

Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

Research Response Number: PHL17750
Country: Philippines
Date: 25 January 2005

Keywords: Philippines – Metro Manila – NPA – Armed rebellion – Extortion – State protection

This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

Questions

Please provide a general update on NPA, including the following:

- 1. present relations with the authorities;**
- 2. whether they are still maintaining an armed struggle;**
- 3. whether present 'revolutionary taxes' are simply extortion demands by criminal remnants;**
- 4. the extent to which government action can be sought /obtained; and**
- 5. in any event, whether such a situation prevails in Pasig / Metro Manila.**

RESPONSE

Please provide a general update on NPA, including the following:

- 1. present relations with the authorities;**
- 2. whether they are still maintaining an armed struggle;**

The New People's Army (NPA) is the military wing of the Communist Party of Philippines (CPP) and its political front the National Democratic Front (NDF) with an estimated membership of between 8 000 -10 000. After reaching its zenith in the 1980s when part of a broad-based reaction against the corrupt Marcos regime the NPA/CCP descended into a period of internecine struggle. However, in recent years the NPA have redoubled their efforts in attempting to destabilise the current Arroyo government. In 2002 the United States, Canada and the European Union all designated the NPA as an official terrorist organisation under their respective security legislation. One of the many difficulties this posed for the NPA was the 'freezing' of access to bank accounts and other forms of financial aid from supporters outside of the Philippines. The terrorist designation has been the major stumbling block in truce talks between the Filipino government which had begun in Oslo in 2004, only

to collapse shortly after. Since then the NPA leadership has called on its cadres to intensify its guerrilla campaign against the central authorities. The following attachments contain only a sample of the many acts of violence the NPA has engaged in, in recent times:

- In the first week of January 2006 NPA rebels occupied both the Municipal Hall, blew up the power supply and ransacked the police station in Albuera. On the same night NPA guerillas attacked and killed five police officers in the town of Claveria. (Sollano, J.P. and Misa, N.S., 2006, 'Town Hall , Police Station Taken: Rebels briefly seize Albuera', *The Freeman*, 8 January – sourced from philstar.com – <http://www.philstar.com/philstar/Freeman200601081801.htm> - Accessed 9 January 2006 – Attachment 1)
- In the same week NPA rebels killed three police, including the municipal police chief, in the town of Matnog. On the same day NPA gunmen shot dead the village chairwoman of Talisayan in Mindanao. (Guinto, J.F., 2006, 'Town police chief, 2 others killed in NPA clash in Sorsogon', *The Inquirer*, 3 January – http://news.inq7.net/top/index.php?index=1&story_id=61845 - Accessed 6 January 2006 – Attachment 2)
- In December 2005, four army soldiers were killed in Tagum City. ('Police, Army ready against attacks', 2005, *Sun Star*, 29 December – <http://www.sunstar.com.ph/static/dav/2005/12/29/news/police.army.ready.against.attacks.html> - Accessed 6 January 2006 – Attachment 3)
- Following the ceasefire the Filipino military recommence activities against the NPA who have claimed responsibility for a number of attacks over the previous six month period. (Gomez, C, 2005, 'Military, NPA offensives on', *The Visayan Daily Star*, 27 December – <http://www.visayandailystar.com/2005/December/27/topstory1.htm> - Accessed 6 January 2006 – Attachment 4)
- In December 2005 the NPA clearly stated that it would not honour a traditional ceasefire over the Christmas period whilst claiming in the same press release a string of assassinations and guerilla activities over the previous six month period. (Gomez, C., 2005, 'RPA holiday truce with NPA declared but no ceasefire for rival rebel group', *The Visayan Daily Star*, 23 December – <http://www.visayandailystar.com/2005/December/23/topstory1.htm> - Accessed 6 January 2006 – Attachment 5)

More generally the US State Department reported:

A long-standing, nationwide Communist insurgency continued to operate in various regions of the country; its military arm, the terrorist New People's Army (NPA), committed numerous human rights violations, including political assassinations, kidnappings, and torture.

