

**DECLARATION  
OF UNDERTAKING  
TO APPLY THE  
GENEVA CONVENTIONS OF 1949  
AND PROTOCOL I OF 1977**



**NATIONAL DEMOCRATIC FRONT  
OF THE PHILIPPINES**



**NDFP Declaration of Undertaking  
to Apply the Geneva Conventions  
of 1949 and Protocol I of 1977**



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## **Introduction**

**Prof. Jose Ma. Sison**  
**Chief Political Consultant**  
**NDFP Negotiating Panel**  
**April 24, 2005**

It is of great importance and acute urgency that the Declaration of Undertaking to Apply the Geneva Conventions of 1949 and Protocol I of 1977, promulgated and issued by the National Democratic Front of the Philippines (NDFP) on July 5, 1996, is once more published and distributed more widely than ever before, together with related documents.

The Declaration of Undertaking asserts and makes clear that all the revolutionary forces and people represented by the NDFP within and outside the framework of peace negotiations with the Government of the Republic of the Philippines (GRP) have a just cause and are well-grounded morally, politically and legally in engaging the GRP in a civil war as a legitimate national liberation movement, that they have the status of co-belligerent under international law and that they assume rights and responsibilities under the Geneva Conventions and its protocols.

The Geneva Conventions of 1949 as the basic international instrument on the rules of armed conflicts seek to ameliorate the conditions of the wounded and sick of armed forces, the humane treatment of prisoners of war and the protection of civilian persons in time of war. Protocol I further expands these rules on the protection of civilian persons and populations in international armed conflicts while Protocol II aims to further protect victims of non-international armed conflicts.

The Declaration is done in accordance with Article 96, paragraph 3 of Protocol I which reads as follows:

“3. The authority representing a people engaged against a High Contracting Party in an armed conflict of the type referred to in Article 1, paragraph 4, may undertake to apply the Conventions and this Protocol in relation to that conflict by means of a unilateral declaration addressed to the depositary. Such declaration shall, upon its receipt by the depositary, have in relation to that conflict the following effects:

(a) The Conventions and this Protocol are brought into force for the said authority as a Party to the conflict with immediate effect;

- (b) The said authority assumes the same rights and obligations as those which have been assumed by a High Contracting Party to the Conventions and this Protocol; and
- (c) The Conventions and this Protocol are equally binding upon all Parties to the conflict.”

The aforementioned Article 1, paragraph 4 reads as follows:

“4. The situations referred to in the preceding paragraph include armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racist regimes in the exercise of their right of self-determination, as enshrined in the Charter of the United Nations and the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations.”

The preceding paragraph reads as follows:

“3. This Protocol, which supplements the Geneva Conventions of 12 August 1949 for the protection of war victims, shall apply in the situations referred in Article 2 common to those Conventions.”  
Common Article 2 provides that the Conventions apply to all cases of declared war.

Upon the establishment of the New People’s Army on March 29, 1969, the Communist Party of the Philippines issued a declaration of a protracted, concerted and sustained people’s war against the GRP and the semi-colonial and semi-feudal ruling system on the ground that US imperialism and the GRP as puppet government violated the people’s right to national self-determination and democratic rights and oppressed the Filipino nation as a whole, including the national minorities.

To cap all his previous bellicose declarations, Marcos declared martial law and all-out war against the revolutionary forces on September 21, 1972. To use the Anti-Subversion Law, he accused them of acting in cooperation with foreign powers and ordered the regular armed forces to undertake offensives. In fact, he collaborated with a foreign power, the US, in violating Philippine territorial integrity by allowing US military forces to occupy large areas as bases and to commit crimes with impunity in and out of said bases.

The 1996 NDFP Declaration of Undertaking clearly points to the persistent factors and elements of colonial domination and national

oppression, including chauvinism and racism, victimizing the entire Filipino nation and particular minorities in the Philippines. The persistent foreign domination and national oppression are carried out through the puppet instrumentation of the GRP and under unequal agreements with the US. The civil war has definite internationalized aspects because of overt and covert US military intervention and US military supplies to the GRP.

Long before the aforesaid NDFP Declaration, the revolutionary forces and people represented by the NDFP have acquired over the years the status of belligerency through revolutionary armed struggle. The revolutionary forces include the organs of democratic power established under the Guide for Establishing the People's Democratic Government, the Communist Party of the Philippines as the leading party and political authority, the New People's Army as the disciplined nationwide fighting force having a responsible political command and the mass organizations and alliances within the NDFP.

Since 1968, there have been two governments in the Philippines. One is the US-controlled puppet government of the big comprador bourgeoisie and the landlord class. The other is the government of the working class and peasantry with its own legal and judicial system and rules in accordance with its political principles and circumstances. The former is ever losing ground because it is oppressive and exploitative. The latter is ever growing because it fights for the national and social liberation of the Filipino people.

The NDFP Declaration of Undertaking which was sent to the Swiss Federal Council as official depositary and transmitted to the International Committee of the Red Cross (ICRC) as official guardian of international humanitarian law is significant because it has raised to a new and higher level the efforts of the revolutionary government and movement represented by the NDFP to gain international diplomatic recognition for their status of belligerency. Previously, the NDFP made a Declaration of Adherence to Common Article 3 and Protocol II of the Geneva Conventions on August 15, 1991. These declarations affirm the reality that the NDFP, in the exercise of its inherent right, is willing, ready and able to assume and is undertaking its own distinct duties and responsibilities in adhering, respecting and being bound by international humanitarian law.

In a manner of speaking, the NDFP has accumulated points for the international diplomatic recognition of the revolutionary government and movement in the Philippines. The governments of The Netherlands, Belgium and Norway have acted as hosts and third party facilitators in the GRP-NDFP peace negotiations. The European Parliament recognized the aforesaid 1996 NDFP Declaration of Undertaking as an expression of good

intention in a resolution in 1997 and the landmark 1998 Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) in one more resolution in 1999. The NDFP has also maintained and continues to conduct political and diplomatic relations with foreign friendly parties, organizations, and institutions and with some foreign governments and official agencies on a bilateral and multilateral basis independent of the GRP.

The said European Parliament resolutions and the CARHRIHL are included in this present publication as Additional Annexes. Other important and pertinent annexes are the Memorandum on the Minimum Age Requirement for NPA Fighters; On the NPA's Alleged Mass Recruitment of Child Guerillas; Rules in the Investigation and Prosecution of Suspected Enemy Spies; and a sample Order of Release of Prisoner of War.

Under the CARHRIHL, the GRP itself has recognized the separate authority of the NDFP to take actions pertaining to suspected violators of human rights and international humanitarian law, who can be arrested, investigated and, if the evidence warrants, subjected to prosecution and trial.

But the US dictates upon the GRP to utter and do what is foolish and violative of agreements already mutually approved by principals in the GRP-NDFP peace negotiations. The GRP effectively declares that the US and other foreign governments have the sovereign right to trample on the mutually acceptable principle of national sovereignty of the Filipino people enshrined in The Hague Joint Declaration of 1992; use the "terrorist" label to deprive duly-authorized negotiators, consultants, staffers, security and other personnel who participate in the peace negotiations of necessary guarantees in the Joint Agreement on Safety and Immunity Guarantees (JASIG); and to negate the Hernandez judicial doctrine against criminalization of political acts or offenses.

The GRP also tramples on the basic democratic rights recognized in the CARHRIHL including the right to self-determination, due process, against discrimination on the basis of belief, freedom of thought and expression, freedom of conscience and the right not to be punished or held accountable in the exercise of these rights, right to free speech and association and the right to asylum.

In trying to misrepresent and demonize the revolutionary forces as "terrorist", the US and the GRP wish to intimidate and pressure the NDFP to capitulate one way or the other. But the NDFP is not capitulating. It is rightfully demanding that the GRP comply with agreements already co-approved with the NDFP. By using the "terrorist" label to blackmail the

NDFP, the US and GRP are preventing the resumption of formal talks and are scuttling the peace negotiations.

The broad masses of the people in the Philippines and the world recognize how absurd and mendacious are the US and the GRP in seeking to demonize as “terrorist” the Filipino revolutionary forces and people that have so enthusiastically and wisely assumed duties and responsibilities under international human rights law and international humanitarian law and are demanding the resumption of formal talks in the peace negotiations in accordance with The Hague Joint Declaration, JASIG and Joint Agreement on the Formation, Sequence and Operationalization of the Reciprocal Working Committees.

The US is using the scheme of “permanent war on terror” in order to facilitate imperialist plunder, state terrorism and the super-terrorism of US military intervention and wars of aggression. The overweening arrogance and escalating rapacity and brutality of US imperialism and its puppets in the Philippines goad the Filipino people to intensify their resistance and to fight for their national and democratic rights. ■

## Map of the Philippines



The NDFP, through the Communist Party of the Philippines (CPP), New People's Army (NPA), the organs of political power and the revolutionary people and mass organizations, is present in 70 out of 74 provinces nationwide.



National Council  
National Democratic Front of the Philippines

5 July 1996

Swiss Federal Council  
Palais Federale  
3003 Bern  
Switzerland

Dear Sirs:

We are hereby addressing and sending to your good office as official depositary the *NDFP Declaration of Undertaking to Apply the Geneva Conventions of 1949 and Protocol I of 1977*, dated 5 July 1996, in accordance with Article 1, paragraph 4 and Article 96, paragraph 3 of Protocol I additional to the Geneva Conventions.

We request that you address and send us as soon as possible your acknowledgement of receipt of this document to the following:

National Council  
National Democratic Front of the Philippines  
NDFP International Office  
Amsterdamsestraatweg 50  
3513 AG Utrecht  
The Netherlands

Please accept the assurance of our highest regards.

Yours very truly,

(Sgd.) Luis G. Jalandoni  
NDFP Chief International Representative  
Member, NDFP National Executive Committee



**National Council**  
National Democratic Front of the Philippines

5 July 1996

International Committee of the Red Cross (ICRC)  
19, Avenue de la Paix  
1202 Geneva  
Switzerland

Dear Sirs:

We are hereby addressing and sending to your office as official guardian the *NDFP Declaration of Undertaking to Apply the Geneva Conventions of 1949 and Protocol I of 1977*, dated 5 July 1996, in accordance with Article 1, paragraph 4 and Article 96, paragraph 3 of Protocol I additional to the Geneva Conventions.

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Please accept the assurance of our highest regards.

Yours very truly,

(Sgd.) Luis G. Jalandoni  
NDFP Chief International Representative  
Member, NDFP National Executive Committee



## National Council National Democratic Front of the Philippines

### **NDFP DECLARATION OF UNDERTAKING TO APPLY THE GENEVA CONVENTIONS OF 1949 AND PROTOCOL I OF 1977**

In accordance with Article 96, paragraph 3 of Protocol I, we, the National Democratic Front of the Philippines, hereby address ourselves to the Federal Council of the Swiss Government as official depositary of the Geneva Conventions of 1949 and the 1977 Protocol I additional thereto.

We are the political authority representing the Filipino people and organized political forces that are waging an armed revolutionary struggle for national liberation and democracy, in the exercise of the right of self-determination within the purview of Article 1, paragraph 4, of Protocol I against the persistent factors and elements of colonial domination and against national oppression, including chauvinism and racism, victimizing the entire Filipino nation and particular minorities in the Philippines.

Our revolutionary armed struggle is the continuation of the Philippine Revolution of 1896 against Spanish colonialism and subsequently against US imperialism. We are waging a people's war for national liberation and democracy against the semicolonial and semifeudal ruling system. The Government of the Republic of the Philippines (GRP), our current adversary in the armed conflict, continues to suppress the sovereign will of the Filipino people in order to perpetuate the interests of the foreign and domestic oppressors and exploiters, despite the US grant of nominal independence to the Philippines on July 4, 1946.

The persistent foreign domination and national oppression are carried out through the GRP as a puppet government in the service of the United States government, which controls and uses it by means of US strategic planning, command, personnel (including military advisors, trainers, intelligence and psychological warfare personnel and basic personnel for rapid deployment forces), supplies, extraterritorial access to the entire Philippines and other forms of US military intervention and extraterritorial privileges and by means of unequal treaties and agreements perpetuating in essence the factors of US colonial domination over the Philippine economy, politics, security and culture.

Since the beginning of the civil war, the GRP has in one essential respect maintained the character of the armed conflict as an internationalized

internal conflict through subservience to US domination and GRP dependence on US military and other forms of intervention and assistance in the armed conflict. The civil war between the GRP and the NDFP involves the struggle for self-determination and the people's war for national liberation and comes within the purview of Article 1, paragraph 4 of Protocol I and within the international customary law pertaining to armed conflicts.

The abovementioned revolutionary forces of the Filipino people are the following:

- a. All the fourteen allied revolutionary organizations in the NDFP, which include those of workers, peasants, youth, women, national minorities, teachers, health workers, church people, scientists and technologists and artists and writers and which are the consolidation of the revolutionary mass base running into millions of people in rural and urban areas.
- b. The organs of political power constituted under the Guide for Establishing the People's Democratic Government as the basic law and established in a significant portion of territory in the Philippines, including scores of guerrilla fronts.
- c. The Communist Party of the Philippines (CPP) as the ruling party in said organs of political power and the leading party in the National Democratic Front of the Philippines (NDFP) as the united front of democratic forces, and
- d. The New People's Army (NPA), which consists of thousands of full-time troops and is augmented by tens of thousands of men and women in the people's militia and self-defense units, is under an effective and responsible command as main armed force of the aforesaid organs of political power, the CPP and the NDFP and exercises such control over a significant portion of territory in the Philippines as to be able to carry out sustained and concerted military operations and to implement the Geneva Conventions of 1949 and the Protocols of 1977 additional thereto.

For your further information on the abovementioned forces, we attach hereto the following:

- *Annex A-1 – Program of the National Democratic Front of the Philippines*
- *Annex A-2 – Constitution of the National Democratic Front of the Philippines*
- *Annex A-3 – List of Revolutionary Allied Organizations of the NDFP*
- *Annex B – Guide for Establishing the People's Democratic Government*
- *Annex C – Basic Rules of the New People's Army*

All the abovementioned revolutionary forces have been engaged in a civil war for a protracted period of time since March 29, 1969 against the

Government of the Republic of the Philippines (GRP), a High Contracting Party to the Geneva Conventions and Protocol II. The great intensity of the civil war has been made manifest by the GRP's brutal use of the regular forces of the Armed Forces of the Philippines (AFP), the imposition of martial rule on the people from 1972 to 1986, the great magnitude of US military involvement in the form of military funds, materiel and personnel, and the continuing brutal campaigns of suppression under a policy of total war against the aforesaid revolutionary people and forces.

The International Committee of the Red Cross, the Amnesty International, the International Commission of Jurists and other respected international human rights organizations have extensively documented since the 1970s the gross human rights violations perpetrated by the military, police and paramilitary forces of the GRP and involving the forced displacement of millions of people, ethnocide against minorities, indiscriminate bombardments and strafing, massacres, assassinations, summary executions, torture, illegal detention of tens of thousands of people and wanton destruction of property and the people's livelihood. In the human rights class suit against the Marcos estate in the US Federal District Court in Hawaii, there is the documentation of at least 10,000 victims of torture, murder and involuntary disappearance.

The consistent pattern of gross and systematic violation of the Filipino people's civil, political, economic, social and cultural human rights is tantamount to a denial of their sovereign right to freely determine and realize their just aspirations. On behalf of the United States as neocolonial power and the local exploiting classes of big compradors and landlords, the GRP has used all forms of deception and violence in order to suppress the people and the forces that aspire for national liberation and democracy.

In the course of the civil war, the enemy has inflicted tens of thousands of casualties, both killed and wounded, on the civilian population and a few thousands on the troops of the NPA. In revolutionary resistance, the revolutionary people and forces herein represented by the NDFP have inflicted tens of thousands of casualties on the enemy side since 1969. The dimensions of the war are great enough to include currently more than sixty (60) battle fronts in the length and breadth of the Philippines.

The people and forces represented by the NDFP have withstood the brutal military campaigns of suppression carried out by the enemy and have gained strength in the process. They have gained the status of belligerency by virtue of their just revolutionary armed struggle and hard work in building the organs of political power.

The aforesaid people and forces have established and developed a political organization that has sufficient governmental character. This

political organization has sufficient control over a substantial area, population and resources in the Philippine archipelago. If said political organization were left to itself, it has the capability of reasonably and effectively discharging the duties of a state. In fact, it has established organs of political power which comprise the people's democratic government and which administers the people's civil, political, social, economic and cultural life in significant portions of fourteen (14) regions, more than 500 municipalities and more than 60 provinces of the Philippines.

It has deployed the New People's Army in accordance with the civilized rules of warfare and has informed and trained it accordingly. Even before this declaration, it has complied with the rules of war under international law. It has consciously followed international humanitarian law, like Common Article 3 of the Geneva Conventions and Protocol II. It has declared accession to Protocol II since 15 August 1991 (*cf.: Annex D*) and is now resolved to assume in good faith rights and responsibilities under the Geneva Conventions and Protocol I. The instruments of international humanitarian law must apply on the armed conflict between the GRP and the NDFP for the protection of the civilian population and combatants *hors de combat* because the NDFP has proven itself as a belligerent force and does not accept as applicable to itself the GRP constitution and laws inasmuch as the GRP does not accept as applicable to itself the constitution and laws of the revolutionary movement.

In their ongoing peace negotiations, the GRP and the NDFP have acknowledged by mutual agreement since 25 June 1996 that the prolonged armed conflict in the Philippines necessitates the application of the principles of human rights and the principles of international humanitarian law. Said negotiations formally started on 26 June 1995 in Brussels, Belgium with the Royal Government of Belgium as official host and resumed on 19 June 1996 in The Hague, Netherlands, with the Royal Government of the Netherlands as official host. (*Cf.: Annex E, consisting of the five joint agreements of the GRP and NDFP that have led to their ongoing formal peace negotiations.*)

**Being a party to the armed conflict, civil war or war of national liberation and authorized by the revolutionary people and forces to represent them in diplomatic and other international relations and in the ongoing peace negotiations with the GRP, we the National Democratic Front of the Philippines hereby solemnly declare in good faith to undertake to apply the Geneva Conventions and Protocol I to the armed conflict in accordance with Article 96, paragraph 3 in relation to Article 1, paragraph 4 of Protocol I.**

The NDFP is rightfully and dutifully cognizant that this declaration, upon receipt by the Federal Council of the Swiss Government, shall have

in relation to the armed conflict with the GRP the following effects:

- a. the Geneva Conventions and Protocol I are brought into force for the NDFP as a Party to the conflict with immediate effect;
- b. the NDFP assumes the same rights and obligations as those which have been assumed by a High Contracting Party to the Geneva Conventions and Protocol I; and
- c. the Geneva Conventions and this Protocol are equally binding upon all Parties to the conflict.

By virtue of this unilateral declaration of the NDFP, duly deposited with the Swiss Federal Council, the GRP is bound as before by the Geneva Conventions and henceforth by Protocol I in accordance with Article 96, paragraph 3(c) of Protocol I.

With the NDFP invoking and exercising the people's right of self-determination, both the GRP and the NDFP are likewise bound by international customary law pertaining to humanitarian principles, norms and rules in armed conflicts.

The NDFP undertakes to respect the provisions of the four Geneva Conventions of 1949 and Protocol I of 1977, regarding the conduct of hostilities and the protection of the civilian population and the combatants *hors de combat* in the armed conflict with the GRP and to regard its obligations under the aforesaid instruments of international humanitarian law as having the force of law among its forces and in the areas under its control.

The NDFP and the forces it herein represents accept the principle of command responsibility for the system of discipline to ensure respect for the rules of international humanitarian law and punish those who break them.

The NDFP regards as legitimate targets of military attacks the units, personnel and facilities belonging to the following:

- a. The Armed Forces of the Philippines
- b. The Philippine National Police
- c. The paramilitary forces; and
- d. The intelligence personnel of the foregoing.

Civil servants of the GRP are not subject to military attack, unless in specific cases they belong to any of the four abovestated categories.

The NDFP will treat any captured personnel of the military, police and paramilitary forces of the GRP as prisoners of war and demands that the GRP likewise treat as prisoners of war any captured personnel of the NPA and other forces represented herein by the NDFP.

The NDFP forthwith disseminates this declaration and the rules of the Geneva Conventions and Protocol I to its forces and asks for the assistance of the ICRC with regards to suitable materials. The NDFP will welcome any offer of services from the ICRC.

The NDFP calls upon all High Contracting Parties to the Geneva Conventions and Protocol I to ensure that the GRP and the NDFP respect their obligations.

The NDFP hereby requests the Federal Council of the Swiss Government to circulate copies of this declaration to all parties to the Geneva Conventions and the Protocols additional thereto and to all organizations interested in respect for human rights and international humanitarian law.

Any entity interested in taking up any matter pertinent to the aforesaid effects may communicate with the NDFP International Office at Amsterdamsestraatweg 50, 3513 AG Utrecht, or Postbus 19195, 3501 DD Utrecht, The Netherlands and other offices as may be designated by the NDFP in the Philippines and abroad.

This declaration is forthwith transmitted to the Federal Council of the Swiss Government as official depositary of the Geneva Conventions and the Protocols additional thereto and likewise to the International Committee of the Red Cross as official guardian thereof.

Done on 05 July in the year 1996.

For the National Democratic Front of the Philippines:

(Sgd.) Mariano Orosa  
Chairman  
NDFP National Council

(Sgd.) Elias Dipasupil  
General Secretary  
NDFP National Council

(Sgd.) Luis G. Jalandoni  
NDFP Chief International Representative

(Sgd.) Fidel V. Agcaoili  
Committee on Human Rights  
and International Humanitarian Law

For the Communist Party of the Philippines,  
New People's Army and Organs of Political Power:

(Sgd.) Armando Liwanag  
Chairman, CPP Central Committee  
Chairman, CPP Military Commission



First National Conference of the Allied Organizations of the NDFP



The NDFP in Peace Negotiations with the Government of the Republic of the Philippines (GRP)



The NDFP Hosting High Officials of a Foreign Government



The NPA Preparing to March in Southern Tagalog, Luzon

Captured Prisoners of War After a Successful Raid of a Military Camp in Bohol, Visayas



Parade-in-Review of NPA Company in Far South Mindanao

Teaching Basic Literacy and Numeracy as Part of the Work of the Education Committees of the Organs of Political Power



Providing Basic Health Care Through the Health Committees of the Organs of Political Power



Helping the Masses Improve Production Through the Production Committees of the Organs of Political Power





Constructing a Water Dike for Irrigation as Part of Public Services



Conducting Regular Mass Meetings



Mobilizing the People Against the US War of Aggression in Iraq

# ORIGINAL ANNEXES

## Important Philippine Socio-Economic Data

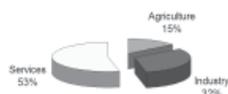
**Land area:** 300,000 square kilometers, the 73rd largest land area or within the top 38% of the 191 member-states of the United Nations.

**Population:** 84 million, of which 75% are peasants and 15% are workers. The Philippines is the 12th largest country or within the top 6% of national populations. Nearly half the population in 2000, or 47%, are aged 19 or less, with those 14 yrs or less comprising 37%.

**2004 GDP at current prices:** PhP 4.843 trillion (USD 86.482 billion). Peasants are responsible for more than 69% of the basic production of goods and industrial workers for nearly 31%.

**Means of production:** The Philippines in terms of productive forces is basically agrarian and pre-industrial. The principal means of production is still agricultural land mainly for domestic food consumption and secondarily for export crops (coconut, sugar, bananas, pineapple, etc.). The industrial sector produces neither capital goods nor basic metals and chemicals and is heavily dependent on equipment, fuel and other inputs from abroad.

Sectoral share of GDP



Sectoral share of employment



**Landownership:**

Of the 4.8 million registered landowners in 2002, only 1/3 own 80% of all agricultural lands. 70% of peasants do not own the land they till.

**Agricultural mechanization:** Mechanization of agriculture is limited and is concentrated

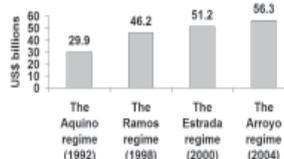
on estates for export crops. In 2001, there were only 11,500 tractors and 700 powered harvester-threshers available for over 13 million hectares of agricultural land. In 2002, only 30% of the country's total farm area was irrigated.

**Exports:** Electronic assembly and garments account for 75% of gross export earnings but the import content of exports is high, 85 to 95% in the case of electronic equipment. The trade deficit in 2004 was USD 4.36 billion, USD 4.24 billion in 2003 and USD 4.03 billion in 2002.

**Overseas workers and their remittances:** Overseas workers now constitute 10% of the population. They remitted USD 8.5 billion in 2004.

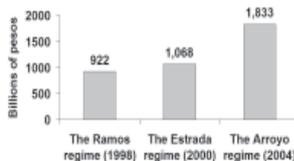
**Debt:** Foreign debt grew from USD 600 million in 1965 to USD 27.2 billion in 1986 to USD 60 billion by June 2005. Local debt rose from PhP 144.4 billion in 1986 to PhP 521 billion in 1992 to PhP 2.5 trillion in 2005. Total foreign and local public debt is PhP 6 trillion. The Philippine public debt/GDP ratio has risen from 56% in 1997 to 80% in 2004.

Philippine foreign debt at end of each regime



**Debt service:** In 2004, the GRP paid 81% of its revenues for both interest and principal amortization. In 2005, debt service will eat up 94% of revenues.

Accumulated local public debt at end of each regime



continued on page 128

## *ANNEX A-1*

### **Program of the National Democratic Front of the Philippines**

#### **PART I Background to the Program**

##### **Crisis and Revolution in Philippine Society**

Ours has been a history of long and arduous struggle for national and social liberation. Its most glorious pages have been written in the blood and sweat of the oppressed and exploited people rising up in arms to defend themselves and fight for their rights against foreign and local oppressors and exploiters.

Ours is an unfinished revolution. Today the Filipino people's new democratic revolution, a continuation of the old democratic revolution of 1896, is forging ahead with the task of completing the struggle for national liberation and democracy. It is being waged at a new and higher stage, under the leadership of the working class and having a socialist perspective.

The new democratic revolution is waged by the working class, the peasantry, urban petty bourgeoisie and national bourgeoisie against oppression and exploitation by US imperialism and the local ruling comprador big bourgeois and landlord classes. Its objective is to build the people's democratic state under the leadership of the working class through its party and relying mainly on the basic alliance of the working class and peasantry, aligned with other democratic forces.

##### **Revolutionary tradition**

Our forefathers waged hundreds of armed uprisings against the Spanish invasion and colonial rule. The Spaniards could never control the entire archipelago due to the fierce resistance of the people. In fact, our forebears in the greater part of Mindanao and the Cordilleras succeeded in safeguarding their territory.

In 1896, the Katipunan launched a national and democratic revolution renowned as the first victorious anticolonial struggle in Asia. However, the United States intervened, carried out a war of aggression in 1899 and deprived the Filipino people of their national freedom.

The Filipino people valiantly fought against the vastly superior US military force. To impose its rule on the whole Philippines, the United States combined barbaric repression with a policy of deception and cooptation to crush the patriotic resistance.

The factionalist and sham *ilustrado* leadership of the 1896 revolution capitulated to the new colonizers. This leadership, which represented the local exploiting classes, became the agents of the imperialist master. To them the new master doled out economic and political favors.

Through a colonial pattern of production and trade, the country's economy was tied to that of the United States. The Philippines served as a source of cheap raw materials and an importer of finished products. This immensely benefited the big compradors and landlords but stunted domestic industrialization and perpetuated a backward agricultural economy.

All throughout, the toiling masses of workers and peasants fiercely opposed US colonial rule. They waged struggles for the realization of their national and democratic aspirations.

At the beginning of the decade of the '30s, the Communist Party of the Philippines (CPP) was founded as the advanced detachment of the working class and gave direct leadership to the worker-peasant movement in 1930 through its main organizations, *Katipunan ng mga Anakpawis* (Association of Workers) and *Kalipunang Pambansa ng Magbubukid ng Pilipinas* (National Association of Philippine Peasants). However, just a few months after the CPP was founded, the US imperialists and their local puppets, inherently fearful of a revolutionary strengthening of the working class, declared it illegal. Its mass leaders were arrested and worker and peasant organizations directly led by the CPP were banned.

Nonetheless, the people's resolute resistance did not wane. In 1932 the Socialist Party of the Philippines (SPP) was founded and gave the peasant movement new vigor. In the face of the growing threat of Japanese fascist invasion, the CPP was recognized as legal and its detained leaders freed in order to participate in the Popular Front. In 1939, the CPP and the SPP formed the merger party. The alliance of radical workers and organized peasants grew in strength.

When the Japanese fascists invaded the Philippines, the merger party rallied and mobilized the people to wage vigorous guerilla warfare against the invaders. The *Hukbong Bayan Laban sa Hapon* (Hukbalahap) led by the CPP-SPP merger played a major role in the armed resistance in Central Luzon. Because of their armed power, the people here were able to set up local resistance governments and carry out land reform.

But, owing to the purely anti-Japanese line and subsequently the misleading slogan of “peace and democracy” taken by the merger party, the revolutionary forces and people were unprepared for – and were thus unable to resist – the violent restoration of the rule of the US imperialists and their landlord-comprador big bourgeois puppets. Consequently, the people lost the armed political power they had built in some parts of the countryside.

### Neocolonial rule

The grant of bogus independence in 1946 represented a major shift in US imperialist strategy towards neocolonial rule. This was a reaction to the relentless clamor of the people for national independence and the upsurge of national liberation movements throughout the world. State power was entrusted to a succession of puppets in order to conceal the continuing US imperialist domination and control.

The United States took advantage of the nation’s distressed condition after the war to force unequal treaties upon the fledgling neocolonial republic. These treaties allowed the US to freely exploit the country’s economic resources, to control the reactionary armed forces, to keep large military bases on Philippine soil and to exercise political hegemony.

Under the canopy of seemingly democratic institutions, political dynasties and power blocs representing landlord-comprador interests and operating through a two-party system held sway throughout the country. They dictated the reactionary course of Philippine politics, blocking the avenues for the democratic classes to be represented in government and preventing much needed social change.

The year 1950 saw the resurgence of the armed struggle waged by the *Hukbong Mapagpalaya ng Bayan* (HMB) under the leadership of the merger party. This was met by a large-scale and bloody counterrevolutionary campaign directed by the Pentagon and the US Central Intelligence Agency. The peasant associations, militant trade unions and other people’s organizations were brutally suppressed. The counterrevolutionary campaign of the US and local ruling classes won the day because the revolutionary forces had been weakened by the unrectified “Left” and Right opportunist errors and disorientation of the Lava leadership of the old merger party.

The entire decade of the ’50s was a period of intense repression. Strident anticommunism and unbridled worship of things American prevailed. But patriots and progressives led by Claro Mayo Recto and elements from the national bourgeoisie conducted anti-imperialist propaganda and agitation from the late ’50s to the early ’60s.

US imperialism and the local ruling classes of big compradors and landlords collaborated in pacifying the people through electoral circuses, foisting illusions of democracy, and through such token reforms as the fake land reform programs of the Magsaysay and Macapagal administrations.

The Philippines became embroiled in US wars of aggression against national liberation movements in Asia. US bases in the Philippines were used as launching pads for the deployment of US military forces to the Korean peninsula in the '50s and Indochina in the '60s and '70s. The puppet regimes even dispatched Filipino soldiers to support US aggressive policy in the interest of US monopoly capitalism.

But crisis was brewing within the neocolonial order. Poverty was on the rise. The policy of import-substitution in the '50s, which was heavily dependent on foreign sources of raw materials and machinery, only managed to bring about a very superficial import-dependent kind of manufacturing and a worsening of the trade imbalance.

The US and the IMF took advantage of this situation to impose a policy of decontrol and devaluation at the start of the '60s. Nascent Filipino industries stagnated or collapsed. The colonial pattern of trade became even more firmly entrenched.

