

**THE COMMUNIST INSURGENCY IN THE PHILIPPINES:  
TACTICS AND TALKS**

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## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY .....</b>	<b>i</b>
<b>I. INTRODUCTION .....</b>	<b>1</b>
<b>II. GROWTH OF THE INSURGENCY .....</b>	<b>3</b>
A. A MOVEMENT TAKES SHAPE, 1968-1978 .....	3
B. GATHERING STEAM, 1978-1986 .....	4
C. TURNING POINTS, 1986-1992 .....	5
D. SPLINTERING AND CONSOLIDATING, 1992-PRESENT .....	7
<b>III. GLIMPSES INTO THE CONFLICT.....</b>	<b>10</b>
A. DAVAO .....	11
1. Military strategy.....	11
2. NPA activities .....	12
3. Pressure on <i>lumad</i> communities .....	15
B. CARAGA .....	16
1. The military, the NPA and other armed groups .....	17
2. Companies, resources and the NPA .....	18
3. Displacement and violence in tribal communities .....	21
C. NEGROS .....	22
1. NPA and military clashes.....	23
2. Targeting of companies.....	24
3. Summary executions.....	24
D. NO DEFEAT THROUGH COUNTER-INSURGENCY OPERATIONS .....	25
<b>IV. PROSPECTS FOR NEGOTIATIONS.....</b>	<b>26</b>
<b>V. CONCLUSION .....</b>	<b>29</b>
<b>APPENDICES</b>	
A. MAP OF THE PHILIPPINES.....	30
B. ABOUT THE INTERNATIONAL CRISIS GROUP .....	31
C. CRISIS GROUP REPORTS AND BRIEFINGS ON ASIA SINCE 2008 .....	32
D. CRISIS GROUP BOARD OF TRUSTEES.....	34

## THE COMMUNIST INSURGENCY IN THE PHILIPPINES: TACTICS AND TALKS

### EXECUTIVE SUMMARY

The Philippine government is unable to control and develop large parts of the country because of the longstanding communist insurgency. The conflict has lasted more than 40 years and killed tens of thousands of combatants and civilians. Planning their attacks and securing weapons and funds locally, the insurgents have strong roots in the different regions where they operate and have proved hard to defeat. The government's counter-insurgency strategy has diminished their numbers but has not been able to destroy the organisation. Neither side will win militarily. As peace negotiations resume under the Benigno Aquino administration, the parties to the talks should immediately commit to making existing human rights monitoring mechanisms work, while they try to reach the more difficult long-term goal of a durable political settlement.

The Communist Party of the Philippines (CPP) and its New People's Army (NPA) launched their armed struggle against the Philippine government in 1968. The organisation was strongest in the 1980s, as the repressive government of Ferdinand Marcos fell and was replaced by the Cory Aquino administration. The insurgency had become a social movement, with an array of above-ground groups intertwined with an underground guerrilla army. Counter-insurgency operations coupled with an internal split crippled the organisation and cost it many of its supporters in the early 1990s. By 2000, the CPP-NPA had regained strength and has since proved remarkably resilient. It remains active in mountainous and neglected areas countrywide. Without altering its communist ideology, the organisation set up political parties that successfully stood for congress and re-engaged in peace negotiations with Gloria Macapagal-Arroyo's government. Talks fell apart in 2004, and the Philippine military intensified operations against the guerrillas but failed to wipe them out by June 2010, when President Benigno "Noy" Aquino was sworn into office.

The NPA has fewer than 5,000 fighters, but it still has supporters and is recruiting new members, securing weapons and launching ambushes across the archipelago. It justifies its actions, including extrajudicial killings of "enemies of the people", in ideological terms. The NPA remains a seri-

ous threat to soldiers, police and anyone it considers a military informant or collaborator, even though recruitment of highly educated cadres is difficult and crucial mid-level commanders are hard to replace. Hundreds die in the conflict every year, including more than 350 NPA regulars and government security forces in 2010.

The Philippine military has failed to defeat the NPA. Senior commanders feel they do not have sufficient resources and so rely on tribal militias and paramilitary forces. These groups are often poorly supervised and commit abuses. The counter-insurgency strategies used by successive governments have combined military operations and intimidation of communities with development work, yielding few results and often proving counter-productive.

The insurgency has effects far beyond the remote villages where guerrillas and soldiers snipe at each other. The CPP's use of "front organisations" that organise for and channel funds to their comrades underground has made leftist activists targets of military and paramilitary retaliation, resulting in a spate of extrajudicial killings over the past ten years. The conflict has fragmented the left in a country sorely in need of a unified challenge to the stranglehold powerful families have on political office at all levels. "Revolutionary taxes" on businesses discourage investment and permit the rebels to skim profits from resource-rich but impoverished areas.

Resolving the CPP-NPA conflict has often taken a back seat to efforts to reach a political settlement with the Moro Islamic Liberation Front (MILF) and is frequently neglected by the international community. But for many Filipinos, the communist insurgency is more immediate, as most have relatives or friends who were once involved or were sympathisers themselves in the 1970s or 1980s. Meanwhile, the Philippine government and donors have tried to address problems in Muslim Mindanao, even though the CPP-NPA is responsible for a considerable amount of the violence plaguing the island. The "Mindanao problem" will not be solved by focusing on Muslim areas alone.

The Aquino administration's decision in October 2010 to revive negotiations with the CPP-NPA was welcome, but it is unclear where talks will lead. Informal discussions in December 2010 yielded the longest holiday ceasefire in ten years, and formal negotiations are scheduled to begin in February 2011. Historically, talks have been a tactic for the CPP-NPA, which remains committed to overthrowing the Philippine government. Most of the organisation's senior leaders are now in their 60s and 70s, some reportedly in poor health. Many have devoted their entire lives to the cause, and a few may be eager to see a settlement within their lifetimes. But there are reports of tensions at the top that could have the potential either to derail peace talks or to deepen internal rifts. The Aquino administration's pursuit of a political settlement also entails a dramatic change for the army, which has had the green light to pursue the NPA militarily for many years. The government needs to ensure that it has full support not only from all ranks of the army, but also from police and paramilitary forces for its new internal security plan.

**Jakarta/Brussels, 14 February 2011**

## THE COMMUNIST INSURGENCY IN THE PHILIPPINES: TACTICS AND TALKS

### I. INTRODUCTION

The communist insurgency in the Philippines has continued so long it has ceased to receive the attention it deserves. The international community and many in the Philippine government have been much more concerned about armed rebellion in the Muslim south because of the higher level of violence, the potential threat to the country's territorial integrity and the occasional links to international terrorism.<sup>1</sup> But some in the Armed Forces of the Philippines (AFP) continue to see the Communist Party of the Philippines (CPP) and its New People's Army (NPA) as the bigger threat, and the 42-year-old conflict provides a justification for an array of paramilitary forces and militia groups that complicate prospects for peace in Mindanao.<sup>2</sup>

The NPA continues to kill hundreds each year, 187 soldiers, police and paramilitaries in 2010, without including tribal leaders, local politicians and civilians who also die in the conflict.<sup>3</sup> The CPP-NPA is most active in moun-

tainous and typhoon-hit areas. It is strongest in Central and Northern Luzon, CALABARZON,<sup>4</sup> Bicol, Eastern Visayas, Negros Occidental and eastern and southern Mindanao (Caraga, Davao and the Compostela Valley).

The military insists the NPA is in irreversible decline. At the end of 2010, it claimed the total number of fighters was down to 4,111 compared to 4,702 one year before and said that three of the insurgency's 51 guerrilla fronts had been dismantled.<sup>5</sup> In a 26 December 2010 statement, however, the CPP insisted the movement was stronger, not weaker; reiterated that it was preparing to move from "strategic defensive to strategic stalemate"; and called for an increase in the number of full-time NPA fighters.<sup>6</sup>

Continuing clashes indicate the conflict is far from over. Ambushes net the guerrillas weapons and prove they are not a spent force. A March 2010 attack in Oriental Mindoro, which is not known as an NPA stronghold, killed eleven soldiers.<sup>7</sup> Despite the NPA's frequent assertions that it respects international humanitarian law and does not target non-combatants, attacks in northern Samar, Eastern Visayas in December 2010 killed two children.<sup>8</sup>

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<sup>1</sup> Previous Crisis Group reporting on these issues includes Crisis Group Asia Reports N°80, *Southern Philippines Backgrounder: Terrorism and the Peace Process*, 13 July 2004; N°110, *Philippine Terrorism: The Role of Militant Islamic Converts*, 19 December 2005; N°152, *The Philippines: Counter-insurgency vs. Counter-terrorism in Mindanao*, 14 May 2008; and Crisis Group Asia Briefings N°83, *The Philippines: The Collapse of Peace in Mindanao*, 23 October 2008; N°88, *The Philippines: Running in Place in Mindanao*, 19 February 2009; N°98, *The Philippines: After the Maguindanao Massacre*, 21 December 2009; and N°103, *The Philippines: Pre-election Tensions in Central Mindanao*, 4 May 2010.

<sup>2</sup> The third arm is the National Democratic Front (NDF), which is responsible for forging alliances to build a "united front". In this paper, NPA and CPP are primarily used, given the focus on the armed aspect of the conflict. National Democratic Front of the Philippines (NDFP) is used when referring specifically to the panel that negotiates on behalf of the organisation.

