responsible for acting against the fundamental rights of peoples, even if their actions are formally undertaken under the authority of the State. One category of substance dealt with in the Nuremberg Principles are Crimes against Humanity

acts and activities involving gross brutality against the civilian population; although restricted by Principle 6(c) to those acts arising in connection with Crimes against Peace or War Crimes, the independent criminality of actions against the civilian population in one's own country has by now come to be established in general international law.

Particularly applicable in relation to the complaint of the Bangsa Moro peoples, but also relevant for the situation of tribal peoples in the northern Philippine islands, is the Convention on the Prevention and Punishment of the Crime of Genocide. Of course, the basic rights of peoples arise from a natural foundation, often expressed as "the conscience of humanity," that exists quite independently of any formulation of these rights in positive law documents such as treaties and other international agreements.

This recital of relevant legal framework relied upon by the Tribunal demonstrates the extent to which the Marcos-U.S. Martial Law and neo-colonial system is a criminal enterprise that needs to be resisted by all elements of the international community concerned with justice, morality, and an effective system of progressive international law. The Tribunal in pronouncing its Judgment is conscious of the urgent need to elaborate more fully the rights of the peoples of the world in relation to grievances of the sort presented in this case.

IV JUDGMENT ON THE APPEALS OF
THE FILIPINO PEOPLE
AND
THE BANGSA MORO PEOPLE

(The Tribunal considered the joined complaints separately, yet in view of the interlocked character of the struggle, framed its judgment on behalf of the Filipino people and the Bangsa Moro people in identical terms.)

1. The Tribunal finds that the Marcos regime by its reliance on "permanent" martial law and numerous blatant abuses of state power is deprived of legitimate standing as a government in international society and lacks the competence to act on behalf of the Filipino or Bangsa Moro peoples ;

2. The Tribunal finds that treaties and agreements imposed by the United States on the Philippines, admittedly with the complicity of successive Philippine governments, are null and void as "unequal treaties", and that all obligations incurred under them should cease forthwith. In this connection, the Tribunal declares invalid the latest international trade agreement, signed in October 1979 and known as the Collantes-Murphy Agreement, being a replacement for the expired Laurel-Langely Agreement of 1954. It also finds null and void the Military Bases Treaty of 1947 and its recent extension in 1979 by Executive Agreement;

3. The Tribunal condemns in the most rigorous terms the programme of displacement and physical extinction that is now being waged by the Marcos regime against the Bangsa Moro people and has already deprived them of much of their ancestral land and made roughly half of their number refugees and exiles; the cumulative effect of this programme has been the commission of the crime of genocide;

4. The Tribunal considers that the abuses of the Marcos regime have contributed excessively to the degradation of women and to their economic and sexual exploitation;

5. The Tribunal condemns, also, the United States Government for its role in sustaining, supporting and encouraging the Marcos regime to act on behalf of its economic and global strategic interests in violation of the rights of the Filipino and Bangsa Moro peoples and calls upon it to cease such activities in support of state crime forthwith and to renounce all of its "rights" obtained by way of unequal treaties and to respect from now on the full sovereignty of the country, including the status of the National Democratic Front (NDF) and the Moro National Liberation Front (MNLF) as legitimate representatives of their respective peoples;

6. The Tribunal, in this regard, calls on world public opinion to be especially vigilant of possible attempts by the United States government to replace the Marcos dictatorship with another dependent, neo-colonial regime during this period of increasing popular resistance to a government that has lost its credibility and capability;

7. The Tribunal also notes that the International Monetary Fund, the World Bank and the Asian Development Bank, despite the stated purpose "to help raise the living standards of the developing countries", are playing a crucial role in sustaining, supporting and encouraging the Marcos regime, despite its commission of systematic state crimes and calls upon these international financial institutions to terminate these relationships that abet the violation of the rights of peoples and are responsible for disrupting the

life and threatening the very existence of such tribal peoples as the Igorot and Kalinga through their support for high-technology hydro-electric projects;