Foreign capital made greater inroads into the Philippine economy and sapped it through heavy capital repatriation. Ever increasing balance-of-payments deficits led to growing dependence on foreign loans. Inflation reared its ugly head.

By the late '60s, the land frontier had been exhausted. The settlers were rapidly overtaken by traditional and new landlords. In the absence of industrial development, the excess population in the countryside flowed to the cities to compete for odd jobs and worsened unemployment.

The Philippine crisis deepened as successive puppet regimes adopted the development strategies and programs imposed by US imperialism through the International Monetary Fund and World Bank.

### **Revolutionary upsurge**

In the decade of the '60s the national-democratic movement was again on the upsurge. Mass discontent was on the rise as a result of the grave crisis of the ruling system. The propaganda and organizing efforts of the newly rising proletarian revolutionaries, together with a few veterans of the old merger party, gradually bore fruit.

The progressive mass movement also drew inspiration from the valiant struggle of the Vietnamese people against US aggression and the general development of national liberation movements in the third world, the

widespread protest movement abroad against the US war in Vietnam, the cultural revolution in China, and the growth of student and intellectual radicalism in the West and in Japan.

In Manila and other urban centers of Luzon, Visayas and Mindanao, the patriotic movement among students and intellectuals sparked and spread over such issues as parity rights, US bases, nationalization of the retail trade and Philippine involvement in the US war of aggression in Vietnam.

The workers' movement was invigorated. The end of the '60s also witnessed the massive outbreak of workers' strikes and the reintegration of revolutionary ideas and activists in the labor movement after nearly two decades of dominance by yellow trade-unionists.

In the countryside, the struggle for land rights and against the abuses of the landlords developed. National-democratic propaganda reached broadening sections of the peasant masses. The intensity of the struggle against the landlords impelled the peasant masses to arm themselves.

On the other hand, the remnants of the old people's army came under the control of the Taruc-Sumulong gangster clique. However, loyal commanders and fighters were so influenced by the propaganda movement in the cities that they sought to link with the revolutionary youth organizations.

Armed activities of the Lumads in Agusan, Bukidnon, Surigao and other Mindanao provinces also erupted against landgrabbing, unbridled logging by foreign and local concessionaires, and abuses of their armed guards.

Towards the end of 1968, the Communist Party of the Philippines was reestablished. It set forth the general line of the people's new democratic revolution under working class leadership and with a socialist perspective. Within the first quarter of 1969, the New People's Army in turn was founded under the absolute leadership of the Communist Party of the Philippines.

The Party and the people's army raised the banner of protracted people's war for the overthrow of the bankrupt ruling system, and immediately began laying the foundation for the revolutionary armed struggle in the countryside and the revolutionary underground movement in the cities while further strengthening the legal democratic mass movement.

In the same period, some Moro intellectuals and a number of traditional leaders started to call for struggle against national oppression and the assertion of their right to self-determination. They started organizing, launching militant actions and preparing for armed struggle.

A series of protest actions led by militant youth and student organizations erupted in Manila from January to March 1970. It gained renown as the First Quarter Storm of 1970. It spread to the big cities and towns in various parts of the country. This powerful political and cultural

movement projected the key issues of US imperialism, feudalism and bureaucrat capitalism into the national consciousness. It propagated the call for a national-democratic revolution on an unprecedented scale and ushered in a new high tide of revolutionary struggle and militancy of the Filipino people.

### **Fascist dictatorship**

As the chronic crisis of the semicolonial and semifeudal system intensified and the broad masses of the people clamored for revolutionary change, Marcos imposed martial law in September 1972. Upon the instigation of US imperialism, a fascist dictatorship was established to stem the revolutionary tide and to rescue and prolong the ruling system.

The exploiting classes could no longer rule in the old way. Through naked armed force and terror, the Marcos clique did away with whatever democratic processes and forms still existed. The patriotic and progressive forces as well as those sections of the ruling classes not belonging to the Marcos faction became the targets of repression. The fascist dictatorship built up an enormous military machinery and propaganda apparatus to maintain fascist rule.

Intensified militarization gave rise to unparalleled violations of the people's democratic rights. More than 6 million people were driven from their homes and farms. More than 150,000 were killed and tens of thousands were arrested, detained and tortured.

The fascist decrees and the Marcos constitution overthrew the gains of the people's anti-imperialist struggle, such as the prohibition against alien ownership of land and restrictions on foreign investments in the country. Every area of the economy was opened up to imperialist plunder and control, and imperialist privileges were not only retained but multiplied several times over.

The massive entry of multinationals into the banking industry was facilitated. Foreign agro-corporations were allowed to take over large tracts of agricultural land. An example was the approval of the RP-Japan Treaty of Amity, Commerce and Navigation which paved the way for the second Japanese invasion – this time economic – of the Philippines. National industrialization was further blocked.

The Marcos fascist clique made full use of its monopoly of state power to engage in large-scale plunder of the national treasury. The dictator and his immediate family, relations and cronies, built economic empires through outright thievery of government resources and grabbing of private assets of political rivals.

The Marcos clique succeeded, not in bailing the nation out of crisis, but in driving it to complete ruin. The foreign debt grew to immense proportions, opening the economy to further imperialist impositions and burdening the people with an enormous debt service. The IMF-World Bank strategy of export-led economic growth firmly bound the country to the world capitalist market with its ups and downs and drew the country further away from genuine industrialization.

Marcos boasted of his bogus land reform program. As the land problem of the peasant masses worsened, the land dispossession of farmers, national minorities and even among Marcos' landlord rivals in politics accelerated.

The landgrabbing operations of foreign corporations and big bourgeois compradors and landlords enabled aliens to engage in agriculture in a big way through Marcos' Green Revolution program. The livelihood of the peasantry deteriorated. The unbridled exploitation of the country's natural wealth gave way to immense destruction of the environment.

The socioeconomic conditions of the masses deteriorated as inflation raged and unemployment spread. The overwhelming majority, including substantial sections of the middle classes, were consigned to poverty. Hundreds of thousands were driven to work abroad, only to be subjected to a more intense kind of wage slavery, racial discrimination and sexual abuse.

Urban blight became a phenomenon in the nation's capital and other major urban centers with the continuing exodus of landless rural poor to the cities. Prostitution and organized crime flourished on the soil of social decay.

### **People's war**

The chronic and ever-worsening crisis of the semicolonial and semifeudal system engendered people's war even before the formal declaration of martial law. This crisis meant the intolerable oppression and exploitation of the people. With the blatant rise of fascist tyranny, the people's armed resistance expanded and intensified.

Under the leadership of the Party, the people gradually overcame the climate of fear and culture of silence created by the Marcos dictatorship and increasing sections of the oppressed classes and sectors dared to fight back and learned manifold ways to resist.

The Preparatory Commission of the National Democratic Front was formed in 1971, upon the initiative of the Communist Party of the Philippines. Seeking to provide a firm basis of unity for all popular forces driven underground by the martial law regime, the Preparatory Commission of the NDF issued a 10-point program on April 24, 1973, now acknowledged and celebrated as the founding day of the National Democratic Front.

Hundreds of thousands would eventually join the NDF through revolutionary mass organizations encompassing various classes and sectors.

In the countryside, the revolutionary armed struggle blazed like a forest fire. Guided by the principle of protracted people's war, the CPP and NPA strived to build revolutionary strength in the countryside – at the start in strategic areas of the archipelago and subsequently in secondary areas. The Party took up the related tasks of armed struggle, agrarian revolution and mass base building.

From mountainous areas, the armed struggle spread to the plains, towns, seaside and even some parts of urban areas. It marched abreast with vigorous peasant mass struggles for the reduction of land rent, interest on loans, increased wages for farm workers and higher prices for farm produce.

Workers' strikes, student boycotts, rallies, protest art on buildings and streets, alternative newspapers and other forms of open protest became widespread and were in support of the revolutionary armed struggle. The underground movement rapidly grew. Of particular significance was the active participation of church people in the protest movement through open and underground activities. All these, in combination with the accelerated advance of the armed struggle in the countryside, paved the way for the emergence of the gigantic mass actions in the 1983-86 period.

Under extremely favorable conditions, the tactical offensives of the NPA rose to a crescendo in the first half of the '80s. District-size and province-size guerilla fronts arose. At their core were guerilla bases where generally the Party and the people's army implemented the minimum program of agrarian reform and built the organs of political power.

In the South, the Moro people organized themselves, built their army and launched mass uprisings and armed rebellion against the dictatorship. The fascist regime launched attacks of genocidal proportions. The Moro people answered by persisting in armed struggle. Meanwhile the NPA was able to organize among the Moro people and to recruit Red commanders and fighters from among them, especially among former members and activists of national-democratic mass organizations.

The Cordillera people staunchly resisted government schemes to dislodge them from their ancestral lands. They effectively prevented the implementation of the Chico River dam project and the expansion of Cellophil Corporation in Abra (both environmentally damaging). The various peoples of the Cordillera joined in building an armed force and a revolutionary front to fight for self-determination, in unity with the entire national-democratic movement.

A revolutionary movement also developed among other indigenous peoples, especially among the Lumads of Mindanao.

The rapid deterioration of socioeconomic conditions, the intensified contradictions among the reactionaries and the blows of people's war from all quarters severely weakened the fascist dictatorship and forced it into blunders and desperate measures.

The rapidly advancing struggle of the people turned into a storm upon the assassination of Benigno Aquino on August 21, 1983. The antifascist movement further broadened – from the toiling masses, the petty bourgeoisie and middle social strata, it reached even some sections of the ruling classes. At the core of this movement were the national-democratic forces. A split was triggered even within the regime's most solid base of support, the military.

Amidst the exceedingly favorable conditions and the rapid advance of the revolutionary struggle, the leadership of the revolution got carried away by illusions of quick victory. Military adventurism and urban insurrectionism became amplified and subsequently led to losses and weakening of the revolutionary forces.

Meanwhile, Marcos became discredited in the international community. He became a problem for US imperialism as its principal puppet in charge of supporting and safeguarding its interests in the Philippines. The US prepared for a change of puppets and eventually let go of Marcos in 1986.

In rural and urban areas, various forms of the people's struggle against the fascist dictatorship grew in strength and intensified. The intense antidictatorship struggle for a while hid the initial damage caused by a worsening disorientation and deviation from the line of people's war which started at the onset of the decade.

The sudden plunge of the economy, the general upsurge of mass protest, the disaffection of most reactionaries and the withdrawal of US support from the Marcos regime came to a head. Finally, the fascist dictatorship was overthrown by a combination of military rebellion and popular uprising in February 1986.

Although the EDSA revolt had a popular base, the leadership was seized by a combination of forces dominated by pro-US reactionaries – the Aquino coalition of traditional politicians, the anti-Marcos sections of the fascist military, the conservative Church hierarchy and anti-Marcos big businessmen and landlords.

In the 1986 snap presidential elections, the advanced sections of the masses strayed off from the main flow of the antifascist mass movement as a

result of an erroneous boycott policy. More significantly, the advance of the revolutionary forces was broken as a result of the growing influence of the erroneous line of military adventurism and urban insurrectionism, the confusion wrought by an anti-infiltration hysteria in Mindanao and other areas, and bureaucratism. The people's war was still in the stage of strategic defensive, and the people's army was still small and weak compared to the reactionary armed forces.

Given the balance of forces between revolution and counterrevolution, the US and local reactionaries set the general direction and outcome of the Edsa uprising. But despite the reactionaries' celebration that they controlled the damage to the system by booting Marcos out, they could not stop the exacerbation of the split within the Armed Forces of the Philippines (AFP). The grave crisis of the ruling system was not solved. Widespread discontent among the people persisted.

### **The past recycled**

The reactionary classes remained in power. In the face of popular demands, the Aquino ruling faction granted a few concessions such as the release of political prisoners, the restoration of formal democratic rights and bourgeois-democratic processes. But the reactionaries lost no time in taking away these concessions step by step.

Big comprador-landlord rule assumed a new face upon the ascension of the Aquino regime. It decked itself out with democratic trappings and waved the banner of "reform and democracy", while preserving intact the fascist state machinery and perpetuating the essentially foreign-controlled, feudal type of traditional politics. Wornout institutions and processes were recycled and many of Marcos' policies and schemes were continued and even aggravated.

Just like the fascist puppet Marcos and his technocrats, Aquino and her economic advisers looked up to foreign investments and foreign loans as the principal means of economic recovery and progress. Their desperate need for foreign aid made them more slavish in following the dictates of the US-controlled IMF and World Bank. The Aquino regime committed itself to the full payment of the gargantuan foreign debt incurred by the dictator and "economic reforms" favoring foreign capital.

In similar fashion, the Aquino government bartered national sovereignty and territorial integrity in exchange for the unqualified US support that it hoped would guarantee its survival. The Aquino government sought the retention of the US military bases and troops on Philippine soil beyond 1991, through such deceptive formulas as "gradual phase-out" and

“continued US access” to particular facilities. However, in the face of the people’s strong opposition, the Senate rejected the proposed new treaty for the retention of the US military bases in the Philippines.

Nonetheless, the previous agreements between the United States and the Philippines, such as the US-RP Mutual Defense Pact, continue to grant the US the right to freely use any part of Philippine territory for its troops under the cover of mutual defense and for launching combined massive military exercises. Furthermore, the US remain firmly in control of the principal pillar of reactionary rule in the country, the fascist AFP. The AFP continues to rely on the US for antipeople and anticommunist indoctrination, logistics, strategic planning, officer training and military equipment.

In the period of the Aquino regime, unemployment worsened. An even bigger number of the country’s labor force – the majority of them women – left to seek jobs abroad. The reactionary government became a persistent sales agent of Filipino labor power abroad. And after a few years, Philippine labor export became the largest dollar-earner. On the other hand, Filipino overseas workers suffer more intense exploitation and oppression in exchange for having a source of income.

Aquino’s sham land reform did not solve the problems of the peasant masses. It instead worsened the land problem. It deceptively set the system of stock transfer as one form of land reform. It allowed the conversion of agricultural land for the use of comprador big bourgeois and foreign corporations. It has become a program through which big landlords using the voluntary-offer-to-sell scheme robbed the state treasury. The Aquino government did not make any appropriation even if only to maintain agricultural infrastructure. Agricultural support services continued to deteriorate.

The regime’s autonomy scheme for the national minorities was no different from that of its predecessor. The scheme allowed continued landgrabbing of ancestral lands and foreign plunder of the ancestral domain. In every major area in the political, economic and military spheres, it gave the “autonomous governments” no authority and powers which are not subject to existing laws, national policies and congressional approval.

Peace talks, but actually only talks for a ceasefire, were held between the Aquino regime and the NDF. The Aquino regime refused to negotiate a genuine political settlement of the armed conflict, but was merely interested in looking for an excuse to unleash all-out war against the revolutionary forces. When the “ceasefire talks” collapsed, the Aquino regime proceeded to launch the biggest, most comprehensive and most brutal “counterinsurgency” campaign in post-war history. As a result, its record of

human rights violations in some areas surpassed that of the Marcos fascist dictatorship.

The “total war” policy against the revolutionary forces and people was brutally carried out. The US “low-intensity conflict” strategy was applied. Fascist terror and militarization continued and intensified in both city and countryside, victimizing and dislocating thousands of peasants and indigenous peoples. The “democratic space” much vaunted by bourgeois populist and other reformist agents of the Aquino regime vanished into thin air.

With every coup attempt launched by ultra-Rightists, the Aquino government became ever more dependent for its survival on the fascist AFP. The Ramos military faction became more powerful in political decision-making. The inability to assert civilian supremacy over the military led to an undeclared state of martial law – as exemplified by the continuance of nonbailable charges of political offense and the reinstatement of “warrantless arrests” reminiscent of Marcos’ PCO (Presidential Commitment Order) and PDA (Preventive Detention Action).

The US government continued to decisively influence political, economic and military decision-making processes in the country through a network of politicians, bureaucrats and military officials. It was the principal instigator of the “total war” scheme and took charge of funding, equipping and training intelligence and other requirements.

US imperialism engaged in more and more direct intervention, as the puppet regime increasingly failed to put its act together. It took advantage of its long-held dominance in Philippine affairs, the desperate economic situation of the country, and the deep internal divisions within the bureaucracy and military to realize its strategic as well as tactical objectives in the Philippines.

Though at first riding on the wave of popular rejection of the Marcos fascist regime, the Aquino regime soon became isolated from the people because of its antinational and antidemocratic policies. It set the destruction of the revolutionary movement as its strategic goal but it failed.

The revolutionary forces persevered on the road of armed struggle. The damage and setback as a result of errors and deviations that were exposed, together with the most responsible instigators, had started to be combated and rectified during the latter part of 1988, under the leadership of the CPP.

Big and broad mass protest actions were repeatedly launched against the Aquino rule from 1986 to 1992. This is proof of the people’s deep discontent with the worsening crisis under the regime. However, some of these protests were derailed because of insurrectionist errors.

The crisis of the semicolonial and semifeudal system could not be checked. Despite the errors and deviations of the revolutionary forces, the people's aspiration for national freedom and democracy remained strong. The conditions for people's war became even more favorable.

### **The US-Ramos Regime**

The rise of the Ramos ruling clique is symptomatic of the ceaseless tendency of the semicolonial and semifeudal society to stagnate, deteriorate and disintegrate.

Here is the West Point-trained chief butcher under the Marcos and Aquino regimes becoming the president himself. He has assumed the position of president, garnering only 23.5 percent of the votes cast, after using the facilities of the reactionary government and huge electoral spending of money from US, Japanese, Taiwanese and other foreign monopoly capitalists.

The pluralism or multipolarization of ruling class politics into more than two parties since the downfall of the Marcos regime has produced a blatantly antinational and antidemocratic president such as the character of General Ramos. At the same time, the regime has brought together and placed at the top of the political system some of the worst elements of the Marcos regime. The erstwhile executor of the fascist dictatorship has consolidated his base in the civilian bureaucracy by positioning in it his most loyal military officers.

The Ramos regime has further rendered inutile the Aquino regime's sham land reform with the implementation of laws that have worsened the land problem and the feudal and semifeudal exploitation of the peasant masses. It has devolved to local government units the classification of land within their respective spheres; allowed foreign investors to lease land up to 75 years, which means virtual ownership of the land; and signed an agreement for the duty-free entry of agricultural products into the country, causing a drop in the prices of the produce of the peasant masses.

The Ramos regime is waving "Philippines 2000" as its Philippine development program. In fact, it is a program to sell off the Philippines and the Filipino people in exchange for foreign loans and investments, conditional upon the suppression of the people's democratic rights and of the revolutionary movement.

The main objective of the current regime is to pursue the brutal "total war" policy in an attempt to defeat the ongoing national-democratic revolution and people and suppress all resistance to oppression and exploitation suffered by the people.

Complementary to the military campaign of suppression are the psywar tactics of the regime in attempting to misrepresent itself as a seeker of peace, mislead the people, isolate the revolutionary forces and induce the revolutionary movement to split and capitulate.

The main premise of the regime's current economic policy and "Philippines 2000" is the pacification of the revolutionary forces and the people by brute force and the suppression of the democratic rights of workers and peasants. It is also maneuvering to perpetuate itself in power as Marcos did in the name of "constitutional reform", "counterinsurgency" and "economic development".

The antinational and antidemocratic policies of the US-Ramos regime are aggravating the crisis of the ruling system and exacerbating the oppression and exploitation of the people.

Therefore, the people have no recourse but to carry out the national-democratic revolution through people's war until total victory is won and the socialist revolution can be thoroughly carried out.

The domestic crisis of the ruling system and the crisis of the world capitalist system provide the objective conditions for the growth in strength and advance of the people's revolutionary movement.

### **Crisis of a disintegrating order**

The succession of the Aquino and Ramos regimes to the Marcos regime has given the country no relief from the political and economic crisis. It has only increased the crushing weight of suffering and hardship on the people.

The economy lies prostrate, completely under the dictation of the US-controlled IMF-WB and foreign banks and with no hope of recovery. The country is sinking ever deeper into the debt quagmire. Its productive wealth is being siphoned off through enormous debt service payments and the unrestricted capital repatriation by multinational companies. The deficits in the balance of trade and government budget are unequaled in history.

Double digit inflation has ravaged the lives of the people. Impoverishment and unemployment are cutting a wide swath, throwing bigger sections of the middle social strata into the state of destitution — the daily lot of the masses of workers, peasants and all urban and rural poor.

The deepening of the Philippine crisis and the new dimensions it has assumed have made revolutionary struggle and radical social transformation all the more imperative. Exceedingly favorable conditions have been created for waging the national-democratic revolution.

The unjust and oppressive rule of US imperialism and the comprador big bourgeois and landlord classes is being weakened by the internecine

conflicts of the reactionary forces and by the persevering and sustained revolutionary struggles of the Filipino people.

The house of the ruling classes is in disarray, wracked by internal strife among rival reactionary factions within and outside the deeply divided military. US imperialism and the Ramos regime are trying to pacify the open and violent fighting among rival factions. But they have failed. The booty to be shared continues to shrink, while the crisis worsens and the people's revolutionary resistance is advancing.

Increasing factionalism and rampant corruption, especially at the highest levels, are rapidly demoralizing the AFP rank-and-file and the officers' corps. The deterioration of the "professional army" is such that entire commands and ranking officers have become involved in big-time criminal syndicates and activities.

US imperialism finds it more and more difficult to realize its counter-revolutionary agenda in the Philippines. It has undermined its own global economic power by throwing neocolonies to penury and indebtedness. The US is being weakened by deficits due to overconsumption and by military overspending and adventures in other parts of the world. Within the Asia-Pacific region, US and Japanese monopoly capitalism are still collaborating in exploiting the people but they are also competing.

Within the country, the revolutionary forces are revitalizing themselves in a thoroughgoing rectification of deviations and errors and rejection of a handful of opportunist traitors who had sneaked into their ranks. Revolutionary awareness, which the revolutionary forces are tirelessly propagating among the masses of the people, especially the workers and peasants, is teaching them to take the road of armed revolution. Even the middle social strata are being pushed to become more critical of and to oppose dominance by the US and its puppets.

### **Historic leap**

So long as the system remains semicolonial and semifeudal, ruled by US imperialism and its local comprador-big bourgeois and landlord agents, the crisis of Philippine society will remain unsolved. This crisis is bound to worsen whether the current Ramos regime remains or is changed by a new puppet regime.

The basic contradictions in Philippine society continue to sharpen – between US imperialism and the Filipino people, and between feudalism and the broad masses of the Filipino people.

Widespread popular discontent over the rule of the exploiting classes as well as the people's revolutionary aspirations for national freedom and

democracy have seeped into the entire fabric of Philippine society. Ever broadening sections of the people clamor for radical and comprehensive change. The middle social strata are being roused by the impact of the crisis, the militant movement of the masses of workers and peasants and the influence of progressive currents.

The revolutionary forces are firmly raising the banner of national democracy. They are at the forefront of the people's struggles and are persevering in people's war. Extensive and intensive guerilla warfare on a widening and deepening mass base is being waged nationwide; the minimum program of the agrarian revolution is being implemented; the mass organizations and the local organs of political power are being set up in the countryside; and the legal and open mass movement in the cities as secondary but essential part of the people's war is being advanced.

Notwithstanding the heavy blows inflicted on it by armed counterrevolution, especially the destruction wrought by the "total war" policy, and despite the setbacks, difficulties and limitations that need to be surmounted, the revolutionary movement continues to win significant victories. The rectification movement now being vigorously launched is effecting a higher level of consolidation ideologically, politically and organizationally among the revolutionary forces and is raising their determination and capability to fight the US-Ramos regime and the entire reactionary system. It is bound to reap great victories in the coming years.

In view of all the above, any attempt by any reactionary faction to reimpose outright fascist rule or intensify armed terror in an effort to stem a revolutionary upsurge can only succeed in sharpening national and class contradictions and widening the schism among the ranks of the ruling classes.

The current strength of the revolutionary forces is bound to rise to a new and higher level. The people have the determination to fight for national and social liberation. No matter what US imperialism and its local puppets resort to, in the long run they cannot prevent the downfall of the unjust and bankrupt ruling system.

## PART II

### The 12 Points of the NDF Program

The National Democratic Front is committed to the Filipino people's revolutionary struggle for the completion of the national-democratic revolution through people's war.

The NDF seeks to promote the unity, cooperation and coordination of all patriotic and progressive classes, sectors and forces in order to fight for national liberation and democracy and overthrow the oppressive and exploitative ruling system.

In promoting national unity, the NDF pursues the revolutionary class line in the united front. This requires the activation and strengthening of the working class leadership, the basic worker-peasant alliance, the basic forces of the revolution which include the urban petty bourgeoisie, and the broad alliance of positive forces of the revolution, including the national bourgeoisie.

At the moment, the NDF is the formal united front of the organizations of the basic forces of the revolution, comprising the working class, the peasantry and the urban petty bourgeoisie. The NDF is ever ready and willing to cooperate with all patriotic and progressive forces and individuals that are outside its frame in order to broaden and strengthen national unity and advance the national-democratic revolution and people's war.

The most important responsibilities of the NDF include promoting national unity for the revolutionary struggle within and beyond the current composition of the NDF, making representations and pronouncements on behalf of the revolutionary forces upon their authorization, and paving the way for and supporting the organs of the people's democratic government at various levels.

The principal way to strengthen the NDF is for all the allied organizations within its fold to strengthen themselves through mass work in their respective spheres. In such a way, a powerful mass support for the consultative conferences and leading councils of the NDF at various levels can be formed.

The National Democratic Front hereby declares its 12-Point Program. This we offer to the Filipino people as guide and rallying point in the fight for an independent, democratic, just, prosperous and progressive future.

**1. Unite the people for the task of overthrowing the semicolonial and semifeudal system through people's war and completing the national-democratic revolution.**

Only the power of a united people, achieved through revolutionary armed struggle and the united front of revolutionary forces, can isolate and destroy the dominance of the US and other foreign monopoly capitalists and the counterrevolutionary state of the comprador big bourgeoisie and landlord class.

The national-democratic revolution that we seek to complete is of the new type. It is led by the working class and has a socialist perspective. Upon the seizure of political power, the new democratic revolution is basically completed and the socialist revolution can commence.

National unity in the revolution can arise and develop only when there is a definite class leadership, which responds to the basic demands of the broad masses of the people and builds a united front that harmonizes their national and democratic rights and interests.

The united front of various patriotic and progressive classes, sectors and forces is the way to build national unity. Its main force is the basic alliance of the working class and the peasantry (including the farm workers and fisherfolk), which are more than 90 percent of the people and are the most oppressed and exploited.

In this regard, we make special reference to the broad masses of the Bangsa Moro, Cordillera and other minority and indigenous peoples as among the most oppressed and exploited in the country.

The urban petty bourgeoisie must be won over to the revolution. It is one of the basic forces of the revolution, together with the working class and peasantry. Further, the national bourgeoisie must be won over. It is one of the positive forces of the revolution, together with the aforementioned classes.

In carrying out the united front policy, it is necessary not only to build the unity of the revolutionary forces but also to take advantage of the contradictions within the reactionary classes. Thus, the widest range of forces can be developed to isolate and destroy the power of the faction that is the most reactionary and most servile to the imperialists at every given time.

In the course of fighting any series of the most reactionary factions and their imperialist masters, the revolutionary forces strengthen their unity with the people and accumulate the strength to overthrow the entire ruling system.

The National Democratic Front is the instrument for building the national united front of all patriotic and progressive forces. At the present stage, however, it includes within its fold only organizations of the basic

forces of the revolution, i.e., the working class, peasantry and urban petty bourgeoisie.

It is the policy of the NDF to cooperate and coordinate with all the patriotic and progressive forces that are not within its fold as a formal alliance. The NDF hopes that upon the development of the organs of political power at levels higher than the village level these forces will decide to join the NDF and the people's consultative conferences.

The NDF supports all forms of revolutionary struggle, legal and illegal, aboveground and underground. But its distinctiveness as a united front organization is in being clearly for revolutionary armed struggle.

As a matter of principle, the NDF stands for armed struggle as the main form of revolutionary struggle because only through it can the bureaucratic and military machinery of the reactionary state be smashed and the revolutionary organs of democratic power emerge and develop. Without the seizure of political power, the national and social liberation of the people is impossible.

The legal forms of struggle are important and indispensable. These can be skillfully used to expose and oppose the reactionary state and even spread the revolutionary message to millions upon millions of the people. But these are within the constraints of the reactionary state and these by themselves cannot dismantle or change the fundamental character of the reactionary state.

The NDF supports the strategic line of encircling the cities from the countryside and accumulating armed strength until it becomes possible to seize political power in the cities and on a nationwide scale. It upholds people's war, which combines armed struggle, land reform and mass-base building.

The alliance of the working class and the peasantry is forged in the course of the people's war. In the people's army, the party of the working class firmly unites with and leads the Red fighters, the majority of whom are peasants. By implementing revolutionary land reform, the peasant masses are emancipated politically and economically and their trust in the working class leadership is strengthened.

In conducting the revolutionary armed struggle in the countryside, the revolutionary party of the working class relies mainly on the poor peasants, together with the farm workers and poor fisherfolk, wins over the middle peasants, neutralizes the rich peasants in order to overthrow the power of the landlord class. In the implementation of the minimum program of land reform before nationwide victory of the revolution, we take advantage of contradictions among the landlords in order to isolate and deal the strongest blows against the big and despotic landlords in power.

This antifeudal united front is within the larger framework of the national united front which is both anti-imperialist and antifeudal. The national united front is also antifascist insofar as fascist repression continues despite the so-called restoration of formal democratic processes.

The NDF recognizes that aside from advancing the revolutionary armed struggle the development of the legal democratic struggle must also be advanced. These two forms of struggle must be coordinated, expanded and intensified.

Through the application of the united front policy, we reach and influence millions upon millions of people to organize themselves and participate in the revolution, thus adding their strength to that of definite organized forces.

The NDF must exercise vigilance against agents provocateur who wish to combine parliamentarism with insurrectionism and engage in provocative actions that tend to make the most advanced forces appear as isolated aggressors and expose them to enemy surveillance and retaliation. The character of the democratic movement based in the urban areas is legal and defensive.

The NDF must also exercise vigilance against those who likewise play into the hands of the enemy by adopting the purely military viewpoint, regarding the armed struggle as a competition of absolutely concentrated military formations and the masses as political only when spontaneous or unorganized.

The national-democratic revolution has to be won by waging the people's war in stages. To prevent this revolution from being betrayed again by the bourgeoisie, the proletariat through its vanguard party must definitely lead the armed struggle and the united front.

## **2. Prepare the way for the establishment of a people's democratic republic and a democratic coalition government.**

Local organs of people's democratic power have been established and continue to expand throughout the country. These are the beginnings of the new government which the NDF envisions. The NDF supports the establishment and consolidation of these organs of political power. By strengthening the allied organizations, especially those of the basic masses, and by strengthening the unity and cooperation among all progressive forces and elements, the NDF paves the way for the formation of the people's democratic government at various levels.

As total victory of the national-democratic revolution approaches, the working class party as the leading party may set up a provisional

revolutionary government as a forward step towards the seizure of power nationwide.

In this regard, the NDF, together with all the other allied organizations, shall assist the working class party in taking the concrete steps to ensure the widest possible base and character of the people's democratic government. A people's consultative conference may be convened, with the NDF acting as one of the major convenors. This would be a conference of representatives of all allied patriotic and progressive classes and sectors. This conference shall form the people's consultative council to prepare for the proclamation of the People's Democratic Republic of the Philippines and support the party of the working class in organizing the new government.

Upon the victory of the national-democratic revolution, a people's democratic republic shall be established and proclaimed. State power shall be seized from the big comprador-landlord rulers and its stability and revolutionary character shall be ensured by the democratic classes, especially the workers and peasants led by the working class.

The new government shall take the form of a democratic coalition government which promotes and translates into reality the people's will and interests, especially those of the exploited classes. Within this government, autonomy shall be assured the Bangsa Moro people, the Cordillera people, the Lumads and other indigenous peoples and so shall appropriate representation and voice be assured for other oppressed sectors.