<sup>3</sup> Another 325 state security forces were wounded. Crisis Group email communication, senior military officer, 28 January 2011. The U.S. State Department's 2009 human rights report said 132 members of the armed forces were killed by the NPA, while the army and the police together killed 241 NPA. See [www.state.gov/g/drl/rls/hrrpt/2009/eap/136006.htm](http://www.state.gov/g/drl/rls/hrrpt/2009/eap/136006.htm). Over the course of the conflict, more than 40,000 have died. According to military

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statistics from 1984 to 2004, the death toll was 37,407 (10,140 police and military; 17,663 NPA; and 9,604 civilians). Carolina Hernandez, "Institutional Responses to Armed Conflict: The Armed Forces of the Philippines", background paper prepared for the Human Development Network Foundation, 2005, table 2.

<sup>4</sup> This consists of Cavite, Laguna, Batanas, Rizal and Quezon provinces.

<sup>5</sup> "AFP: Weaker NPA, ASG; MILF contained in 2010", ABS-CBN News, 31 December 2010. In 2010, 177 NPA were killed, 184 captured and 340 surrendered. Crisis Group email communication, senior military officer, 28 January 2011.

<sup>6</sup> "Fulfil the requirements for the advance of the people's war from the strategic defensive to the strategic stalemate", CPP Central Committee, 26 December 2010. The CPP says it is present in 800 municipalities in 70 out of 80 provinces. "Not a single guerrilla front dismantled in 2010 – CPP", CPP Information Bureau, 4 January 2011.

<sup>7</sup> "11 soldiers dead in NPA ambush in Oriental Mindoro", *Daily Inquirer*, 6 March 2010.

<sup>8</sup> "Reds defend deadly Samar ambush", *Daily Inquirer*, 18 December 2010; "2 more soldiers in river ambush found alive", *Leyte Samar Daily Express*, 11 December 2010. The group issued a statement about these attacks in January: "NPA under-

The CPP-NPA also summarily executes “enemies of the people”, who they say were condemned by “people’s courts”.

There are different drivers to the conflict in different areas. In parts of Davao in southern Mindanao, a key factor is the government’s neglect of indigenous communities and the organisation’s ties to small-scale local miners who oppose larger mining companies. In north-eastern Mindanao, abusive behaviour by tribal militias and hired goons makes the NPA seem reasonable and disciplined. In Negros, the failure to reform the hacienda system, under which planters own huge swathes of land, means that its agrarian reform rhetoric still resonates.

Mindanao is a particularly contested area. In 2010, the NPA said it launched 250 attacks on the island and killed around 300 soldiers.<sup>9</sup> It has long been firmly rooted there for similar reasons that the Muslim nationalist insurgencies have flourished. While donors have lavished attention on Muslim-majority areas, particularly since the 11 September 2001 terrorist attacks in the U.S., the same problems of poor governance, economic marginalisation and lack of services exist in upland areas of eastern and southern Mindanao where the NPA recruits.<sup>10</sup> The NPA considers the MILF a “revolutionary force”, and the two have had a tactical alliance since 1999.<sup>11</sup> The CPP-NPA

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taking steps to prevent civilian casualties”, CPP Information Bureau, 5 January 2011.

<sup>9</sup> “300 troops killed by NPA in 2010”, *Manila Bulletin*, 27 December 2010. The U.S. State Department’s humanitarian information unit concluded that between June 2008 and June 2010, the NPA was responsible for 32 per cent of “conflict incidents” in Mindanao, compared to the MILF, which was responsible for 25 per cent. See [www.operationspaix.net/IMG/pdf/HIU\\_ConflictsWithoutBorders\\_MindanaoPhilippines\\_July2008June2010.pdf](http://www.operationspaix.net/IMG/pdf/HIU_ConflictsWithoutBorders_MindanaoPhilippines_July2008June2010.pdf).

<sup>10</sup> The Autonomous Region of Muslim Mindanao has the highest rate of poverty on Mindanao, which partly accounts for donor focus. Funding increased and broadened after 2001. For example, U.S. Agency for International Development (USAID) assistance to Mindanao jumped from \$18.9 million in 2001 to \$42.3 million in 2002. See USAID statistics at [http://pdf.usaid.gov/pdf\\_docs/PDACF583.pdf](http://pdf.usaid.gov/pdf_docs/PDACF583.pdf). See also the paper by Eduardo Climaco Tadem, “Development and Distress in Mindanao: A Political Economy Overview”, March 2010, available at [www.moroherald.com/development-and-distress-in-mindanao-a-political-economy-overview/](http://www.moroherald.com/development-and-distress-in-mindanao-a-political-economy-overview/).

<sup>11</sup> In an interview with Crisis Group, the chair of the NDFP negotiating panel, Luis Jalandoni, explained that NPA and MILF fighters retreat into each other’s territory and cooperate on human rights matters. The NPA, however, believes the Moro National Liberation Front (MNLF) “sold out” in its 1976 and 1996 deals with the government. See also Soliman Santos, “Interrelationship of the Mindanao Peace Process and the Communist Front of War and Peace: Initial Notes and Thoughts”, July 2009, available at [www.sulongnetwork.ph](http://www.sulongnetwork.ph). The NPA and MILF

has a dedicated Moro committee but has been largely unsuccessful in recruiting Muslims.<sup>12</sup> In North Cotabato, the two are active only a couple of barangays (villages) apart and have launched operations against the same targets at different times.<sup>13</sup> However, the communists take a dim view of the MILF’s long-term ceasefire with the government, perhaps because it frees up military resources to focus on the NPA.<sup>14</sup>

This rationale is also guiding the Aquino administration’s strategy in pursuing peace talks with both the NPA and the MILF.<sup>15</sup> According to a senior government official, the priority is to reach agreement with the MILF first. This would make the threat of military operations against the NPA more credible, thus increasing pressure on the Netherlands-based panel that negotiates on behalf of its armed comrades. Although questions remain about the authority of the panel – comprised of exiled party leaders, including ideologue and founder Jose-Maria Sison – over the ranks of the CPP-NPA, the government believes that if the tide is clearly turning against the organisation, it will lose support, become irrelevant and cease to pose a military threat, regardless of whether a political settlement is possible.<sup>16</sup>

This report offers a broad overview of the evolution of the CPP-NPA, its current operations and the prospects for a negotiated settlement. The focus is the armed aspect of the conflict, especially in Mindanao and Negros. Interviews were conducted in Manila, Mindanao and Negros Occidental with a wide range of individuals. Crisis Group also met the organisation’s negotiating panel based in Utrecht, the Netherlands.

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swapped bomb-making skills, until the MILF gained greater technical expertise from men linked to Jemaah Islamiyah. Crisis Group interview, military officer, Cotabato, 5 February 2011.

<sup>12</sup> The Moro Resistance and Liberation Organisation is listed as an NDF-allied organisation on [philippinerevolution.net](http://philippinerevolution.net). See Thomas M. McKenna, “‘Mindanao Peoples Unite!’ Failed Attempts at Muslim-Christian Unity”, in Rosanne Rutten (ed.), *Brokering a Revolution: Cadres in a Philippine Insurgency* (Manila, 2008), pp. 124-143.

<sup>13</sup> Crisis Group interview, civil society activist, Davao, 14 August 2010. In September 2010, the NPA raided a banana plantation reportedly linked to former North Cotabato governor Manny Pinol. In May 2009, the MILF had attacked the plantation, burning down buildings. “NPA rebels raid banana plantation in North Cotabato”, *Mindanews.com*, 16 September 2010.

<sup>14</sup> Crisis Group interview, NDFP negotiating panel, Utrecht, 16 September 2010.

<sup>15</sup> After a delay of several months, the MILF and government negotiating teams met informally in January 2011 in Kuala Lumpur.

<sup>16</sup> Crisis Group interview, senior government official, Manila, 10 February 2011.

## II. GROWTH OF THE INSURGENCY

The trajectory of the CPP-NPA is one of steady growth until the end of the Marcos dictatorship in 1986; rapid decline during the early to mid-1990s; and resurgence until the early 2000s. In the past ten years, it has organised political parties that won seats in congress, pursued peace negotiations intermittently and hit back against an intensified counter-insurgency campaign during the final years of the Arroyo administration. Today, it faces challenges that include declining support from the middle class and difficulties in recruiting highly educated cadres.

### A. A MOVEMENT TAKES SHAPE, 1968-1978

The CPP was founded in December 1968 by Jose Maria Sison.<sup>17</sup> From a well-off family in Northern Luzon, Sison became a student activist in Manila in the early 1960s and joined the existing communist party, the Partido Komunista ng Pilipinas (PKP). After criticising the PKP leadership, Sison was expelled and set up the CPP. Its armed wing, the NPA, was created in 1969.<sup>18</sup>

The CPP's "revolutionary bible", *Philippine Society and Revolution*, drew heavily on Maoist thought and characterised Philippine society as semi-colonial and semi-feudal.<sup>19</sup> The solution to the country's three basic problems – U.S. imperialism, bureaucratic capitalism and feudalism – was the people's democratic revolution, to be carried out through a "protracted people's war" of surrounding the cities from rural bases in the countryside. The revolution would be rooted in the peasantry.<sup>20</sup>

Shortly after President Marcos's 1969 re-election, inflation, corruption and student protests combined to unleash a series of street battles in Manila known as the "First Quarter Storm". Over the next two years, the CPP effort to assert itself within the left was helped by Marcos and the military, who played up the communist threat to justify repression.<sup>21</sup> After Marcos declared martial law in September 1972, it became harder to organise in the cities, and tens of thousands of regime opponents were arrested. Forced underground, urban party activists moved to the countryside and the NPA's base areas. Some eventually became guerrillas.<sup>22</sup>

Starting with 60 fighters and 35 rifles, the NPA during the 1970s focused on building support among peasants and devising strategies for expansion. Although the CPP activists sent out from Manila had initially struggled to mobilise peasants and farmers behind the NPA, martial law helped them forge alliances with local community leaders, members of the Catholic Church and unions.<sup>23</sup>

In 1974, Sison wrote "Specific Characteristics of Our People's War", which established the "policy of centralised leadership and decentralised operations".<sup>24</sup> Party cadres and guerrillas were to disperse across the islands and operate from the mountains, particularly the border areas between provinces, from which attacks could be launched in multiple directions. Guerrilla units were to be self-reliant and not over extend themselves. Tactical offensives were to be restricted to ambushes against small numbers of police or military.