Communist insurgents, mainly from the NPA, killed political figures, military and police officers, and civilians, including suspected military and police informers and foreign tourists. Peace negotiations between the Government and the political arm of the Communist Party, the National Democratic Front (NDF), made no significant progress.

The NPA, as well as some Islamic insurgent groups, were responsible for a number of arbitrary detentions, often in connection with informal courts set up to try military personnel, police, local politicians, and other persons for "crimes against the people"

The NPA continued to subject military personnel, police, local politicians, and other persons to its so-called courts for "crimes against the people." The NPA executed some of these "defendants."

During the year, the NPA killed political activists, mayors, other civilians, and military and police personnel. The NPA also harassed businesses and burned buses to enforce the collection of "revolutionary taxes." The AFP reported that the NPA killed 91 civilians and attacked 26 private companies from January through August. The NPA continued actively to recruit minors both as combatants and noncombatants (see Section 5). (United States Department of State, 2005, *Country Reports on Human Rights Practices – 2004: Philippines*, 28 February – Attachment 6)

According to Amnesty International:

Communist insurgency and peace process

In February peace talks between the government and the National Democratic Front (NDF) representing the Communist Party of the Philippines (CPP) and its armed wing, the New People's Army (NPA), resumed in Oslo, Norway. The two sides renewed commitments to address the root causes of the conflict by addressing social, economic and political reforms. They set up a Joint Monitoring Committee to examine complaints of human rights violations and breaches of international humanitarian law. As a confidence-building measure, the government pledged to expedite earlier agreements to release rebel prisoners. At least 27 prisoners were reported released. In August the NDF suspended talks, calling on the government to lobby for the removal of the NPA's designation as a "Foreign Terrorist Organization" by the USA and its allies.

NPA attacks on government targets and clashes between AFP and NPA units continued throughout 2004. Suspected NPA members were subjected to arbitrary arrest, "disappearance", torture and extrajudicial execution. Also at risk were members of legal leftist organizations.

- In February, Juvy Magsino, a human rights lawyer contesting local mayoral elections, and human rights activist Leyma Fortu were shot dead by unidentified assailants in Mindoro Oriental. The authorities claimed the attacks were related to electoral tensions. However, both women were affiliated with the left-wing political party Bayan Muna, whose members had suffered a series of attacks over recent years, allegedly carried out by "vigilantes" linked to a local AFP brigade.

The CPP-NPA committed human rights abuses including unlawful killings and hostage-taking.

- In January a mayor, a vice-mayor and three others were reported killed by NPA rebels in separate attacks believed to be linked to NPA extortion demands.
- In September NPA guerrillas reportedly kidnapped and killed the police chief of a town in Abra province after putting him on "trial" for rape and killing NPA members.

(Amnesty International, 2005, *Amnesty International Report 2005: Philippines – Attachment 7*)

The US-based Overseas Security Advisory Council (OSAC) provides the following general background on the NPA:

Communist Party of Philippines/New People's Army (CPP/NPA)

Locations/Area of Operations

East Asia / Pacific - Saint Martin (French/Dutch)

Operates in rural Luzon, Visayas, and parts of Mindanao. Has cells in Manila and other metropolitan centers.

Description

The military wing of the Communist Party of the Philippines (CPP), the NPA is a Maoist group formed in March 1969 with the aim of overthrowing the Government through protracted guerrilla warfare. The chairman of the CPP's Central Committee and the NPA's founder, Jose Maria Sison, reportedly directs CPP and NPA activity from The Netherlands, where he lives in self-imposed exile. Fellow Central Committee member and director of the CPP's overt political wing, the National Democratic Front (NDF), Luis Jalandoni also lives in The Netherlands and has become a Dutch citizen. Although primarily a rural-based guerrilla group, the NPA has an active urban infrastructure to support its terrorist activities and uses city-based assassination squads. The rebels have claimed that the FTO designation has made it difficult to obtain foreign funding and forced them to step up extortion of businesses and politicians in the Philippines.