With the support of the people's consultative council, the smooth and orderly transition to peaceful conditions and the quickest possible healing of the wounds of war shall be ensured. Measures shall be adopted to ensure that all productive enterprises immediately resume and expand their production. Civil service personnel of the overthrown government – except those accused of serious crimes – shall be encouraged to continue at their posts and serving the public.

Thoroughgoing democratic reforms shall be initiated and all the people's forces shall be unified and mobilized against those who continue to resist. At various levels, the people's consultative conferences and councils and the mass organizations shall support the organs of democratic power at various levels.

The participation of the entire people in the affairs of the state and in decision-making processes shall be ensured. Such participation shall include the political parties and mass organizations of all patriotic and progressive forces. The working class party leading the government shall enjoy multiparty support, although the key principle in organizing and developing political processes shall be the people's direct participation in

state affairs. Bourgeois pluralism shall not be allowed to undermine, weaken or destroy the people's democratic state.

A fair and equitable system of justice as well as a system of conciliation and settling contradictions among the people shall be established. Judicial procedures will ensure a fair hearing by an impartial tribunal at all levels of government. The right to due process shall be upheld.

The people's courts shall try those accused of grave crimes against the people (especially human rights violations and corruption) and punish those who have been found guilty of such crimes. Subject to due process, it shall have the power to order the confiscation of ill-gotten wealth and expropriation of property amassed by the traitors, bureaucrat capitalists, big compradors and landlords.

Severe punishment shall be meted out to those found guilty of the most serious offenses. Those who deserve leniency shall be given political education and, as soon as possible, be given opportunities to become productive members of society under the new dispensation.

In accordance with the social revolution, the political and economic rights of members of the exploiting classes shall be restricted in order to prevent them from undermining the new social system and recovering their political and economic power over the working people.

Soon after total victory, the election of a constituent assembly to draft the constitution of the People's Democratic Republic (PDR) shall be held. After the ratification of the Constitution, general elections shall be held.

In its Constitution and practice, the PDR shall have the character of a republic that is a united front of all democratic classes, founded on the worker-peasant alliance and led by the working class. All power of the PDR resides in the people, who have the sovereign power to elect their officials and to recall them from office.

The development of a democratic style of leadership, forging firm links with the proletarian and semiproletarian masses and upholding the interests of the majority and the entirety shall be continuously and closely given attention. Officials shall be obliged to adhere to strict standards of honesty and service to the people and the revolution. Campaigns shall be launched to improve mass supervision over officials and to combat bureaucratism.

The bill of rights shall guarantee the people's basic freedoms and shall surpass that in the bourgeois liberal constitution by prohibiting the oppression and exploitation of the people by the imperialists and the reactionary classes of big compradors and landlords.

While providing conditions under which believers and nonbelievers can work together in building a free and democratic society, the policy of the

separation of church and state shall be implemented.

State power shall be exercised through a system of people's congresses at various levels, the highest being the National People's Congress. The system of people's congresses shall adopt a system of genuine universal and equal suffrage, irrespective of nationality, race, sex, creed, party affiliation, or education. This system gives full expression to democracy with full powers vested in the people's congresses at all levels.

There shall be a centralized system of administration but with decentralization of functions that are better performed by lower levels of government. The central leadership of the government shall base itself upon and interact with the lower levels of government in accordance with the principle of democratic centralism.

### **3. Strengthen the people's army and a people's defense system.**

The New People's Army is necessary in order to bring about and guarantee the national and social liberation of the people. It is the main instrument of the entire Filipino people for destroying the reactionary state and establishing a government that will truly serve the interests of the people.

The NPA has grown in strength and has extended its areas of operation because it is led by the CPP which ensures that the gun is always under the command of revolutionary politics. Thus, another basic condition for the development of the people's army is ensured: the whole-hearted support of the masses. It has gained the trust and confidence of the masses because it upholds their national and democratic interests, promotes agrarian revolution and helps them establish local organs of political power. The NPA not only upholds democratic principles in its relations with the masses but also practices democracy within its ranks. Thus, unity is forged between the army and the people and between officers and men on the basis of revolutionary principles and democratic processes.

Guided by revolutionary principles and by its own strict code of conduct and discipline, the NPA has always strived to avoid harming the lives and property of civilians in the course of its military operations. It also treats enemy captives humanely and extends medical attention to the wounded among them to the extent possible.

The NDF welcomes international norms and guidelines and adheres to the provisions of Protocol II of the Geneva Conventions as well as other humanitarian laws whose aim is to protect noncombatants. In the course of the ongoing civil war in the Philippines, the NDF is seeking diplomatic recognition of its inherent status of belligerency.

Upon the attainment of victory, the NPA shall be under a ministry of national defense and shall have ground, naval and air forces. There shall also be police forces and a people's militia under a ministry of public security.

The basic tasks of the revolutionary people's armed forces are to safeguard the sovereignty and territorial integrity of the country and to defend the gains of the revolution and the Filipino people from internal subversion and external aggression. To this end, the revolutionary army as well as the people shall constantly be in a state of vigilance and readiness to repel any act of intervention and aggression from foreign forces.

The people will play the key role in defending the gains of the revolution. With revolutionary consciousness and militancy, they will be the surest guarantee against internal subversion and external aggression. Thus, there shall be no need to maintain a huge standing army.

The national police force shall be drawn from the local police and militia forces that have defended and protected the people in the course of the revolutionary war. Militia units shall be improved where they have already been formed in the course of people's war and shall be formed in places where they do not yet exist. Special consideration shall be made in the areas of the Bangsa Moro people, the Cordillera people and other indigenous peoples.

Because time-tested revolutionaries shall be firmly in command of the people's army, former enemy officers and men who have joined the revolutionary cause before total victory or who have not committed any serious crime may be allowed to stay in the military service on a selective basis. However, they shall all be required to undergo revolutionary education.

Aside from military tasks and mass organizing, the people's army shall perform tasks in other spheres, such as production, environmental renewal and relief work in times of disaster. It shall be a revolutionary school for its regular members and for the youth who shall be required to render military training service for a certain reasonable period of time.

#### **4. Uphold and promote the people's democratic rights.**

The Filipino people's struggle for democratic rights has been waged together with their struggle for national liberation. The Malolos Constitution of 1899, which crystallized the aspirations of a free Philippine nation, included a bill of rights which guaranteed civil liberties to the people.

When US imperialism destroyed the first Philippine republic, it also suppressed the people's democratic rights. In resuming the fight for

independence, the people raised the demand for democracy in terms of land reform and civil liberties. The puppet Commonwealth regime never carried out genuine land reform and allowed the exercise of civil liberties only within the confines of ruling class politics and working for the US grant of independence.

A bill of rights was incorporated into the 1935 constitution but in fact the people, especially the toiling masses, were denied the exercise of democratic rights. Not only the Marcos fascist dictatorship but all other regimes under the puppet republic have made false promises about land reform and made a mockery of the bill of rights.

In the course of the struggle against the fascist dictatorship, the struggle for democratic rights gained more profound meaning and scope, drawing strength from our people's militant and heroic struggles against the Marcos regime's wanton abuse and violation of civil and political rights.

Subjected to powerful popular pressure for democracy, the Aquino regime framed a constitution which gives formal recognition to a bill of rights more extensive than that provided by any previous Philippine constitution. But the exercise of democratic rights is negated by the continuing national and class oppression and by the maintenance of the fascist structures built under the Marcos dictatorship.

The total war policy of the Aquino regime resulted in widespread gross violations of human rights, even surpassing the record of the Marcos dictatorship in many areas. Now, we are confronted with a regime whose chieftain has been responsible for these violations during the time of both Marcos and Aquino.

History's lesson is clear. The fundamental individual freedoms as well as expanded human rights in the political, social and economic spheres can only be realized and can only flower under conditions of national freedom and class freedom for the oppressed classes. These freedoms will only thrive for so long as a vigilant people are ready and willing to fight and die for them.

Upon the establishment of the people's democratic republic, the people's democratic rights, especially those of the most oppressed, shall be promoted, expanded and guaranteed. The main substance of democracy shall be realized through genuine and thoroughgoing land reform. The freedoms of the people shall be guaranteed by a democratic bill of rights and by the actual national and social liberation of the people.

The basic democratic rights include the fundamental rights to free speech and free press; to freedom of thought and expression; to freedom of religious belief and practice; to free choice of domicile and movement. These also include the right to free association and assembly; to strike; and to universal suffrage through secret ballot.

Every individual shall have the right to due process; protection against arbitrary arrest; guarantees against torture, solitary confinement and other inhuman forms of detention and punishment; right against self-incrimination and right to be presumed innocent until proven guilty; right to equal protection of the law and the privilege of the writ of habeas corpus.

The right to universal and free education, delivery of basic services, including health care, shall be guaranteed under the new government.

Effective guarantees in the Constitution and other political and institutional mechanisms shall be adopted to prevent the resurgence of autocracy, tyranny, military rule and other antipeople regimes. The people's right to revolt against an oppressive and tyrannical regime shall be recognized.

The right to own the means of production and consumption that are obtained through land reform, honest labor and entrepreneurship, skill, inventiveness and intellectual merit shall be guaranteed. The right to own the means of production carries with it the social responsibility to use such means for the common good and should not mean the unbridled exploitation of other people.

Full employment shall be guaranteed. The people shall be assured of gainful employment, livelihood and job security. No one shall be denied the right to work and equal pay due to nationality, creed, minority status, gender or sexual preference, or civil status. The right of the workers to form unions and participate in the management of enterprises shall be assured.

Academic freedom shall be guaranteed. Cultural workers, in particular, will be assured the freedom of expression.

The rights of the Bangsa Moro people, the Cordillera people and other indigenous peoples to their ancestral lands and the natural resources in these lands shall be recognized and guaranteed. The indigenous peoples shall be assured of participation and representation in the economic, political and social life and institutions of the nation, and their culture shall be accorded due respect.

Women's rights in all fields of endeavor shall be recognized and protected. No discriminatory laws on the basis of race, ethnicity, gender, belief, age, physical condition or civil status shall be allowed to exist.

##### **5. Terminate all unequal relations with the United States and all other imperialist powers and other foreign entities.**

The United States and other foreign monopoly interests have long used various laws, treaties and agreements to violate the national sovereignty, independence and territorial integrity of the Philippines and to interfere in

the country's internal affairs. The puppet regimes of the comprador big bourgeoisie and the landlord class since 1946 to the present have been criminally answerable for the preservation of the ruinous relations with the US and other foreign entities.

The subservient investment laws and onerous loan agreements and such unequal agreements as the US-RP Military Assistance Agreement, the US-RP Mutual Defense Agreement, the Quirino-Foster Agreement and the RP-Japan Treaty of Amity, Commerce and Navigation shall be terminated. New treaties, agreements and arrangements — based on the principles of mutual benefit and noninterference in each other's affairs — shall be negotiated.

As a rule, direct investments and profit-making assets of the US, Japan and other big foreign capitalists, especially those in vital and strategic industries, shall be nationalized. Where necessary, the manner of compensation as well as any exemptions to this policy shall be the subject of negotiations, based on the national interest. However, those enterprises that have been actively used for counterrevolutionary purposes shall be subject to outright confiscation.

Foreign loans that overburden and sabotage the Philippine economy, deepen the country's underdevelopment and direct local resources into unproductive channels shall be canceled or renegotiated, when possible, to do away with their obnoxious features and arrive at terms beneficial to the country.

The US military bases have been dismantled but US military forces retain access to military facilities and to the Philippines territory. Such access shall be prohibited.

The reactionary armed forces continue to be dependent on US strategic planning, officer training, supplies and so on. The people's army shall never be allowed to be dependent on or subservient to any foreign power.

No foreign power shall be allowed to set up military bases on Philippine soil or use Philippine territory as a launching base for military operations abroad. The passage through or entry of foreign military nuclear-powered vessels into the country or the emplacement of nuclear weapons within the national territory shall be strictly prohibited.

All forms of foreign intervention and interference in the country's internal affairs shall be opposed and resisted.

**6. Implement a genuine agrarian reform program, promote agricultural cooperation, develop rural production and employment through modernization of agriculture and rural industrialization, and ensure agricultural sustainability.**

The current minimum land reform program involves the reduction of land rent and abolition of usury, and the setting up of mutual aid and labor exchange systems among the peasantry. In this connection, the wages of farm workers and the prices of agricultural products at the farm gate have also been improved.

For the last more than 25 years, the revolutionary movement has carried out this minimum program in ever-widening areas in the countryside. Even at this stage, far-reaching economic, political and social changes are being effected, including a substantial improvement in the livelihood of the peasantry.

The advance of the revolution has also made it possible in certain areas for land to be confiscated from landgrabbers and cruel and despotic landlords and to be redistributed to peasants; for unjust debts to be cancelled; for some peasant cooperatives to be organized; and for appropriate technologies to be introduced.

After nationwide victory of the revolution, it shall be possible to carry out the maximum land reform program, which involves the confiscation of landlord property and the equitable distribution of the land to the landless tillers at no cost to them.

Comprehensive agrarian reform shall be completed under the people's democratic republic. It shall encompass all arable land, aquaculture, livestock and grazing lands with due consideration to ancestral lands of the Bangsa Moro and indigenous peoples.

Beneficiaries of land reform and other owner-cultivators shall be given support services and incentives to increase production and incomes in agriculture and side occupations.

Agricultural cooperation shall be vigorously promoted and shall run ahead of mechanization. The process of cooperativization and mechanization shall be accomplished in stages and in connection with the development of industry.

Rich peasants shall be allowed to retain their land, provided they rely on their own labor power rather than on hired labor to cultivate the land.

Landlords who do not oppose land reform and who cooperate with the people's democratic government shall be given adequate means of livelihood to ensure that their families lead a decent life.

Modern plantations owned and controlled by transnationals or their business allies among the big comprador landlords shall be taken over by the

state. These capital-intensive and large-scale farms shall be run by the state or cooperatives of agricultural workers.

Capitalist farm-owners who have supported the revolution shall be allowed to cooperate with the state in the task of raising agricultural production and modernizing agriculture. However, farm workers in those enterprises shall form unions, participate in management and be assured of improved working and living conditions and a just share in the surplus generated.

Major refining, processing and marketing of agricultural products shall be undertaken by the state enterprises and agricultural cooperatives in accordance with the type of crop, its relative importance to the national economy and the people's livelihood, other factors specific to the product, and capabilities of the sector concerned.

While local processing and marketing of a wide variety of agricultural products by individual households shall be encouraged, appropriate mechanisms shall be instituted to prevent such enterprises from exploiting the peasants and farm workers under any guise, from engaging in hoarding and speculation, and from imposing monopolistic prices.

Production of farm equipment and tools, seed varieties, fertilizers, pesticides, and other agricultural inputs, and consumer products suited to local conditions shall be promoted. Industry shall be required to serve the producer and consumer needs of the working people, mainly the peasant masses.

Support services such as technical assistance, irrigation and distribution of water resources, credit, marketing and storage facilities shall be provided. The state shall rely on the cooperation of the peasant organizations and cooperatives.

Livestock production, fishing and aquaculture shall be developed and producers, especially the small ones, shall be encouraged to form cooperatives or associations and given state assistance.

The depletion, pollution and destruction of marine resources perpetrated mainly by transnational firms and foreign fishing fleets shall be stopped. These resources shall be protected, rehabilitated and developed to benefit Filipino fisherfolk in particular and the people in general.

Programs to raise productivity and improve agricultural management and technology shall be instituted. These shall include research on and development of appropriate agricultural technologies and crop diversification.

Ecologically sound farming practices shall be promoted to ensure that agricultural production will be sustainable.

Agricultural development programs and appropriate technologies to be adopted shall give due consideration and recognition to conditions of rural women and shall enhance their capabilities in agricultural production as well as lessen the burden of household work.

Agriculture shall become the base of the economy, providing food and other necessities to the people as well as raw materials for industry.

With increased incomes from agricultural and nonagricultural production, rural communities will provide an expanding market for goods produced by domestic industry.

The state plan for rural industrialization shall utilize the expansion of rural markets and agricultural modernization to increase manufacturing activities in the rural areas and create greater employment opportunities there.

**7. Dismantle the dominance of the US and other imperialists and the big comprador-landlords over the economy, implement a program of national industrialization, and ensure an independent and self-reliant economy.**

In the course of the new democratic revolution, prior to the nationwide seizure of political power, the revolutionary forces shall advocate national industrialization and shall take concrete measures to support the production and distribution of goods by Filipinos. These measures involve creating favorable conditions for the Filipino entrepreneurs and imposing restrictions on foreign monopoly capitalists.

Immediately after the nationwide seizure of political power, capital and landed assets of the foreign monopoly capitalists, the bureaucrat capitalists, the big compradors and landlords shall be nationalized.

The state on behalf of the entire people shall take the commanding heights of the economy by taking over the ownership and operation of the vital and strategic enterprises, the main sources of raw materials and the main lines of distribution.

The public sector of the economy shall also include the agricultural and industrial cooperatives. There shall also be joint state-private enterprises. At the same time, concessions shall be given to national capitalists and other smaller private owners of the means of production.

The firm principle and direction of the economy shall be socialist but some transitory measures from capitalism in definite parts of the economy shall be undertaken.

An independent and self-reliant economy shall be built, led by a program of national industrialization and based on an agriculture that has undergone land reform.

National industrialization shall break up the present colonial pattern of investments, production and trade based mainly on the export of agricultural and extractive raw materials, the importation of finished goods and capital, and the reexport of reassembled or repackaged imported manufactures.

With the development of agriculture, the large amount of agricultural surplus which used to be appropriated by a parasitic landlord and comprador classes shall become available for supporting the needs of industry. The growth of agricultural production will provide the food and raw material requirements of industry, increase the purchasing power of the rural population and thus expand the domestic market for consumer and producer goods.

Under the new economic system, raw materials such as logs, coconuts, sugar, metal ores and the like shall be processed domestically.

Through state planning, the balanced and well-proportioned development of heavy industry as the leading factor, agriculture as the base of the economy and light industry as the bridging factor for immediately producing basic consumer goods for the entire people and the producer goods needed by agriculture shall be assured.

Basic and heavy industries shall be built for the production of base metals, basic chemicals, energy, petrochemicals, capital equipment and precision instruments. The development of these industries shall be programmed in accordance with the availability of resources and shall be at a rate that does not impose heavy burdens on the people, especially the peasant masses.

Light industries in the following areas shall be given priority: food, beverage and dairy industries; aquaculture and fisheries; textile and garment industries; housing; agricultural equipment; water and sanitation systems; chemical and pharmaceutical industries; electronics and telecommunications; and shipping, railway and other transport systems.

Monetary and fiscal policies shall be adopted to ensure the effective utilization of domestic savings and scarce foreign exchange for national industrialization, and agricultural cooperativization and mechanization.

The imperialist-controlled IMF and similar institutions shall not be allowed to dictate economic policy. No foreign loans with conditionalities that are adverse to national interest and economic development shall be incurred.

The revenues of the state shall come mainly from the state enterprises, joint state-private enterprises and cooperatives. A progressive system of taxation shall be applied on private enterprises.

There shall be a strict policy of not engaging in unnecessary and unproductive projects. Campaigns against bureaucratic waste or overspending shall be launched. An appropriately sized armed forces, supported by an active and dependable people's militia and by the youth in military training shall be maintained for safeguarding and defending the state and the nation.

Trade and other forms of economic relations with all countries shall be promoted on the basis of equality and mutual benefit. Whenever necessary, barter or counter-trade with such countries as are willing and able to do so may be availed of.

Foreign investments and loans shall be availed of only if these provide the country with the least costly access to needed technology, products and markets as defined by specific economic plans. These shall not be allowed to lead to a chain of "reforms" which would take the country off the road of socialism and restore the economic and political power of the bourgeoisie.

High premium shall be given to the development of the country's capabilities in science and technology. Towards this end, an appropriate amount of the national budget shall be allocated to scientific and technological research programs geared towards building up the country's science and technology infrastructure; research and development in the basic and applied sciences; upgrading existing indigenous technologies; adapting technological advances in other countries and ensuring an adequate supply of skilled and competent scientific and technical human resources.

Economic enterprises shall have access to results of scientific and technological research in order to translate these into greater opportunities for economic development, employment and higher incomes as well as for the general well-being of the people. The active participation of productive enterprises and people's organizations in science and technological development shall be encouraged and stimulated.

A comprehensive and balanced national policy for the country's natural resources and their all-round exploration, conservation and development shall be pursued. A healthy natural environment shall be secured and improved.

National industrialization shall be pursued with due regard to the protection and efficient utilization of the country's renewable and nonrenewable resource base. A policy of environmental protection, pollution control and sustainable development shall be implemented.

Economic planning shall be instituted to prevent destructive imbalances in the economy and to promote well-balanced growth among

heavy industry, light industry and agriculture, and between capital accumulation and consumption.

A proper mix between centralized, regional and local development shall be maintained so that the benefits of economic progress may be spread out geographically.

Economic planning under the people's democratic republic shall ensure the active participation of all democratic classes at various levels and shall take into account the domestic resource and technological base as well as the operations of the market.

The participation of cadres, workers and experts in the management of enterprises shall be a state policy. At the same time, the cadres and experts shall participate in working on the floor together with the workers.

The people play the key role in building the economy. In this regard, the full development of the country's human resources shall be promoted and the policy of exporting labor shall be discarded. Overseas Filipinos shall be encouraged to return to their motherland and contribute their knowledge, skills and resources to the speedy reconstruction and rehabilitation of the country.

With its rich and abundant natural resources and a large industrious and educated population, the country shall achieve economic and social progress once the fetters of imperialism, feudalism and bureaucrat capitalism are completely broken.

#### **8. Implement a comprehensive and progressive social program.**

Government neglect in the delivery of basic services to the people is most keenly felt by the masses, especially those in depressed areas in urban centers and in the countryside.

At present, some of the basic services needed by the people are being provided by the revolutionary forces in the guerilla fronts through campaigns and programs such as those in literacy, health care, and productive activities.

It is anticipated that, upon the overthrow of the reactionary government, inflation, scarcities of some goods, production breakdowns, speculation and other ills attendant to the decline and final collapse of the puppet regime will be carried over into the early years of the new government.

In this regard, swift and decisive steps shall be taken to control and solve these problems by judicious use of political power and by reviving production and delivery of social services as soon as possible as the new state goes through a period of reconstruction and rehabilitation. The full recovery and subsequent development of the economy shall provide the

conditions for the full implementation of the policies of the new government regarding the delivery of social services.

A social policy aimed at redistributing the benefits of economic growth with priority given to the toiling masses of workers and peasants shall be adopted. It shall promote social justice and enhance the dignity and quality of life of the people. Social services shall become an integral part of the long-term economic and social development of the nation.

As a social policy, the workers' capability to participate in the management of the enterprise they work in shall be developed. Trade unions shall function to safeguard workers' rights, improve working and living conditions and push measures of general welfare.

The provision of social services shall be led by the government. However, people's organizations and agencies, private institutions, firms and individuals shall be mobilized in the work of reconstruction and rehabilitation and the delivery of social services. The churches shall also be encouraged to participate in this regard. The social services system shall promote self-reliance and people's participation.

The new health care system shall emphasize preventive services for the people. Special attention shall be given primary health care, strengthening full participation in people-based programs which are effectively linked to hospitals and other medical support systems. Effective and appropriate medical technology as well as an integrated health infrastructure, especially in rural areas, will be developed and promoted. The utilization and development of both traditional and modern Western medicine shall be promoted.

Steps shall be taken to rationalize the education, distribution and development of health personnel geared to the country's needs – not to the foreign market – as well as to redress the imbalances between health services in the urban and rural areas. Health science education shall be geared towards developing competent and socially-oriented health personnel.

The people's energies and resources shall be harnessed in order to establish the necessary infrastructure for such needs as nutrition, family planning, maternal and childcare, day care nurseries, occupational health and safety, environmental sanitation, pollution control and disaster relief.

A national, scientific, people-oriented system of education shall be established with due consideration to individual competency and attitude. Universal and free education shall be made available. A national program for continuing nonformal and adult education on literacy and numeracy and appropriate skills training for production shall also be drawn up.

Comprehensive artistic, sports and recreation programs shall also be undertaken to promote the people's well-being. These shall be extended to the basic levels of our society to give the people ample opportunities for their all-rounded physical and mental development, wholesome recreation and general well-being.

A comprehensive program for urban renewal shall be developed and implemented. Its main components shall include a mass-based housing program, adequate public services such as electricity, safe water supply and sanitary household disposal systems, recreation facilities, efficient mass transport and communications systems and pollution control.

The problem of urban congestion will be addressed through such programs as the development of the rural economy and uplifting the social and cultural life of the population in the countryside.

Mechanisms shall be instituted to protect consumers; develop a national drug industry and other vital segments of the health care system; ban the entry of hazardous technologies and products; assure the highest standards in the practice of professions in basic services; and impose sanctions on any entity whose irresponsibility results in injury or death.

The social security system shall be restructured towards improving support for those unemployed or incapacitated by illness, disabilities or age. Special attention shall be given to families of martyrs and veterans of the national-democratic revolution. The welfare of the handicapped, the aged, orphans and children shall be given special attention.

The rights of children, especially their protection from abuse and neglect, shall be guaranteed. Policies and measures shall be adopted to solve the problems of children of the streets and those who are abandoned, addicted to prohibited drugs, victims of prostitution and sexual violence as well as those of single mothers.

Displaced people shall be encouraged to return to their places of origin or to new areas where they can be gainfully employed. Demobilized soldiers shall be given ample opportunities to work and earn decent incomes.

#### **9. Promote and develop a national, scientific and progressive mass culture.**

Centuries of foreign and feudal rule have built up a culture of subservience, blind imitation of foreign things and backward thinking, a culture which has made foreign and feudal exploitation and oppression palatable or unrecognizable.

A cultural revolution is necessary to develop the consciousness that impels the people to fight and overthrow their oppressors, and in the process give birth to a national and progressive people's culture.

Decades of waging this cultural revolution have instilled among the people a stronger sense of nationhood and purpose and imbued them with the spirit of standing up against oppression and injustice. It has etched into the popular consciousness progressive and revolutionary ideas, looking forward to an independent, democratic and just society.

In both cities and countryside, revolutionary and patriotic artists have created various art forms (literature, visual arts, theater arts, music, etc.) expressing the conditions and aspirations of the people. Art and literary creation, popularization and raising of standards must be a continuing process.

The forces of the NDF are advancing the cultural revolution as an integral part of the people's war, mass base building and development of various mass movements in the countryside and cities in the entire course of the national-democratic revolution and shall continue to do so in the subsequent period of socialist revolution and construction.

Literacy and education programs are being carried out among various classes and sectors of society, especially the workers and peasants, to liberate them from ignorance, superstition and the lies and half-truths propagated by the imperialists and the local ruling classes.

Revolutionary and progressive trends are being strengthened among church people so as to strengthen their unity with the Filipino people's revolutionary struggle.

Under the new people's government the culture that corresponds to and promotes the new social order shall be developed. A national, scientific and popular culture shall be vigorously propagated.

It is national because it upholds and defends the sovereignty and independence of the Filipino nation and combats colonial mentality and subservience. It expresses a distinct Filipino character and embodies the richness of the cultures of various regions and areas, including those of the Bangsa Moro people, the Cordillera people and other indigenous peoples in the country.

It is scientific because it upholds the scientific outlook and methodology, and opposes feudal thinking, superstition and ideas which keep the Filipino people in a world of ignorance and unfounded beliefs, values, practices and prejudices that breed resistance to revolutionary and liberating change.

Popular because it emanates from, and serves the interests of, the broad masses of the Filipino people, reflects their conditions and expresses their needs and aspirations, and combats prevailing decadent, bourgeois and feudal, anti-people and anti-women values embodied in cultural forms and their introduction and propagation.

In the light of such a culture, the new government shall foster the principle of popular participation in public affairs and strengthen the spirit of public service.

The new people's culture shall be fostered and promoted through the educational system, the arts, the mass media, and direct campaigns among the people. In this regard, ownership of educational, cultural and mass media institutions shall be freed from foreign control and private monopoly. However, people's organizations and professional guilds may own and operate cultural and mass media facilities. The freedoms of speech, press and expression shall be guaranteed.

Education, being the primary responsibility of the state, shall be accessible to all Filipinos. Free education shall be ensured at the primary and secondary levels, while appropriate subsidies for tertiary education shall be provided. Private educational institutions shall be allowed, provided these are administered according to the program of public education, and shall eventually be assimilated into the public education sector.

Extensive literacy and educational campaigns shall be carried out to raise the cultural level of the people in areas that have lagged behind because of past disadvantages. Institutions of formal and nonformal education will be restructured and shall undertake the translation, publication, and massive dissemination of low-cost books, other reading materials and other teaching media. The content of the curricula will be reoriented to make them more relevant to the needs of the nation and the people.

A program of parental education shall be implemented to combat feudal, bourgeois and patriarchal beliefs and practices in raising the family in order that parents can promptly instill revolutionary consciousness among their children.

The development of the creative arts (literature, visual and graphic arts, music, dance, film and the theater) and the growth of centers for artistic experimentation and innovation shall be supported. The adoption of a popular orientation, social relevance and revolutionary content and the development of creativity and quality of form in the arts shall be encouraged to help enhance their contribution to the social and cultural liberation of the people.

Science and technology education shall be propagated and research centers for basic science and technology shall be set up. The direct and active participation of productive enterprises in science and technology development shall be promoted and encouraged.

Filipino shall be developed and popularized as the national language. Local languages and dialects will continue to be used and developed and

made to contribute to the development of Filipino even as these continue to develop on their own.

The diversity of cultures among the various ethnolinguistic communities shall be respected and fostered. Affirmative action shall be taken to rectify institutionalized oppression and discrimination.

Accounts of our history shall be rewritten from the Filipino people's point of view, highlighting their role in the making of history. Past distortions of our history as written by the imperialists and the local ruling classes to serve their interests shall be rectified.

Our national cultural heritage shall be preserved and honored as a source of our people's dignity and pride. The smuggling and trade of national cultural treasures shall be prohibited and campaigns shall be launched for the repatriation of national cultural treasures abroad.

Cultural exchanges of artists, writers, educators, scientists, scholars and others shall be encouraged, in the spirit of learning from one another and adopting those ideas and things that serve the needs of the nation and the people.

**10. Uphold the rights of the Bangsa Moro people, the Cordillera people and other indigenous peoples to self-determination and democracy.**

For more than three hundred years of Spanish colonial rule, the people in southern and central Mindanao who have come to be known as the Bangsa Moro, the peoples of the Cordillera mountain range and other indigenous peoples living in mountainous and hilly areas waged a heroic and sustained resistance to colonialism and imperialism.

It took a vastly superior force of arms combined with the bribery and cooptation of many of their leaders and the undermining of their system of livelihood and traditional institutions before they could be subdued and drawn into the ambit of colonial rule. But these compatriots of ours have managed to continue their resistance in various ways, repeatedly rising in revolts and preserving a distinct culture.

Under the puppet neocolonial republic, the local ruling classes and their US masters marginalized these compatriots even further and treated them as inferior peoples. They became victims of institutionalized discrimination and oppression, massive landgrabbing and widespread armed terror and abuse. The Marcos fascist dictatorship multiplied these crimes a hundred times over by acts of genocide against the Moro people and widescale dispossession of the Cordillera people and other indigenous peoples of their ancestral lands.

The Moro people fought back, launching one uprising after another — an armed resistance which rapidly developed into a fullblown struggle for self-

determination. The Cordillera people likewise rose in armed resistance, which they integrated into the revolutionary struggles of the entire Filipino people. Other indigenous peoples joined the national-democratic struggle.