Decentralised operations ensured the group's survival after a wave of arrests, including of Sison in 1977.<sup>25</sup> In 1978, the CPP had its first major internal debate over electoral participation. Whereas the CPP leadership argued for a

<sup>17</sup> For Sison's own account of his role in the revolutionary movement, see Jose Maria Sison with Rainer Werning, *The Philippine Revolution: The Leader's View* (New York, 1989). For a critique of the original manuscript, see Patricio N. Abinales, "Jose Maria Sison and the Philippine Revolution: A Critique of an Interface", *Kasarinlan: Philippine Journal of Third World Studies*, 8, no. 1 (1992).

<sup>18</sup> The NPA was led by Bernabe Buscayno ("Commander Dante"). Sison had been introduced to Buscayno through opposition Senator Benigno Aquino, the father of the current president. Patricio N. Abinales and Donna J. Amoroso, *State and Society in the Philippines* (Oxford, 2005), p. 202.

<sup>19</sup> It was drafted by Sison under the pseudonym Amado Guerrero and began circulating in 1970.

<sup>20</sup> Both "left opportunism" (reliance on the urban working class) and "right opportunism" (parliamentary struggle) were to be avoided. For more on CPP ideology, see Dominique Caouette, *Persevering Revolutionaries: Armed Struggle in the 21st Century, Exploring the Revolution of the Communist Party of the Philippines*, PhD thesis, Cornell University, 2004. Another major work is Kathleen Weekley, *The Communist Party of the*

*Philippines, 1968-1993: A Story of Its Theory and Practice* (Quezon City, 2001).

<sup>21</sup> The best-known incident from this period was the 1971 grenade attack during a Liberal party rally at Plaza Miranda that killed nine and injured 100. The CPP-NPA is believed to have been behind the attack. See Gregg Jones, *Red Revolution: Inside the Philippine Guerilla Movement* (Boulder, 1989), pp. 59-69.

<sup>22</sup> On the effects of repression, see Vincent Boudreau, "Repression and the Making of Underground Resistance", in *Brokering a Revolution*, op. cit., pp. 35-76.

<sup>23</sup> For a ground level view of these efforts in Negros Occidental and Davao, see Rosanne Rutten, "Regional Dynamics: Rise and Decline of the CPP-NPA in Negros Occidental", in *Brokering a Revolution*, op. cit.; and Kit Collier, *The Politics of Insurrection in Davao, Philippines*, PhD dissertation, University of Hawaii, 1992.

<sup>24</sup> Available in full at: [www.philippinerevolution.net/cgi-bin/cpp/pdocs.pl?id=scpwe;page=01](http://www.philippinerevolution.net/cgi-bin/cpp/pdocs.pl?id=scpwe;page=01). Other key documents from this period include "Our Urgent Tasks" (1976) and "Strengthen the Party Committee System" (1975).

<sup>25</sup> Commander Dante of the NPA was arrested in 1976.

boycott of the elections for an “interim national assembly” and the primacy of armed struggle in keeping with the traditional party line, the Manila-Rizal committee disagreed and organised in support of jailed former senator Benigno Aquino. The elections were massively rigged, and Marcos pushed more disillusioned Filipinos into the arms of the CPP-NPA.

## B. GATHERING STEAM, 1978-1986

Over the next eight years, the CPP-NPA expanded dramatically. The NPA swelled to more than 25,000 fighters by 1986,<sup>26</sup> CPP membership grew as well, reaching 30,000.<sup>27</sup> The number of guerrilla fronts increased from 26 in 1980 to 58 in 1986.<sup>28</sup> At maximum strength, the NPA was operating in 69 of the country’s 80 provinces. With the army focused on the rebellion of the Moro National Liberation Front (MNLF), the CPP-NPA was able to build up its strength.

In 1981, the central committee launched a “strategic counter-offensive”.<sup>29</sup> This meant more autonomy for the NPA and greater decentralisation of operations, as the various front committees experimented with new tactics.<sup>30</sup> Larger military formations became possible; by 1986, there were enough new recruits to create battalions in Samar and Northern Luzon.<sup>31</sup> On the other end of the spectrum, “sparrow” units of one to three fighters carried out targeted killings of soldiers and police in cities, especially Davao.<sup>32</sup> The annual number of deaths caused by the con-

flict peaked in 1985, with 1,282 military or police killed as well as 2,134 NPA fighters and 1,362 civilians.<sup>33</sup>

In rural communities, party cadres and NPA fighters earned the trust of peasants by working in fields and homes, teaching politics and providing protection from cattle rustlers and thieves. In Mindanao, party activists partnered with banana and pineapple plantation workers who were frustrated in their efforts to wrest control of their unions from companies.<sup>34</sup> Countrywide, cadres recruited nuns and priests, who protected party activists and gave them access to the extensive network of the Catholic Church.<sup>35</sup> Military and police abuses against the left helped cadres connect local problems and violence to larger social injustices and, by extension, resistance to the Philippine state.<sup>36</sup>

The political climate during the 1980s was changing. On the one hand, Marcos opened up limited space for opposition, lifting martial law in 1981. On the other, repression by his security forces increased, including through extrajudicial executions, enforced disappearances and torture. This blurred the lines between open and clandestine activity. Moderate groups developed their own underground networks, while illegal groups like the CPP were able to move back into the cities and link up with above-ground opponents of the government.<sup>37</sup> The 1983 assassination of popular ex-senator Benigno Aquino propelled an even wider cross-section of society to oppose Marcos.

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<sup>26</sup> There is some variation in estimates, but most are between 24,000 and 26,000. Sison claimed 14,000 of these were armed. Sison with Werning, *The Philippine Revolution*, op. cit., p. 104.

<sup>27</sup> Ibid.

<sup>28</sup> In 1980, there were four in Northern Luzon, seven in Central Luzon, two in Southern Luzon, seven in the Visayas and six in Mindanao. Caouette, *Persevering Revolutionaries*, op. cit., table 7, p. 256. The 1986 statistics are from Hernandez, “Institutional Responses to Armed Conflict: The Armed Forces of the Philippines”, op. cit., p. 24.

<sup>29</sup> There are three stages to the “protracted people’s war”: strategic defensive, strategic stalemate and strategic offensive. The strategic counter-offensive is the final substage of the strategic defensive.

<sup>30</sup> Caouette, *Persevering Revolutionaries*, op. cit., p. 252.

<sup>31</sup> Miriam Coronel, “The Communist Insurgency in the Philippines”, in Andrew T.H. Tan (ed.), *A Handbook of Terrorism and Insurgency in Southeast Asia* (Cheltenham, 2007), p. 410.

<sup>32</sup> For an account of the planning and execution of one such operation in Davao, see Victor Corpus, *Silent War* (Manila, 1989), pp. 45-46. See also Kessler, *Rebellion and Repression in the Philippines*, op. cit., p. 52. Interviewees who were in Davao in the 1980s claimed NPA fighters were visible on the city’s streets. Crisis Group interviews, Manila, 9 August and Davao, 13 August 2010.

<sup>33</sup> Hernandez, “Institutional Responses to Armed Conflict”, op. cit., p. 25.

<sup>34</sup> Scholars of South East Asia have extensively studied peasant rebellion, for example, James C. Scott, *The Moral Economy of the Peasant: Rebellion and Subsistence in Southeast Asia* (New Haven, 1976). For a theoretical analysis focused on the Philippines, see Gary Hawes, “Theories of Peasant Revolution: A Critique and Contribution from the Philippines”, *World Politics*, 42, no. 2 (January 1990), pp. 261-298. On mobilisation of hacienda workers in Negros Occidental, see Rosanne Rutton, “High-Cost Activism and the Worker Household: Interests, Commitments and the Costs of Revolutionary Activism in a Philippine Plantation Region”, *Theory and Society*, 29, no. 2 (April 2000), pp. 215-252.

<sup>35</sup> Most susceptible to recruitment were those who had been exposed to liberation theology, with its strong emphasis on egalitarianism, or those working with the poor. Support from the church gave the CPP-NPA access to powerful organising tools like the Basic Christian Communities and funds that were donated to the church for its social programs. The NDFP panel chair, Luis Jalandoni, was originally a priest in Negros Occidental.

<sup>36</sup> By one estimate, there were 1,900 extrajudicial killings between 1977 and 1983. Estimates from Gareth Porter, “The Politics of Counter-insurgency in the Philippines: Military and Political Options”, *Philippine Studies Occasional Paper* no. 9, as quoted by Hernandez, “Institutional Responses to Armed Conflict”, op. cit., p. 9.