8. The Tribunal censures a series of American, Japanese and European multinational corporations for their role in violating the sovereign rights of the Filipino and Bangsa Moro peoples, including their legally protected right to sovereign control over natural resources and calls upon these corporations to cease their activities, compensate the Filipino and Bangsa Moro peoples for the depredation of their resources, and to avoid all further interference in the internal life of the Philippines;

9. The Tribunal censures also the transnational commercial banks for their role in sustaining the illegal and criminal activities of the Marcos government and of multinational corporations and calls upon these banks to cease their lending activities that reinforce criminal undertakings harmful to the Filipino and Bangsa Moro peoples;

10. The Tribunal also denounces the various actions of non-governmental organisations, including the educational, religious and trade union organisations to the extent that they lend support to the Marcos regime by supporting economic projects reinforcing the existing social order, by training local elite and by misleading workers and peasants, through the formation of fake organisations that pretend to work for the people but are in reality tools of the regime;

11. The Tribunal finds Ferdinand Marcos guilty of grave and numerous economic and political crimes against his own people and against the Bangsa Moro people and declares him unfit to govern and subject to severe punishment for his past wrongs, including economic plunder and failure to protect the sovereignty of his country from neo-colonial interventions;

12. The Tribunal finds the corrupt and plundering Marcos "entourage" guilty as accomplices and perpetrators of numerous political and economic crimes and declares them subject to punishment by an appropriate criminal tribunal;

13. The Tribunal acknowledges that the Bangsa Moro people are entitled to the right of self-determination; it welcomes also the guarantee by the MNLF that should the Bangsa Moro people decide to establish a separate state all minorities are entitled to entirely equal rights irrespective of race, religion or national origin; further, the Tribunal welcomes the common position of the NDF and of the MNLF on the crucial issue of self-determination;

14. The Tribunal concludes that the armed struggle between the Marcos regime and the Filipino and Bangsa Moro peoples qualifies in international law as a condition of belligerency and that, accordingly, the parties should respect fully the provisions of the Geneva Conventions on the laws of war, an observation made necessary by the numerous atrocities committed by the Marcos soldiers over the years;

15. The Tribunal calls upon world public opinion, progressive governments organisations and individuals to lend their support to the struggle of the Filipino and Bangsa Moro peoples to achieve national self-determination, liberation from the Marcos regime and the neo-colonial system of repression.

APPENDIX A - EVIDENCE PRESENTED TO THE TRIBUNALBasic reports

Prof. Joel Rocamora, South East Asia Research Centre,
Berkeley, Calif., U.S.A.

- a) U.S. imperialism and the economic crisis of the Marcos dictatorship
- b) Economic exploitation, repression and discrimination of the Bangsa Moro people

Prof. Walden Bello, University of California Berkeley
Berkeley, Calif., U.S.A.

The forms, functions and causes of political repression in the Philippines

Witnesses

Antonio de la Cruz	Worker
Victoria de los Reyes	Peasant
Perla Silangan	Student
Salud Torres	Civil servant and writer
Wada Taw-il	Member of tribal minority
Dr. Parouk Hussin	Doctor

Representatives of the plaintiffs

Louis Jalandoni	National Democratic Front
Victoria de los Reyes	New People's Army
Abdurasad Asani	Moro National Liberation Front
Hatimil Hassan	Moro National Liberation Front

Documentary Evidence

1. Philippines 1980. An NDF Publication.
2. Neo-Colonialism: Root of our Discontent (1979)
Published by the Civil Liberties of the Philippines (C.L.U.P.)
3. Makibaka: Join Us In Struggle.
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APPENDIX B - INSTRUMENTS OF INTERNATIONAL LAW CONSIDERED

- The Universal Declaration of the Rights of Peoples,
Algiers, 1976
- The Universal Declaration of Human Rights
- The Charter of the United Nations
- The International Covenant on Economic, Social and
Cultural Rights
- The International Covenant on Civil and Political
Rights
- The International Convention on the Elimination of
all Forms of Racial Discrimination, 1965
- The Geneva Conventions I, II, III and IV, and in
particular Article 3 thereof
- The Nuremberg Principles of International Law adopted
by the General Assembly of the United Nations
- The Conventions of the International Labour Organisation
- The Declaration on the Granting of Independence to
Colonial Countries and Peoples