The NDF upholds the right of the Bangsa Moro people, the Cordillera people and other indigenous peoples to self-determination. They have the right to decide their own destiny, to free themselves from national exploitation, chauvinism and discrimination, to achieve democracy, to rule themselves and to pursue social progress in an all-round way and in accordance with their specific conditions.

This principled stand is in line with the NDF's aspiration to build a Philippines where there is unity, equality and brotherhood of all peoples and nationalities and to forge a nation that is founded upon real independence from imperialism, democracy for the people, and genuine autonomy for the Bangsa Moro people, the Cordillera people and other indigenous peoples.

The right to self-determination includes the right to secede, especially under conditions of national oppression. The Bangsa Moro people had raised the banner of secession in its struggle against the US-Marcos dictatorship. Under a democratic Philippines where the equality of peoples and nationalities is guaranteed, the Bangsa Moro people shall be encouraged to take the valid and viable option of a genuinely autonomous political rule.

The right to self-determination of the Bangsa Moro people, the Cordillera people and other indigenous peoples shall be affirmed upon the establishment of the people's democratic government. Genuine autonomous rule and their rightful representation and participation in the central government shall be guaranteed. Their claims to ancestral lands shall be fulfilled with due recognition of historical realities and their long-standing grievances shall be redressed. They shall be guaranteed equal political, economic and social rights, and their way of life shall be respected.

Genuine autonomy would mean authentic and full guarantees for self-governance within the framework of the People's Democratic Republic of the Philippines, a structure of government that ensures the full participation and decisive say of the people of the autonomous areas on all matters affecting their lives, recognition of their right to ancestral land, priority in employment and economic opportunities, returns from the economic development of their areas mainly accruing to them to hasten their social progress, and respect for their tradition and culture. Outside the autonomous areas, they shall be entitled to significant representation in the national people's congress and to proportional representation in organs of power in their respective areas at various levels.

The social, legal, religious and cultural traditions of the Bangsa Moro people, the Cordillera people and other indigenous peoples shall be respected. At the same time, they shall be encouraged to interact with the richly diverse cultures in the Philippines.

With the strengthening of revolutionary and progressive trends among the national minorities, the central government shall be able to help the autonomous areas and people therein to develop according to their decisions and specific conditions. They shall be given all the necessary support to enable them to advance and progress together with the rest of the nation.

#### **11. Advance the revolutionary emancipation of women in all spheres.**

Women suffer from distinct forms of oppression stemming from patriarchy that has been aggravated and deepened by feudalism, colonialism, capitalism and imperialism.

Women bear various forms of hardship, degradation and discrimination, apart from the oppression and exploitation they suffer as part of society's work force. Their role in production and the economy of the nation is undervalued, their participation in the community is hampered and they are bound to household work.

As workers in the manufacturing, commercial and service industries, they are subjected to the most vicious forms of wage slavery and sexual harassment.

In the main, peasant women suffer wage discrimination or receive no wages at all for work in the fields, although under reactionary laws they are supposed to enjoy equal rights to ownership of land. Usually the land certificate or title is in the name only of the husband. Debts from landlords are still paid in kind through the labor or servitude of daughters.

Women professionals suffer from discrimination in terms of job opportunities and promotions. Many of them are forced to seek employment abroad as domestics and menial workers only to experience intense exploitation, racial discrimination and sexual abuse. Women are also regarded as commodities in a sex industry that has grown in scandalous proportions.

Women are still generally discouraged, if not outrightly excluded, from exercising their right to participate in decision-making in the home, in social processes and in government, since they are expected merely to echo the views of their male partners.

The struggle to free our nation and society is intertwined with the struggle to liberate the women. Only by overthrowing foreign and feudal

rule, and later on smashing other social structures that buttress patriarchy, can the basic conditions for the liberation of women be established.

Only by taking up the cause of the emancipation of women – motivating, encouraging and supporting our women as they unshackle themselves from the bondage of the home, tradition and current prejudices – can the revolution fully unleash the mighty force of women in the task of liberating our nation and society. The liberation of women is thus a key component in the liberation of the entire nation.

The revolutionary movement consciously provides the conditions for the large-scale active participation of women in all spheres of the struggle. But the pervasiveness of patriarchy makes it incumbent on all revolutionaries to combat its manifestations even within the revolutionary movement.

Under the new society, patriarchy will not disappear overnight. But the condition for greater social, economic and cultural freedom will arise to accelerate the movement for the full liberation of women.

A massive education program for both women and men shall be undertaken regarding the revolutionary emancipation of women and concrete measures to correct these inequities against women in various spheres of life.

Pervasive values and discriminatory practices against women, including all forms of sexism, shall be actively opposed. Physical and sexual violence and exploitation against women and children shall be punishable.

Full participation and democratic representation of women in government, economic organizations and social institutions shall be promoted.

Through constitutional guarantees and legislation, affirmative action shall be promoted in the recognition and protection of women's rights in all fields of endeavor. All laws that discriminate against women shall be repealed. No one shall be denied the right to work, and the right to equal pay for work of equal value, and the right to own property on the basis of civil status and gender or sexual preference.

Democratization in the family shall be upheld in order to eliminate the feudal or autocratic control over the wife and the children and to strengthen their voice in decision-making within and outside the home towards their active participation in the liberation of the women and the entire people.

Appropriate mechanisms shall be provided for the just resolution of marital discord, including the right to divorce. Women's rights over their bodies and reproductive functions shall be guaranteed. Single parents shall likewise be entitled to benefits enjoyed by married parents.

Women shall be provided programs, support structures and mechanisms to break the bonds of their social confinement and isolation. Support programs for abused and abandoned women, maternal health care, safe means of contraception and skills development shall be undertaken.

#### **12. Adopt an active, independent and peaceful foreign policy.**

The National Democratic Front is exerting every effort to contribute to the strengthening and broadening of the international anti-imperialist united front and garner the broadest possible international support for the revolutionary movement of the Filipino people.

In representation of the revolutionary forces, especially the organs of political power, the NDF is seeking diplomatic recognition in accordance with the fact that the revolutionary movement in the Philippines is a co-belligerent in a civil war and not a mere insurgent force.

At the same time, we are vigilant to the domestic and international dangers related to engaging in any talks with the Manila government.

In the wake of the disintegration of revisionist-ruled regimes and the ascendance of the single superpower hegemony of US imperialism (often acting in the name of the United Nations and international cooperation), the NDF is of the view that the increased oppression and exploitation of the peoples of the world and the worsening crisis of neocolonial societies will eventually lead to a new and higher level of social revolution on a global scale. The revolutionary movement of the Filipino people currently plays a special role of holding high the torch of armed revolution against imperialism, neocolonialism and reaction.

The world capitalist system is in an unprecedentedly severe crisis of overproduction. This is devastating to the neocolonial puppet regime in the Philippines. This generates the favorable conditions for the armed revolution. The people's revolutionary struggle has been as self-reliant as the neocolonial puppet regime has been overdependent on its imperialist patrons.

Our people's war is part and supportive of the worldwide struggle against imperialism and reaction being waged by the proletariat and peoples, national liberation movements, revolutionary parties and progressive states. Our struggle contributes to their victories, just as theirs help advance our revolutionary movement. The Philippine revolutionary forces can best contribute to the cause of national liberation, democracy, socialism and peace worldwide by winning our own revolutionary struggle.

We wage people's war self-reliantly but we also need expanded international support – moral, political and material – from the peoples

and revolutionary forces abroad, in the face of the ceaseless and escalating US support for the armed counterrevolution. Direct US intervention is increasing and the threat of US aggression is ever present.

Those who extend support to the Philippine revolution are true friends of the Filipino people. We are grateful for such support and we receive it in order to further strengthen the revolutionary movement and fight more vigorously than ever before for the national and democratic rights of the people.

After the nationwide seizure of political power by the revolutionary movement, imperialist rule and aggression will continue to be a main problem of the Filipino people and the world's peoples. Our task of strengthening and broadening a worldwide anti-imperialist united front shall remain a primary and continuing concern. It is within this frame that the people's democratic state shall pursue an active, independent and peaceful foreign policy.

We shall vigorously reject and defend the new government against all forms of foreign intervention and interference in the country's internal affairs.

We shall seek to develop close and warm relations with third world and socialist countries as well as establish diplomatic and economic relations with capitalist countries on the basis of mutual benefit. We shall support the just aspirations and struggles of other peoples, especially anti-imperialist movements, and actively participate in the movement for the establishment of a just international economic order.

We shall support the new government's establishment of diplomatic and economic relations with all countries, irrespective of ideology or social system. In developing these relations, we uphold the principles of mutual respect for each other's sovereignty, independence, territorial integrity, mutual benefit, and the peaceful resolution of inter-state conflicts.

We shall work with states in Southeast Asia and Asia-Pacific to help create conditions in which each state can develop itself in peace. We shall push for the realization of the zone of peace, freedom and neutrality in Southeast Asia, where nuclear weapons and foreign military bases are prohibited.

The rights of all migrant Filipinos shall be protected and the problems of Filipinos abroad shall be addressed. The rights of all foreigners temporarily or permanently residing in the Philippines shall also be respected.

We shall adhere to the UN Charter and shall oppose the use of the United Nations for the purposes of imperialism, neocolonialism and reaction. We shall support any resolution or initiative in the international community that enhances the sovereignty, independence and equality of nations, and that defends and promotes world peace and progress. ■

*ANNEX A-2*

**Constitution of the National Democratic  
Front of the Philippines**

**PREAMBLE**

WE, the allied organizations belonging to the patriotic and progressive classes and sectors, hereby constitute ourselves into the National Democratic Front. Inspired by the proud heritage of our people's revolutionary struggle against foreign and domestic oppressors, we are resolved to continue the unfinished struggle for national liberation and democracy at a new and higher level through people's war, in order to overthrow the unjust and violent social system dominated by US imperialism and its comprador-landlord agents and realize our people's aspirations for a sovereign, just, independent, progressive and prosperous nation.

**ARTICLE I**

**Name, Emblem, Flag and Anthem**

*Section 1.* The official name of the alliance is National Democratic Front - Philippines (NDF) or Pambansang Demokratikong Prente ng Pilipinas (PDPP). "Philippines" or "Pilipinas" may be dropped only if the context in which the name is used is clear.

*Section 2.* The emblem of the NDF is a white equilateral triangle with a gold star at each corner and the gold initials of the NDF at the center circumscribed by a blue circular band on which the name National Democratic Front - Philippines is written.

*Section 3.* The flag of the NDF is divided into two fields, red on top and blue on the bottom. Superimposed at the center is a white equilateral triangle with a gold star at each corner and the gold initials of the NDF at the center.

The NDF flag expresses continuity of the revolutionary traditions which gave birth to the Philippine national flag.

*Section 4.* The NDF shall adopt its own anthem.

## ARTICLE II

### General Revolutionary Principles

The NDF stands for the following general principles:

*Section 1.* The Philippine revolution is a national-democratic revolution with a socialist perspective and under the class leadership of the proletariat through the Communist Party of the Philippines (MLMZT).

*Section 2.* The central task of the Philippine revolution is to overthrow the rule of imperialists and the local reactionary comprador big bourgeois and landlord classes and the establishment of a democratic people's republic.

*Section 3.* Only the power of the people forged through a national united front and upholding the people's war can defeat the rule of US imperialism and its local reactionary agents and establish a new democratic order. The revolutionary united front can be built only with the leadership of the working class, on the foundation of the basic worker-peasant alliance, drawing in the urban petty bourgeoisie as additional basic force and further drawing in the national bourgeoisie as an additional positive force, taking advantage of the splits among the reactionary classes in order to isolate and destroy the most reactionary clique at every given period.

*Section 4.* In a semicolonial and semifeudal society, armed struggle is the principal form of revolutionary struggle. In the most appropriate way, reactionary political power is destroyed and red political power is established by the people. Legal and other forms of struggle – essential but secondary – are linked to the armed struggle.

*Section 5.* The Philippine revolution is being advanced as an internationalist duty, contributing all it can to the liberation of humankind from the scourge of imperialism and all reaction. The advance of the anti-imperialist struggle and united front worldwide is necessary for the total victory of the Philippine revolution. We wage our people's war in line with the principle of self-reliance while we call for international support from friendly peoples and revolutionary forces abroad in the face of escalating US intervention and threat of all-out aggression.

### ARTICLE III

#### Aims and Purposes

The NDF resolutely pursues the following aims and purposes:

- Section1.* Advance and complete the national-democratic revolution and pursue the socialist revolution.
- Section2.* Uphold, propagate and implement the 12-Point Program of the NDF.
- Section3.* Serve as a framework for building and developing the unity, cooperation and coordination of the allied organizations within the NDF.
- Section4.* Develop cooperation and various types of relations with other progressive forces that are not within the formal framework of the NDF.
- Section5.* Expand and develop relations and cooperation with revolutionary parties and organizations and other friendly forces abroad. Lay the foundation for diplomatic relations with foreign governments and international agencies prior to the establishment of the provisional revolutionary government at the national level.

### ARTICLE IV

#### General Program

The NDF upholds the program of uniting the democratic classes and special sectors of society for the revolutionary struggle against US imperialism, feudalism and bureaucrat capitalism. This program includes the following points:

- Section1.* Unite the people for the task of overthrowing the semicolonial and semifeudal system through people's war and completing the national-democratic revolution;
- Section2.* Prepare the way for the establishment of a people's democratic republic and a democratic coalition government;
- Section3.* Strengthen the people's army and the people's defense system;
- Section4.* Uphold and promote the people's democratic rights;
- Section5.* Terminate all unequal relations with the United States and all other imperialist powers and foreign entities;
- Section6.* Implement a genuine agrarian reform program, promote agricultural cooperation, develop rural production and employment through modernization of agricultural and rural industrialization, and ensure agricultural sustainability;

- Section 7.* Dismantle the dominance of the US and other imperialists and the big comprador-landlords over the economy, implement a program of national industrialization, and ensure an independent and self-reliant economy;
- Section 8.* Implement a comprehensive and progressive social program;
- Section 9.* Promote and develop a national, scientific and progressive mass culture;
- Section 10.* Uphold the rights of the Bangsa Moro people, the Cordillera people and other indigenous peoples to self-determination and democracy;
- Section 11.* Advance the revolutionary emancipation of women in all spheres; and
- Section 12.* Adopt an active, independent and peaceful foreign policy.

## ARTICLE V

### Organizational Principles and Policies

- Section 1.* The NDF is an alliance of all patriotic and progressive organizations adhering to its Constitution and Program. It fosters the unity, cooperation and coordination among the allied organizations.
- Section 2.* The NDF respects the basic principles, organizational integrity and discipline as well as the independence and initiative of each of the allied organizations in advancing its revolutionary cause and objectives.
- Section 3.* The NDF applies the principle of equal representation of the allied organizations. The allied organizations enjoy equal representation in the National Conference and the National Council, as well as in conferences and consultations at lower levels (regional, provincial, district, city and municipality).
- Section 4.* The multilateral relations within the NDF respect existing bilateral relations of the allied organizations. The New People's Army is under the absolute leadership of the Communist Party of the Philippines.
- Section 5.* The NDF unites and harmonizes the relations of allied organizations. It shall not set the alliance in conflict with any bonafide allied organization. And definitely, the name or the common strength of the NDF shall not be used against the principle of working class leadership in the revolutionary united front.
- Section 6.* The NDF adheres to the democratic processes through consultations and consensus.
- 6.1 Decisions shall be made on the basis of consensus after free and

thorough discussions. Agreements shall be made up to the extent that these are possible. Disagreements shall either be laid aside, resolved on the basis of the least common denominator or left to the independence and initiative of the allied organizations.

6.2 Between meetings of the leading organs of the NDF, consultations among the allied organizations shall be enhanced.

**Section 7.** All members of the leading councils and officers of the NDF shall serve the people wholeheartedly, study concrete conditions constantly, conduct work competently, act as models in observing the constitution and in implementing the general program, seek truth from facts, practice criticism and self-criticism and accept supervision from the masses.

**Section 8.** The NDF adheres to the right of recall. The allied organizations can change their respective representatives in the National Council. The principle of recall shall apply to representatives of allied organizations elected as executive officers; however, the power to elect the replacement remains with the National Council of the entire alliance.

## ARTICLE VI Allied Organizations

**Section 1.** The NDF includes as its constituent organizations all those represented in the founding national conference, as well as organizations that shall join thereafter.

**Section 2.** Any organization adhering to the NDF Program and Constitution can join the NDF upon the consent of the allied organizations.

**Section 3.** There shall be no direct membership of individuals, cells and small groups not belonging to any allied organization.

3.1 Individuals, cells and small groups shall be encouraged to join any of the NDF allied organizations. Individuals, cells and small groups may build their own organization that can join the NDF directly.

3.2 The NDF National Council may invite outstanding individuals to become members, provided such individuals represent a significant interest, trend or mass supporters of significant value to the revolutionary movement and if they are willing to come under the discipline of the NDF, provided the number of such individuals shall not exceed 10 percent of the entire number of the membership of the National Council.

**Section 4.** Allied organizations have the following rights:

4.1 Enjoy equal representation in the NDF;

4.2 Enjoy respect for integrity, independence and initiative;

- 4.3 Have free and full participation of their respective representatives in meetings and other activities of the NDF;
- 4.4 Participate in political education and other training courses necessary for the effective implementation of the tasks of the NDF;
- 4.5 Recommend such parties and organizations as may join the NDF as well as such outstanding individuals as may become members of the NDF National Council;
- 4.6 Have representatives elect and be elected to positions in the NDF;
- 4.7 Be informed of the decisions of the leading organs and developments within the NDF in its entirety;
- 4.8 Offer proposals to and criticism of any allied organization, provided the issue pertains to the NDF and does not infringe upon the integrity, independence and initiative of the allied organization concerned; and
- 4.9 Appeal any decision of the National Council and the National Conference of the NDF, and abstain from implementing decisions with which it does not agree.

**Section 5.** Allied organizations shall have the following duties:

- 5.1 Foster revolutionary unity and strength among allied organizations within the NDF and among the Filipino people;
- 5.2 Uphold and propagate the NDF 12-Point Program and Constitution;
- 5.3 Support and implement the programs, policies, and decisions of leading NDF organs;
- 5.4 Perform tasks conscientiously and correct mistakes and weaknesses so that work will improve;
- 5.5 Safeguard the security of the NDF and all its allied organizations;
- 5.6 Help generate political, material, technical, financial, and personnel support and services for the revolutionary struggle;
- 5.7 Help any allied organization in need of support; and
- 5.8 Preserve the integrity and prestige of the NDF and all its allied organizations.

**Section 6.** Any allied organization is free to withdraw from the NDF at any time. A written explanation of the reasons for the withdrawal shall be required.

**Section 7.** Through the National Conference or National Council, the allied organizations may withdraw recognition of any allied organization as member on the following grounds: gross violation of the NDF Constitution and Program and acts that undermine the unity and integrity of the NDF.

- 7.1 Such withdrawal of recognition from an allied organization shall be according to due process.

## ARTICLE VII The Structure of the NDF

**Section 1.** The general structure of the NDF consists of the conference and council of representatives of the allied organizations at the national level, and the conferences and consultations at lower levels. Abroad, conferences and councils may be formed by representatives of chapters of allied organizations in countries or global regions.

**Section 2.** The National Conference is the highest assembly of the NDF. Its decisions are governed by the principle of consensus, independence and initiative of the allied organizations.

2.1 The National Conference consists of the representatives of the allied organizations as well as outstanding individuals who may be invited to the National Council, provided their number shall not exceed 10 percent of its membership.

2.2 The National Conference shall have the following tasks:

2.2.1 Ratify and amend the NDF Constitution and Program, subject to the approval of the allied organizations;

2.2.2 Decide on the number of officers of the National Council and affirm the representatives of each allied organization in the Council;

2.2.3 Receive and approve reports from the National Council, National Executive Committee and General Secretariat;

2.2.4 Review, approve, alter or repeal the decisions of the previous National Conference, National Council, National Executive Committee and General Secretariat; and

2.2.5 Decide on new organizations seeking to join the alliance.

2.3 The National Conference shall hold regular session every three years. Under special circumstances, a succeeding Conference may be convened before its due date.

**Section 3.** The National Council shall be the highest policy-making body of the NDF between National Conferences. Its policy decisions shall be subject to review and confirmation by the National Conference and ratification by the allied organizations.

3.1 The National Council shall be composed of an equal number of representatives of the allied organizations and such outstanding individuals as may be invited by the Council to become its members, provided these do not exceed 10 percent of the membership of the Council.

3.2 The National Council shall exercise the following functions and powers:

- 3.2.1 Formulate policies, plans and other decisions in accordance with the NDF Program and Constitution;
- 3.2.2 Call the National Conference;
- 3.2.3 Submit reports and proposals to the National Conference;
- 3.2.4 Approve the entry of new organizations and invite outstanding individuals for inclusion in the National Council, upon the agreement of the allied organizations;
- 3.2.5 Elect the National Executive Committee;
- 3.2.6 Ensure overall guidance over the convening of conferences and consultations at lower levels;
- 3.2.7 Establish staff committees to take charge of important spheres of NDF work; and
- 3.2.8 Represent the national democratic movement here and abroad with the explicit consent of the allied organizations.

**Section 4.** The National Executive Committee (NEC) shall ensure collective leadership of the NDF between meetings of the National Council.

4.1 It shall be composed of five members, including the chairperson, the vice-chairperson and the secretary general.

4.2 The NEC shall perform the following powers and functions:

- 4.2.1 Decide on matters that require immediate action under the guidance of the Program and Constitution and the policies and decisions of the National Council;
- 4.2.2 Direct the implementation of plans, campaigns and projects;
- 4.2.3 Convene regular and special meetings of the National Council;
- 4.2.4 Submit reports and proposals to the National Council;
- 4.2.5 Form and direct the work of the General Secretariat;
- 4.2.6 Direct the committees formed under the National Council for attending to important spheres of work; and
- 4.2.7 Appoint NDF representatives for international work and for important political initiatives in the Philippines and abroad on the basis of consultations and consensus among the allied organizations.

4.3 Major decisions of the National Executive Committee shall be made on the basis of consensus. Consultations among allied organizations shall be enhanced before and after major issues are decided by the NEC.

4.4 The National Executive Committee shall meet every three months at the minimum.

**Section 5.** The General Secretariat is the overall administrative staff of the National Council and the National Executive Committee.

5.1 It shall be composed by the general secretary, the deputy general secretary and other personnel necessary for secretariat work.

5.2 The General Secretariat shall administer the day-to-day activities of the NDF. It performs the daily routine functions in propaganda, education, research, finance, communications, special projects and other tasks that may be set by the National Council and the National Executive Committee.

**Section 6.** At lower levels, the NDF takes the form of conferences and consultations of representatives of allied organizations in the localities, such as the region, province, district, city and municipality.

6.1 Under the general guidance of the National Council and the National Executive Committee, the representatives of the allied organizations at lower levels may convene conferences and consultations to reach a unified position on important political issues, and plan and coordinate united activities within their respective spheres.

**Section 7.** Abroad, conferences and councils of representatives of chapters of allied organizations in particular countries or global regions and other organizations may be convened upon approval by the leading organ of the NDF.

## ARTICLE VIII National Executive Officers

**Section 1.** The national executive officers of the NDF are the chairperson, the vice-chairperson and the secretary general.

**Section 2.** The chairperson is the highest official of the NDF.

2.1 The chairperson presides over meetings of the National Conference, the National Council and the National Executive Committee, and leads the overall work of the NDF.

**Section 3.** The vice-chairperson assists the chairperson in leading the over-all NDF work.

3.1 The vice-chairperson shall take the place of the chairperson in case the latter is unable to perform his/her duties or functions.

**Section 4.** The secretary general heads the General Secretariat.

**Section 5.** Executive officers at all levels may be removed from office by due process on the basis of the following: gross violations of the NDF

Constitution, Program and policies; negligence; abandonment of duty; and abuse of authority.

5.1 Any NDF hearing of disciplinary action against any officer shall not impede or prevent a similar hearing within the allied organization which such officer represents.

## ARTICLE IX Publications, News Agency and Radio Broadcast

**Section 1.** The official publication of the NDF is *Liberation* which shall be published in English and Filipino. These shall be published by the National Council and their editors shall be appointed by the National Executive Committee.

1.1 *Liberation International* is the official publication of the NDF abroad. It is also published by the National Council.

**Section 2.** The official news agency of the NDF is *Balita ng Malayang Pilipinas* (BMP).

**Section 3.** The official radio broadcast of the NDF is *Radio Sierra Madre*.

**Section 4.** The National Council may establish or issue other publications as it may deem necessary.

## ARTICLE X Finances

**Section 1.** Through their representatives in the National Conference or National Council, the allied organizations decide on the amount of contributions that they shall make to the general fund of the NDF. There shall be a minimum contribution to be paid uniformly and additional variable contributions based on the ability to pay or size of membership.

1.1 The allied organization shall also propose such measures as will further raise funds and resources for the NDF.

**Section 2.** The NDF shall systematically collect contributions from Philippine and foreign sources as well as from the allied organizations.

2.1 It shall also assist the organs of political power and people's army in collecting contributions and taxes and shall receive a reasonable portion of these as may be agreed upon within the NDF.

**Section 3.** Finance management shall be the responsibility of the finance committee under the leadership of the National Council.

3.1 Annual and special audits shall be performed under the guidance of the National Council.

- 3.2 Financial reports and records shall be open to the scrutiny of NDF officers and the representatives of the allied organizations at any time.

### **ARTICLE XI Ratification and Amendments**

*Section 1.* This constitution shall be approved by a national conference of the representatives of the constituent allied organizations at the national level and shall further be approved by the central leadership of each of these constituent organizations in order to complete the process of ratification.

*Section 2.* The National Conference or a special conference shall have the power to amend the provisions of this constitution, subject to the further approval of the central leadership of the allied organizations.

**The Program and Constitution of the NDF  
was adopted by the NDF National Conference  
of Representatives in July 1994**



The flag of the NDF is divided into two fields, red on top and blue on the bottom. Superimposed at the center is a white equilateral triangle with a gold star at each corner and the gold initials of the NDF at the center. (Constitution of the National Democratic Front of the Philippines, Article I, Section 3)



Communist Party of the Philippines  
(CPP-MLMZT)



Cordillera People's Democratic Front  
(CPDF)



New People's Army  
(NPA)



Christians for National Liberation  
(CNL)



Revolutionary Council of Trade Unions  
(RCTU)



Katipunan ng mga Gurong Makabayan  
(KAGUMA, Association of Patriotic Teachers)



Pambansang Katipunan ng mga Magbubukid  
(PKM, National Association of Peasants)



Artista at Manunulat ng Sambayanan  
(ARMAS, Artists and Writers for the People)



Kabataang Makabayan (KM, Patriotic Youth)



Makabayang Kawaning Pilipino  
(MKP, Patriotic Government Employees)



Makabayang Kilusan ng Bagong Kababaihan  
(MAKIBAKA, Patriotic Movement  
of New Women)



Liga ng Agham para sa Bayan  
(LAB, League of Scientists for the People)



Makabayang Samahang Pangkalusugan  
(MSP, Patriotic Health Association)

## ANNEX A-3

### **List of Revolutionary Allied Organizations in the National Democratic Front of the Philippines**

- Communist Party of the Philippines (CPP-MLMZT)
- New People's Army (NPA)
- Revolutionary Council of Trade Unions (RCTU)
- Pambansang Katipunan ng mga Magbubukid (PKM, National Association of Peasants)
- Kabataang Makabayan (KM, Patriotic Youth)
- Makabayang Kilusan ng Bagong Kababaihan (MAKIBAKA, Patriotic Movement of New Women)
- Cordillera People's Democratic Front (CPDF)
- Christians for National Liberation (CNL)
- Katipunan ng mga Gurong Makabayan (KAGUMA, Association of Patriotic Teachers)
- Artista at Manunulat ng Sambayanan (ARMAS, Artists and Writers for the People)
- Makabayang Kawaning Pilipino (MKP, Patriotic Government Employees)
- Makabayang Samahang Pangkalusugan (MSP, Patriotic Health Association)
- Liga ng Agham para sa Bayan (LAB, League of Scientists for the People)
- Katipunan ng mga Samahang Manggagawa (KASAMA, Federation of Labor Organizations)
- Lupon ng mga Manananggol para sa Bayan (LUMABAN, Council of Lawyers for the People) \*
- Moro Revolutionary Organization (MORO)
- Revolutionary Organization of Lumads

\* *Not included in the original Annex A-3 submitted to the Swiss Federal Council and the ICRC.*

## *ANNEX B*

# **Guide for Establishing the People's Democratic Government**

**October 1972**

## **PART I GENERAL PRINCIPLES**

*Article 1.* The People's Democratic Government is led by the proletariat and is based on the toiling masses of the proletariat and the peasantry. It has at the same time a united front character, with all democratic classes, including the petty bourgeoisie, the national bourgeoisie and others, supporting it and participating in it.

*Article 2.* The People's Democratic Government shall adopt all policies and carry out all measures which are necessary to bring victory to the people's democratic revolution against US imperialism, feudalism and bureaucrat capitalism. These policies and measures shall cover the political, economic, military, cultural and all other spheres of popular activity and shall pave the way for the establishment of a people's democratic republic embracing the entire country.

*Article 3.* The system of the People's Democratic Government shall be based on the principle of democratic centralism. Individuals are subordinate to the government and general welfare; the minority is subordinate to the majority; the lower level is subordinate to the higher level of government. Functionaries of the government shall either be elected by popular vote or be appointed according to law.

## **PART II THE SYSTEM OF GOVERNMENT**

### **Chapter I The Central People's Government**

*Article 1.* The National People's Congress shall be the highest governmental organ of the People's Democratic Government. It shall formulate and issue the necessary proclamation and laws to govern and shall delegate its authority to the Supreme People's Council which it shall elect.

- Article 2.* The National People's Congress shall be composed of delegates elected by the conference of the provincial people's governments and other leading representatives of democratic classes, parties and groups that may be recommended by the National Democratic Front and approved by the delegates of the provincial people's government.
- Article 3.* The National People's Congress shall be called as soon as possible after the liberation of a considerable part of the country or after the nationwide victory of the revolution.
- Article 4.* The National People's Congress or the Supreme People's Council shall create the necessary central organs and ministries of the People's Democratic Government.
- Article 5.* The National Democratic Front shall make recommendations regarding the reorganization and retention of personnel under the People's Democratic Government.

## Chapter II

### The Local Organs of Government

- Article 1.* The basic unit of the People's Democratic Government shall be the barrio people's government. The highest authority at this level shall belong to the general meeting of the barrio people called either to elect the barrio revolutionary committee or the organizing committee or to discuss policies and projects undertaken by either committee.
- Article 2.* Between the general meetings of the barrio people, the highest governmental authority in a barrio in a stable base area shall be the barrio revolutionary committee or in a guerrilla zone, the barrio organizing committee. Either committee shall elect its officials from its own ranks. A barrio organizing committee shall cease to exist whenever a barrio revolutionary committee shall have been elected.
- Article 3.* The barrio revolutionary committee shall take general charge of all organizational, educational, economic, defense, cultural and health work in a barrio; implement land reform program; organize the people's militia; participate in the work of the people's court; collect taxes and voluntary contributions; and give all possible support to the revolutionary cause.
- Article 4.* Five subcommittees on organization, education, economy, defense and health shall definitely be established under the barrio revolutionary committee and as much as possible under the barrio organizing committee.
- a. The subcommittee on organization shall take charge of creating and coordinating the mass organizations like those of peasants,

workers, fishermen, merchants, youth, women, teachers, children and cultural activists.

- b. The subcommittee on education shall take charge of developing revolutionary class consciousness, administering the schools (elementary schools and mass schoolings) and promoting various types of cultural activities.
- c. The subcommittee on the economy shall take charge of the implementation of land reform, production and cooperation; and collection of taxes and voluntary contributions for the support of the People's Democratic Government and the New People's Army.
- d. The subcommittee on defense shall take charge of organizing the barrio people's militia, keeping internal public order and security, and combating the people's enemies in coordination with the New People's Army.
- e. The subcommittee on health shall take charge of public hygiene, local medical work and transport of the sick and wounded to medical stations or clinics.