<sup>37</sup> Boudreau, “Repression and the Making of Underground Resistance”, op. cit., pp. 55-57.



To take advantage of these changes, the party refocused on the strategy of the “united front” – in effect a coalition of legal and illegal groups. The National Democratic Front (NDF), created in 1973, took on a new importance in 1981 through organising in cities and building alliances with elites and other groups that opposed Marcos.<sup>38</sup> Despite the close involvement of the central committee, the NDF’s efforts at mobilisation were rapidly outpaced by the protests in the cities that snowballed after the assassination of Aquino.

When President Marcos called a snap election for 7 February 1986, the five-person executive committee of the CPP politburo voted three to two in favour of a boycott.<sup>39</sup> However, the decision of Cory Aquino, widow of the assassinated senator, to run against Marcos left the communists out of step with popular sentiment.<sup>40</sup> The diverse opposition to Marcos united behind her, and she won the election, despite rigging. The revolutionaries were left on the sidelines of the “People Power” protest and military revolt that forced Marcos to flee the country and brought Aquino to power. By May of that year, the CPP acknowledged the boycott had been a “major tactical blunder”.

#### Mindanao – the laboratory of the revolution

The war waged by the NPA in Mindanao during the 1980s was particularly bloody. The urban strategy pioneered by guerrillas in Davao was the blueprint for armed struggle in other cities, including Manila and Cebu, the country’s two largest cities. Mindanao also established a precedent for a series of horrific internal purges. From late 1985 to mid-1986, over 600 cadres and activists were killed in a hunt for “deep penetration agents” (DPAs) who had infiltrated the movement for the military. Cadres were accused by their comrades of being military agents and tortured. They confessed and implicated others, leading to more torture and murder. The purge devastated the CPP-NPA in Mindanao.<sup>41</sup>

<sup>38</sup> These were known as “Broad Legal Alliances”. Caouette, *Persevering Revolutionaries*, op. cit., p. 279.

<sup>39</sup> Ibid, p. 428.

<sup>40</sup> Nor did all cadres agree. Some in Mindanao reportedly ignored the boycott and participated in organising for the election. Collier, op. cit., p. 438.

<sup>41</sup> For survivors’ accounts see Robert Francis Garcia, *To Suffer Thy Comrades: How the Revolution Devoured Its Own* (Manila, 2001). For an analysis of internal party documents, see Patricio N. Abinales, “KAHOS Revisited: The Mindanao Commission and Its Narrative of a Tragedy”, in *Brokering a Revolution*, op. cit., pp. 144-187, as well as his earlier piece “When a Revolution Devours its Children before Victory: *Operasyon Kampanyang Ahas* and the Tragedy of Mindanao Communism”, in Patricio Abinales (ed.), *The Revolution Falters: The Left in Philippine Politics After 1986* (Ithaca, 1996),

### C. TURNING POINTS, 1986-1992

Within less than a decade, the CPP-NPA contended with Marcos’s downfall, a first attempt at peace talks under the Cory Aquino government, internal purges and the collapse of communism in Eastern Europe and the Soviet Union. Sison reasserted control over the movement at the end of this period.

Shortly after coming to power, Cory Aquino released all political prisoners, including Sison. She also offered peace talks with the CPP-NPA, which were accompanied by a ceasefire that lasted from December 1986 to January 1987, when they collapsed.<sup>42</sup> They failed in part because the revolutionaries were likely more motivated by the prospect of the public platform offered by formal negotiations, than by a serious commitment to peace.<sup>43</sup> The Aquino government was under threat from Marcos loyalists in the military, who had already launched a coup attempt, and its efforts to negotiate were not supported by the U.S.<sup>44</sup> Two violent attacks against members of the above-ground left that bookended the ceasefire reflected the lack of confidence between the two sides.<sup>45</sup>

pp.155-179. Abinales argues that the organisation was unable to deal with the rapid expansion of its ranks on the southern island and situates the campaign in the broader history of Mindanao. In a December 2010 interview, Jorge Madlos, the NDFP spokesperson for Mindanao, said the purges caused the group’s forces on the island to drop by 50 to 60 per cent. “Q and A with Jorge Madlos: ‘We were wrong in our political line’”, *Mindanews.com*, 8 January 2011.

<sup>42</sup> A senior military official commented that it had been a mistake to release Sison and other high-ranking party members. Aquino assumed that “the NPA was just against Marcos”. Crisis Group interview, Davao, 13 August 2010. Satur Ocampo, who subsequently was elected to Congress as part of the Bayan Muna party list, was appointed the chief negotiator for the NDF, which negotiated on behalf of the wider revolutionary movement.

<sup>43</sup> One of Caouette’s CPP interviewees noted, the goal was “not to enter really into a political settlement, but to expose the fake agenda for peace of the Aquino government”. Caouette, *Persevering Revolutionaries*, op. cit., p. 454.

<sup>44</sup> Aquino moved quickly to ensure that the security arrangements Marcos had with the U.S., such as for military bases, would be honoured.

<sup>45</sup> On 13 November 1986, the body of prominent labour organiser Rolando Olalia of the May First Movement (Kilusang Mayo Uno, KМУ) was found in Manila. He had been tortured and shot in the head. His murder remains unsolved, but many believed he had been killed by members of the military who opposed the peace talks that were shortly to begin. On 22 January 1987, farmers protesting for agrarian reform tried to breach the police barrier on Mendiola Bridge leading to Malacanang Palace. CPP cadres had planned to push the limits of the security forces in order to elicit a forceful response, thus providing a

Aquino launched a “total war policy” against the CPP-NPA, egged on by the military and conservative elites and backed by the U.S. The NPA responded to human rights abuses by the army and anti-communist vigilante groups with aggressive operations, including on the streets of Manila.<sup>46</sup> Although the guerrillas were better disciplined and organised than the factionalised Philippine military, the counter-insurgency took a toll.<sup>47</sup> Membership declined everywhere except in Manila. Support eroded among more moderate supporters whose backing the NDF had sought earlier in the 1980s.<sup>48</sup>

Once talks collapsed, the movement made a concerted effort to secure international support. The NPA dispatched representatives abroad in search of arms.<sup>49</sup> A newly established international office in Utrecht, the Netherlands, where Sison had been based since late 1986, reached out to leftist movements in Europe.<sup>50</sup> But these efforts were too little too late. As communism ebbed internationally and party members digested the implications of the end of the Marcos dictatorship, armed revolution lost its appeal for some supporters.

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pretext for withdrawing from talks. The strategy resulted in thirteen protesters being shot dead.

<sup>46</sup> On anti-communist groups, see “Philippines: Unlawful killings by military and paramilitary forces”, Amnesty International, 1992; “Vigilantes in the Philippines: A threat to democratic rule”, Lawyer’s Committee for Human Rights, 1988; and “Out of Control: Militia abuses in the Philippines”, Lawyer’s Committee for Human Rights, 1990.

<sup>47</sup> Kessler, *Rebellion and Repression in the Philippines*, op. cit., p. 103. Under Aquino, relations between the government and the CPP-NPA-NDF were sharply polarised. With a liberal government in charge, the security forces that Marcos had needed in the cities to repress resistance were instead sent to the countryside to focus on the NPA. Boudreau, “Repression and the Making of Underground Resistance”, op. cit., p. 60. The number of NPA fighters declined from their peak of 25,200 in December 1987 to 14,800 by December 1991. Hernandez, “Institutional Responses to Armed Conflict”, op. cit., p. 13.

<sup>48</sup> Caouette, *Persevering Revolutionaries*, op. cit., pp. 483, 488.

<sup>49</sup> Arms drops were planned in Mindanao, Samar and Luzon for 1987, but all failed. The NPA was interested in securing heavy weaponry such as mortars as part of the “strategic counter-offensive”.

<sup>50</sup> The Philippine government cancelled his passport while he was on a lecture tour, and Sison went into exile. Given the CPP’s Maoist orientation and strongly anti-Soviet line, it was backed by communist China until Beijing established diplomatic relations with Manila in 1974. By 1987, however, Sison no longer deemed the Soviets and movements linked to them “revisionist”, paving the way for an attempt to reach out to Moscow and Eastern Europe. The best overview of the CPP-NPA’s international work is Nathan Gilbert Quimpo, “CPP-NDF Members in Western Europe: Travails in International Relations Work”, in *Brokering a Revolution*, op. cit., pp. 348-385.

The end of the Marcos era opened up new possibilities for advancing the aims of the movement. The autonomy that different units and regional commissions enjoyed during the 1980s and the boycott decision had led some to question the authority of the party leadership and its analysis.<sup>51</sup> Criticisms ranged from pointing out the bias of the party against the middle classes to refuting the orthodoxy of the Philippines being “semi-colonial and semi-feudal”.

