

INTERNATIONAL
CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION



C E R D

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UNION
COMMITTEE ON THE ELIMINATION OF
RACIAL DISCRIMINATION

Nineteenth Session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Fifth periodic reports of States Parties due in 1978

Addendum

PHILIPPINES^{1/}

[12 December 1978]

^{1/} This document contains supplementary information relating to the implementation of article 4 of the Convention, submitted by the Government of the Philippines with reference to its fifth periodic report contained in document C E R D / C / 20 / Add. 9.

PRESIDENTIAL DECREE NO. 1350-A

DECLARING VIOLATIONS OF THE INTERNATIONAL CONVENTION ON
THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION
TO BE UNLAWFUL AND PROVIDING PENALTIES THEREFOR

WHEREAS, the International Convention on the Elimination of all forms of Racial Discrimination which was adopted by the General Assembly of the United Nations on 21 December 1965, entered into force on 4 January 1969;

WHEREAS, the Senate of the Philippines concurred in the ratification of the Convention on 18 May 1967;

WHEREAS, the instrument of ratification by the President of the Convention was deposited with the Secretary-General of the United Nations on 15 September 1967;

WHEREAS, the Convention is now part of the law of the land; and

WHEREAS, the Convention provides in its Article 4, that State Parties, inter alia:

"(a) Shall declare an offence punishable by law all discrimination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

"(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

"(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination."

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, in order to implement the treaty obligations of the Philippines under the International Convention on the Elimination of all Forms of Racial Discrimination, do hereby order and decree:

SECTION 1. All organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, are hereby declared illegal and prohibited.

SECTION 2. All public authorities or public institutions, national or local, are hereby prohibited to promote or incite racial discrimination.

SECTION 3. Any violation of this Decree, as well as of Article 4, paragraph a, b, and c, of the International Convention on the Elimination of all Forms of Discrimination is hereby declared contrary to law and the violator shall, upon conviction, suffer:

(a) The penalty of imprisonment for not more than thirty days, for the dissemination and advocacy of policies based on racial superiority or hatred; incitement to racial discrimination; membership in any organization or participation in organized or other propaganda activities, which promote or incite racial discrimination and also the provision of any assistance to racist activities, including the financing thereof. The maximum penalty shall be imposed if; the offender is a government official or employee, national or local.

(b) The penalty of imprisonment from one month and one day to six months, for incitement to acts of violence against any race or group of persons of another colour or ethnic origin and for the officers of organizations and the organizers of propaganda activities, which promote or incite racial discrimination. The maximum penalty shall be imposed if the offender is a government official or employee, national or local.

SECTION 4. The imposition of the penalty provided in the preceding section shall be without prejudice to any liability which the offender may incur under other applicable penal laws.

SECTION 5. This Decree shall take effect immediately.

Done in the City of Manila, this 17th day of April, in the year of Our Lord, nineteen hundred and seventy-eight.

(Signed) F.E. MARCOS
President of the Philippines

By the President:

(Signed): JUAN C. TUVERA
Presidential Assistant

CERTIFIED COPY

(Signed) MELQUIADES I. DE LA CRUZ CESO
Presidential Staff Director
Malacañang Records Office