*Article 5.* Above the barrio people's government shall be the municipal, district and provincial levels of local government. People's conferences shall be held at these higher levels of local government to determine policies and plans, enact rules and regulations of local application, examine reports of the various governmental organs and elect people's councils after deciding on the appropriate number of council members.

*Article 6.* Delegates to the municipal people's conference shall include officials of the barrio revolutionary committee and the barrio organizing committees. Delegates to the district people's conference shall include the chairman and vice-chairmen of the people's municipal councils. Delegates to the provincial people's conference shall include the entire or main part of the people's district councils.

The number of delegates as well as the time for a conference shall be decided by the people's council immediately responsible for such conference. These shall be subject to the approval of a higher people's council, except in the case of provincial people's conference before which the provincial people's council shall seek the approval of the Central People's Government or its current and effective equivalent.

*Article 7.* The people's council shall be responsible for governmental leadership and shall be the executive organ in its defined territory. Every people's council shall elect among its members a chairman and five vice-chairmen responsible for mass organizations, education, economy, defense and health. Plenary council meetings shall be held as often as

necessary. However the chairman and the vice-chairmen shall compose themselves into a standing committee of the people's council and administer affairs on a collective basis and in accordance with decisions of the plenary council meetings.

*Article 8.* The term of office of the barrio revolutionary committees or barrio organizing committees and people's councils at every level shall normally be four years, unless a higher people's council or conference decides otherwise or the people make a petition that results in the dissolution and replacement of a council or committee. A committee or council may make appointments whenever vacancies arise in its ranks. These appointments shall be subject to the approval of a higher committee or council.

*Article 9.* National minorities shall be entitled to autonomy in provinces, districts, municipalities or barrios where they are in the majority. Autonomous governments shall be adapted to the wishes of the majority of the people of the nationality or nationalities but shall conform basically to the system of government herein presented. In areas where they are in the minority, the national minorities shall be entitled to proportionate representation in conferences and councils, with no prejudice to their representatives assuming positions higher than those held by others.

*Article 10.* All local organs of government, from the barrio to the provincial level, shall be established under the guidance of a higher political authority that has prior existence and with due regard to the need for maintaining the united front.

### **Chapter III** **The People's Court**

*Article 1.* The Central People's Democratic Government shall create the Supreme People's Court as the highest judicial authority. The People's Democratic Government may also create special courts as may be required by special circumstances.

*Article 2.* The provincial, district, municipal and barrio people's governments shall create people's courts at their respective levels. In minor and simple cases, there shall be a panel of at least three judges. In major and complex cases especially those involving the death penalty, there shall be a panel of at least nine judges.

*Article 3.* The people's court shall require specification of charges and sufficient investigation of the case prior to trial and shall always inquire

into the side of the complainant as well as the accused. The opposite sides of any case shall be given ample hearing and shall be entitled to counsel as well as the presentation of witnesses and evidence.

**Article 4.** Trials shall ordinarily be held in public, with anyone from the ranks of the people free to stand up and give his opinion on the case. Whenever necessary, the people's court shall seek the assistance of any pertinent organ of the People's Democratic Government in order to shed light on the issue at bar.

**Article 5.** Decision on every case shall be arrived at through the process of voting among the judges. Each judge shall explain his vote to his colleagues. Ordinarily, a case may be decided by a simple majority of votes. However, a clear two-thirds majority shall be necessary in decisions meting out the death penalty. All decisions shall be announced and explained through the presiding judge.

**Article 6.** The decision of a lower people's court shall be appealable to a higher people's court. However, a people's court may accept a motion for reconsideration of its own decision. Cases involving the death penalty shall be automatically on appeal to the highest political or judicial authority in a region and if possible shall be automatically referred to the Supreme People's Court or its current and effective equivalent.

### PART III FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS

**Article 1.** All citizens are equal before the law and are therefore entitled to equal rights.

**Article 2.** Citizens who have reached the age of eighteen have the right to vote and stand for election irrespective of sex, race, nationality, occupation, social origin, property status, education, religious belief, or length of residence. Only insane persons and persons declared by law as enemies of the people shall be excluded from this right.

**Article 3.** Citizens have the right to exercise the freedom of speech, freedom of association and assembly in order to advance the revolutionary cause of the toiling masses. The facilities necessary for the enjoyment of these freedoms shall be made available to citizens.

**Article 4.** Citizens have the right to enjoy the freedom of conscience and religious worship.

**Article 5.** Freedom of the person of citizens is inviolable. No citizen may be arrested without sufficient legal basis.

- Article 6.* The homes of citizens are inviolable and privacy of correspondence is protected by law. Citizens are entitled to the freedom of domicile and the freedom to change residence.
- Article 7.* Citizens have the right to work, to enjoy better working and living conditions, to have personal property and to keep, use or invest personal savings according to law. They also have the right to rest and leisure and the benefit of common welfare funds, social insurance, retirement pension and the like that shall materialize under the People's Democratic Government. The agrarian revolution and the nationalization of the economy are undertaken to change the relations of production and liberate the productive forces of the country and guarantee to the people the enjoyment of the fruits of economic progress.
- Article 8.* The right to free public education is guaranteed. Schools and other cultural institutions shall be maintained and expanded to undertake the physical and mental development of the people, especially the youth.
- Article 9.* The freedom of citizens to engage in scientific research, technological invention, literary and artistic creation and other cultural pursuits is safeguarded and promoted, with the end in view of developing a national, scientific and mass culture.
- Article 10.* Women have equal rights with men in all spheres of political, economic, cultural, social and domestic life. Marriage, the family and the mother and child are protected by law.
- Article 11.* Citizens have the right to bring complaints against any person in authority for transgression of law or neglect of duty. Anyone suffering damage or loss of anything due to infringement by persons in authority of his rights as a citizen has the right to compensation or indemnification.
- Article 12.* Citizens must abide by this Guide and all laws emanating from it. They must uphold discipline at work, keep public order and respect the rights of others.
- Article 13.* Public property is sacred and inviolable. It is the duty of every citizen to respect the property of the People's Democratic Government.
- Article 14.* It is the duty of citizens to pay taxes on the basis of their ability to pay and in accordance with the law.
- Article 15.* It is the sacred duty of every citizen to render military service according to law and make every possible contribution to the defense of the people against foreign aggressors and local oppressors.

**PART IV**  
**FLAG, EMBLEM AND CAPITAL**

*Article 1.* The national flag of the People's Democratic Government is a red flag with three great stars in gold to signify Luzon, Visayas and Mindanao.

*Article 2.* The national emblem is similar to the national flag.

*Article 3.* The capital of the People's Democratic Government shall be decided according to circumstances. ■

## *ANNEX C*

### **Basic Rules of the New People's Army**

#### **PREAMBLE**

The New People's Army is under the supreme guidance of Marxism-Leninism-Mao Zedong Thought and the Communist Party of the Philippines. This is the revolutionary army of the broad masses of the Filipino people against US imperialism, the comprador big bourgeoisie, the landlord class and the bureaucrat capitalists.

The New People's Army is the principal organization of the Communist Party of the Philippines which takes the path of armed revolution according to Mao Zedong Thought. It is the main weapon to carry out the central task of the Party which is to seize and consolidate political power. It is the instrument which shall overthrow the present bourgeois reactionary puppet government and bring forth the victory of the people's democratic revolution. It is an important tool which significantly contributes to the implementation of the Program for the People's Democratic Revolution of the Communist Party of the Philippines.

The New People's Army wholeheartedly serves the democratic interests of the people and is the main backbone of the people's democratic dictatorship. It protects the people from the demonic forces of imperialist and feudal oppression and exploitation. It constantly tries to help the masses in their daily lives. It detests the smallest damage committed against the masses instilling onto its officers and men the strict discipline that will prevent them from inflicting any damage to the people.

The New People's Army which is equipped with Mao Zedong Thought emerged after it repudiated the counter-revolutionary revisionist error of the Lavas and Taruc as well as those others who advocate modern revisionism and opportunism whether left or right. Within its ranks it struggles against the purely militarist outlook, ultra-democracy, disobedience to organizational discipline, absolute equality, subjectivism, individualism, putschism and the ideology of the roving rebels. The New People's Army at present is composed of the best fighters who persevere in pursuing armed struggle and popularize the teachings of Mao Zedong. It continues to apply the universal truth of Mao Zedong Thought to the practice of the protracted people's war in the Philippines.

While it adheres to the leadership of the working class and the Communist Party of the Philippines, the New People's Army primarily

integrates within itself the armed peasants waging agrarian revolution which is the main content of the people's democratic revolution. In this context, the people's democratic revolution is essentially a peasant war which is led by the proletariat. In the countryside, the New People's Army vigorously struggles to change the backward system and transform it to the most developed political, military, economic and cultural bastion of the people's democratic revolution. In order to accomplish this heroic task, the New People's Army primarily relies on the masses of poor peasants and agricultural workers, while encouraging the middle peasants so as to neutralize the rich peasants. This is the revolutionary anti-feudal class line in the countryside.

The New People's Army ensures independence, initiative and leadership of the Communist Party of the Philippines and the proletariat over the national united front. This is achieved by waging armed struggle which tightly unites the peasant and working classes, as the genuine foundation of a broad national democratic unity. All throughout the protracted people's war, the New People's Army shall rely mainly on the proletariat and the peasantry, though it is always ready to work with other nationalist and progressive classes, organizations and individuals who sympathize with the armed struggle against US imperialism, feudalism and bureaucrat capitalism.

The main strategic principle of the New People's Army is a protracted people's war in which its armed units continuously gather strength from the countryside based on people's war, agrarian revolution and building its bases. This includes the strategy of encircling the cities from the countryside, defeating the enemy by portions until its strength wears off. The people's army has the determination to build bases and stable local government organs and advance in waves until it has effectively crushed the remnants of the enemy's forces which are concentrated in big cities and military camps. It shall systematically create and develop consolidated guerrilla zones capable of running the local people's government. The consolidated bases shall serve as a wide rear for expansion and creating new guerrilla zones and for the development of other democratic revolutionary forces.

The New People's Army will pass through three strategic stages in waging the protracted people's war. The first stage is the strategic defensive, wherein it maintains the initiative in tactical assaults against the strategic military advantage of the enemy. The second stage is the strategic stalemate, wherein its fighting capacity is more or less equal to that of the enemy. The third and the last stage is the strategic offensive, wherein the regular mobile force of the New People's Army has developed its strength capable of assaulting the enemy separately in their very own fortifications within the

cities and in big camps. In the whole period of protracted people's war, the New People's Army has the political initiative because it unites the revolutionary theory with revolutionary practice; because it is closely linked with the masses; and because it practices self-criticism for every mistake or weakness it commits.

The New People's Army creates and uses different types of fighting units in conducting the protracted people's war. The regular mobile forces defend the rural bases and crush big enemy forces. The guerrilla forces defend the guerrilla zones, pave the way for the formation and development of regular mobile forces, or open new guerrilla zones. The self-defense units and the militia defend the masses in the localities but are not detached from their daily economic activities. The armed partisans in the cities perform special roles in sabotaging the enemy and punishing traitors in the cities and urban centers. All these fighting units of the New People's Army are coordinated and make use of all methods of warfare brought about by the development of the masses and the objective conditions.

The New People's Army fully understands that in performing its revolutionary task of crushing US imperialism, the comprador big bourgeoisie, the landlord class and the bureaucrat capitalists in the Philippines, it performs a heroic and honorable task for the broad masses of workers and peasants, as well as for the oppressed peoples of the world. The struggle for the people's democratic revolution as a stage towards socialism is both a national task and a proletarian internationalist act of the New People's Army. The Philippine armed struggle weakens and contributes to the crushing of US imperialism, modern revisionism and all reaction all over the world. Likewise, the armed struggles waged by all other oppressed peoples weaken and help in crushing the enemy in the Philippines. The New People's Army has an internationalist responsibility to struggle towards the final annihilation of imperialism led by US imperialism, and for the worldwide victory of socialism.

## PRINCIPLE I

### **The New People's Army and the Communist Party of the Philippines**

*Point 1.* The New People's Army shall always adhere to the leadership of the Communist Party of the Philippines and thus, it must abide with all decisions, orders and directives of the National Congress, Central Committee, Political Bureau and the Military Commission of the Party.

*Point 2.* The Military Commission is the highest special organ of the Central Committee that receives regular and special reports from the

lowest to the highest military command, and it shall issue appropriate policies, orders and directives.

*Point 3.* The Military Commission ensures that the Party leadership, organization and life is alive within the New People's Army. The Party branch is based in the company level and the Party group shall work within each squad. All non-regular armed units are directly under the local Party committee.

*Point 4.* Party committees shall be created from branch level up to the succeeding higher levels and shall be responsible to maintain the leadership of the Communist Party of the Philippines. These committees also see to it that good relations are developed between the army and the masses, between officers and men, among fighters and between the army as a whole and the local Party committees.

*Point 5.* The New People's Army shall have its own Political Department which shall be responsible for the proletarian revolutionary education of all officers and men, for raising up proletarian revolutionary cadres from the army, for Party building, and mobilizing the masses especially in new areas of military work.

*Point 6.* A political officer shall be deployed in each regular mobile force unit, as well as in guerrilla forces in order to teach the fighters, and maintain Party organization and life.

*Point 7.* Territorial and unit commanders are responsible for internal military administration and operation in their respective areas and units while being guided by the Party at their corresponding levels. The number and special tasks of the deputy commanders shall be determined by the Military Commission.

*Point 8.* All district commanders, platoon leaders, and all succeeding higher officials must have studied in the Revolutionary School of Mao Zedong Thought.

*Point 9.* All non-regular fighting units like the guerrilla, militia, self-defense and armed city partisans are directly under the local Party committee. Nevertheless, they shall receive direct orders from the Military Commission or from the military command to link them with the regular mobile forces.

## PRINCIPLE II

### The Tasks of the New People's Army

*Point 1.* The primary task of the New People's Army at present is to wage a protracted people's war in order to crush the reactionary state power and the interventionist forces of US imperialism, mobilize and defend

the masses and advance their national and democratic interests.

*Point 2.* The New People's Army shall help in organizing the barrio revolutionary committees and other local government organs.

*Point 3.* The New People's Army shall serve the people in all possible means other than its military tasks.

*Point 4.* The New People's Army shall conduct revolutionary propaganda work and mobilize the masses.

*Point 5.* The New People's Army shall assist in organizing the local Party branches, local Party committees and revolutionary mass organizations.

*Point 6.* The New People's Army shall participate in construction, production and economic work for its own needs, as well as for the needs of the Party and the masses.

*Point 7.* The New People's Army shall help maintain public order. It shall arrest bad elements and take them to people's courts for trial.

*Point 8.* Within the New People's Army, different work sections shall be created for office work, training, internal peace and order, intelligence and surveillance, logistics, ordnance and maintenance, medical service, communication and transportation, construction, production and others.

*Point 9.* The regular mobile forces and the guerrilla forces shall be allowed to rest from combat work for a short period of time especially if this shall serve for ideological, political and combat training; consolidation, recuperation and recovery; and conduct local political work.

### PRINCIPLE III

#### Membership in the New People's Army

*Point 1.* Anyone who is physically fit, regardless of age, sex, race, nationality or religion and has the capacity to fight and ready to participate in a protracted armed struggle against the reactionary state power, may be a member of a fighting unit of the New People's Army.

*Point 2.* Those who are interested to join the New People's Army must express their intention to any army unit or headquarters, Party committee, Party members or revolutionary mass organization.

*Point 3.* The local Party committees, armed units of the New People's Army, and the revolutionary mass organizations may initiate to accept individual and collective requests for membership in the people's army or may directly recruit fighters and build new fighting units of the New People's Army.

- Point 4.** The military command and the local Party committees which are directly responsible in the area shall supervise and administer the recruitment of Red fighters.
- Point 5.** A higher military command or Party committee has the right to dissolve or rebuild any armed unit based on reasonable grounds.
- Point 6.** Individuals or groups who escaped from the enemy ranks or captured enemy troops may join the NPA provided that they undergo reorganization and re-education. Their membership in the army will be confirmed after a thorough investigation done by the military command and the Party committee not lower than the provincial level.
- Point 7.** The New People's Army shall conduct regular analysis of class origin, performance in work and readiness to fight of all its fighters in order to continue to upgrade their proletarian revolutionary qualities.
- Point 8.** The broad majority of members of the New People's Army are armed fighters at all times, although some may be assigned to non-combat work but related to the fighting capacity of the army.

#### PRINCIPLE IV Discipline

- Point 1.** The discipline of all officers and men of the New People's Army is a conscious discipline guided by Marxism-Leninism-Mao Zedong Thought, the Communist Party of the Philippines and the organizational principle of democratic centralism. The Party committees in the army shall see to it that the line, policies and decisions of the Party are implemented by the military command at all levels.
- Point 2.** The New People's Army adheres to the following discipline:
- a. An individual is subordinate to the whole army;
  - b. The minority is subordinate to the majority;
  - c. The lower level is subordinate to the higher level;
  - d. All members are subordinate to the Military Commission and the Central Committee.
- Point 3.** All officers and men are prohibited from committing the slightest damage against the interest of the masses and they are always subject to the *Three Main Rules of Discipline* and the *Eight Points of Attention* of Comrade Mao Zedong so as to always advance their revolutionary integrity.
- a. The *Three Main Rules of Discipline* are:
    - 1) Obey orders in all actions.
    - 2) Do not take even a single needle or thread from the masses.
    - 3) Turn over everything confiscated to the proper body.

- b. The *Eight Points of Attention* are:
- 1) Be polite in speech.
  - 2) Pay all purchases with the appropriate amount.
  - 3) Return everything borrowed.
  - 4) Compensate all damages.
  - 5) Do not hurt or curse anybody.
  - 6) Do not destroy the people's crops.
  - 7) Do not take liberties with women.
  - 8) Do not be cruel to captives.
- Point 4.** All officers are strictly prohibited to use bourgeois and feudal ways in dealing with the fighters and the masses.
- Point 5.** All officers and men are strictly prohibited from gambling and drunkenness.
- Point 6.** The Party committee in the army in the appropriate level or the military court that can be created by it, shall conduct the trial and shall decide on the cases filed against officers and men at the level where the error or crime was committed. The following penalties shall be meted out based on the gravity of the crime:
- a. Strong warning
  - b. Strong warning and transfer to another area of work
  - c. Demotion
  - d. Suspension
  - e. Expulsion
  - f. Expulsion and death
- Point 7.** In all types of penalties, except for expulsion, and expulsion and death, the erring individual or group shall be reeducated for a definite period of time and shall also apologize to the aggrieved party in public.
- Point 8.** The most severe punishment of expulsion and death shall be imposed to those proven to have committed treachery, capitulation, abandonment of post, espionage, sabotage, mutiny, inciting for rebellion, murder, theft, rape, arson and severe malversation of people's funds.
- Point 9.** All cases shall be thoroughly investigated and all accused shall be given a just trial.

## PRINCIPLE V

### Democracy

- Point 1.** In order to enjoy democracy while maintaining discipline, and in order to avoid ultra-democracy within the New People's Army, all officers, fighters and Party cadres will conduct discussions and studies

among themselves on Mao Zedong Thought, the program, policies and decisions of the Communist Party of the Philippines.

*Point 2.* All officers and men shall conduct together regular and especial meetings of criticism and self-criticism in order to ensure their effectivity in politics and warfare. Ideological, political and organizational errors and weaknesses shall be rectified through criticism and self-criticism.

*Point 3.* There shall be political democracy. This means that both officers and men shall have the freedom to hold meetings and speak freely on how they can advance their proletarian revolutionary consciousness; how to develop closer relationship with the masses; how to improve their fighting capacity; how to attend to their non-military work; and upgrade their material conditions.

*Point 4.* There shall be economic democracy within the ranks. This means that both officers and men shall share in times of austerity and prosperity, enjoy equal material conditions such as equal rations and budget. They have the right to collectively manage their food and finances whereby the soldiers shall elect their representative to assist the company leadership. Anyone has the right to check the accounting and logistics records anytime.

*Point 5.* There shall be democracy in the military field. This means that both officers and men together shall hold meetings before and after military operations and campaigns. The officers teach the fighters, the fighters teach the officers, and the fighters teach one another regarding operational plans, methods and techniques in warfare and how to win battles.

## PRINCIPLE VI Military Conferences

*Point 1.* The Military Commission shall convene a national conference at least once a year to discuss the political and military conditions and the corresponding tasks of the New People's Army. The conference shall be attended by the Military Commission, the National Operations Command and the Regional Operations Commands. The chairman of the Military Commission shall head the conference.

*Point 2.* The Military Commission shall convene a regional military conference at least once in six months to discuss the political and military conditions and the corresponding tasks of the New People's Army in the region. This shall be attended by the representatives of the Military Commission, the Regional Operations Command, the operations commands of the provinces and the regional Party

committee. The chief representative of the Military Commission shall head the conference.

*Point 3.* The Regional Command shall convene a provincial military conference, at least once every four months to discuss the political and military conditions and the corresponding tasks of the New People's Army in the province. This shall be attended by the representatives of the Regional Operations Command, the Provincial Operations Command, operations commands of the districts and the provincial Party Committee. The chief representative of the Regional Operations Command shall head the conference.

*Point 4.* The Provincial Operations Command shall convene a district military conference at least once in three months to discuss the political and military conditions and the corresponding tasks of the New People's Army in the districts. This shall be attended by the representatives of the Provincial Operations Command, the District Operations Command, district Party committee, secretaries of sections of the Party, all the commanders of the units, and all the Party secretaries of the Army. The chief representative of the Provincial Operations Command shall head the conference.

*Point 5.* All the conferences mentioned may submit recommendations to the Military Commission of the Central Committee who shall act upon them.

## PRINCIPLE VII

### The Military Command System

*Point 1.* The National Operations Command shall be responsible for the implementation of the national and inter-regional policies and military plans approved by the Military Commission. The Political Bureau and/or the Central Committee shall direct all formations of the armed units of the New People's Army, and shall make regular and special reports and put forward military recommendations to the Military Commission.

The National Operations Command shall be composed of the Commander-in-Chief, his deputies, the regional commanders and their deputies.

*Point 2.* The Regional Operations Command shall be responsible for the implementation of the regional and inter-provincial policies and military plans, direct all formations of armed units of the New People's Army in the region, and make regular and special reports, and put forward military recommendations to the Military Commission and the National Operations Command.

The Regional Operations Command shall be composed of the regional commander, his deputies, the provincial commanders and their deputies.

**Point 3.** The Provincial Operations Command shall be responsible for the implementation of the provincial and inter-district policies and military plans, direct all formations of the armed units in the province, and make regular and special reports, and put forward military recommendations to the Regional Operations Command and provincial Party committee.

The Provincial Operations Command shall be composed of the provincial commander, his deputies, the district commanders and their deputies.

**Point 4.** The District Operations Command shall be responsible for the implementation of the district policies and military plans, direct all formations of the armed units in the district, and make regular and special reports, and put forward military recommendations to the Provincial Operations Command and the district Party committee.

The District Operations Command shall be composed of the district commander, his deputies and the commanders of the regular mobile force units, guerrilla units and militia units.

**Point 5.** The National Operations Command shall be created by the Military Commission. All regional, provincial and district commanders and their respective deputies shall be appointed by the Military Commission, with or without the recommendation of the National Operations Command. All commanders for strategic companies and special operations with national significance shall be appointed by the Military Commission or the Central Committee.

**Point 6.** Appointment of military commanders shall be determined on the basis of proletarian revolutionary outlook and fighting capacity. However, the commanders of the non-regular units may be developed from the localities in the process of armed struggle.

**Point 7.** Territorial commanders are superior to the unit commanders and their respective regular territorial command is usually determined by the higher military command.

**Point 8.** The size and formations of the people's armed forces under any territorial operations command at any level shall be determined by the development of the people's war in general. Its corresponding deployment shall be decided based on the need to ensure success in battles and campaigns and the people's war as a whole.

**Point 9.** The commanders of the battalion units and succeeding higher levels shall be appointed by the Military Commission upon the

recommendation of the National Operations Command. All company commanders shall be appointed by the National Operations Command upon the recommendation of the Party committee.

All platoon and squad leaders shall be appointed by their company commander upon the recommendation of the Party group in the squad.

*Point 10.* In any coordinated operation of all armed unit formations, the regular mobile force shall perform the central task of crushing the enemy.

*Point 11.* The system of command should not hinder the execution of any immediate military action of any armed unit in a particular area, unless proven that it can affect a bigger military operation against the enemy.

*Point 12.* The headquarters of the National Operations Command shall be decided upon by the Central Committee or the Military Commission, while the headquarters of the lower command shall be decided upon by the higher command.

## PRINCIPLE VIII

### Formations of the People's Armed Forces

*Point 1.* The New People's Army shall have the following combat units:

- a. Regular mobile forces
- b. Guerrilla units
- c. Militia and self-defense units
- d. Armed city partisans

*Point 2.* The regular mobile force shall be formed in the following manner:

- a. Squad: five to ten fighters and the squad leader.
- b. Platoon: two to three squads and the platoon leader.
- c. Company: two to three platoons with a company commander and his deputies.
- d. Battalion: two to three companies with the battalion commander and his deputies.
- e. Regiment: two to three battalions with the regiment commander and his deputies.
- f. Division: two to three regiments with the division commander and his deputies.
- g. Corps: two to three divisions with the corps commander and his deputies.
- h. Army: two to three corps with the army commanders and their deputies.

All territorial and unit commanders shall always endeavor to

expand the regular units to their full size.

*Point 3.* The creation of guerrilla units shall be based on the political situation and the available arms in the area. Merging of one guerrilla unit or parts of it to the regular mobile force shall be decided by the Regional Operations Command, National Operations Command or the Military Commission. Nevertheless, guerrilla units shall be formed continuously as support forces of the regular mobile forces.

*Point 4.* The militia and self-defense units shall be composed of individuals who maintain their daily economic activities. They shall perform the primary role of defense while serving as vast reserve and support forces to the regular mobile force and guerrilla units.

*Point 5.* Each unit of armed city partisans shall be composed of not less than three members. They shall develop their skills, tactics and techniques in city operations, intelligence and surveillance, sabotaging the enemy and the reactionary government; heighten the morale of the workers and the urban petty bourgeoisie; and prepare in a protracted manner for a general insurrection in the city as directed by the Military Commission.

*Point 6.* The unit commanders and their deputies shall compose the unit operations command.

*Point 7.* The regular mobile force shall distribute arms and ammunitions to guerrilla fighters, militia and self-defense units, and partisan units to increase their fighting capacity; to include them in the regular troops, or, to form new fighting units of the same type. Likewise, the guerrilla units shall distribute arms and ammunitions to the militia and self-defense units to increase their fighting capacity, and to create new fighting units of the same type or to develop them into a higher level of combat formation.

*Point 8.* Party cadres, officers and men of the New People's Army can be deployed in non-regular armed units as mentioned above in Points 3, 4 and 5.

## PRINCIPLE IX

### Logistics

*Point 1.* The regular mobile force and the guerilla units of the New People's Army shall have a special allotment from the regular budget of the local people's government, local Party organizations, and/or revolutionary mass organizations.

*Point 2.* The New People's Army shall take initiative in forming production units such as units for agriculture, transportation, repair

and maintenance, and other enterprises which may be of service to the people and the army and provide for its financial and production requirements.

**Point 3.** The central government of the people shall sell war bonds or allot a reasonable percentage from the money that it shall print to support the New People's Army.

**Point 4.** The New People's Army shall help the people's government in collecting taxes from business and agriculture, from which it shall directly receive compensation.

**Point 5.** The units of the New People's Army shall help the masses in their work in exchange for material support.

**Point 6.** Financial and material contributions given by allies and sympathizers particularly for the New People's Army shall be accepted.

**Point 7.** A definite percentage from the earnings coming from the confiscated businesses, capital and properties of US imperialism, comprador big bourgeoisie, feudal lords, bureaucrat capitalists and traitors shall be allotted for the use of the New People's Army.

**Point 8.** The logistics shall always be accounted by a committee to be created for this purpose.

### **PRINCIPLE X Amendments**

**Point 1.** The Central Committee, Political Bureau or the Military Commission of the Communist Party of the Philippines may initiate to make amendments in the Basic Principles of the New People's Army.

**Point 2.** The National Operations Command or any regional operations command may recommend any amendment it deems necessary.

**Point 3.** The Military Commission and the National Operations Command may issue guidelines and regulations in addition to this Basic Principles.

**Issued by:  
Meeting of the Red Commanders and Fighters  
March 29, 1969**

**Approved by:  
Central Committee  
Communist Party of the Philippines  
May 13, 1969**

## ANNEX D



# National Council National Democratic Front of the Philippines

## Declaration of Adherence to International Humanitarian Law

As a party to the 22-year-long civil war in the Philippines, the National Democratic Front of the Philippines (NDF) hereby formally declares its adherence to international humanitarian law, especially Article 3 common to the Geneva Conventions as well as Protocol II additional to said conventions, in the conduct of the armed conflict in the Philippines.

As a national liberation organization and movement committed to uphold the interests of the Filipino people against foreign domination (especially that of the United States) and local oppression, the NDF has always adhered to the principle of according full respect for innocent human life in the conduct of its struggle against the ruling elite in the Philippines and its foreign backers.

From the time of the peace talks with the Government of the Republic of the Philippines (GRP) in 1986-1987, the NDF has reinforced this commitment by publicly declaring on various occasions its voluntary adherence to Protocol II of the Geneva Conventions and to international humanitarian law in general. It has also taken concrete steps to ensure its observance by its forces operating in 63 provinces (out of a total of 75) throughout the country.

In the current peace process in the Philippines, the NDF has proposed to the GRP the conclusion of an agreement on human rights and international humanitarian law as an objective even before talks and agreement on the other substantive issues take place. The aim of such an agreement would be to ensure the mutual observance of international humanitarian law by the parties which would thereby serve to reduce the human and material costs of the conflict.

Through this formal declaration, the NDF affirms to the Filipino people and the international community its commitment to humanize the conflict as part of its firm pursuit of a just, enduring and liberating peace in the Philippines.

15 August 1991.

For the NDF National Council

(Sgd.) MANUEL ROMERO  
Chairman

PAMBANSANG DEMOKRATIKONG  
PRENTE NG PILIPINAS  
National Democratic Front  
of the Philippines



DOKUMENTO NG PAGKILALA  
AT PAGLALAKBAY  
Identification  
and Travel Document

Ang Pambansang Demokratikong Prente ng Pilipinas ay humihiling sa lahat ng kinaaukulan na pahintulutan ang pinagkalooban nito na makaraan nang malaya at walang sagabal at, kung kailangan, pag-ukulan siya ng lahat ng tulon at proteksiyong ligal.

*The National Democratic Front of the Philippines requests all concerned to permit the bearer to pass safely and freely and, in case of need, to give him/her aid and legal protection.*

Ginagarantiya ng PDP ng Pilipinas ang kaligtasan at malayang pagdaan ng mayhawak ng dokumentong ito sa mga lugar at linya ng komunikasyon na nasa kontrol ng mga rebolusyongyong organo ng kapangyarihang pampulitika at ng Bagong Hukbong Bayan.

