



INTERNATIONAL PEOPLE'S TRIBUNAL

KATARUNGAN: The Filipino People vs. The U.S. Government, Marcos and Duterte Regimes

OPENING STATEMENT BY THE PROSECUTION

By

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International Peoples' Tribunal
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Distinguished Members of the Tribunal
Ladies and Gentlemen,

The International Peoples' Tribunal is convened to hear a case brought by the FILIPINO PEOPLE, at the instance of the individual victims of rights violations and their families, particularly the peasants, workers, urban and rural poor, fisherfolk, women, youth and students, indigenous peoples and national minorities, migrants, religious, journalists, legal professionals, and human rights defenders.

The accused are current President Ferdinand Romualdez Marcos Jr., his predecessor, former President Rodrigo Roa Duterte, the Government of the Republic of the Philippines, current President of the United States of America Joseph R. Biden, and the Government of the United States of America.

The Prosecution will establish beyond doubt that the defendants are guilty of gross and systematic violations of international humanitarian law or war crimes involving:

Firstly, the killing and massacre of civilians, the abduction, torture and other forms of cruel, degrading and inhuman treatment of civilians, directing attacks against civilians and civilian objects, forced displacement, acts or threats of violence intended to spread terror among the civilian population, hamletting villages and communities and impeding humanitarian aid and relief, and the use of means and methods of warfare that are indiscriminate, cause superfluous injury or unnecessary suffering, or cause widespread, long-term and severe damage to the natural environment;

Secondly, killings of persons *hors de combat* and members of the NDFP that do not perform combat functions, the desecration of bodies of slain combatants, outrages upon their personal dignity, the abduction, torture and other forms of cruel, degrading and inhuman treatment of the said persons; and

Thirdly, attacks, killings, abduction, arrests, detention, torture and other forms of cruel, inhuman and degrading treatment of NDFP consultants, peace advocates, activists, human rights and environmental defenders, humanitarian aid workers, journalists, and members of organizations red-tagged or terrorist-tagged as "fronts" of the Communist

Party of the Philippines, the New People's Army, and the National Democratic Front of the Philippines,

All committed in the context of the armed conflict between the Government of the Republic of the Philippines, which is aided and supported by the US Government, and the NDFP.

These violations arose from the protracted armed conflict between the GRP, supported by the United States government, and revolutionary forces embodied by the NDFP. Through its armed component, the New People's Army (NPA), the NDFP pursues a struggle for national liberation, asserting the Filipino people's inherent right to self-determination. In response, the GRP, backed staunchly by the US, employs violent suppression tactics, including so-called counterterrorism efforts. These actions have curtailed civil liberties, stifled democratic expression, and violated human rights and international humanitarian law.

The extent of these transgressions is well-documented.

In 1980, a Tribunal convened in Antwerp found dictator Ferdinand Marcos guilty of egregious offenses, including economic plunder and failure to safeguard the sovereignty of his nation against neo-colonial interventions.

In March 2007, a Second Session of the Permanent Peoples' Tribunal on the Philippines held in The Hague found Gloria Macapagal Arroyo, along with the GRP, George Walker Bush, the US Government, and a consortium including the International Monetary Fund, the World Bank, and the World Trade Organization, as well as various transnational corporations and banks guilty of gross and systematic violations of political, economic, social and cultural rights, alongside of encroachments on the right to national self-determination and liberation.

The International People's Tribunal held in Washington in 2015 and in Brussels in 2018 highlighted atrocities ranging from extrajudicial killings to economic exploitation and environmental devastation. The findings of the Brussels I Tribunal underscored the systemic nature of state-sanctioned atrocities.

Despite these condemnations, subsequent reports from international non-government organizations, human rights groups, fact-finding missions, and UN human rights bodies affirmed the persistence of oppressive policies by the GRP and its American ally. As resistance against these injustices mounts among Filipinos and the conflict between the GRP and the NDFP deepened, the GRP has escalated its repressive measures, perpetuating a cycle of violence and repression.

Of particular concern are the intensified counterinsurgency and counterterrorism campaigns marked by increasingly brutal tactics that constitute clear violations of international law. This was heralded by President Duterte's termination of the peace

negotiations and blacklisting of organizations and cadres of the revolutionary movement as “terrorists” under Presidential Proclamation No. 174, followed by the institution of the so-called “whole-of-nation” approach to ending the local communist armed conflict under Executive Order No. 70.

The Duterte administration blurred the lines between armed conflict and terrorism, while obscuring legitimate protest, dissent, and resistance as terrorist activities. With the passage of the Anti-Terrorism Act amid the Covid-pandemic, it moved to designate the revolutionary movement as terrorists and freeze the assets of civil society organizations and individuals that had been maliciously linked with it, effectively crippling advocacy work and humanitarian efforts in conflict zones.

The government also weaponized criminal law by charging revolutionaries with common crimes instead of political offenses. Activists and rights defenders faced fabricated criminal charges based on false testimonies. Peace consultants, unarmed and defenseless, were brutally murdered, some even while asleep. Instances of NPA combatants surrendering or being rendered hors de combat were met with ruthless treatment and given no quarters.

State-sanctioned atrocities escalated against civilians in militarized communities that are resisting development aggression and corporate plunder. Tribal schools established by Lumad communities were falsely labeled as NPA training grounds and forcibly closed. Police and military forces wantonly committed massacres of civilians under the guise of executing search warrants or combating terrorism.

Despite President Marcos Jr.’s assertions of a departure from Duterte’s human rights record, the reality remains starkly similar. Impunity is still prevailing as prosecutions for extrajudicial killings, numbering around 20,000, amount to mere token gestures in the face of systemic injustice.

In exchange for aiding the rehabilitation of the Marcos family name, the US has ensured that the Philippines maintains its position as a neocolonial client state, aligning with the US’ imperialist objectives for the Indo-Pacific region—the Biden administration’s “epicenter of 21st century geopolitics.” The Marcos Jr. regime is serving as a willing pawn in the high-stakes geopolitical rivalry between the US and China and maintaining US dominance in the region. The Filipino people could find themselves ensnared in a conflict not of their own choosing. In true imperialist fashion, war remains to be a profitable avenue for the US to resolve its economic crisis.

The atrocities inflicted upon the Filipino people and the crimes perpetrated against them will be laid bare by the evidence to be presented before this Tribunal. I harbor no uncertainty that we shall sway the esteemed panel of jurors to pronounce all defendants guilty on every count, whether by direct participation or as willing conspirators in advancing the US imperialist agenda and a domestic fascist regime.

The verdict of this Tribunal will empower the Filipino people and their allies across the globe to demand accountability from those responsible for these heinous crimes. Ultimately, the claimants' aspiration is to create a society where such atrocities cease to exist, and where the Filipino people can fully enjoy their rights without hindrance.

This journey toward liberation, justice and accountability at present, cannot rely on international mechanisms like the International Criminal Court and the UN Human Rights Council, which currently lack the readiness and efficacy to swiftly address the impassioned cry for justice reverberating across the Philippine islands.

Therefore, it is imperative to convene the International People's Tribunal on the Philippines today in pursuit of truth and accountability.