Activities

The NPA primarily targets Philippine security forces, politicians, judges, government informers, former rebels who wish to leave the NPA, rival splinter groups, alleged criminals, Philippine infrastructure, and businesses that refuse to pay extortion, or "revolutionary taxes." The NPA opposes any US military presence in the Philippines and attacked US military interests, killing several US service personnel, before the US base closures in 1992. Press reports in 1999 and in late 2001 indicated the NPA was again targeting US troops participating in joint military exercises, as well as US Embassy personnel. The NPA has claimed responsibility for the assassination of two congressmen from Quezon in May 2001 and Cagayan in June 2001 and for many other killings. In January 2002, the NPA publicly expressed its intent to target US personnel if discovered in NPA operating areas.

Strengths

Estimated at less than 9,000, a number significantly lower than its peak strength of around 25,000 in the 1980s.

External Aid

Unknown. (Overseas Security Advisory Council (OSAC), 'Communist Party of Philippines/New People's Army (CPP/NPA)', <http://www.osac.gov/Groups/group.cfm?contentID=1298> - Accessed – 20 January 2006 – Attachment 8)

3. whether present 'revolutionary taxes' are simply extortion demands by criminal remnants;

As indicated in a number of sources the NPA does extract 'revolutionary taxes' and has, in the most recent elections even compelled candidates to pay 'Permission To Campaign' fees in areas where they have a strong influence. Naturally, opinions differ, with some observers, particularly government sources, claiming these payments are little more than extortion attempts by criminal gangs. Revolutionary sources claim these are legitimate sources of revenue in the 'people's struggle' especially since the 'terrorist' designation discussed above has severely hampered the financial status of the NPA and that they use the money for welfare services for the peasantry. (See: 'Firms warned not to pay NPA 'taxes'', 2006 *Philippine Information Agency*, 1 January – <http://www.pia.gov.ph/news.asp?fi=p060105.htm&no=20> - Accessed 6 January 2006 – Attachment 9; Kfir, I., 2005, 'Terrorist Development in the Philippines', The Institute for Counter-Terrorism (ICT), 29 November (sourced from *International Herald Tribune*, *The Manila Times*, *Manila Standard Today*) – <http://www.ict.org.il/spotlight/det.cfm?id=1134> - Accessed 6 January – Attachment 10; Conde, C.H., 2005, 'Philippines insurgency takes toll', *International Herald Tribune*, 22 November - <http://www.iht.com/articles/2005/11/22/news/phils.php> - Accessed 6 January 2006 – Attachment 11; Napallacan, J., 2004, 'Philippine communists burn bus over payment of "revolutionary taxes"', *Philippine Daily Enquirer*, 24 March (sourced from DIMIA Country Information Service) – Attachment 12). For information regarding the payment of 'Permission To Campaign' fees and the competing views on this practice see Attachments 13-19. ('Rising Poll-Related Violence Alarms Arroyo', 2004, *Star*, 17 March, (sourced from the Philippine Headline News Online) – <http://www.newsflash.org/2004/02/hl/hl100097.htm> - Accessed 25 January 2005 – Attachment 13; Solmerin, F., 2004, 'Bets who pay fees to rebels face raps', *Manila Times*, 8 March – <http://www.manilatimes.net/national/2004/mar/08/yehey/prov/20040308pro1.html> - Accessed 25 January 2006 – Attachment 14; Kaufman, K., 2004, '19 local bets pay NPA P6M', *Manila Times*, 23 April – http://www.manilatimes.net/national/2004/apr/23/yehey/top_stories/20040423top5.html - Accessed 25 January 2006 – Attachment 15; '2 soldiers killed in assault on NPA hideout in Masbate', *Malaya News*, 14 April 2004 – <http://www.malaya.com.ph/apr14/metro2.htm> - Accessed 25 April 2006 – Attachment 16; Zamora, F., 2004, 'Gov't to raise NPA campaign permits in talks: negotiator', *The Inquirer*, 13 January – http://www.inq7.net/brk/2004/jan/13/text/brkpol_10-1-p.htm - Accessed 25 January 2006 – Attachment 17; De Leon, R., 2005, 'NDFP Answers False Claims Against The Revolutionary Movement', the National Democratic Front of the Philippines website, 21 January – <http://home.wanadoo.nl/ndf/archive/2005/archive0010.html> - Accessed 25 January 2006 – Attachment 18; Remollino, A., 2004, 'PTC Fees Fund NPA's Social Services – Ka Roger', *Bulatlat*, 18-24 January, Vol 3, No. 49 – <http://www.bulatlat.com/news/3-49/3-49-ptc.html> - Accessed 25 January 2006 – Attachment 19.)