*The NDFP guarantees the safety and free passage of the holder of this document in areas and lines of communications under the control of the revolutionary organs of political power and the New People's Army.*

Ipinagkaloob sa ngalan ng Pambansang Demokratikong Prente ng Pilipinas

*Issued in the name of the National Democratic Front of the Philippines*

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LUIS G. JALANDONI

Punong Kinatawag Panlabas  
*Chief International Representative*

Front cover and an inside page of NDFP Document of Identification



Negotiations Leading  
to The Hague Joint  
Declaration,  
The Netherlands,  
1 September 1992

Negotiations Leading  
to the Joint  
Agreement on  
Safety and Immunity  
Guarantees (JASIG),  
The Netherlands,  
24 February 1995



Opening of the  
Formal Talks  
in Brussels,  
Belgium,  
27 June 1995

*ANNEX E-1*

**The Hague Joint Declaration**

**September 1, 1992**

We, the undersigned emissary of the Government of the Republic of the Philippines (GRP) and the undersigned representative of the National Democratic Front of the Philippines (NDF), have held exploratory talks at The Hague, The Netherlands, on August 31 - September 1, 1992, and have agreed to recommend to our respective principals the following:

1. Formal peace negotiations between the GRP and the NDF shall be held to resolve the armed conflict.

2. The common goal of the aforesaid negotiations shall be the attainment of a just and lasting peace.

3. Such negotiations shall take place after the parties have reached tentative agreements on substantive issues in the agreed agenda through the reciprocal working committees to be separately organized by the GRP and the NDF.

4. The holding of peace negotiations must be in accordance with mutually acceptable principles, including national sovereignty, democracy and social justice and no precondition shall be made to negate the inherent character and purpose of the peace negotiations.

5. Preparatory to the formal peace negotiations, we have agreed to recommend the following:

a. Specific measures of goodwill and confidence-building to create a favorable climate for peace negotiations; and

b. The substantive agenda of the formal peace negotiations shall include human rights and international humanitarian law, socio-economic reforms, political and constitutional reforms, end of hostilities and disposition of forces.

Signed on September 1, 1992 in The Hague, The Netherlands.

For: THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES:      For: THE NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES:

(Sgd.) JOSEV. YAP  
Emissary

(Sgd.) LUISG. JALANDONI  
Representative

WITNESSES:

(Sgd.) Rep. ERIC D. SINGSON      (Sgd.) CONIK LEDESMA

(Sgd.) TERESITA DE CASTRO      (Sgd.) BYRON BOCAR  
State Counsel

(Sgd.) JOSE MARIA SISON

APPROVED BY:

(Sgd.) FIDEL V. RAMOS President Government of the Republic of the Philippines October 8, 1992	(Sgd.) MANUEL ROMERO Chairperson National Democratic Front of the Philippines September 9, 1992
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## *ANNEX E-2*

### **The Breukelen Joint Statement**

**June 14, 1994**

The GRP Panel headed by Chairman Howard Q. Dee and the NDF Delegation headed by Vice Chairperson for International Affairs Luis Jalandoni held talks from 10 to 14 June 1994 in Breukelen, The Netherlands. These talks were held to advance the peace negotiations pursuant to the Joint Declaration of the GRP and the NDF signed on September 1, 1992 in The Hague, The Netherlands (henceforth, The Hague Declaration).

Other participants in the GRP delegation were Representative Jose V. Yap and Atty. Silvestre H. Bello III, Panel Members; Representative Jesus G. Dureza, Panel Adviser; State Counsel Teresita L. de Castro, GRP Legal Consultant; and Executive Director Maria Lorenza G. Dalupan of the GRP Panel Secretariat.

Other participants in the NDF Delegation were Asterio Palima, NDF Representative to the Nordic countries; Coni Ledesma, Executive Director, NDF International Office; and Ruth de Leon, Members of the Delegation. Others present during the talks were Professor Jose Maria Sison and Fidel Agcaoili as NDF Consultants.

Atty. Romeo T. Capulong of the Philippine Peace Center also participated as Legal Consultant.

The GRP and the NDF reaffirmed their adherence to The Hague Declaration.

The discussions were frank and candid. These allowed for clarification of issues and perspectives on both sides. Areas of agreement and disagreement were also defined, which include among others the following:

#### **I. Confidence building and goodwill measures**

These are measures voluntarily undertaken by either side, not as preconditions to the holding or conduct of peace negotiations, but as means to improve the climate therefor.

1. The NDF asserts that the rights of political prisoners must be respected. The NDF further asserts that political prisoners should not be treated, charged, prosecuted or convicted as common criminals. Finally, the NDF asserts that the GRP should stop its policy and practice of treating and

prosecuting political prisoners as common criminals.

In response, the GRP Panel denies that there are political prisoners. Further, the GRP Panel reiterates GRP's policy that offenders who may have committed crimes in pursuit of political ends are to be charged with said "political" crimes as may be warranted by the evidence.

2. The GRP Panel shall transmit to its principal the NDF proposal for the expeditious release of offenders who are found to have committed crimes in pursuit of political objectives, including those charged and/or convicted of common crimes committed in the pursuit of political objectives. The NDF shall furnish a non-binding list of said prisoners/detainees, irrespective of their political affiliations.

3. The GRP Panel acknowledges receipt of the NDF letter dated 10 June 1994 containing the findings of the NDF on the 30 missing military and police personnel of the GRP, and intends to respond to the said letter appropriately.

4. The NDF favorably endorses the claims for indemnification of the victims of human rights violations during the Marcos dictatorship for at least 30 percent of the money to be recovered from the Swiss bank deposits of the Marcoses.

The GRP Panel shall report this to its principal.

5. The NDF asserts its integrity and shall consider it a violation of The Hague Declaration if the GRP enters into talks with any person or entity pretending to represent the NDF or any of its organizations.

The GRP asserts its prerogative to adopt its own policy in this matter and in so doing, does not consider it a violation of The Hague Declaration.

## **II. Issues Discussed**

6. The NDF asserts its vigorous objection to the adoption of Proclamation Nos. 347 and 348 as amended by Proclamation No. 377, on the ground that these proclamations violate the letter and spirit of The Hague Declaration, more particularly, paragraph 4 and paragraph 5b which mandate that the subject matter covered by the proclamations properly belongs to the substantive agenda of the formal negotiations. Furthermore, such amnesty program, adopted while peace negotiations are being conducted, impinges upon the organizational integrity of the NDF.

The GRP Panel reasserts its firm position that the issuance of the aforesaid amnesty proclamations, without prejudice to any other amnesty that may result from peace negotiations, does not violate the letter and spirit of The Hague Declaration, including paragraph 4 and 5b thereof. The GRP takes the position that the said proclamations respond to expressed desires

of former rebels for amnesty so that they may live normal lives in peace, and the need to strike an equitable balance through amnesty for agents of the state to promote a climate of national reconciliation.

7. The NDF asserts its objection to Executive Order No. 125 on the ground that it seeks to impose upon the peace negotiations the GRP Constitution as the framework for the peace talks and is in violation of The Hague Declaration.

The GRP Panel reaffirms its position that the GRP commitment to Constitutional processes and the Rule of Law as enunciated in Executive Order No. 125 does not violate The Hague Declaration, nor does it mean that it will cite the GRP Constitution as a basis for rejecting what otherwise would be just and valid proposals for reforms in society. If it is shown in fact that certain provisions of the GRP Constitution hinder the attainment of genuine reforms, the GRP Panel is willing to recommend to GRP authorities amendments thereto. In this context, it is clear that GRP's adherence to Constitutional processes does not constitute the imposition of the GRP Constitution as framework for the peace talks.

8. Both sides recognize the need for further discussion on the provisions of The Hague Declaration that will lead to agreements in order to realize the objectives of The Hague Declaration.

### **III. Agreement Regarding the Next Round of Talks**

9. The GRP Panel and the NDF Delegation shall hold the next round of talks to discuss and agree upon the sequence and operationalization of reciprocal working committees leading towards the formal talks.

10. The GRP Panel and the NDF Delegation hereby agree to adopt safety and immunity guarantees for personnel who will participate in the peace negotiations as negotiators, staffers, consultants and security personnel, and the ground rules for future talks. Details shall be discussed and agreed upon by both parties in due time.

In regard to the next round of talks, the GRP Panel and the NDF Delegation hereby agree on the following:

- 10.1 The next round of talks shall be held in the Benelux within the third quarter of 1994.
- 10.2 The agenda of the next round of talks shall include the following:
  - a. Opening Statements
  - b. Review of goodwill and confidence-building measures
  - c. Review and discussion of issues
  - d. Safety and immunity guarantees
  - e. Ground rules for the formal peace negotiations

- f. Agreement on specifics of the four major points of the substantive agenda
- g. Agenda of the first formal peace negotiations
  - 1) Exchange of credentials
  - 2) Sequence in the formation of the reciprocal working committees
  - 3) Formation of the GRP Panel and NDF Panel reciprocal working committees that shall be agreed upon
  - 4) Sequence of discussions of the items under each major heading
- h. Date and venue of the opening of the formal peace negotiations.

GOVERNMENT OF THE  
REPUBLIC OF THE PHILIPPINES:

NATIONAL DEMOCRATIC  
FRONT OF THE PHILIPPINES:

(Sgd.) HOWARD Q. DEE  
Chairman  
GRP Panel for Peace Talks  
with the CPP/NPA/NDF

(Sgd.) LUIS G. JALANDONI  
NDF Vice Chairperson  
for International Affairs  
& Head of NDF Delegation

(Sgd.) JOSE V. YAP  
House of Representatives  
Member, GRP Panel

(Sgd.) ASTERIO B. PALIMA  
Member, NDF Delegation

(Sgd.) SILVESTRE H. BELLO III  
Member, GRP Panel

(Sgd.) CONI K. LEDESMA  
Member, NDF Delegation

(Sgd.) JESUS G. DUREZA  
House of Representatives  
Adviser to the GRP Panel

(Sgd.) RUTH DE LEON  
Member, NDF Delegation

(Sgd.) TERESITA L. DE CASTRO  
State Counsel  
GRP Legal Counsel

(Sgd.) FIDEL V. AGCAOILI  
NDF Consultant

(Sgd.) MARIA LORENZA DALUPAN  
Executive Director  
GRP Panel Secretariat

(Sgd.) ROMEO T. CAPULONG  
Legal Consultant

(Sgd.) JOSE MARIA C. SISON  
NDF Consultant

*ANNEX E-3*

**Joint Agreement  
on Safety and Immunity Guarantees**

**February 24, 1995**

THIS JOINT AGREEMENT on Safety and Immunity Guarantees, hereinafter referred to as the Joint Agreement, IS ENTERED INTO BY AND BETWEEN:

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES, including its executive departments and agencies, hereinafter referred to as the GRP, through its negotiating panel headed by its Chairman, HOWARD Q. DEE;

AND

THE NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES, including the COMMUNIST PARTY OF THE PHILIPPINES and the NEW PEOPLE'S ARMY, hereinafter referred to as the NDFP, through its negotiating panel headed by its Chairman, LUIS G. JALANDONI;

WITNESSETH:

In firm adherence to the HAGUE JOINT DECLARATION and pursuant to the pertinent provisions of the JOINT STATEMENT signed in Breukelen, the Netherlands on June 14, 1994, the GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES (GRP) and the NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES (NDFP) hereby adopt safety and immunity guarantees to protect the rights of negotiators, consultants, staffers, security and other personnel who participate in the GRP-NDFP peace negotiations.

The primary purposes of the safety and immunity guarantees hereby adopted are to facilitate the peace negotiations, create a favorable atmosphere conducive to free discussion and free movement during the peace negotiations, and avert any incident that may jeopardize the peace negotiations.

## I. SAFETY GUARANTEES

1. As used and understood in this Joint Agreement, safety guarantees shall mean that all duly accredited persons as defined herein in possession of documents of identification or safe conduct passes are guaranteed free and unhindered passage in all areas in the Philippines, and in traveling to and from the Philippines in connection with the performance of their duties in the peace negotiations.

2. Each party has the inherent right to issue documents of identification to its negotiators, consultants, staffers, security and other personnel and such documents shall be duly recognized as safe conduct passes as provided in this Joint Agreement.

The GRP and the NDFP shall agree through their respective panel chairmen on the number of documents of identification each party will issue based on the different categories of functions which the parties will designate from time to time.

The document of identification shall contain the official seal of the issuing party, the bearer's photograph, name, sex, date and place of birth, height, color of hair and eyes, distinguishing physical features, the assigned number, designation or duty in the peace negotiations, and the period of validity. Each party shall provide the other with the name, designation and assigned number on each document of identification issued in accordance with this Joint Agreement.

In addition to or in lieu of the aforesaid documents of identification, the party concerned may request the other to issue safe conduct passes to the holders of such documents of identification or to other persons involved in the peace negotiations as provided for in this Joint Agreement.

The holder of the document of identification so considered as a safe conduct pass in accordance with this Joint Agreement or of the safe conduct pass referred to in the preceding paragraph is hereinafter referred to as the duly accredited person.

Any person under detention who may be designated to participate in the peace negotiations pursuant to this Joint Agreement shall be the subject of separate agreement between the two parties on a case to case basis.

Upon presentation by the duly accredited person to any entity, authority or agent of the party concerned, the document of identification or safe conduct pass shall be honored and respected and the duly accredited person shall be accorded due recognition and courtesy and allowed free and unhindered passage as stipulated in this Joint Agreement. The duly accredited person shall have in his or her possession the document of

identification or safe conduct pass for the duration of the peace negotiations.

3. The document of identification or safe conduct pass shall not be transferable, provided that safety guarantees granted to the duly accredited person shall extend to any person or persons consulted by the duly accredited person during and in transit to and from such consultations, and provided that these consultations shall be in connection with and in furtherance of the purposes of the peace negotiations. The appropriate information on these consultations shall be given by the party concerned to the other with due consideration to the safety of the persons involved in such consultations.

4. All duly accredited persons who are already publicly known to be involved in the GRP-NDFP peace negotiations shall be free from surveillance and shall be allowed freely to consult with the leaders and entities of the party concerned in the Philippines and abroad.

5. The GRP shall promptly issue upon request regular passports to NDFP personnel who are duly accredited persons, without obligation to take an oath of allegiance to the GRP.

6. The GRP hereby recognizes and respects the right of NDFP personnel who are duly accredited persons to hold and use passports or travel documents issued by other countries or other recognized entities. Said NDFP personnel who are duly accredited persons may use such passports or travel documents in entering, staying in and departing from the Philippines, and shall not be subjected to any form of punitive action, harassment, obstruction or similar acts by the GRP in the course of travel, entry, stay or departure.

7. Either party shall upon request provide to the other any appropriate assistance to achieve the primary purposes of this Joint Agreement.

## II. IMMUNITY GUARANTEES

1. As used and understood in this Joint Agreement, immunity guarantees shall mean that all duly accredited persons are guaranteed immunity from surveillance, harassment, search, arrest, detention, prosecution and interrogation or any other similar punitive actions due to any involvement or participation in the peace negotiations.

The immunity guarantees shall cover all acts and utterances made in the course of and pursuant to the purposes of the peace negotiations.

All materials, information and data submitted to or produced in the course of and pursuant to the purposes of the peace negotiations shall likewise be covered by the immunities provided for in this Joint Agreement and shall not be used in any investigation or judicial proceeding.

Any evidence obtained in violation of this Joint Agreement shall not be used in any investigation or judicial proceeding.

All immunities acquired by virtue of this Joint Agreement shall remain in full force and effect even after the termination of this Joint Agreement, provided said immunities shall not cover acts which are contrary to the purposes of the peace negotiations and outside and beyond involvement or participation in the peace negotiations.

2. In all cases involving duly accredited persons, the prosecutors shall move for the suspension, during the peace negotiations, of criminal proceedings or processes including arrest and search, for acts allegedly committed prior to the effectivity of this Joint Agreement.

3. All persons who shall assist the personnel of either side in the performance of their work in the peace negotiations, including the conduct of public consultations and peaceful assemblies, shall not be held liable for rendering such assistance.

4. In the course of requesting a passport from the GRP in accordance with No. 5 of I above, the duly accredited person shall be immune from surveillance, arrest, prosecution, trial, punitive action, harassment, discrimination or any liabilities due to exposure of identity and role in the peace negotiations.

5. Any NDFP personnel, holding a GRP passport, who is a duly accredited person and who goes abroad to consult with the NDFP negotiating panel or to attend any meeting in peace negotiations or perform work related to the GRP-NDFP peace negotiations shall be exempt from passport cancellation and shall continue to be entitled to the safety and immunity guarantees, including immunity from arrest, search or any punitive action, as stipulated in this Joint Agreement, within a period of 30 days upon his return to the Philippines, or 30 days from the formal termination of this Joint Agreement, whichever comes later.

6. Any NDFP personnel based abroad who is a duly accredited person and who goes to the Philippines for consultations or to perform any other work related to the peace negotiations shall enjoy safety and immunity guarantees as provided for in this Joint Agreement and shall be free to return abroad at any time before and within a period of 30 days after the formal termination of this Joint Agreement.

### **III. GENERAL PROVISIONS**

1. This Joint Agreement on Safety and Immunity Guarantees shall be signed by the GRP and the NDFP negotiating panels and shall be subject to approval in writing by the respective principals of both parties, which

approval shall be communicated to the other party within 90 days from the signing hereof.

2. Any violation of this Joint Agreement may be presented by the aggrieved party to the other and shall promptly be the subject of consultations between the two panels of the negotiating parties in order to remove impediments to the peace negotiations. Such violation shall be investigated and dealt with accordingly by the party to which the personnel charged with the violation belongs.

3. Any disagreement or ambiguity in the interpretation and application of the provisions of this Joint Agreement shall be the subject of consultations between the two panels and resolved in accordance with the letter and spirit of the HAGUE JOINT DECLARATION and the pertinent provisions of the BREUKELLEN JOINT STATEMENT.

4. The two parties may mutually amend, modify or supplement this Joint Agreement if the progress of the peace negotiations so demands.

5. After its approval as provided in No. 1 of III above, this Joint Agreement shall be effective and binding upon the parties 30 days prior to the formal opening of the peace negotiations on June 1, 1995 and for the duration of the peace negotiations, unless this Joint Agreement is sooner terminated by written notice given by one party to the other. In the latter event, this Joint Agreement shall be deemed terminated 30 days after receipt of the notice of termination.

6. The venue of the formal talks shall be Brussels, Belgium, unless both parties mutually agree on another neutral venue. For this purpose, both parties shall separately make arrangements with the host country concerned.

DONE IN THE TOWN OF NIEUWEGEIN, THE NETHERLANDS, ON THE 24th DAY OF FEBRUARY 1995.

THE GOVERNMENT OF THE  
REPUBLIC OF THE PHILIPPINES:

THE NATIONAL DEMOCRATIC  
FRONT OF THE PHILIPPINES:

By:

By:

(Sgd.) HOWARD Q. DEE  
Chairman  
GRP Negotiating Panel

(Sgd.) LUIS G. JALANDONI  
Chairman  
NDFP Negotiating Panel

MEMBERS, GRP  
NEGOTIATING PANEL:

(Sgd.) JOSE V. YAP  
(Sgd.) SILVESTRE H. BELLO III  
(Sgd.) FELICIANO V. CARIÑO  
(Sgd.) ZENAIDA H. PAWID

WITNESSES:

(Sgd.) JESUS G. DUREZA  
(Sgd.) TERESITA L. DE CASTRO

APPROVED BY:

(Sgd.) FIDEL V. RAMOS  
President  
Government of the Republic  
of the Philippines  
April 25, 1995

MEMBERS, NDFP  
NEGOTIATING PANEL:

(Sgd.) FIDEL V. AGCAOILI  
(Sgd.) CONI K. LEDESMA  
(Sgd.) ASTERIO B. PALIMA

(Sgd.) JOSE MARIA C. SISON  
(Sgd.) ROMEO T. CAPULONG

(Sgd.) MARIANO OROSA  
Chairperson  
National Democratic  
Front of the Philippines  
April 10, 1995

*ANNEX E-4*

**Joint Agreement on the Ground Rules  
of the Formal Meetings Between the GRP  
and NDFP Negotiating Panels**

**February 26, 1995**

This Agreement is entered into by and between:

The Negotiating Panel of the Government of the Republic of the Philippines, hereinafter referred to as the GRP Panel, represented herein by its Chairperson, Howard Q. Dee

and

The Negotiating Panel of the National Democratic Front of the Philippines, hereinafter referred to as the NDFP Panel, represented herein by its Chairperson, Luis G. Jalandoni

Pursuant to due authority, the two Panels hereby agree:

**ARTICLE I  
GOVERNING PRINCIPLES**

Section 1. In their deliberations during the formal talks and in the interpretation of this Agreement, the GRP and NDFP Negotiating Panels shall at all times conform to the letter and spirit of The Hague Joint Declaration of 1 September 1992, the pertinent provisions of the Breukelen Joint Statement of 14 June 1994, the Joint Agreement between the GRP and the NDFP on Safety and Immunity Guarantees of 24 February 1995.

**ARTICLE II  
CONDUCT OF PANEL NEGOTIATIONS**

Section 1. Venue and Schedule of Meetings. The GRP and the NDFP Panels shall hold their formal peace negotiations in the venue previously agreed upon under Section 6, Article III of the Joint Agreement on Safety and

Immunity Guarantees. The two Panels shall mutually agree on the schedule of meetings. There shall be reasonable time for both Panels to consult their principals before any meeting.

Section 2. Subject Matter of the Meetings. The specific agenda for a meeting shall be agreed upon by the Panels. The Panels shall exchange detailed proposals and/or working papers on the issues for discussion within a reasonable period of time before the meeting in which such issues shall be discussed.

Section 3. Quorum. A majority of the composition of each Panel is required to be present at every meeting in order to constitute a quorum.

Section 4. Presence of Persons Other than Panel Members. The two Panel Chairpersons shall agree on the number of Advisers, Legal Counsels, Consultants, Secretariat staff, and security personnel, who may be present in the meeting room and in the vicinity.

Section 5. Presiding Officers. The two Panel Chairpersons shall act as co-presiding officers for the meetings of the two Panels.

Section 6. Procedures of Formal Meetings.

- a. The two Panel Chairpersons shall agree on the allocation of time for each agenda item.
- b. Each Panel shall have equal time and opportunity to present its side in meetings.
- c. Each Panel shall be given the opportunity to present fully, orally and/or in writing, its position, to propound questions, and to respond to the other Panel regarding any agreed agenda item.
- d. When no agreement has been reached on an agenda item within a reasonable period of time, such item may be deferred for further deliberation. Thereafter, the two Panels may proceed to the next agenda item.

Section 7. Format of Meetings.

- a. The Chairperson of each Panel shall speak on behalf of the Panel, but may designate Panel members, Advisers, Legal Counsels and Consultants to speak, when appropriate.
- b. When it is the turn of one Panel to speak within its allotted time, the other Panel Chairperson or Panel members permitted by him/her may interpellate or respond immediately to any point, with the permission of the Chairperson of that Panel.
- c. Each Panel may propose a draft on any agreed upon agenda item, which draft may become the basis for discussion and agreement.

### **ARTICLE III DOCUMENTATION**

Section 1. Use of Audio Documentation. Audiotaping of sessions shall be allowed, unless otherwise mutually agreed upon.

Section 2. Minutes. Each Panel shall be entitled to two documentors who shall take the minutes for their respective Panels. However, the two Panels may mutually adopt a common recording and documentation system and agree on an official record of the deliberations and minutes of the meetings. Limitations on access to or release of such records and minutes shall be mutually agreed upon by the Chairpersons of the two Panels.

### **ARTICLE IV RESOURCE PERSONS**

Section 1. Each Panel may avail itself of experts as Consultants, who may or may not belong to its side, to assist the Panel.

### **ARTICLE V MEDIA COVERAGE**

Section 1. Media coverage or the absence of it at any meeting shall be mutually agreed upon by the two Panel Chairpersons.

Section 2. The holding of joint press conferences or the issuance of joint press statements may, from time to time, be mutually agreed upon by the two Panel Chairpersons, taking into account the progress of the peace negotiations.

Section 3. It is the inherent right of either Panel to hold separate press conferences or interviews, and issue press statements as it may deem necessary or appropriate, taking into account the basic tenets of truth and fairness and the need to safeguard the on-going negotiations from being jeopardized. The Panel Chairpersons may mutually agree on the confidentiality of sensitive issues under negotiations.

### **ARTICLE VI GENERAL PROVISIONS**

Section 1. Applicability. The provisions of this Agreement shall apply to the formal meetings of the two negotiating Panels. All other meetings of the Panels related to the peace process shall be considered as part of the consultation process.

Section 2. Amendments. The two Panels may from time to time mutually agree to amend, modify or supplement this Agreement as the circumstances may require.

Section 3. Effectivity. This Agreement shall take effect upon the signing hereof by the Chairpersons of the two negotiating Panels.

IN WITNESS WHEREOF, we have hereunder signed this Agreement this 26th Day of February 1995 at the town of Nieuwegein, The Netherlands.

FOR THE GOVERNMENT  
OF THE REPUBLIC  
OF THE PHILIPPINES  
NEGOTIATING PANEL:

FOR THE NATIONAL DEMOCRATIC  
FRONT OF THE PHILIPPINES  
NEGOTIATING PANEL:

(Sgd.) HOWARD Q. DEE  
Chairperson, GRP Panel

(Sgd.) LUIS G. JALANDONI  
Chairperson, NDFP Panel

*ANNEX E-5*

**Joint Agreement on the Formation,  
Sequence and Operationalization  
of the Reciprocal Working  
Committees (RWCs)**

**June 26, 1995**

This Joint Agreement is being entered into by and between:

The Negotiating Panel of the Government of the Republic of the Philippines, hereinafter referred to as the GRP Panel, represented herein by its Chairperson, Howard Q. Dee;

and

The Negotiating Panel of the National Democratic Front of the Philippines, hereinafter referred to as the NDFP Panel, represented herein by its Chairperson, Luis G. Jalandoni.

Pursuant to due authority, the two Negotiating Panels hereby agree:

**ARTICLE I  
GOVERNING PRINCIPLES**

Section 1. In the interpretation and application of this Joint Agreement, the GRP and NDFP Negotiating Panels shall at all times conform to the letter and spirit of The Hague Joint Declaration of 1 September 1992, the pertinent provisions of the Breukelen Joint Statement of 14 June 1994, and the Joint Agreement On Safety and Immunity Guarantees of 24 February 1995.

Section 2. The formal peace negotiations shall be guided by the following provisions of The Hague Joint Declaration:

a. Formal peace negotiations between the GRP and the NDFP shall be held to resolve the armed conflict.

b. The common goal of the aforesaid negotiations shall be the attainment of a just and lasting peace.

c. The holding of peace negotiations must be in accordance with mutually acceptable principles, including national sovereignty, democracy and social justice and no precondition shall be made to negate the inherent character and purpose of the peace negotiations.

d. The substantive agenda of the peace negotiations shall include human rights and international humanitarian law, socio-economic reforms, political and constitutional reforms and end of hostilities and disposition of forces.

Section 3. Either party may recommend to the other party goodwill and confidence-building measures to be undertaken voluntarily, not as preconditions to the holding and conduct of peace negotiations but as means to improve the climate for peace negotiations. Best efforts shall be exerted by either or both parties, as the case may be, to address the recommended goodwill and confidence-building measures.

## **ARTICLE II COMPOSITION, AUTHORITY AND CONDUCT OF WORK**

Section 1. In compliance with The Hague Joint Declaration, the two Negotiating Panels shall form and operationalize their respective Reciprocal Working Committees (RWCs) for each of the four major headings of the substantive agenda of the formal peace negotiations in the manner and sequence mutually agreed upon in the succeeding provisions of this Joint Agreement.

Henceforth, said committees shall be named after the four major headings of the substantive agenda as the following: Human Rights and International Humanitarian Law, Socio-Economic Reforms, Political and Constitutional Reforms, and End of Hostilities and Disposition of Forces.

Section 2. Every RWC on each side shall be composed of a chairperson and two members to be appointed by their respective Negotiating Panels. With the prior approval of its Negotiating Panel, the RWCs shall be assisted by consultants, advisers and staff.

Section 3. The RWCs shall be responsible to their respective Negotiating Panels. The Negotiating Panels shall direct and supervise the work of their respective RWCs, provide them with guidelines and instructions, authorize their meetings with their counterpart RWCs and receive from them findings, recommendations and drafts of tentative

comprehensive agreements under the major heading of the substantive agenda assigned to them.

Section 4. The principal task of the RWCs shall be to draft a tentative comprehensive agreement for each major heading of the substantive agenda assigned to them. The tentative comprehensive agreements shall be finalized and signed by the two Negotiating Panels and shall be submitted by them to their respective principals for final consideration and approval.

The comprehensive agreements on human rights and international humanitarian law, social and economic reforms and political and constitutional reforms shall prepare the ground for the comprehensive agreement on the end of hostilities and disposition of forces. The four comprehensive agreements shall, pursuant to The Hague Joint Declaration, fulfill the substantive requirements for a just and lasting peace.

Section 5. The two Negotiating Panels shall provide their respective RWCs with their specific issues under the major heading of the substantive agenda assigned to them. These issues shall be the basis for a common listing to be agreed upon by the GRP and NDFP RWCs and to be approved by their respective Negotiating Panels. Upon approval by both Negotiating Panels, this common listing shall constitute the issues for discussion of the RWCs under the major heading of the substantive agenda assigned to them. Any modification or revision of the approved listing shall be subject to the approval of the Negotiating Panels.

Section 6. The RWCs shall recommend to the Negotiating Panels the separate and distinct effectivity dates of each comprehensive agreement as a whole as well as certain parts or provisions thereof. Subsequently, the Negotiating Panels shall discuss and mutually agree on the aforesaid dates of effectivity.

Section 7. The Negotiating Panels may mutually agree to refer any important and urgent issue to the pertinent RWCs.

Section 8. The Negotiating Panels and their respective RWCs shall have ample opportunity to present the history and circumstances pertinent to the major heading of the substantive agenda assigned to them and specific issues thereunder, provided that a written version thereof is submitted to the other party at least fifteen (15) days prior to the presentation and discussion of such heading or issue and provided further that additional oral or written presentation may be done.

Section 9. In connection with their work under the assigned headings and in support of their respective Negotiating Panels, the RWCs shall

engage in research on the social, economic, political, legal and cultural conditions in the Philippines. One panel may request the other panel to facilitate the research, and the other panel shall exert the best effort to provide the facilitation.

Section 10. Upon the recommendation of the RWCs concerned, the Negotiating Panels may organize reciprocal working sub-committees to discuss specific issues under the major heading of the substantive agenda assigned to them. These sub-committees shall perform their tasks under the direct supervision and control of their respective RWCs and shall submit their reports and recommendations to the latter.

### **ARTICLE III FORMATION, SEQUENCE AND OPERATIONALIZATION**

Section 1. The GRP and NDFP Negotiating Panels shall announce the formation and date of operationalization of their respective RWCs on Human Rights and International Humanitarian Law during the opening of the peace negotiations on 26 June 1995 at Brussels, Belgium.

Section 2. Three (3) months after the formation and operationalization of the RWCs on Human Rights and International Humanitarian Law, the GRP and NDFP Negotiating Panels shall form and operationalize their respective RWCs on Socio-Economic Reforms.

Section 3. Three (3) months after the formation and operationalization of the RWCs on Socio-Economic Reforms, the GRP and NDFP Negotiating Panels shall form and operationalize their respective RWCs on Political and Constitutional Reforms, provided that the tentative comprehensive agreement on Human Rights and International Humanitarian Law shall have been submitted to the Negotiating Panels.

Section 4. Immediately after the submission by the RWCs of the tentative comprehensive agreements on Socio-Economic Reforms and Political and Constitutional Reforms, the GRP and NDFP Negotiating Panels shall form and operationalize their respective RWCs on the End of Hostilities and Disposition of Forces.

Section 5. The submission of the tentative comprehensive agreement on the End of Hostilities and Disposition of Forces to the two Negotiating Panels by the assigned RWCs shall constitute the final phase of work of the RWCs.

Section 6. All RWCs shall endeavor to submit their tentative comprehensive agreements to the Negotiating Panels within six (6) months after their formation and operationalization.

Section 7. The Negotiating Panels may meet formally or communicate to each other from time to time on matters pertaining to schedules, agenda, progress of work of the RWCs, and on such other matters which either Panel may deem necessary to guide, assist or facilitate the work of the RWCs.