This disenchantment was compounded by more internal purges. In March 1988, the government captured seven leaders, including Rafael Baylosis (CPP-NPA secretary general) and Romulo Kintanar (top NPA commander). Partly prompted by fears that these arrests were the result of infiltration, another round of purges similar to the campaign in Mindanao began in early 1988: Operation Missing Link in Southern Tagalog and Operation Olympia in Manila. By early 1989, 100 to 120 cadres had been killed by their comrades after being interrogated and tortured.<sup>52</sup>

By the early 1990s, the fissures within the party were caused by three separate but intertwined issues. The first was disagreement over strategy and tactics, in particular, what the right balance was between armed and other forms of struggle (legal or parliamentary). The second was whether to focus on the countryside or the cities. The third centred on internal decision-making procedures, in particular whether the party should impose decisions from the top down.<sup>53</sup>

Sison launched an effort to “rectify” the movement. Documents written by him that criticised the innovations of the 1980s were adopted in the July 1992 central committee plenum. They reasserted the primacy of the Maoist-inspired, rural armed struggle. Sison also castigated the “regularisation” of NPA fighters into companies and battalions, the strategy of urban insurrection pursued in Davao and Manila, and the energy cadres wasted on administrative work in legal and semi-legal mass organisations.<sup>54</sup> The

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<sup>51</sup> Fissures emerged with challenges from the Manila-Rizal Committee in 1988-1989, which argued for placing greater emphasis on the working class as opposed to the peasantry. Another challenge came from the popular democracy movement, which Caouette describes as emerging from ex-political prisoners who were interested in alternatives for “legal struggle”. *Persevering Revolutionaries*, op. cit., p. 503.

<sup>52</sup> See *ibid*, pp. 491-497.

<sup>53</sup> Drawn from Benedict Kerkvliet, “Contemporary Philippine Leftist Politics in Historical Perspective”, in Patricio Abinales (ed.), *The Revolution Faltered: The Left in Philippine Politics After 1986* (Ithaca, 1996), pp. 10-11.

<sup>54</sup> Armando Liwanag (pseudonym for Sison), “Reaffirm our Basic Principles and Rectify Errors”. Also see Kathleen Weekley’s interview, “Jose Maria Sison Talks on Parliamentary Struggle, Revisionism, Inner Party Rectification, Peace Talks,

rejection of more moderate positions of reform and political engagement meant the CPP-led movement retained a militant character unlike its counterparts in many other countries.<sup>55</sup> Those who supported Sison were known as the “reaffirmists” (RAs) and those who were opposed as the “rejectionists” (RJs). The fragmentation of the movement along these lines continues to reverberate today.

#### D. SPLINTERING AND CONSOLIDATING, 1992-PRESENT

Since 1992, the “reaffirmist” side has waged war against the administrations of Fidel Ramos (1992-1998), Joseph Estrada (1998-2001), Gloria Macapagal-Arroyo (2001-2010) and now Benigno “Noynoy” Aquino, the son of Cory Aquino and assassinated Senator Aquino. The evolution of the conflict during this period highlights an ability to adapt short-term tactics, if not the overall strategy of the “protracted people’s war”. Despite asserting a return to orthodoxy, the CPP-NPA entered electoral politics, albeit through parties that claim publicly no connection to the communist movement. It also revived peace talks with the government.

Sison’s decision to reaffirm the strategy of the “protracted people’s war” played out over several years.<sup>56</sup> With the backing of a number of veteran cadres, including the current Philippine-based leaders of the movement, Benito and Wilma Tiamzon,<sup>57</sup> he publicly attacked five of the party’s top leadership.<sup>58</sup> The split also divided underground and

legal mass organisations with ties to the NDF.<sup>59</sup> Likewise, various human rights organisations and NGOs went their separate ways.<sup>60</sup> Jettisoning engagement in electoral politics at this time cost the organisation many of its middle class cadres with experience in mass mobilisation, particularly in urban areas. Some units that commanded guerrillas joined the “rejectionist” camp, notably the Manila-Rizal committee with the 5,000-strong Alex Boncayo Brigade, the Visayas Commission, which renamed its armed component the Revolutionary People’s Army, and the Central Mindanao Region.<sup>61</sup> Other “rejectionists” moved into party politics, the most prominent example being Akbayan, which contested the 1998 elections and won one congressional seat.

With Sison in the Netherlands, the Tiamzons presided over the reconstruction of the underground movement in the Philippines. The “reaffirmist” CPP-NPA shrank, but the split streamlined the structure and internal organisation. The autonomy of different party organs was reduced.<sup>62</sup> The armed wing retained a number of commanders who have been guerrillas since the 1980s and who remain the ideological nucleus of the armed struggle.<sup>63</sup> With this group

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but the CPP did not claim responsibility. See Nathan Gilbert Quimpo, “Why Kintanar was killed – the real story”, *Daily Inquirer*, 28 January 2003. A summary of the CPP statement justifying the killing is available at <http://bulatlat.com/news/2-50/2-50-Kintanar.html>. Dutch police arrested Sison in 2007 for ordering the killings, but charges were dropped in 2009.

<sup>59</sup> For example, fissures developed within the KMP (Kilusang Magbubukid ng Pilipinas, Peasant Movement of the Philippines), as one section wanted to pursue concrete gains for peasants such as irrigation, access to land and infrastructure – a position that was deemed reformist and therefore unacceptable after 1992. Rutten, “Introduction: Cadres in Action, Cadres in Context”, in *Brokering a Revolution*, op. cit., p. 19.

<sup>60</sup> As Coronel describes, the division was between “those who advocated a universal application of human rights that holds both state and non-state actors accountable for human rights violations, and those who argued for a class-based application or bias”. For example, Task Force Detainees were RJ, and Karapatan became the RA human rights organisation (its mandate consists solely of monitoring abuses by the state). Coronel, “The Communist Insurgency in the Philippines”, op. cit., p. 422.

<sup>61</sup> The various groupings and regroupings of the RJs have been addressed in depth elsewhere. Concise summaries are available in Soliman Santos and Paz Verdades M. Santos et al, *Primed and Purposeful: Armed Groups and Human Security Efforts in the Philippines* (Geneva, 2010), Chapters 12-17.

<sup>62</sup> Caouette, *Persevering Revolutionaries*, op. cit., p. 649.

<sup>63</sup> However, major figures have disappeared in recent years: Prudencio Calubid in June 2006, Leo Velasco in February 2007. The NDF describes both as political consultants and blames the army for their disappearance. See complaint number G-1163 on Velasco’s disappearance, filed to the Joint Monitoring Committee; and “CPP reiterates demand for AFP to surface CPP-NPA-NDFP leader Prudencio Calubid et al, 4 years after their abduction”, press release, CPP Information Bureau, 26

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Gorbachevism in the Philippines and the Future of the National Democratic Movement”, *Kasarinlan*, 8, no. 2 (1992).

<sup>55</sup> One of Caouette’s interviewees noted that Sison may have been motivated to keep the movement alive in its orthodox form precisely because of the demise of so many leftist movements elsewhere in the early 1990s. *Persevering Revolutionaries*, op. cit., p. 584.

<sup>56</sup> Not all “RJ” elements rejected armed struggle. For example, the Manila-Rizal Committee was in favour of armed struggle but also wanted more focus on workers’ organisations. The movement largely splintered along pre-existing institutional lines, with lower-ranking cadre following the decision of a given unit’s leader. *Ibid*, pp. 605, 609.

<sup>57</sup> Marriages among cadres are officiated by high-ranking party members. The CPP presided over the first gay marriage in the Philippines in February 2005. “NPA to gays: you may join us”, *Mindanews.com*, 28 December 2010.

<sup>58</sup> Sison initially targeted three individuals: Romulo Kintanar, Ricardo Reyes and Benjamin De Vera, followed by Arturo Tabara and Filemon “Popoy” Lagman. He faxed the *Philippine Daily Inquirer* letters accusing these individuals of being military agents. Reyes is the only one still alive. De Vera died of a heart attack in September 2007. The NPA killed Kintanar in 2003 and Tabara in 2004, claiming responsibility and justifying “capital punishment” on the basis of “criminal and counter-revolutionary crimes”. Lagman was killed in February 2001,

as the backbone, the NPA, which numbered only 6,000 in 1994, doubled within six years.<sup>64</sup>

Many within the military believe the decision to legalise the CPP in 1992 and the reorientation of counter-insurgency strategy away from intelligence gathering towards economic development also helped the group's resurgence.<sup>65</sup> The army was also more focused on the insurgency in Muslim Mindanao throughout much of the 1990s.

The CPP-NPA returned to peace talks with the Ramos administration, culminating in 1998 in the Comprehensive Agreement to Respect Human Rights and International Humanitarian Law (CARHRIHL). But talks were abandoned, and all-out war resumed soon after President Estrada took over the same year, when the rebels protested the ratification of the visiting forces agreement with the U.S. Meanwhile, Estrada pursued localised talks with the smaller armed groups that had broken off since the 1992 split.<sup>66</sup>

In 2001, the CPP-NPA demonstrated that it had learned from its mistakes during the 1986 "people power" revolution and joined efforts to remove Estrada from office and replace him with Gloria Macapagal-Arroyo. In the elections that year, Bayan Muna – a legal political party separate from the NDF umbrella but linked to the communist movement – led the party list and won three congressional seats, the maximum under the party list system. In the 2004 elections, Bayan Muna and two other parties with (denied) links to the underground, Gabriela and Anakpawis, won a total of six seats in the House of Representatives. In exchange for backing some communist party-list candidates, Arroyo's supporters were allowed to campaign in NPA-controlled territory. Campaigning during the elections, however, exposed underground cadres, some of whom later died in summary killings.

The relationship with Arroyo soon fell apart. Following the 11 September 2001 attacks, her administration had sought to align itself more closely with the U.S. The Philippine government requested the addition of a number of armed groups, including the CPP and NPA, to terrorist

lists.<sup>67</sup> Formal talks between the government and the insurgents ground to a halt in 2004 over the issue.