4. the extent to which government action can be sought /obtained; and

No specific evidence has been found in the sources consulted to indicate that Filipino security forces have taken action against NPA operatives on the basis of extracting 'revolutionary taxes'. However, there are numerous sources containing official condemnation of the practice and those who submit to the rebels. Further still, there are a significant number of sources

indicating the often violent clashes that erupt between the security forces and the NPA and the efforts the Filipino government will go to to capture NPA members. (Information on actions taken against the NPA can be found in the attachments above).

5. in any event, whether such a situation prevails in Pasig / Metro Manila.

No specific information was found on NPA activities in Palatin, Pasig City. The NPA is a predominantly rural-based guerilla organisation which operates in rural Luzon, Visayas, parts of Mindanao and other islands to the south. Nevertheless the NPA does have cells in metropolitan centres in Manila. (See Attachment 8) The NPA's own website indicates that it has a stronger infrastructure in the rural regions as opposed to the metropolitan centres. ('NPA Commands', undated, Philippine Revolution Web Central, <http://www.philippinerevolution.org/npa/commands.shtml> - Accessed 24 January 2006 – Attachment 20)

List of Sources Consulted

Sites specifically referred to include:

Philstar.com – www.philstar.com
The Inquirer – www.news.inq7.net
Sun Star – www.sunstar.com.ph
The Visayan Daily Star – www.visayandailystar.com
Overseas Security Advisory Council (OSAC) – www.osac.gov
Philippine Information Agency – www.pia.gov.ph
The Institute for Counter-Terrorism (ICT) – www.ict.org.il
International Herald Tribune – www.iht.com
Philippine Headline News Online – www.newsflash.org
Manila Times – www.manilatimes.net
Malaya News – www.malaya.com.ph
National Democratic Front of the Philippines website – www.wanadoo.nl
Bulatlat – www.bulatlat.com
Philippine Revolution Web Central – www.philippinerevolution.org

Internet Sources:

Government Information & Reports

United Nations (UN)

Non-Government Organisations

International News & Politics

Region Specific Links

Topic Specific Links

Search Engines

Google search engine <http://www.google.com.au/>

Online Subscription Services

Library Networks

University Sites

Databases:

Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMIA	<i>BACIS</i>	Country Information

RRT	<i>REFINFO</i> <i>ISYS</i>	IRBDC Research Responses (Canada) RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