Section 8. The two Negotiating Panels shall finalize and sign each tentative comprehensive agreement submitted by the RWCs concerned within fifty (50) days after its submission to the Negotiating Panels.

#### **ARTICLE IV VENUE AND FORMAL MEETINGS**

Section 1. The GRP and NDFP RWCs shall hold their formal meetings at mutually acceptable sites agreed upon by the Negotiating Panels.

Section 2. The Joint Agreement on Safety and Immunity Guarantees shall apply to the formal meetings of the RWCs, as well as other related meetings and communications in the process of consultations.

Section 3. The provisions of Sections 3, 4, 5, 6 and 7 of Article II on the conduct of negotiations, Article III on documentation and Article IV on resource persons, of the Agreement on the Ground Rules of the Formal Meetings Between the GRP and NDFP Panels dated 26 February 1995 are hereby adopted and made part hereof in a suppletory character.

Section 4. The RWCs shall be subject to the responsibilities, obligations and instructions of their respective Negotiating Panels under Article V on media coverage of the Agreement on the Ground Rules of the Formal Meetings Between the GRP and the NDFP Panels. The proceedings of the RWCs shall be confidential but the Chairpersons of the Negotiating Panels may issue press statements on the progress of the work of the RWCs. The Chairpersons of the RWCs concerned may mutually agree to classify specific documents, records and information confidential.

Section 5. The RWCs shall mutually agree on their schedule of formal meetings. There shall be reasonable time for the RWCs to consult their respective Negotiating Panels before any formal meeting.

**ARTICLE V  
GENERAL PROVISIONS**

Section 1. This Joint Agreement shall take effect upon the signing hereof by the Chairpersons of the two Negotiating Panels.

Section 2. The two Negotiating Panels may from time to time mutually agree to amend, modify or supplement this Joint Agreement as the circumstances may require.

IN WITNESS WHEREOF, we have hereunder signed this Joint Agreement this 26th Day of June 1995 at Brussels, Belgium.

FOR THE  
GOVERNMENT OF THE REPUBLIC  
OF THE PHILIPPINES  
NEGOTIATING PANEL:

(Sgd.) HOWARD Q. DEE  
Chairperson, GRP Panel

MEMBERS, GRP  
NEGOTIATING PANEL:

(Sgd.) JOSE V. YAP

(Sgd.) SILVESTRE H. BELLO III

(Sgd.) FELICIANO V. CARIÑO

(Sgd.) ZENAIDA H. PAWID

WITNESSES:

(Sgd.) JESUS G. DUREZA

(Sgd.) TERESITA L. DE CASTRO

FOR THE  
NATIONAL DEMOCRATIC  
FRONT OF THE PHILIPPINES  
NEGOTIATING PANEL:

(Sgd.) LUIS G. JALANDONI  
Chairperson, NDFP Panel

MEMBERS, NDFP  
NEGOTIATING PANEL:

(Sgd.) FIDEL V. AGCAOILI

(Sgd.) CONIK. LEDESMA

(Sgd.) ASTERIO B. PALIMA

(Sgd.) JOJO MAGDIWANG

(Sgd.) JOSE MA. C. SISON

(Sgd.) ROMEO T. CAPULONG



Reciprocal Working Committee (RWC) on HR and IHL Negotiating Towards CARHRIHL, The Netherlands, August 1997



The Chief Political and Legal Consultants Initialing the CARHRIHL, January 1998



Formal Signing of the CARHRIHL, 16 March 1998



Photo Session After Signing of CARHRIHL with NDFP Chief Political Consultant, GRP Speaker of the House of Representatives, and the late Antonio Zumel, NDFP Senior Adviser



GRP and NDFP Panels Shaking Hands During Opening Ceremonies of Formal Talks, Oslo, Norway, 27 April 2001



Signing the First Oslo Joint Statement with the Third Party Facilitator, the Royal Norwegian Government as Witness, 14 February 2005

First Meeting  
of the Joint  
Monitoring  
Committee,  
Oslo, Norway,  
1 April 2004



NDFP Joint Secretariat Conducting One of Its Many Training and Education Seminars



International Solidarity in Support of the Peace Negotiations  
and the Filipino People's Struggle



POW General Victor Obillo Being Checked by an NPA Medic Before Release, Southern Mindanao

Formal Turn-over of POW Major Noel Buan Through the International Committee of the Red Cross (ICRC), Southern Tagalog, Luzon ▼



CPP Spokesperson Gregorio "Ka Roger" Rosal Presiding Over the Release of a POW, Southern Tagalog, Luzon

# **ADDITIONAL ANNEXES**

continued from page 20

**Unemployment:** The chronic rate of mass unemployment is beyond 40% which is arrived at by adding the officially admitted unemployment and underemployment rates (which ranges between 9.5% and 31% and higher using various definitions). Based on official figures in July 2004, out of an estimated total labor force of 35.830 million, 4.207 million (11.7%) are unemployed, 31.623 million (88.3%) are employed with 4.93 million (15.6%) verifiably employed in the formal sector and 26.69 million (84.4%) supposedly in the informal sector (services and agriculture) most of whom are underemployed.

**Devaluation:** The Philippine peso is now less than half its value in 1996 and only a third of its value in 1985 vis-à-vis the US dollar.

**Poverty incidence:** About 90% of the population live on the equivalent of around USD 3 or PhP 162 a day. As of June 2005, the average cost of living nationwide for a family of six is PhP 517.60 per day. But the daily minimum wage ranges from PhP 151.00 to PhP 325.00 only.

**Life expectancy (2005):** Female - 73.08; Male - 67.83

**Maternal mortality rate:** 96.1 per 100,000 births in 2000.

**Infant mortality rate:** 25 and 35 for females and males, respectively, per 1,000 live births in 2003.

**Under-5 mortality rate:** 34 and 48 for females and males, respectively, per 1,000 live births in 2003.

**Underweight children (2003):** Of children between 0-5 yrs, 28.1% of female children and 27.2% of male children are underweight; of those between 6-10 yrs, 22.0% of female children and 31.2% of male children are underweight.

**Child labor:** 4 million child laborers in 2001.

**Streetchildren:** 1.5 million streetchildren in 2004, increasing annually by 630,000.

**Human rights violations:** Since 2001, 411 persons have been killed through assassinations, summary executions and indiscriminate firing and bombardment, including 20 human rights workers and 6 churchpeople while 130 persons have disappeared, 245 have been tortured and 1,563 illegally arrested. In the first half of 2005 alone, there were 45 extrajudicial killings, including 4 lawyers and 5 journalists as well as 26 members of progressive political parties. At present, there are 260 political prisoners.

**Child victims of human rights violations:** Since 2001, 126,855 children were victims of forced evacuation/displacement, demolition, threat/harassment/intimidation, coercion, sexual harassment, rape, arrest and detention, etc. At least 21 of these were killed.

**Children in jail:** From 1995 to 2000, 52,576 children were detained. An average of 10,515 children were arrested and detained every year, roughly 28 children every day, or more than 1 child every hour. These children are detained together with adult suspected criminal offenders.

**Sources:** Children's Rehabilitation Center, Salinlahi Alliance for Children's Concern, Karapatan - Alliance for the Advancement of People's Rights, KMP - Peasant Movement of the Philippines, IBON Foundation, UNICEF and GRP's Department of Social Welfare and Development, National Statistics Office, National Statistical Coordination Board, National Wages and Productivity Commission, Philippine Labor Force Survey, and Food and Nutrition Research Institute.

*ANNEX F*

**Comprehensive Agreement on Respect  
for Human Rights and International  
Humanitarian Law Between  
the Government of the Republic  
of the Philippines and the National  
Democratic Front of the Philippines**

**March 16, 1998**

THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES,  
including the executive department and its agencies, hereinafter referred to  
as the GRP

and

THE NATIONAL DEMOCRATIC FRONT OF THE PHILIPPINES,  
including the Communist Party of the Philippines (CPP) and the New  
People's Army (NPA), hereinafter referred to as the NDFP

Hereinafter referred to as "the Parties",

**PREAMBLE**

RECOGNIZING that respect for human rights and international  
humanitarian law is of crucial importance and urgent necessity in  
laying the ground for a just and lasting peace,

CONSIDERING that a comprehensive agreement on respect for human  
rights and international humanitarian law should take into account the  
current human rights situation in the Philippines and the historical  
experience of the Filipino people,

AFFIRMING that the principles of human rights and the principles of  
international humanitarian law are universally applicable,

ACKNOWLEDGING that the prolonged armed conflict in the Philippines  
necessitates the application of the principles of human rights and the  
principles of international humanitarian law,

REAFFIRMING their continuing commitment to the aforesaid principles and their application,  
REALIZING the necessity and significance of assuming separate duties and responsibilities for upholding, protecting and promoting the principles of human rights and the principles of international humanitarian law,  
UPHOLDING and complying with the mutually acceptable principles as well as the common goals and objectives in The Hague Joint Declaration of September 1, 1992, the Breukelen Joint Statement of June 14, 1994 and pertinent joint agreements hitherto signed, and  
FULLY AWARE of the need for effective mechanisms and measures for upholding, protecting and promoting the principles of human rights and the principles of international humanitarian law in a comprehensive agreement,  
SOLEMNLY ENTER without reservation into this Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law.

## **PART I DECLARATION OF PRINCIPLES**

- Article 1.* The Parties are governed by the framework of holding peace negotiations under mutually acceptable principles of national sovereignty, democracy and social justice and under no precondition that negates the character and purpose of peace negotiations, as stipulated in The Hague Joint Declaration (Paragraph 4) and reaffirmed in the Breukelen Joint Statement (No. 7 of II) and subsequent agreements.
- Article 2.* The Parties uphold the principles of mutuality and reciprocity in the conduct of the peace negotiations in accordance with The Hague Joint Declaration. The Parties likewise affirm the need to assume separate duties and responsibilities in accordance with the letter and intent of this Agreement.
- Article 3.* The Parties realize the need for a comprehensive accord on human rights and international humanitarian law based on realities involving violations of human rights and the principles of international humanitarian law.
- Article 4.* The Parties recognize that fundamental individual and collective freedoms and human rights in the political, social, economic and cultural spheres can only be realized and flourish under conditions of national and social freedoms of the people.

*Article 5.* The Parties affirm the need to promote, expand and guarantee the people's democratic rights and freedoms, especially of the toiling masses of workers and peasants.

*Article 6.* The Parties are aware that the prolonged armed conflict in the Philippines necessitates the application of the principles of human rights and the principles of international humanitarian law and the faithful compliance therewith by both Parties.

*Article 7.* The Parties hereby forge this Agreement in order to affirm their constant and continuing mutual commitment to respect human rights and the principles of international humanitarian law and hereby recognize either Party's acts of good intention to be bound by and to comply with the principles of international humanitarian law.

## PART II BASES, SCOPE AND APPLICABILITY

*Article 1.* This Agreement is meant to meet the needs arising from the concrete conditions of the Filipino people concerning violations of human rights and the principles of international humanitarian law, and to find principled ways and means of rendering justice to all the victims of such violations.

*Article 2.* The objectives of this Agreement are: (a) to guarantee the protection of human rights to all Filipinos under all circumstances, especially the workers, peasants and other poor people; (b) to affirm and apply the principles of international humanitarian law in order to protect the civilian population and individual civilians, as well as persons who do not take direct part or who have ceased to take part in the armed hostilities, including persons deprived of their liberty for reasons related to the armed conflict; (c) to establish effective mechanisms and measures for realizing, monitoring, verifying and ensuring compliance with the provisions of this Agreement; and, (d) to pave the way for comprehensive agreements on economic, social and political reforms that will ensure the attainment of a just and lasting peace.

*Article 3.* The Parties shall uphold, protect and promote the full scope of human rights, including civil, political, economic, social and cultural rights. In complying with such obligation due consideration shall be accorded to the respective political principles and circumstances of the Parties.

*Article 4.* It is understood that the universally applicable principles and standards of human rights and of international humanitarian law

contemplated in this Agreement include those embodied in the instruments signed by the Philippines and deemed to be mutually applicable to and acceptable by both Parties.

**Article 5.** This Agreement shall be applicable in all cases involving violations of human rights and the principles of international humanitarian law committed against persons, families and groups affiliated with either Party and all civilians and persons not directly taking part in the hostilities, including persons deprived of their liberty for reasons related to the armed conflict. It shall likewise be applicable to all persons affected by the armed conflict, without distinction of any kind based on sex, race, language, religion or conviction, political or other opinion, national, ethnic or social origin, age, economic position, property, marital status, birth or any other similar condition or status.

### **PART III RESPECT FOR HUMAN RIGHTS**

**Article 1.** In the exercise of their inherent rights, the Parties shall adhere to and be bound by the principles and standards embodied in international instruments on human rights.

**Article 2.** This Agreement seeks to confront, remedy and prevent the most serious human rights violations in terms of civil and political rights, as well as to uphold, protect and promote the full scope of human rights and fundamental freedoms, including:

1. The right to self-determination of the Filipino nation by virtue of which the people should fully and freely determine their political status, pursue their economic, social and cultural development, and dispose of their natural wealth and resources for their own welfare and benefit towards genuine national independence, democracy, social justice and development.
2. The inherent and inalienable right of the people to establish a just, democratic and peaceful society, to adopt effective safeguards against, and to oppose oppression and tyranny similar to that of the past dictatorial regime.
3. The right of the victims and their families to seek justice for violations of human rights, including adequate compensation or indemnification, restitution and rehabilitation, and effective sanctions and guarantees against repetition and impunity.
4. The right to life, especially against summary executions (*salvagings*), involuntary disappearances, massacres and indiscriminate

bombardments of communities, and the right not to be subjected to campaigns of incitement to violence against one's person.

5. The right to liberty, particularly against unwarranted and unjustified arrest and detention and to effectively avail of the privilege of the writ of *habeas corpus*.
6. The individual and collective right of the people and of communities to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, and to effective safeguards of these rights against any illegal operations by GRP agencies.
7. The right not to be subjected to physical or mental torture, solitary confinement, rape and sexual abuse, and other inhuman, cruel or degrading treatment, detention and punishment.
8. The right not to be held in involuntary servitude or to perform forced or compulsory labor.
9. The right to substantive and procedural due process, to be presumed innocent until proven guilty, and against self-incrimination.
10. The right to equal protection of the law and against any form of discrimination on the basis of race, ethnicity, gender, belief, age, physical condition or civil status and against any incitement to such discrimination.
11. The right to freedom of thought and expression, freedom of conscience, political and religious beliefs and practices and the right not to be punished or held accountable in the exercise of these rights.
12. The right to free speech, press, association and assembly, and to seek redress of grievances.
13. The right to privacy of communication and correspondence, especially against intercepting, pilfering and opening of mail matters and conducting illegal surveillance and information gathering through electronic and other means.
14. The right to free choice of domicile, movement and travel within the country and abroad, to seek asylum, migration and exile, and against travel restrictions for political reasons or objectives.
15. The right not to be subjected to forced evacuations, food and other forms of economic blockades and indiscriminate bombings, shellings, strafing, gunfire and the use of landmines.
16. The right to information on matters of public concern and access to records, documents and papers pertaining to acts, transactions or decisions of persons in authority.
17. The right to universal suffrage irrespective of sex, race, occupation, social origin, property, status, education, ideological and political conviction, and religious belief.

18. The right to own property and the means of production and consumption that are obtained through land reform, honest labor and entrepreneurship, skill, inventiveness and intellectual merit and to use such means for the common good.
19. The right to gainful employment, humane working and living conditions, livelihood and job security, to work and equal pay, to form unions, to strike and participate in the policy and decision-making processes affecting their rights and interests, and the right not to be denied these rights due to nationality, creed, minority status, gender or sexual preference, or civil status.
20. The right to universal and free elementary and secondary education, and access to basic services and health care.
21. The right to freely engage in scientific research, technological invention, literary and artistic creations and other cultural pursuits.
22. The right to form a marital union and to found a family, and to ensure family communications and reunions.
23. The equal right of women in all fields of endeavor and in all spheres of political, economic, cultural, social and domestic life and to their emancipation.
24. The right of children and the disabled to protection, care, and a home, especially against physical and mental abuse, prostitution, drugs, forced labor, homelessness, and other similar forms of oppression and exploitation.
25. The existing rights of the minority communities in the Philippines to autonomy, to their ancestral lands and the natural resources in these lands, to engage in and benefit from affirmative action, to their participation and representation in the economic, political and social life and institutions, and to cultural and all round development.

**Article 3.** The Parties decry all violations and abuses of human rights. They commend the complainants or plaintiffs in all successful human rights proceedings. They encourage all victims of violations and abuses of human rights or their surviving families to come forward with their complaints and evidence.

**Article 4.** The persons liable for violations and abuses of human rights shall be subject to investigation and, if evidence warrants, to prosecution and trial. The victims or their survivors shall be indemnified. All necessary measures shall be undertaken to remove the conditions for violations and abuses of human rights and to render justice to and indemnify the victims.

*Article 5.* The Parties hereby respect and support the rights of the victims of human rights violations during the Marcos regime, taking into consideration the final judgment of the United States Federal Court System in the Human Rights Litigation Against Marcos; Senate Resolution 1640; Swiss Supreme Court Decision of 10 December 1997; and pertinent provisions of the U.N. Covenant on Civil and Political Rights and the 1984 U.N. Convention Against Torture.

Should there be any settlement, the GRP shall also execute with the duly authorized representatives of the victims a written instrument to implement this Article and guide the satisfaction of the claims of said victims, with regard to the amount and mode of compensation, which shall be the most direct and quickest possible to every victim or heir in accordance with the relevant Swiss Supreme Court decisions.

In case of any settlement outside of U.S. jurisdiction, all or the majority of said victims shall determine their representation by power of attorney.

*Article 6.* The GRP shall abide by its doctrine laid down in *People vs. Hernandez* (99 Phil. 515, July 18, 1956), as further elaborated in *People vs. Geronimo* (100 Phil. 90, October 13, 1956), and shall forthwith review the cases of all prisoners or detainees who have been charged, detained, or convicted contrary to this doctrine, and shall immediately release them.

*Article 7.* The GRP shall work for the immediate repeal of any subsisting repressive laws, decrees, or other executive issuances and for this purpose, shall forthwith review, among others, the following: General Orders 66 and 67 (authorizing checkpoints and warrantless searches); Presidential Decree 1866 as amended (allowing the filing of charges of illegal possession of firearms with respect to political offenses); Presidential Decree 169 as amended (requiring physicians to report cases of patients with gunshot wounds to the police/military); Batas Pambansa 880 (restricting and controlling the right to peaceful assembly); Executive Order 129 (authorizing the demolition of urban poor communities); Executive Order 264 (legalizing the Civilian Armed Forces Geographical Units); Executive Order 272 (lengthening the allowable periods of detention); Memorandum Circular 139 (allowing the imposition of food blockades); and Administrative Order No. 308 (establishing the national identification system).

Upon the effectivity of this Agreement, the GRP shall, as far as practicable, not invoke these repressive laws, decrees and orders to circumvent or contravene the provisions of this Agreement.

**Article 8.** The GRP shall review its jurisprudence on warrantless arrests (Umil vs. Ramos), checkpoints (Valmonte vs. De Villa), saturation drives (Guazon vs. De Villa), warrantless searches (Posadas vs. Court of Appeals), criminalization of political offenses (Baylosis vs. Chavez), rendering moot and academic the remedy of *habeas corpus* upon the subsequent filing of charges (Ilagan vs. Ponce-Enrile), and other similar cases, and shall immediately move for the adoption of appropriate remedies consistent with the objectives of this and the immediately preceding Article.

Upon the effectivity of this Agreement, the GRP shall, as far as practicable, not invoke these decisions to circumvent or contravene the provisions of this Agreement.

**Article 9.** The Parties shall take concrete steps to protect the lives, livelihood and properties of the people against incursions from mining, real estate, logging, tourism or other similar projects or programs.

**Article 10.** The Parties shall promote the basic collective and individual rights of workers, peasants, fisherfolk, urban poor, migrant workers, ethnic minorities, women, youth, children and the rest of the people and shall take concrete steps to stop and prevent the violations of human rights, ensure that those found guilty of such violations are punished, and provide for the indemnification, rehabilitation and restitution of the victims.

**Article 11.** The GRP shall respect the basic rights guaranteed by the International Labor Convention on Freedom of Association and Protection of the Right to Organize and the standards set by the International Labor Organization (ILO) pertaining to job tenure, wage and living conditions, trade union rights and medical and social insurance of all workers, right of women workers to maternity benefits and against discrimination vis-à-vis male workers, right against child labor, and the rights of migrant workers abroad in accordance with the International Covenant on the Rights of Migrant Workers and the Members of their Families.

**Article 12.** The GRP shall respect the rights of peasants to land tenure and to own through land reform the land that they till, the ancestral rights of the indigenous peoples in the areas classified as public domain and their rights against racial and ethnic discrimination, the right of the poor homesteaders or settlers and the indigenous people to the areas of public domain on which they live and work and the right of poor fisherfolk to fish in the waters of the Philippines.

The GRP shall forthwith review its laws or other issuances pertinent to the rights mentioned in this and the immediately preceding Article and shall move for the immediate repeal of those found violative of such rights.

**Article 13.** The Parties shall promote and carry out campaigns of human rights education, land reform, higher production, health and sanitation, and others that are of social benefit to the people. They shall give the utmost attention to land reform as the principal measure for attaining democracy and social justice.

#### PART IV RESPECT FOR INTERNATIONAL HUMANITARIAN LAW

**Article 1.** In the exercise of their inherent rights, the Parties to the armed conflict shall adhere to and be bound by the generally accepted principles and standards of international humanitarian law.

**Article 2.** These principles and standards apply to the following persons:

1. civilians or those taking no active part in the hostilities;
2. members of armed forces who have surrendered or laid down their arms;
3. those placed *hors de combat* by sickness, wounds or any other cause;
4. persons deprived of their liberty for reasons related to the armed conflict; and,
5. relatives and duly authorized representatives of above-named persons.

**Article 3.** The following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the persons enumerated in the preceding Article 2:

1. violence to life and person, particularly killing or causing injury, being subjected to physical or mental torture, mutilation, corporal punishment, cruel or degrading treatment and all acts of violence and reprisals, including hostage-taking, and acts against the physical well-being, dignity, political convictions and other human rights;
2. holding anyone responsible for an act that she/he has not committed and punishing anyone without complying with all the requisites of due process;
3. requiring persons deprived of their liberty for reasons related to the armed conflict to disclose information other than their identity;

4. desecration of the remains of those who have died in the course of the armed conflict or while under detention, and breach of duty to tender immediately such remains to their families or to give them decent burial;
5. failure to report the identity, personal condition and circumstances of a person deprived of his/her liberty for reasons related to the armed conflict to the Parties to enable them to perform their duties and responsibilities under this Agreement and under international humanitarian law;
6. denial of the right of relatives and duly authorized representatives of a person deprived of liberty for reasons related to the armed conflict to inquire whether a person is in custody or under detention, the reasons for the detention, under what circumstances the person in custody is being detained, and to request directly or through mutually acceptable intermediaries for his/her orderly and expeditious release;
7. practices that cause or allow the forcible evacuations or forcible reconcentration of civilians, unless the security of the civilians involved or imperative military reasons so demand; the emergence and increase of internally displaced families and communities, and the destruction of the lives and property of the civilian population;
8. maintaining, supporting and tolerating paramilitary groups such as armed religious fanatical groups, vigilante groups, private armed groups of businessmen, landlords and politicians, and private security agencies which are being used in land and labor disputes and the incursions in Article 9, Part III of this Agreement; and,
9. allowing the participation of civilian or civilian officials in military field operations and campaigns.

**Article 4.** The principles and standards of international humanitarian law shall likewise apply and protect the rights of persons, entities or objects involved or affected in any of the cases or situations cited hereunder.

1. Persons *hors de combat* and those who do not take a direct part in hostilities are entitled to respect for their lives, dignity, human rights, political convictions and their moral and physical integrity and shall be protected in all circumstances and treated humanely without any adverse distinction founded on race, color, faith, sex, birth, social standing or any other similar criteria.
2. The wounded and the sick shall be collected and cared for by the party to the armed conflict which has them in its custody or responsibility.

3. Neutral persons or entities and medical personnel, including persons of humanitarian and/or medical organizations like the International Committee of the Red Cross (ICRC), shall be protected and respected. The establishments, facilities, transport and equipments of these persons, entities and organizations; objects bearing the emblem of the red cross and the flag of peaceful intention; and historic monuments, cultural objects and places of worship shall likewise be protected.
4. Civilian population and civilians shall be treated as such and shall be distinguished from combatants and, together with their property, shall not be the object of attack. They shall likewise be protected against indiscriminate aerial bombardment, strafing, artillery fire, mortar fire, arson, bulldozing and other similar forms of destroying lives and property, from the use of explosives as well as the stockpiling near or in their midst, and the use of chemical and biological weapons.
5. Civilians shall have the right to demand appropriate disciplinary actions against abuses arising from the failure of the Parties to the armed conflict to observe the principles and standards of international humanitarian law.
6. All persons deprived of their liberty for reasons related to the armed conflict shall be treated humanely, provided with adequate food and drinking water, and be afforded safeguards as regards to health and hygiene, and be confined in a secure place. Sufficient information shall be made available concerning persons who have been deprived of their liberty. On humanitarian or other reasonable grounds, such persons deprived of liberty shall be considered for safe release.
7. The ICRC and other humanitarian and/or medical entities shall be granted facilitation and assistance to enable them to care for the sick and the wounded and to undertake their humanitarian missions and activities.
8. Personnel and facilities of schools, the medical profession, religious institutions and places of worship, voluntary evacuation centers, programs and projects of relief and development shall not be the target of any attack. The persons of said entities shall be guaranteed their safety.
9. Every possible measure shall be taken, without delay, to search for and collect the wounded, sick and missing persons and to protect them from any harm and ill treatment, to ensure their adequate care

and to search for the dead, prevent despoliation and mutilation and to dispose of them with respect.

*Article 5.* The Parties decry all violations of the principles of international humanitarian law. They encourage all victims of such violations or their surviving families to come forward with their complaints and evidence.

*Article 6.* The persons liable for violations of the principles of international humanitarian law shall be subject to investigation and, if evidence warrants, to prosecution and trial. The victims or their survivors shall be indemnified. All necessary measures shall be undertaken to remove the conditions for such violations and to render justice to and indemnify the victims.

*Article 7.* The GRP shall review and undertake to change policies, laws, programs, projects, campaigns and practices that cause or allow the forcible evacuation and reconcentration of civilians, the emergence and increase of internally displaced families and communities and the destruction of the lives and property of the civilian population.

*Article 8.* The GRP shall continue to review its policy or practice of creating, maintaining, supporting, or allowing paramilitary forces like the Civilian Armed Forces Geographical Units (CAFGUs) and Civilian Volunteers' Organizations (CVOs) or any other similar groups.

*Article 9.* Internally displaced families and communities shall have the right to return to their places of abode and livelihood, to demand all possible assistance necessary to restore them to their normal lives and to be indemnified for damages suffered due to injuries and loss of lives.

*Article 10.* The Parties shall provide special attention to women and children to ensure their physical and moral integrity. Children shall not be allowed to take part in hostilities.

*Article 11.* Medical, religious and other humanitarian organizations and their personnel shall not carry out other tasks inimical to any of the Parties. Neither shall they be compelled to carry out tasks which are not compatible with their humanitarian tasks. Under no circumstances shall any person be punished for having carried out medical activities compatible with the principles of medical ethics, regardless of whoever is benefiting from such medical activities.

*Article 12.* Civilian population shall have the right to be protected against the risks and dangers posed by the presence of military camps in urban centers and other populated areas.

*Article 13.* The Parties recognize the right of the people to demand the reduction of military expenditures and the rechanneling of savings from such reduction towards social, economic and cultural development which shall be given the highest priority.

*Article 14.* The Parties shall promote and carry out campaigns of education on international humanitarian law, especially among the people involved in the armed conflict and in areas affected by such conflict.

## PART V JOINT MONITORING COMMITTEE

*Article 1.* The Parties shall form a Joint Monitoring Committee that shall monitor the implementation of this Agreement.

*Article 2.* The Committee shall be composed of three members to be chosen by the GRP Panel and three members to be chosen by the NDFP Panel. Each Party shall nominate two representatives of human rights organizations to sit in the committee as observers and to do so at the pleasure of the nominating Party. The Committee shall have co-chairpersons who shall serve as chief representatives of the Parties and shall act as moderators of meetings.

*Article 3.* The co-chairpersons shall receive complaints of violations of human rights and international humanitarian law and all pertinent information and shall initiate requests or recommendations for the implementation of this Agreement. Upon its approval by consensus, the Committee shall request the investigation of a complaint by the Party concerned and make recommendations. By consensus, it shall make reports and recommendations on its work to the Parties.

Meetings of the Committee shall be every three months and as often as deemed necessary by the co-chairpersons due to an urgent issue or complaint. The meetings shall be held in the Philippines or in any other venue agreed upon by the Parties.

*Article 4.* Members of the Committee and the observers shall be entitled to the safety and immunity guarantees stipulated by the Joint Agreement on Safety and Immunity Guarantees.

*Article 5.* The Committee shall create a joint secretariat that shall provide staff support. Each Party shall nominate an equal number of members in the joint secretariat who shall serve at the pleasure of the nominating Party.

*Article 6.* The Committee shall be organized upon the effectivity of this Agreement and shall continue to exist until dissolved by either Party by sending to the other Party a written notice of dissolution which shall take effect thirty days after official receipt. Dissolution of the Committee shall not mean the abandonment of rights and duties by any Party under this Agreement and under the principles and standards of human rights and international humanitarian law.

**PART VI  
FINAL PROVISIONS**

*Article 1.* The Parties shall continue to assume separate duties and responsibilities for upholding, protecting and promoting human rights and the principles of international humanitarian law in accordance with their respective political principles, organizations and circumstances until they shall have reached final resolution of the armed conflict.

*Article 2.* The Parties recognize the applicability of the principles of human rights and principles of international humanitarian law and the continuing force of obligations arising from these principles.

*Article 3.* Nothing in the provisions of this Agreement nor in its application shall affect the political and legal status of the Parties in accordance with The Hague Joint Declaration. Subsequently, this Agreement shall be subject to the Comprehensive Agreements on Political and Constitutional Reforms and on End of Hostilities and Disposition of Forces. Any reference to the treaties signed by the GRP and to its laws and legal processes in this Agreement shall not in any manner prejudice the political and organizational integrity of the NDFP.

*Article 4.* The Parties may from time to time review the provisions of this Agreement to determine the need to adopt a supplemental agreement or to modify the provisions hereof as circumstances require.

*Article 5.* This Agreement shall be signed by the Negotiating Panels and shall take effect upon approval by their respective Principals.

IN WITNESS, we sign this Agreement this 16th day of March 1998 in The Hague, The Netherlands.