The Philippine military intensified operations under its counter-insurgency plan, Oplan Bantay Laya.<sup>68</sup> The strategy has been blamed for the spike in extrajudicial killings of leftist activists. Ostensibly, Oplan Bantay Laya aimed first to curtail the group's growth, then reduce its numbers, firepower and areas of influence and eventually to dismantle its organisational structure.<sup>69</sup> When Arroyo's term ended in June 2010, the military claimed to have reduced the number of NPA fighters to below 5,000.<sup>70</sup>

During the final years of the Arroyo administration, government and military officials stated publicly that fissures had developed between Sison and the Philippine-based leadership, Wilma and Benito Tiamzon. These divisions were blamed for derailing the resumption of formal talks in August 2009.<sup>71</sup> Norberto Gonzales, Arroyo's national security adviser and then acting secretary of defence, claimed Sison, Luis Jalandoni (the chair of the negotiating panel) and other senior figures living in the Netherlands had lost the trust of the Philippine-based CPP-NPA. The leadership in Utrecht issued a rebuttal.<sup>72</sup>

There is a history of internal debate on strategy and tactics. Current tensions lie, as they have before, in disagreements over dabbling in electoral politics and pursuing peace talks with the government as opposed to focusing on the "protracted people's war" waged from the countryside. Although Sison reasserted the armed struggle to consolidate the party in the early 1990s, participating in elections provides an opportunity for the party to raise funds and build support. While the Tiamzons and other adherents to CPP orthodoxy believe elections are only to be used

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June 2010. Velasco may have at one time headed the organisation's National Military Commission. Santos and Santos, *Primed and Purposeful*, op. cit., p. 268.

<sup>64</sup> Abinales and Amoroso, *State and Society in the Philippines*, op. cit., p. 267. Not all areas were equally affected during the late 1980s and early 1990s. The NPA fighters in Mindanao retained their strength, although the organisation's presence in "white areas" (more urban zones) was significantly reduced. Crisis Group communication, Patricio Abinales, 1 February 2011.

<sup>65</sup> Santos and Santos, *Primed and Purposeful*, Chapter 1. The anti-subversion act was repealed by President Ramos in September 1992.

<sup>66</sup> On the lessons to be drawn from localised talks, see Section IV.

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<sup>67</sup> The CPP and the NPA were added to the U.S. list of foreign terrorist organisations in August 2002 and to the European Union's list in October 2002.

<sup>68</sup> Oplan Bantay Laya (Operational Plan Freedom Watch) was a five-year strategy launched in January 2002 and replaced in January 2007 by Oplan Bantay Laya II, which aimed to end the insurgency in three years.

<sup>69</sup> Hernandez, "Institutional Responses to Armed Conflict", op. cit., pp. 15-16.

<sup>70</sup> For example, the armed forces chief of staff, Ricardo David, said the NPA numbered 4,665 in October 2010. "AFP chief: NPA rebels down to 4,665", *Sun-Star*, 5 October 2010. The offensives likely did push the rebels further into the hills. Crisis Group interviews, journalists and other observers, Manila, August and November 2010.

<sup>71</sup> The then presidential peace adviser, Avelino Razon, claimed that Benito Tiamzon had taken control of the NDF and had begun issuing more aggressive statements. "New Red leadership caused snag in peace talks", *Philippine Daily Inquirer*, 31 August 2009.

<sup>72</sup> "Reds hit defense chief for allegedly spreading lies about CPP", *Philippine Daily Inquirer*, 15 February 2010.

opportunistically to support the armed struggle, others within the organisation consider they have revolutionary potential in their own right. Several former CPP cadres and others familiar with the peace process suspect Sison has shifted to the latter view and may even be fashioning negotiations as another component of the “protracted people’s war”.<sup>73</sup>

To lessen internal divisions, in 2008 Allan Jasminez became the chair of the central committee,<sup>74</sup> which then announced, in December 2009, that the group was aiming to “strive within the next five years to make the great advance from the stage of the strategic defensive to the strategic stalemate”.<sup>75</sup> The last time the group believed it was close to reaching stalemate – at which point the war would take on a more conventional form with larger units – was in the 1980s.

Internal tensions flared up again when Satur Ocampo (Bayan Muna) and Liza Maza (Gabriela) stood for the senate in the May 2010 elections. They were listed on presidential candidate Manny Villar’s Nacionalista Party slate, which also included Bongbong Marcos, son of the former dictator. This was the first time communist-linked parties had put forward candidates for the senate. The Tiamzons objected strongly.<sup>76</sup> They may even have refused to release funds for the campaign.<sup>77</sup> In fact, the choice left many Filipinos puzzled and put the CPP-NPA on the defensive, as it was compelled to justify the alliance.<sup>78</sup> Neither Ocampo nor Maza was elected. The result may have altered internal power dynamics in the Tiamzons’ favour.

However, parties linked with the “reaffirm” left did reasonably well in the congressional elections. The results showed that the CPP-NPA retains a larger support base

than its competitors among the left.<sup>79</sup> Its archrival, Akbayan, was allied with Aquino’s Liberal Party. A number of the president’s appointees are close to Akbayan, including Presidential Adviser to the Peace Process Teresita “Ging” Deles and the chair of the Commission on Human Rights, Etta Rosales.

The decisive victory of President Aquino poses a different challenge than that from the widely disliked Arroyo.<sup>80</sup> Since his victory, CPP publications have underscored the parallels with his mother’s presidency to cast doubt on his promise to protect human rights.<sup>81</sup> During the holiday ceasefire from 16 December 2010 to 3 January 2011, armed forces Chief of Staff Ricardo David presented the new internal peace and security plan, Oplan Bayanihan, which went into effect on 1 January 2011 following a temporary extension of Oplan Bantay Laya.<sup>82</sup> It is focused on “winning the peace” through greater sensitivity to human rights; in preparation, human rights offices were established within every unit of the armed forces down to the battalion level in late 2010.<sup>83</sup>

With the elections finished and the goal of reaching strategic stalemate by 2015 in place, tensions between Sison and the Tiamzons may have diminished. For the moment,

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<sup>73</sup> A well-informed observer believes that Sison’s position may be inspired by the Maoists in Nepal, who pursued a peace process and eventually entered government through elections. Crisis Group interview, Manila, 1 December 2010. Crisis Group reporting on Nepal is available at [www.crisisgroup.org](http://www.crisisgroup.org). This is also mentioned by Fabio Scarpello in “Enduring insurgency: New People’s Army marches on”, *Jane’s Intelligence Review*, February 2011.

<sup>74</sup> Crisis Group interview, Manila, 1 December 2010. According to the same source, Benito Tiamzon is the vice-chair of the central committee. Officially, these positions are kept secret.

<sup>75</sup> “Strive to make a great advance in the People’s War for New Democracy”, CPP Central Committee, 26 December 2009, available at [www.philippinerevolution.net](http://www.philippinerevolution.net).

<sup>76</sup> Their opposition was widely reported by media in late 2009 and early 2010. See for example, “NDF Mindanao’s Madlos says ‘one guerilla platoon per town’”, *Mindanews.com*, 27 December 2009.

<sup>77</sup> Crisis Group interview, civil society activist, Manila, 30 November 2010.

<sup>78</sup> Crisis Group interviews, civil society activist and Western diplomat, Manila, 30 November 2010.

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<sup>79</sup> For detailed analysis of the election results, see Miriam Coronel Ferrer, “How the left fared”, ABS-CBN News, 21 May 2010.

<sup>80</sup> A February 2010 survey found that roughly seven out of ten Filipinos (68 per cent) did not trust President Arroyo. “Arroyo’s trust, approval ratings continue to dip”, *Daily Inquirer*, 24 February 2010.

<sup>81</sup> For example, in the 21 June 2010 edition of the newsletter *Ang Bayan*, the lead editorial cautioned: “It will be remembered that the U.S.-Aquino regime 1 adopted a clean, pro-democracy and pro-peace posture in order to abuse power, plunder the public coffers, exploit the people and unleash the full viciousness of the state’s fascist forces to suppress resistance”.

<sup>82</sup> “Bayanihan” is a Filipino term that refers to a spirit of cooperation and common purpose. “AFP extends battle plan linked to extrajudicial killings”, *GMA-News.TV*, 15 August 2010; “AFP chief defends new internal peace and security plan”, *Daily Inquirer*, 25 December 2010.