List of Attachments

1. Sollano, J.P. and Misa, N.S., 2006, 'Town Hall , Police Station Taken: Rebels briefly seize Albuera', *The Freeman*, 8 January – sourced from philstar.com – <http://www.philstar.com/philstar/Freeman200601081801.htm> - Accessed 9 January 2006.
2. Guinto, J.F., 2006, 'Town police chief, 2 others killed in NPA clash in Sorsogon', *The Inquirer*, 3 January – http://news.inq7.net/top/index.php?index=1&story_id=61845 - Accessed 6 January 2006.
3. 'Police, Army ready against attacks', 2005, *Sun Star*, 29 December – <http://www.sunstar.com.ph/static/dav/2005/12/29/news/police.army.ready.against.attacks.html> - Accessed 6 January 2006.
4. Gomez, C., 2005, 'RPA holiday truce with NPA declared but no ceasefire for rival rebel group', *The Visayan Daily Star*, 23 December – <http://www.visayandailystar.com/2005/December/23/topstory1.htm> - Accessed 6 January 2006.
5. Gomez, C., 2005, 'RPA holiday truce with NPA declared but no ceasefire for rival rebel group', *The Visayan Daily Star*, 23 December – <http://www.visayandailystar.com/2005/December/23/topstory1.htm> - Accessed 6 January 2006.
6. United States Department of State, 2005, *Country Reports on Human Rights Practices – 2004: Philippines*, 28 February.
7. Amnesty International, 2005, *Amnesty International Report 2005: Philippines*, <http://web.amnesty.org/report2005/phl-summary-eng>
8. Overseas Security Advisory Council (OSAC), 'Communist Party of Philippines/New People's Army (CPP/NPA)', <http://www.osac.gov/Groups/group.cfm?contentID=1298> - Accessed – 20 January 2006.
9. 'Firms warned not to pay NPA 'taxes'', 2006 *Philippine Information Agency*, 1 January – <http://www.pia.gov.ph/news.asp?fi=p060105.htm&no=20> - Accessed 6 January 2006.
10. Kfir, I., 2005, 'Terrorist Development in the Phillipines', The Institute for Counter-Terrorism (ICT), 29 November (sourced from *International Herald Tribune*, *The Manila Times*, *Manila Standard Today*) – <http://www.ict.org.il/spotlight/det.cfm?id=1134> - Accessed 6 January.

11. Conde, C.H., 2005, 'Philippines insurgency takes toll', *International Herald Tribune*, 22 November - <http://www.ihf.com/articles/2005/11/22/news/phils.php> - Accessed 6 January 2006.
12. Napallacan, J., 2004, 'Philippine communists burn bus over payment of "revolutionary taxes"', *Philippine Daily Enquirer*, 24 March (sourced from DIMIA Country Information Service). (CISNET – Philippines – CX91846)
13. 'Rising Poll-Related Violence Alarms Arroyo', 2004, *Star*, 17 March, (sourced from the Philippine Headline News Online) – <http://www.newsflash.org/2004/02/h1/h1100097.htm> - Accessed 25 January 2005.
14. Solmerin, F., 2004, 'Bets who pay fees to rebels face raps', *Manila Times*, 8 March – <http://www.manilatimes.net/national/2004/mar/08/yehey/prov/20040308pro1.html> - Accessed 25 January 2006.
15. Kaufman, K., 2004, '19 local bets pay NPA P6M', *Manila Times*, 23 April – http://www.manilatimes.net/national/2004/apr/23/yehey/top_stories/20040423top5.html - Accessed 25 January 2006.
16. '2 soldiers killed in assault on NPA hideout in Masbate', *Malaya News*, 14 April 2004 – <http://www.malaya.com.ph/apr14/metro2.htm> - Accessed 25 April 2006.
17. Zamora, F., 2004, 'Gov't to raise NPA campaign permits in talks: negotiator', *The Inquirer*, 13 January – http://www.inq7.net/brk/2004/jan/13/text/brkpol_10-1-p.htm - Accessed 25 January 2006.
18. De Leon, R., 2005, 'NDFP Answers False Claims Against The Revolutionary Movement', the National Democratic Front of the Philippines website, 21 January – <http://home.wanadoo.nl/ndf/archive/2005/archive0010.html> - Accessed 25 January 2006.
19. Remollino, A., 2004, 'PTC Fees Fund NPA's Social Services – Ka Roger', *Bulatlat*, 18-24 January, Vol 3, No. 49 – <http://www.bulatlat.com/news/3-49/3-49-ptc.html> - Accessed 25 January 2006.
20. 'NPA Commands', undated, Philippine Revolution Web Central, <http://www.philippinerevolution.org/npa/commands.shtml> - Accessed 24 January 2006.