

TALIBA

(News Flash/Commentary)

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FREE

US—RP Extradition Treaty

CIVIL LIBERTIES OF U.S. FILIPINOS IN DANGER



Filipinos in the United States are faced with an immediate danger. The Marcos government and the Reagan administration are preparing the ground for an extradition process which will enable the dictatorship to retaliate against its critics here. Extradition is a process by which a person in another country is arrested and sent to the requesting country to face trial. Once in operation, this extradition process could inhibit the free expression of political beliefs in the Filipino community here. It could mean the legalized extension of martial rule to the community in the U.S.

REPRESSION BY EXTRADITION

The US—RP Extradition Treaty now awaiting ratification in the Senate will make it possible for Marcos to ask for the extradition of Filipino and U.S. citizens deemed to have committed acts that are considered crimes by both the Philippines and the U.S. These include crimes which are not listed in the treaty and which the two governments may even have different names for. Also, a person who may not even have set foot in the Philippines could be extradited if charged with conspiracy, for example. In extradition proceedings, hearsay is accepted evidence. **The US—RP treaty supposedly excludes political crimes from extradition. But it allows the Executive Branches of both countries**

the power to determine whether an act is political or not. As everyone knows, Marcos can have a heyday with this provision alone!

Even if ratified, the treaty can not be immediately implemented because some of its provisions contradict the present U.S. Extradition law. However, Marcos' friends are coming to the rescue. The State Department is working with Congress conservatives such as Sen. Strom Thurmond to change this law so that it can accommodate the US—RP treaty and others like it. There are now bills (HR 5227; SB 1639) prepared by the State Department and its allies pending in Congress which if passed will **transfer the power to determine whether a crime is political or not, from the courts to the Secretary of State.** In addition, if the bills become law, a person accused of an extraditable crime **can be immediately jailed for up to 60 days—at the mere request of a foreign government!**

FM ITCHING FOR EXTRADITION

Yet Marcos has not even waited for the treaty to be ratified to begin extradition proceedings against U.S. based opponents. On Jan. 5, Marcos issued arrest warrants for 40 persons many of whom are living in the U.S. (*Bulletin Today*, 1/6/82). The list includes Benigno Aquino, MFP's Raul Manglapus, Steve Psinakis and CAMD's Rene Cruz.

The wanted persons are accused of terrorist bombings and/or being members of "subversive groups". Manila announced that the extradition of the U.S. residents will begin as soon as the treaty is ratified, and of course, as soon as the U.S. extradition law is changed. Clearly, with the treaty Marcos is not so much interested in going after businessman who are running away from debts, but after his political opponents.

How did Marcos determine who should be extradited? With the direct assistance of Sec. Haig who helped arrange the current Grand Jury and FBI investigations of the Psinakises in connection with the Manila bombings. He had other equally appalling assistance as well. To prove that others who may not be linked to the bombings are "subversives" nonetheless, Marcos used the testimony of LA Consul Armando Fernandez. The consul admitted in a Manila court that part of his job is to spy on community activities here. The subversive group he says, includes the KDP, AMLC (now CAMD), and the MFP. He reported that their "subversive activities" include demonstrations, the distribution of literature critical of the regime, fundraising for anti-Marcos groups back home and "festivals called Philippine National Day." The grim message then is, even for constitutionally protected activities that Fernandez reported, one can be the target of extradition.

IT'S PART OF U.S. FOREIGN POLICY

Why is the Reagan administration cooperating in the importation of martial rule to the U.S. Filipino community? It fits in very nicely with his own foreign policy. When he declared war on "international terrorism" he did not mean war with Marcos, Chile's Pinochet, S. Korea's Chun, Haiti's Duvalier or El Salvador's Duarte who are all protecting U.S. interests in their respective countries. **Reagan meant war on their opponents**, whose resistance to dictatorial rule is now being painted with the broad brush of "terrorism". Resistance to America's dictator friends, under Reagan's foreign policy, is now being called a crime—not a political act. No wonder Sec. of State Alexander Haig supported the proposed changes in the extradition law by telling Congress that these changes are crucial if the U.S. is to be able to honor its "international obligations."

Filipinos are not the only victims of this foreign policy. Already, Salvadoran and Haitian refugees are being deported back to certain persecution and even death. The recently imprisoned U.S.-based anti-Duvalier rebels will be facing extradition. Meanwhile, the "friendly" anti-Castro terrorists who are openly training in Florida are left untouched. Reagan is also reviewing other extradition treaties "to modernize" them, which means the democratic rights of many more communities are going to be undermined.

Oppose House Bill 5227

Write to:

House Judiciary Committee
Sub-Committee on Crime
c/o Cong. William Hughes
U.S. Congress
Washington, D.C. 20510

FILIPINO COMMUNITY MUST RESIST

The impact of the extradition treaty on the Filipino community is clear. It is not enough that the Consulates are already functioning as spy networks in the community—the treaty calls on U.S. state agencies to descend on politically active Filipinos at the request of the Marcos regime. Just the thought of being investigated by the FBI for possible extradition is already traumatic for most people. The treaty will strengthen Marcos' capacity to intimidate the community into silence. Already politically timid, the community will be further discouraged from exercising their democratic rights here. The negative effect of this will be felt not only in Phil.-related political activities but even in the struggle against discrimination.

The CAMD is not going to stand by and let the Reagan-Marcos assault bulldoze the community's democratic rights without a fight. It has launched the **National Committee in Opposition to the US-RP Extradition Treaty** which includes many Filipino community leaders as well as well-respected scholars and personalities such as Richard Falk, Professor of International Law at Princeton, Nobel laureate George Wald and actor Edward Asner, president of the Screen Actors Guild. The Committee is asking everyone to write letters to the Senate opposing the extradition treaty and the proposed changes in the extradition law (see addresses below). Even if the treaty pushes through, the CAMD will fight every attempt by Reagan and Marcos to use it for political ends.

The CAMD is calling on all Filipinos to defend their democratic rights by exercising them. Consulate spies must be exposed, isolated and ostracized. All attempts by US agencies to harass people for their political beliefs must be made public. The extradition treaty must be defeated. The CAMD has always said that U.S. Filipinos are very much a part of the fight for freedom in the homeland. The Marcos-Reagan attempt to muzzle the community is driving home this very point. The Filipino community must show that it has no intention of abandoning the people back home. It must staunchly oppose the US-RP Extradition Treaty and Reagan's unjust foreign policy.

**DOWN with the MARCOS DICTATORSHIP!
STOP U.S. AID!
STOP REAGAN'S SUPPORT FOR MARCOS!**

Oppose the Ratification of the US-RP Extradition Treaty

Write to:

Senate Foreign Relations Committee
c/o Sen. Charles Percy
U.S. Congress
Washington, D.C. 20510

**IPASA PAGKABASA
PASS ON TO A FRIEND**

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