<sup>83</sup> See “All AFP units ordered to set up human rights office”, *GMANews.TV*, 15 November 2010. The plan is available at [www.afp.mil.ph/bayanihan.pdf](http://www.afp.mil.ph/bayanihan.pdf). As regards the NPA, the plan states “the AFP’s internal peace and security initiatives shall focus on rendering the NPA irrelevant, with the communist insurgency abandoning its armed struggle and engaging in peace negotiations with the government”. In addition, the intelligence branch (J2), has produced its own booklet, “Human Rights-Based Intelligence Operations: Rules of Behaviour for Military Intelligence Personnel”, which includes two pages detailing prohibitions on physical and mental torture. Copy on file with Crisis Group. The CPP expressed scepticism, likening the strategy to “the same dog with a different collar”. “Like its predecessor, Aquino’s Oplan Bayanihan will fail to stop the advance of people’s war – CPP”, CPP Information Bureau, 20 December 2010.

an open split seems unlikely. While the peace process is underway, “one could not afford to reject the other”.<sup>84</sup> The underground needs the legitimacy bestowed upon it by the Utrecht-based panel, while the above-ground is toothless without the NPA. When asked to describe the relationship, Satur Ocampo said that the above-ground respects the decisions of the underground and recognises that laying down its arms in favour of electoral politics exclusively would leave the party “outspent and outvoted” every time.<sup>85</sup>

Wilma Tiamzon is reportedly seriously ill. Former senior CPP cadres describe the couple’s authority within the movement as a combination of their skills.<sup>86</sup> It is unclear whether Benito Tiamzon would be capable of the same leadership if his wife is incapacitated or dies. Whether alone or alongside Wilma, he cannot rival or replace Sison as the movement’s main ideologue; the latter retains a “franchise on ideological leadership”.<sup>87</sup> While Sison is more akin to an “absentee landlord” for most party cadres,<sup>88</sup> at 71 he is the last of the generation that founded the CPP.

### III. GLIMPSES INTO THE CONFLICT

In many areas where the NPA is strong, the insurgents have been operating for decades. Local communities and politicians work around the conflict, often making pragmatic decisions to collaborate with one side or the other or both. This inhibits efforts to quash the insurgency by military and police, whose relations with local government units are fraught. Also caught in the middle is the Catholic Church, which wields considerable authority. Even for civil society groups running programs in affected barangays (villages), the CPP-NPA use of front organisations obscures who is affiliated with whom.

NPA tactics and military counter-insurgency strategy are broadly similar in all regions of the Philippines.<sup>89</sup> The guerrillas recruit, raise funds and organise attacks, increasingly with “command-detonated weapons” the military calls landmines.<sup>90</sup> In turn, the army conducts offensives and counter-propaganda, recruits for paramilitary forces, finds barangay informants to gather intelligence and carries out development work to win “hearts and minds”.

A closer look at the regions of Davao and Caraga in Mindanao, and the island of Negros in the Visayas, reveals how the conflict adapts to local politics and resources. According to the NDF spokesperson for Mindanao, at the end of 2010, the CPP-NPA had five regional committees and 42 guerrilla fronts on the island and over the course of the year had launched 250 “tactical offensives”, seized more than 200 weapons and killed roughly 300 soldiers and police.<sup>91</sup> The military estimates there are 1,300 NPA fighters in Mindanao.<sup>92</sup> They primarily operate in areas where indigenous communities live. These tribes, collectively known as *lumads*, are the most affected by the conflict, their resource-rich ancestral lands coveted by the NPA and companies backed by the military.

In Negros, the NPA is a less potent threat. According to the CPP spokesperson, its forces initiated 30 “tactical offensives” in 2010 against state forces and sympathetic civilians and killed twenty soldiers.<sup>93</sup> A single arms seizure

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<sup>84</sup> Crisis Group interview, Manila, 1 December 2010. A journalist with close ties to the movement discounted rumours of a split, explaining that internal challenges are dealt with simply: “The central committee makes the decision, and you have to comply”. Crisis Group interview, 27 November 2010.

<sup>85</sup> Crisis Group interview, Satur Ocampo, Quezon City, 11 August 2010.

<sup>86</sup> Crisis Group interviews, former CPP members, Manila, 9 August 2010 and 1 December 2010. Those formerly involved in the movement described Wilma Tiamzon as the smarter or more extroverted one.

<sup>87</sup> Crisis Group interview, former CPP member, Manila, 9 August 2010. Sison’s official title is chief political consultant of the NDFP.

<sup>88</sup> Crisis Group interview, journalist, Manila, 29 November 2010.

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<sup>89</sup> While operations are planned locally, the military and other analysts believe the Tiamzon couple communicates directly with commanders on the ground in Luzon, the Visayas and Mindanao. Crisis Group interviews, Manila and Davao, August 2010.

<sup>90</sup> See Section “Prospects for Negotiations” below.

<sup>91</sup> Jorge Madlos, “42 years of advancing people’s war in Mindanao”, *Ang Bayan*, 7 January 2011.

<sup>92</sup> Crisis Group interview, senior military officer, Davao, 13 August 2010.

<sup>93</sup> “NPA creating more fighting units”, *Visayan Daily Star*, 4 January 2011.

operation netted 23 weapons.<sup>94</sup> The group was also held responsible for around twenty summary executions of civilians in the same period.<sup>95</sup> The island was particularly affected by the splintering of the movement in the 1990s, and the CPP-NPA continues to kill members of an armed “rejectionist” faction based there.

## A. DAVAO

In Davao, the Duterte family is a powerful third force in the conflict between the military and the NPA. Rodrigo Duterte, the current vice-mayor, was first elected mayor in 1988, at a time when the “sparrow” units were carrying out killings on the streets of Davao, and the military-backed anti-communist vigilante squads known as the *Alsa Masa* meted out punishment in return. He subsequently served six terms, and when he could no longer stand for office, his daughter Sara Duterte stepped in and was elected mayor in 2010. Rodrigo Duterte’s demand that the regional police chief be ousted for arresting a senior NPA figure on New Year’s Day – while the holiday ceasefire was still in place – exemplifies how local politics are often more important than national policies.<sup>96</sup>

Although violence has dramatically declined under Duterte, and the numerous urban squatter communities that served as the communists’ support base no longer exist, the CPP-NPA continues to operate within Davao City. It is particularly active in Paquibato district, the stronghold of Leonicio “Ka Parago” Pitao of the NPA’s Merardo Arce Command.<sup>97</sup> In July and August 2010 alone, Ka Parago’s command launched seven tactical offensives in the district.<sup>98</sup> Duterte, who used to employ a former member of the NDF as his chief of staff, in effect grants the guerrillas permission to operate in certain areas of the city.<sup>99</sup> He also

ensures leftist activists are safe from extrajudicial killings; in exchange, they do not protest against the “Davao death squad”.<sup>100</sup>

The Davao region, encompassing Davao City, and the provinces of Davao del Sur, Davao del Norte, Davao Oriental and the Compostela Valley, is home to fifteen NPA fronts, totalling roughly 800 fighters. The military believes only 10 per cent are hardened ideologues. Between 60 to 70 per cent of guerrillas in the region are *lumads*.<sup>101</sup> The most contested area is the Compostela Valley, home to small-scale mining, illegal logging and plantations.

The NPA has experienced leadership in Ka Parago, and the military believes the most skilled fighters are in the Davao region. But the newer recruits who are captured by or surrender to the army are less ideological, despite having gone through the standard “basic mass course” and military training. A shift has also occurred in the NPA’s ability to organise; protests arranged by affiliated organisations are drawing smaller numbers in recent years, according to the military.<sup>102</sup>

The left in Davao is split into “rejectionist” and “reaffirmist” camps. Describing how each holds its own rally on human rights day (10 December), a civil society activist said, “we are so few, yet we are so divided”.<sup>103</sup> Another noted that there is cooperation at times on specific issues, such as the coalition on summary executions.<sup>104</sup>

### 1. Military strategy

Weakening the NPA in the Davao region is a priority for the military.<sup>105</sup> Operations in the area rely on heavy weapons, including helicopter gunships to provide cover to ground troops pursuing the NPA.<sup>106</sup> Since mid-2010,

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<sup>94</sup> See section below on Negros.

<sup>95</sup> Crisis Group interview, military officer, Bacolod, 27 November 2010; “CPP okays summary executions”, *Visayan Daily Star*, 4 November 2010.

<sup>96</sup> Edwin Brigano was arrested in Toril district, Davao City by police acting on an arrest warrant for double frustrated homicide and robbery with homicide. He was reportedly in the city seeking medical treatment. “NPA decries ceasefire violation with the arrest of a comrade in Toril”, *Mindanews.com*, 3 January 2011. The police maintain the arrest was not in violation of the ceasefire, because the warrants were outstanding.

<sup>97</sup> Ka Parago personally commands the 1st Pulang Bagani Command. He has commanded the NPA in the city since the 1980s.

<sup>98</sup> “1st PBC-NPA punishes ‘combat-heavy’ 1003rd Brigade-10th ID-AFP troops in Paquibato, Davao City”, press release, Merardo Arce Command, NPA Southern Mindanao, 3 September 2010.

<sup>99</sup> See Duterte’s comments on the truce in “NPA arrest could have jeopardised long-standing agreement with rebels – Duterte”, *Mindanews.com*, 12 January 2011.

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<sup>100</sup> Crisis Group interviews, civil society activists, Davao, 13-14 August 2010. The death squad is believed to be behind extrajudicial killings of alleged criminals and street children. For details, see “‘You Can Die Any Time’: Death Squad Killings in Mindanao”, Human Rights Watch, April 2009.

<sup>101</sup> Crisis Group interviews, senior military officers, Davao, 12-13 August 2010.

<sup>102</sup> *Ibid.*

<sup>103</sup> Crisis Group interview, Davao, 13 August 2010.

<sup>104</sup> Crisis Group interview, Davao, 14 August 2010.

<sup>105</sup> Crisis Group interviews, senior military officials, Davao, 12-13 August 2010; Manila, 17 August 2010.