FOR THE  
GOVERNMENT OF THE REPUBLIC  
OF THE PHILIPPINES

By:

(Sgd.) Amb. HOWARD Q. DEE  
Chairperson,  
GRP Negotiating Panel

(Sgd.) Rep. JOSE V. YAP  
Member

FOR THE  
NATIONAL DEMOCRATIC  
FRONT OF THE PHILIPPINES

By:

(Sgd.) LUIS G. JALANDONI  
Chairperson,  
NDFP Negotiating Panel

(Sgd.) FIDEL V. AGCAOILI  
Member

(Sgd.) Sec. SILVESTRE H. BELLO III Member	(Sgd.) CONI K. LEDESMA Member
(Sgd.) Atty. RENE V. SARMIENTO Member	(Sgd.) ASTERIO B. PALIMA Member
(Sgd.) Ms. ZENAIDA H. PAWID Member	(Sgd.) JOJO S. MAGDIWANG Member

WITNESSES:

(Sgd.) Hon. JOSE C. DE VENECIA Speaker, House of Representatives GRP	(Sgd.) JOSE MA. SISON Chief Political Consultant NDFP Negotiating Panel
(Sgd.) USec. A. WILFREDO CLEMENTE DECS, GRP	(Sgd.) ANTONIO L. ZUMEL Senior Adviser NDFP Negotiating Panel
(Sgd.) Ms. MA. CARLA L. MUNSAYAC Executive Director III GRP Negotiating Panel Secretariat	(Sgd.) ROMEO T. CAPULONG General Counsel NDFP Negotiating Panel

APPROVED BY:

(Sgd.) JOSEPH E. ESTRADA President, Government of the Republic of the Philippines August 7, 1998	(Sgd.) MARIANO OROSA Chairperson, National Council National Democratic Front of the Philippines April 10, 1998
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## *ANNEX G-1*

### **The 1997 European Parliament Resolution on the Philippines**

**July 18, 1997**

The European Parliament,

A. having regard to its resolution of 13 December 1990 on the human rights situation in the Philippines (1) in which it encouraged and supported peace negotiations between the Government of the Republic of the Philippines and the National Democratic Front of the Philippines,

B. encouraging and supporting the formal peace negotiations between the two parties within the framework of The Hague Joint Declaration bilaterally forged by them on 1 September 1992,

C. welcoming the start of the formal peace negotiations on 19 June 1995 in Brussels and their resumption on 19 June 1996 in The Hague, hosted and sponsored by the Belgian and Dutch governments respectively,

D. welcoming the progress of these negotiations which are being held in Europe and are now dealing with two major headings of the substantive agenda: namely, mutual respect for human rights and international humanitarian law, and social and economic reforms,

E. recognising the determination, expressions of good intention and agreements of the two parties to adhere to the principles and instruments of respect for human rights and international humanitarian law, before, during and after the final resolution of the armed conflict,

F. endorsing the bilateral agreements of the parties to create a favourable climate for the peace negotiations through mutual safety and immunity guarantees, security of consultations and confidence-building measures and to lay the ground for a just and lasting peace through socio-economic and educational projects,

1. Expresses its appreciation to the Government of the Republic of the Philippines and the National Democratic Front of the Philippines for their mutual commitment to pursue formal peace negotiations in Europe within the framework of The Hague Joint Declaration of 1 September 1992 and congratulates them for all the progress that they have achieved so far;

2. Supports all the bilateral agreements and confidence-building

measures that they have reached in order to create a favourable atmosphere for peace negotiations and to lay the ground for a just and lasting peace;

3. Recognizes and encourages the common and separate efforts of the parties to adhere to the principles and instruments of respect for human rights and international humanitarian law;

4. Requests the Commission and Council to provide and facilitate support and assistance to the parties in carrying out their formal peace negotiations and in undertaking development, relief and rehabilitation programmes and projects to lay the ground for a just and lasting peace;

5. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and the Republic of the Philippines, and the National Democratic Front of the Philippines. ■

(1) OJC 19, 28.1.1991, p. 233

*ANNEX G-2*

**The 1999 European Parliament  
Resolution on the Philippines**

**January 14, 1999**

The European Parliament,

A. reaffirming its resolution of 18 July 1997 on the Philippines supporting peace negotiations between the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDFP) within the framework of their Joint Declaration in The Hague,

B. congratulating the aforesaid parties for their success in forging the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law, approved by the Philippine Government on 7 August 1998 and by the NDFP on 10 April 1998,

C. further congratulating the aforesaid parties for their success in forging the Joint Agreement in Support of Socioeconomic Projects of Private Development Organizations and Institutes and the Additional Rules Implementing the Joint Agreement on Safety and Immunity Guarantees Pertinent to the Security of Personnel and Consultations in the Furtherance of the Peace Negotiations,

D. welcoming all the expressions and acts of good intention of the Government of the Republic of the Philippines and National Democratic Front of the Philippines within their respective spheres of responsibility and in accordance with international law and their common determination to implement all their bilateral agreements and accelerate the progress of the peace negotiations,

E. encouraging and supporting all the common and separate efforts of the Government of the Republic of the Philippines and the National Democratic Front of the Philippines to apply the International Bill of Rights and International Humanitarian Law and pave the way for a just and lasting peace,

1. Urges the Government of the Republic of the Philippines and the National Democratic Front of the Philippines to realize their mutual commitment to accelerating the progress of their peace negotiations in Europe, forging the comprehensive agreements on social and economic

reforms and political and constitutional reforms and achieving a just and lasting peace;

2. Continues to support all the bilateral agreements and confidence-building measures that they have reached and undertaken in order to create a favourable atmosphere for peace negotiations and to lay the ground for a just and lasting peace;

3. Recognizes and appreciates all the acts of good intention of the Parties and their common and separate efforts to adhere to and apply the principles and instruments of respect for human rights and international humanitarian law and the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law;

4. Requests the Commission and Council to provide and facilitate support and assistance to the Parties in carrying out their formal peace negotiations, in the implementation of the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law and in undertaking development, relief and rehabilitation programmes;

5. Instructs its President to forward this Resolution to the Council, the Commission, the governments of the Member States and the Government of the Republic of the Philippines and the National Democratic Front of the Philippines. ■

*ANNEX H-1*

**Memorandum on the Minimum Age  
Requirement for NPA Fighters**

**Executive Committee, Central Committee  
Communist Party of the Philippines  
October 15, 1999**

To all Party Organs and NPA Commands:

Please be informed and guided by the following:

1. Under International Humanitarian Law, specifically Article 77, paragraph 2 of Protocol I of 8 June 1977 additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts, the parties to the armed conflict "in recruiting among those persons who have attained the age of 15 years but who have not attained the age of 18 years (...) shall endeavor to give priority to those who are oldest." Under Article 4, paragraph 3 of Protocol II additional to the Geneva Conventions, children who have not attained the age of 15 shall not be allowed to take part in the hostilities. Under Article 4, paragraph 3 (d) of Protocol II, children under the age of 15 who have taken a direct part in hostilities, despite the prohibition in Article 4, paragraph 3 (c) of the same Protocol and are captured remain entitled to the special protection provided to children by Article 4, paragraph 3.
2. Under the United Nations Convention on the Rights of the Child, adopted on 20 November 1989, children are accorded special rights up to the age of 18 years and the minimum age limit stipulated for the participation of children in hostilities is 15 years.
3. The International Committee of the Red Cross and Red Crescent Movement have called for the adoption of an optional protocol to the UN Convention on the Rights of the Child aimed in particular at prohibiting the recruitment of children under 18 years of age into the armed forces and armed groups and their participation in hostilities. The proposed optional protocol has not yet been adopted and carries vague terms, such

as “direct and indirect participation” and “hostilities”.

So far, existing international humanitarian and human rights law allows the recruitment of persons between the age of 15 and 18 as combatants of a party to an armed conflict.

The Communist Party of the Philippines, the New People’s Army and the National Democratic Front of the Philippines respect the aforesaid law and take into account the following: the fact that the NPA is waging a people’s war, that its enemy is brutal and carries out acts of aggression against the people in their territory and that all persons regardless of age are entitled to the inherent right of self-defense. Entire communities are responsible for their internal security and can carry out self-defense against the aggressor.

In consonance with existing international humanitarian and human rights law, the Politburo of the Party Central Committee adopted in 1988 the policy prohibiting the recruitment of children below the age of 18 years as regular members or armed fighters of combat units of the New People’s Army. We continue to uphold such policy and reiterate it now in the face of the intensified psywar campaign being waged by the Manila government.

Furthermore we hereby amend Point 1 of Principle III of the Basic Rules of the new People’s Army which reads as follows:

*Point 1.* Anyone who is physically fit, regardless of age, sex, race, nationality or religion and has the capacity to fight and is ready to participate in a protracted armed struggle against the reactionary state power may be a member of a fighting unit of the New People’s Army.

As amended, Point 1 of Principle III shall henceforth read as follows:

*Point 1.* Any person, who is at least 18 years of age and is physically and mentally fit, regardless of sex, race, nationality or religion, has the capacity to fight and is ready to participate in armed struggle against the reactionary state power, may become a combatant or a member of a fighting unit of the New People’s Army.

Any person, not less than 15 years of age, may be admitted as a trainee or apprentice of the New People’s Army and may be assigned to self-defense, militia and other non-combat units and tasks.

In the event of enemy aggression against or encroachment on the territory of the people’s democratic

government, all persons above 15 years of age may be mobilized for self-defense, provided that priority among those below 18 years of age but more than 15 years of age shall be given to the eldest ones in the distribution of weapons of self-defense.

The foregoing amendment shall take immediate effect.

The New People's Army adheres strictly to the principles and instruments of international humanitarian and human rights law. We must expose as false and malicious the propaganda campaign of the enemy that the NPA is systematically recruiting children who are less than 15 years of age to become combatants.

We must denounce the enemy's practice of murdering children of less than 15 years of age and misrepresenting them as armed fighters of the NPA or kidnapping, torturing, intimidating and forcing them to say that they are NPA combatants and imprisoning them indefinitely and subjecting them to cruel and humiliating treatment.

We challenge the Manila government (GRP) to honor its own signature on the GRP-NDFP Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law and accede to the realization of the GRP-NDFP Joint Monitoring Committee where complaints may be presented or proceed directly to the appropriate international court of law and to complain against any alleged violation of the Geneva Conventions and Protocols I and II. ■

*ANNEX H-2*

**On the NPA's Alleged Mass  
Recruitment of Child Guerillas**

**Military Commission, Central Committee  
Communist Party of the Philippines  
August 30, 1999**

The revolutionary movement considers children and youth as social sectors that should be aroused, organized and mobilized for the revolution. Millions of children and youth, sons and daughters of workers, peasants and other exploited and oppressed people, are condemned by the decadent ruling semicolonial and semifeudal system to extreme poverty, slavery and a dark future.

They are further made to suffer by the current rabidly reactionary, puppet, anti-democratic and anti-masses US-Estrada regime. Under the policies of imperialist "globalization" and all-out denationalization, deregulation and liberalization – they and their fathers and mothers are brutally abandoned to the voracious appetite for superprofits of foreign monopoly capitalists and extortion by the local big comprador bourgeoisie and landlord classes. They are victimized by the widespread military operations of the AFP-PNP that are marked by forced evacuations, food and population control, indiscriminate bombardment and firing, illegal searches and arrests and other forms of fascist abuse and intimidation.

The revolutionary movement led by the Communist Party of the Philippines, the New People's Army in particular, is a young movement. It is the youth who are at their prime that constitute the vast majority of the revolutionary movement's cadres, members, officials and fighters. This is as it should be. It has been repeatedly proven by the country's history that it is the youth who are most open and interested in revolutionary change and advance. There is likewise a need for the youth's enthusiasm and their resolute faith in the future for perseverance in the struggle despite a myriad of suffering and trials. One significant victory of the Second Great Rectification Movement has been the revitalization of the youth's participation in the revolutionary movement and the noticeable growth in the number of new blood among the movement's full-time forces.

Along with this, the Party, the NPA and the movement as a whole are conscious of the particular status and needs of minors, especially children. The movement is made up of various types of organizations as well as military and non-military forces and participates in different types of activities and struggles both armed and unarmed, legal and illegal in the political, economic, cultural, organizational, health, military and other fields. Thus, even as they are tirelessly mobilized to participate in the revolution, minors are purposely removed from combat and military activities. Children are organized under the aegis of the revolutionary women's movement to provide special attention to their health and educational needs that have been grossly neglected by the reactionary ruling classes.

The revolutionary movement consciously abides by international laws and rules of war that prohibit the recruitment of children below 15 years of age for combat work. More, in 1988, the Political Bureau of the Party's Central Committee issued a clear decision stipulating that the NPA may only recruit persons who are 18 years old and older for its combat units. This issue, along with other issues related to the respect for human rights were included in the first phase of the peace talks between the GRP and the NDFP and the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) that has been approved and signed by both parties but which the Estrada regime has refused to implement.

While the Marcoses and the worst violators of human rights in the Philippines are being exculpated and allowed to return to power, the Estrada regime and its minions in the AFP and PNP are fabricating issues about supposed NPA violations of human rights through the alleged mass recruitment of child guerillas. Up to now, they have had nothing to show except for isolated cases in a few places, most of whom are victims of illegal arrest and have been falsely accused of being NPA members. The AFP and PNP have long had the practice of falsely accusing as NPA and planting firearms as "evidence" even on members of unarmed and nonmilitary mass organizations, including elements of the legal democratic movement. The Party and the NPA do not expect the reactionary and fascist US-Estrada regime to cease, but rather, to step up such vilification and intrigues while intensifying its militarist Oplan Makabayan that aims to end the armed conflict in the country with an iron fist.

Data prove that the NPA on the whole abides by international laws and rules on war that include the prohibition of the recruitment of children for combat. The Communist Party and the NPA have their own clear internal rules to implement this. On this occasion, the Party's Military Commission

and the NPA National Operational Command once again remind all commands and units of the NPA in different areas of the country to strictly ensure the implementation of the Party's policies and the NPA's rules on this matter.

Expose and resist the unbridled oppression and exploitation of the youth by US imperialism and the ruling comprador bourgeoisie and landlord classes!

Further arouse the youth for the revolution! ■

## *ANNEX I*

### **Rules in the Investigation and Prosecution of Suspected Enemy Spies**

Clear rules are needed in the investigation and prosecution of suspected enemy spies inside the Party and other revolutionary organizations.

While the people's war advances to a higher stage, US imperialism and the local reactionaries are becoming more persistent and clever in attempting to destroy the revolutionary movement from the inside and from the outside. Among the methods they are using is that of infiltrating spies into the Party, the people's army and the revolutionary mass organizations.

The identification and repudiation of enemy spies is a very sensitive task which requires prompt and decisive, but careful and precise steps. Rashness or hesitance could both harm the integrity and unity of the Party and the revolutionary movement.

The actual data show that the spies who have managed to penetrate the revolutionary ranks have done so one by one, at low level and are quickly discovered. In general, the damage they have made is still limited, although in some cases, severe. On the other hand, the damage already done by the panic and the excesses in combating enemy infiltration is by far greater.

That is why in our rules, matters connected to the rashness and excesses will be given more attention while being vigilant against hesitance and complacency.

In formulating these rules, it is our aim to translate into clear policies and methods the lessons summed up from our previous experiences in combating enemy spies. In this way, past mistakes will be avoided and the investigation and prosecution of suspected spies will be further developed.

#### **I. General Principles and Methods**

1. Trust in the Party and strictly safeguard the mutual trust among Party members and the trust of the masses in the Party and the revolution. Combat whatever thinking, speech or actions that might destroy this.

2. Security tasks and considerations should always be weighed against and aligned with considerations and needs of politics and justice. Combat the purely military treatment of security matters.

The main and most effective protection of the Party against infiltration by enemy spies is ceaseless ideological, political and organizational strengthening and the prompt rectification of mistakes and shortcomings.

3. When someone has been identified and proven to be a spy who has infiltrated the revolutionary ranks, he should be promptly controlled and removed from a position where he could do damage to the Party and the revolution. Nevertheless, the investigation, prosecution and judgment of suspected enemy spies should be strictly based on and in accordance with scientific principles and methods. The offense should be clearly proved based on sufficient evidence. Each decision and step should be firmly based on sufficient and verified data.

4. Abide by democratic centralism. Decisions and judgments should be made under the firm leadership of appropriate Party committees. The rights of Party members, especially those under suspicion, should be strictly respected and safeguarded. Combat arbitrariness.

5. Be prudent, weigh all sides, and maintain firm control over each step. Do not make impulsive decisions and actions. Do not panic.

## II. Checkup on Security

1. The revolutionary integrity, qualifications and development of Party members are periodically examined within normal Party structures through ideological, political and organizational self-evaluations as well as unit evaluations, which are done orally or with the help of written notes which can be destroyed immediately after use.

2. A higher Party organ can decide to authorize a committee or group to conduct a checkup of a lower unit in relation to a security problem. But it should be ensured that such a committee or group is composed of cadres who are experienced, judicious and who know the history and situation of the units and cadres covered by the checkup. The scope and limits of their authority and functions should also be clearly defined.

3. No overall security checkup will be permitted if it will create widespread doubts and mistrust which will destroy the trust within the Party and among the ranks of the masses, destroy the trust of the masses on the Party and the revolution, and paralyze, destroy and obstruct the normal functioning of the Party or whatever Party unit which is otherwise healthy in the main.

4. No Party member's status, position and task shall be changed or put in doubt or into question just because he is included in an overall security checkup and without sufficient basis and clear reason.

5. In security checkups, clearly and strictly distinguish security incidents and questions from ordinary disciplinary incidents and questions. When there is no sufficient and clear basis, violations of discipline should not be mistaken for or suspected as deliberate sabotage of the Party and the revolution.

6. No order will be issued for the collection and storage of biodata and written evaluations which will reveal the real identity of Party members if these papers fall into the hands of the enemy.

7. A security checkup should be conducted within a definite period of time which should be immediately followed by the submission of a report to and discussion by the committee which ordered the checkup, the making of whatever appropriate decision and the taking of additional steps, and the formal conclusion of the checkup.

### **III. Pre-arrest Investigation**

1. A member or unit of the Party can be put under security investigation when there is a reasonable ground to engender a well-founded belief that they are possible enemy agents, based on acts of omission or commission, inconsistent information on the record, inconsistent actions, circumstantial evidence, and other clues. The decision to conduct a security investigation should be made by the appropriate Party committee, which should not be lower than a provincial committee. Nevertheless, the initiative of all Party cadres and units to investigate whatever incident(s) that may be security-related, which is not yet at the level of counter-intelligence and investigation of a suspected spy, continues to be permitted and encouraged.

2. The aim of pre-arrest investigation is to gather more evidence and verify evidence in order to firmly establish probable cause on the guilt or innocence of the suspect, to make an exact assessment of the danger to security and to identify co-conspirators and links of the suspect, if any.

3. It is the duty of the Party committee which decided on the security investigation to conduct, as far as it can, a most wide-ranging and most deep-going investigation in the shortest possible time. In each order for investigation, the deciding Party committee should clearly state the bases, particular objectives, scope and duration of the investigation, as well as a schedule for periodic assessments of its conduct.

4. Safeguard the investigation and keep it secret.

5. The investigation is not complete if no full consideration is given to evidence tending to prove guilt, as well as evidence tending to prove unwillful cooperation with the enemy or outright innocence. Information should be obtained from Party members who know the most about the

suspect, including those who recommended him to become a Party member, those who verified his record and application for Party membership, and those who became close to him for a relatively long period of time.

Methods to be used in investigation could be checkup and verification of records and reports, getting of testimony for or against the suspect, surveillance and counter-surveillance, intelligence and counter-intelligence.

6. The status, position and rights of a Party member who is subjected to a security investigation shall remain. Nevertheless, his knowledge of Party secrets could be restricted while the investigation is not yet concluded.

7. Every pre-arrest investigation should be officially concluded by the submission of a report of the results, its being discussed and deliberated upon and the making of the appropriate decisions by the Party committee which ordered the investigation, and a clear declaration on the termination of the investigation.

8. Pre-arrest investigation could lead or not lead to the arrest of the suspect. Arrest will not be made if there is no probable cause of guilt or there is no evidence showing probable guilt. Arrest of the suspect could also be delayed in order to gather more evidence, to undertake more counter-intelligence work, or in order to avoid consequences of the arrest which would be harmful to the Party and the mass movement.

#### IV. Arrest

1. The suspect or suspects will be arrested for investigation and to answer whatever possible charges when probable cause of guilt or strong evidence of probable guilt is established.

2. The order for the arrest of suspected enemy spies shall be made by the Party committee higher than the unit to which the one to be arrested belongs and which shall be no lower than the level of regional Party committee, after meticulous and thorough analysis of the evidence and proven information relevant to the case. The order of arrest, together with supporting papers, should be submitted immediately for review by the next higher Party committee.

3. Do not make an arrest impulsively. Aside from thoroughly weighing the strength of the case and the evidence, it is also necessary to fully take into consideration the advantages and disadvantages of arresting and not arresting, based on possible effects inside the organization, on the masses and allies, implications on the tasks and struggles being advanced, and the capacity of the organization to administer the person to be arrested and the attendant process of trial.

4. Even without an order from the appropriate Party committee, a lower Party committee, people's army unit or mass organization can arrest a suspected enemy spy caught about to commit, is committing or has just committed an act of sabotage or in the act of cooperating with the enemy, or who has escaped from detention.

In such a case, it is the duty of the unit which made the arrest to immediately report to the higher organ of the Party or the people's army, and to hold and take care of the person arrested as well as all the evidence until passed on to the appropriate Party committee.

5. An appropriate Party committee can order the arrest of a Party member who has just recently been transferred from its jurisdiction. However, the Party committee currently having jurisdiction over such member has to give its consent.

6. So-called preventive arrest is prohibited. Arrest based on mere suspicion without firm evidence is prohibited even if the stated aim is to ensure the security of the Party and the revolution.

7. The use of reasonable force is allowed only when necessary and just to effect the peaceful arrest of a suspect. Maltreatment and debasement of the person being arrested is absolutely prohibited.

8. Whenever possible, choose an arresting officer who is known to the person to be arrested. The order of arrest should be shown to the person being arrested and he should be informed of the crime for which he is being charged, as well as the rights of arrested and accused persons which are set forth in these rules.

9. It is the duty of the Party committee having jurisdiction over the arrest and trial to designate at the earliest possible time a defense counsel for the person arrested and to set the schedule for trial. They should also ensure to safeguard the safety, physical and mental health and political education of the detained person.

There is always the possibility that the person arrested will be proven innocent. It is necessary to maintain the trust of the arrested person on the Party when he is proved innocent.

10. The designated defense counsel for the arrested person has the right to visit and talk to the latter so that they can organize the defense at the trial.

11. Selected relatives of the arrested person may be permitted to visit if allowed by the security situation and subject to the decision of the Party committee having jurisdiction.

## V. Post-arrest Investigation

1. It is assumed that when an order of arrest is made, there is probable cause and the strength of the case and the evidence is sufficient to prosecute and try the suspect. Nevertheless, post-arrest investigation shall continue in order to gather more evidence, to further tighten the case for submission to the people's court and to obtain more information in order to find out the entire extent of the crime and all the active and conscious co-conspirators involved.

2. Torture is violative of revolutionary policies on humane treatment of prisoners. It is absolutely prohibited. Judgment and sentencing after guilt has been proven is the prerogative of the people's court and not that of the investigators and the jailors.

3. Be good in the maximum gathering of concrete data and evidence before making an arrest and in using such information to elicit more facts and admissions from the person being interrogated. Avoid methods which would make the person being interrogated lie in order to save himself from death, harm and debasement.

4. Carefully select interrogators based on their high political consciousness, maturity, skill in interrogation, and knowledge of the person being interrogated and the crime charged against him.

5. All the information obtained through interrogation should pass through evaluation by a council of responsible cadres. Important information should be promptly verified and counterchecked against actual events and data confirmed to be true.

The evaluation should ensure that the information received are true, reliable and not tainted by lies or disinformation. Innocent or guilty, a suspect could be telling the truth, half-truths and lies. There are different motives that could impel a suspect to lie, especially when he is subjected to many physical and mental pressures.

6. Thoroughly investigate, verify and weigh the truth of the testimony, statements or allegations of suspects being interrogated which implicate or cast suspicion on others before making any new arrest.

7. All information obtained through interrogation should be strictly kept secret. Knowledge of such should be strictly limited to those directly involved in the investigation, those involved in the evaluation and to the appropriate Party committee. Unauthorized dissemination or transmission of information obtained from the interrogation is strictly prohibited.

8. Every official transmission of information to the proper Party committee should state all the necessary details, evaluation of each item of

information, conclusions and recommendations. Transmission of information that did not go through the appropriate evaluation and verification is prohibited. Avoid erratic and incomplete transmission of information concerning security.

## **VI. Trial and Judgment**

1. Based on firm evidence and probable cause of guilt, the detained suspect should be brought before the people's court. A swift and speedy trial is necessary especially after the suspect has given all the important information that he can give.

2. The accused Party member remains a member of the Party while he is not proven and judged guilty beyond reasonable doubt. However, the exercise of his rights as a member of the Party are suspended. He shall enjoy the following rights of an accused person:

- a. To be presumed innocent until proven guilty;
- b. To be informed of the charges and evidence against him;
- c. To avail of the services of a defense counsel/lawyer or else to defend himself, if he chooses to;
- d. To have his side heard by the Party organ or people's court trying him and to confront his accusers and the witnesses against him, except when there is an overriding security consideration which does not allow it;
- e. To call witnesses to tell the truth;
- f. The right against self-incrimination; and
- g. The right to appeal to the highest organs of the Party or people's court.

The Party committee having jurisdiction shall ensure that the rights of the accused are respected. They shall also ensure that the accused is given sufficient time and opportunity to study the charges and the evidence against him and to organize his defense.

3. The process of trial shall consist of the following parts: the reading of the charge; the plea of the accused; the lining up of evidence and of proven events; the presentation of the accusations, evidence and witnesses by the prosecution; the presentation of the defense, evidence and witnesses by the defense; counter-arguments; and judgment.

4. Get the best available advice from comrade lawyers about investigation, the process of trial, evaluation of evidence and judgment. If there is no comrade lawyer who could attend the trial, ensure that the judges as well as the advisers to the prosecutor and the defense, although they have

not gone to law school, are guided by the political leadership of the Party and by the legal expertise of comrade lawyers.

5. The people's courts are judicial tribunals which are formed by the central and regional committees or committees duly-authorized by them. The judges, who shall not be less than five, shall constitute a council of judges and shall have equal powers.

6. The authorized Party committee shall form the council of judges and shall ensure that its members know how to appreciate evidence, are open-minded and capable of weighing all sides, and ready to judge cases against or in favor of the accused. Whoever has direct personal interest in the case shall not be designated as a judge.

The competence of the court to render justice in the case can be questioned and brought for review by the accused. If, after review, the Party committee having jurisdiction decides that the existing council of judges is competent, the trial shall continue until the case is decided. The matter of competence of the court can be attached to an appeal of the decision to the higher Party organ or people's court.

7. The council of judges should clearly distinguish true, relevant, reliable, proven and admissible evidence from false, irrelevant, unreliable, unproven and inadmissible evidence.

8. Witnesses can only testify to events and things within their direct personal knowledge or experience. Hearsay testimony is inadmissible.

9. In order to prove the guilt of the accused beyond reasonable doubt, all acts and essential elements in the commission of the crime charged should be proved with sufficient certainty and based on evidence. Circumstances which might mitigate or aggravate the liability of the accused must also be considered and weighed.

## **VII. Penalties and Other Steps Against Enemy Spies**

1. Infiltrator spies and informers or assets of the enemy inside the Party and revolutionary organizations who have inflicted big damage to the revolution and the masses and have been found guilty beyond reasonable doubt, shall be given the death penalty. The death penalty needs the unanimous decision of the whole council of judges.

2. Informers who have not inflicted damage or who have only inflicted little damage, are cooperating in destroying the espionage machinery of the enemy, and are ready to reform shall be put under reeducation, hard labor and the supervision of the masses in an appropriate place. The convicted

informer can also be put in exile, if he cannot be detained, after making sure that he can no longer cause damage to the revolution and the masses.

3. Enemy spies who have voluntarily surrendered and are ready to cooperate in destroying the espionage machinery of the enemy may be pardoned upon decision by a Party committee which shall not be lower than the level of regional committee.

4. The decision to arrest, the judgment of guilt and the sentence of death shall be reviewed by the next higher Party organ. The order of arrest can be carried out even before the review by the higher level. The death sentence needs the review and confirmation by the higher level before being carried out.

5. Avoid wide scale arrests of suspected enemy spies and wide scale executions of those proven guilty after trial by a people's court, which could harm the peace of mind of and mutual trust among Party members, officers and soldiers of the people's army, members of mass organizations, and the people in the guerilla bases and zones, and which could be used by the enemy in order to discredit, cause division and sow bloody intrigue against the revolutionary movement.

6. When there are several suspects in the legal mass movement to be arrested, however grave their guilt may seem and the danger they may be posing, the very existence of legal organizations and institutions might be put in danger. Most of the suspected enemy agents in legal mass organizations and institutions should be ensnared through political and organizational steps in order to remove them and preserve the integrity and leadership of Party groups.

### **VIII. Violations of Policies and Rules in the Investigation and Prosecution of Suspected Enemy Spies**

1. Serious violations of the rights of Party members and of policies and rules in the investigation and prosecution of suspected enemy spies shall be meted the appropriate disciplinary action where normally the most severe is demotion and suspension from Party membership.

2. Serious violations of democratic centralism in the investigation and prosecution of suspected enemy spies, like the illegal usurpation and use of the authority of the appropriate Party committees, shall be meted disciplinary action ranging from suspension to expulsion from the Party.

3. Serious violations of rules on secrecy shall be meted the disciplinary action of demotion from one's position up to suspension from Party membership.

4. Extraordinary cases of widescale and unconscionable violation of the rights of Party members, of democratic centralism and of the policies and rules in the investigation and prosecution of suspected enemy spies, which cause big damage to the Party organization, the masses, and the relation of the Party to the masses shall be meted the penalty of expulsion from the Party. Moreover, grave crimes against innocent individuals, the masses and the revolution shall be tried by the people's court and meted the penalty of up to death.

5. Grave cases of taking advantage of the struggle against enemy spies for personal gain shall be meted the penalty of expulsion from the Party. Grave cases of taking advantage of individuals and the masses shall be tried by the people's court and shall be meted the penalty of up to death.

Approved by:  
Political Bureau  
Central Committee  
December 1989

*ANNEX J*

**Sample Order of Release  
of Prisoner of War**



**National Democratic Front of the Philippines  
NDFP Negotiating Panel**

BY VIRTUE of the power delegated to me by the National Executive Committee of the National Democratic Front of the Philippines (NEC-NDFP),  
IN BEHALF of the Communist Party of the Philippines (CPP), the New People's Army (NPA) and organs of political power concerned,  
IN COMPLIANCE with the Geneva Conventions of August 12, 1949 and Protocol I thereto,

PURSUANT TO the formal request of the Government of the Republic of the Philippines (GRP) and the bilateral discussions and agreement following such request between representatives of the GRP and the NDFP, and

IN MY CAPACITY as Chairperson of the NDFP Negotiating Panel in the GRP-NDFP Peace Negotiations

I HEREBY ORDER the release of the Prisoner of War \_\_\_\_\_, a member of the military / police forces of the GRP whose personal data are as follows:

Name of Prisoner \_\_\_\_\_

Serial Number \_\_\_\_\_

Rank, Branch of Service and Unit \_\_\_\_\_

Sex \_\_\_\_\_

Date and Place of Birth \_\_\_\_\_

(Circumstances of arrest, current conditions of detention and status of health.)

The release of the above-named Prisoner of War is hereby being ordered after due consideration of the following:

1. after the capture of the prisoner, he has been investigated by responsible organs of the Detaining Power and sufficient evidence has been established which would have warranted his prosecution for serious crimes committed against the Filipino people. However, he has expressed remorse for his offenses and has voluntarily pledged to the revolutionary organs concerned to desist from committing further crimes against the people and the revolutionary forces;

2. his release is being ordered in compliance with the NDFP's long-standing policy of lenient treatment of prisoners of war and its Declaration of Undertaking to Apply the Provisions of the 1949 Geneva Conventions and Protocol I thereto dated July 5, 1996 which was deposited with the Swiss Federal Council as official depositary of said instrument; and

3. the order of release is an act of goodwill and confidence-building measure to promote the GRP-NDFP Peace Negotiations and to enhance reciprocal measures from the GRP.

Utrecht, The Netherlands, (date) \_\_\_\_\_.

On behalf of the NDFP.

LUISG. JALANDONI  
Chairperson, NDFP Negotiating Panel

Received for Implementation

Custodian  
Military Command of the New People's Army

By: \_\_\_\_\_

Date: \_\_\_\_\_







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