<sup>106</sup> On 6 August 2010, a series of clashes that lasted for several hours broke out in the borders of Monkayo and Laak town in the Compostela Valley. Troops from the 3rd special forces battalion engaged 30 NPA fighters, who subsequently withdrew to a different barangay in Monkayo town. There, they encountered more soldiers, who had been deployed as a “blocking force”. As fighting continued, helicopter gunships from the 11th tactical operations group were sent as air support. “Soldier killed, 4

more battalions have been deployed.<sup>107</sup> Senior commanders recognise, however, that more troops alone will not suffice. As one said, soldiers are cycled in and out too quickly – with those at the platoon level staying for a maximum of two to five years – and do not really know the “personality terrain” of the region. “Killing one, killing ten is not going to change this”, said a senior military official.<sup>108</sup>

A variety of paramilitary and other armed groups assist the army. Throughout the Philippines, the military relies on the Citizen Armed Force Geographical Units (CAFGU) militias as reinforcements against the NPA.<sup>109</sup> Recruitment in Davao has come under scrutiny since the NPA captured a seventeen-year-old CAFGU member, Job Latiban, in Monkayo, Compostela Valley in June 2010. The NPA accused the army of recruiting minors, which the then commander of the 10th infantry division, Major General Carlos Holganza, stated was not military policy.<sup>110</sup> The communists are also guilty of such practices.<sup>111</sup>

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others hurt in Davao Sur, ComVal clashes”, *Daily Inquirer*, 6 August 2010.

<sup>107</sup> In late May and early June, members of the 84th and 71st infantry battalions arrived. By July 2010, there were thirteen battalions in the Davao region. “More troops from Luzon arrive in Davao”, *Davao Today*, 6 June 2010; “NPAs unfazed by soldier imports from Luzon”, *Davao Today*, 14 July 2010. Yet more troops arrived later in the year. “701st Infantry Brigade arrives [in] Davao Region”, press release, 10th infantry division, 3 October 2010.

<sup>108</sup> Crisis Group interview, Manila, 17 August 2010. Assessing statistics for the conflict during the first half of the Arroyo administration, Hernandez concluded: “The fight over hearts and minds of communities does not depend on the number of armed forces and their firearms”. “Institutional Responses to Armed Conflict: The Armed Forces of the Philippines”, op. cit., p. 17.

<sup>109</sup> CAFGUs are under army control. Recruits receive 2,700 pesos (\$60) per month as a subsistence allowance and participate in a 45-day training program. Crisis Group interviews, senior military officers, Davao, 13 August 2010. According to tribal leaders in Caraga, CAFGUs normally wear the same uniforms as regular military officers but can be identified by their poorer quality weapons. At times they wear a label identifying them as CAFGUs. Crisis Group interviews, 19–21 August 2010.

<sup>110</sup> “NPA says army in Compostela using ‘child warriors’”, ABS-CBNnews.com, 9 July 2010. Latiban was born on 7 November 1992.

<sup>111</sup> In June 2010, the military said the NPA had used 340 “child warriors” since 1999, most between fifteen and eighteen. “NPA recruits hundreds of minors for combat – AFP”, GMANews.tv, 6 June 2010. The UN Special Rapporteur for Children and Armed Conflict named the NPA – along with the MILF and the Abu Sayyaf Group (a violent extremist group operating in the Sulu archipelago off mainland Mindanao) – as persistent users of child soldiers. See “Children and Armed Conflict: Report of the Secretary-General”, UN General Assembly, A/64/742–S/2010/181, 13 April 2010, paras. 140–143.

A major goal of the counter-insurgency strategy in Davao is to win over the *lumads*. The NPA, the broader left and even the city government criticised the military, Brigadier General Eduardo Del Rosario in particular, for the “Alsa Lumad” (*Lumads Arise*) campaign that mobilises indigenous communities against the NPA. Del Rosario had been posted in Davao as a battalion commander in the early 2000s and had forged an alliance with some *lumad* leaders, even receiving the name “Datu Limbotong” (protector of *lumad* interests).<sup>112</sup> He returned to Davao in 2009 as commander of the 10-03rd infantry brigade with the aim of diminishing the strength of NPA fronts 52, 53 and 54 – approximately 120 guerrillas in total – operating in Toril, Calinan, Marilog and Paquibato districts, in Davao City.

Part of the strategy consists of arming the *lumads*. Apart from recruiting them as CAFGUs, the military supplies guns to tribal militias. This is often criticised by the left: “I don’t object to [the military giving them rice, supplies]”, said a civil society activist, “but they should not give arms”.<sup>113</sup> Others feel there is some merit in enabling the *lumads* to defend themselves. It is often unclear where they are getting their weapons.<sup>114</sup>

Del Rosario’s efforts among the *lumads* were blamed for increasing violence in the affected districts. Shortly after taking office in late June, Mayor Sara Duterte withdrew Davao City’s aid to the 10-03rd brigade beginning in August and criticised the proposed operations as “combat heavy”.<sup>115</sup> By October, relations had improved. Colonel Domingo Tutaan Jr had replaced Del Rosario as brigade commander, and Mayor Duterte gave the keynote address at the launch of new “peace and development outreach programs” run by the military in Toril and Tugbok districts.<sup>116</sup>

## 2. NPA activities

As elsewhere, the NPA’s main activities in Davao are raising funds and carrying out operations against state security forces and other “enemies of the people”.

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<sup>112</sup> “Datu” is the term for a tribal chieftain.

<sup>113</sup> Crisis Group interview, Davao, 14 August 2010.

<sup>114</sup> As a civil society leader described, “If you ask, ‘Are your arms legal?’, the IPs [indigenous people] will say yes. ‘Who licensed them?’ If the IPs say it was the government, they deny that they are affiliated with the AFP. They would say, ‘It’s only a convenient arrangement’ .... The point is that IPs are getting killed”. Crisis Group interview, Manila, 16 August 2010.

<sup>115</sup> Duterte, however, indicated her support for Task Force Davao, the military’s counter-terrorism branch in the area. “Davao mayor cuts aid for Army brigade”, *Davao Sun-Star*, 20 July 2010.

<sup>116</sup> “Soldiers for peace and development deploy in Davao City”, press release, 10th infantry division, 29 October 2010.



*Raising funds.* The NPA obtains significant amounts of money from the Davao region. The military estimates that the NPA collected 39.5 million pesos (\$890,000) there in 2010, nearly half of the 95.5 million pesos (\$2.15 million) it raised from revolutionary taxes throughout the country during the year.<sup>117</sup> Most of the funds are collected in the Compostela Valley, where there are many mines. In 2009, the military estimated that the province could provide the group with as much as 20 million pesos (\$460,000) per month.<sup>118</sup> This is sufficient for guerrillas to allocate surplus funds for their dependents, a luxury units elsewhere cannot afford.<sup>119</sup>

The NPA can raise large amounts from the Compostela Valley because of its relationship with small-scale miners.<sup>120</sup> These men resist government efforts to establish larger mines, instead turning to the NPA, which approves the opening of small-scale operations.<sup>121</sup> NPA regulars may even be mining themselves.<sup>122</sup> The CPP, while officially opposing destruction of the environment, considers such limited extraction acceptable as it is not used for export.<sup>123</sup>

The NPA targets small businesses as well. The owner of a fleet of trucks transporting gravel and sand from a quarry

in the Davao area pays 5,000 pesos (\$115) per year for each truck.<sup>124</sup> The NPA also levied a tax of four pesos (ten cents) per kilogram on banana vendors in New Bataan in the Compostela Valley, until the military increased its presence.<sup>125</sup> Other businesses may be taxed a percentage of their total profits.<sup>126</sup>

*Operations.* The group carries out raids and ambushes to “harass” state security forces and seize weapons. In the weeks before the holiday ceasefire began, Maragusan township in the Compostela Valley saw two clashes. On 30 November in Barangay Paloc, around 40 NPA fighters from the Rhyme Petalcorin Command, Front 27, ambushed some 50 soldiers from the 5th Scout Ranger Company. The soldiers were conducting a foot patrol after receiving reports that the guerrillas had demanded miners in the Pamintaran area each pay 50,000 pesos. After an hour-long firefight, six guerrillas had been killed – the body of one, Ka Boogie, was abandoned by the NPA – and three soldiers were wounded by explosive devices.<sup>127</sup> The NPA challenged the military’s version of the encounter, claiming to have killed five soldiers and injured ten with three command-detonated claymore mines, but confirmed that Ka Boogie had been “martyred”.<sup>128</sup>

The military has observed an increase in the use of “landmines” over the last two to three years in Davao and Caraga. The explosives are detonated in advance of an approaching column of soldiers, as they seem to have been in the 30 November attack. Senior officers believe they are made using materials provided by mining companies.<sup>129</sup> The government peace panel has indicated it will raise the issue during peace talks.<sup>130</sup>

On 5 December, another clash occurred in Barangay Tandik, also within Maragusan township. Two units from the Scout Rangers were conducting an early morning foot

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<sup>117</sup>“AFP: Extortion raised P1.5B for CPP in past 12 years”, GMANews.tv, 30 December 2010.

<sup>118</sup>“The New People’s Army in Mindanao: A growing or declining force?”, ABS-CBN News.com, 2 February 2009. A senior military officer commented that the conflict in the Compostela Valley has changed from an ideologically-driven insurgency to a resource-driven one. Crisis Group interview, Manila, 17 August 2010.

<sup>119</sup>Crisis Group interview, senior military officer, Manila, 17 August 2010.

<sup>120</sup>The province has rich deposits of copper and gold. For a list of mining companies and tenements in Region XI (which includes Compostela Valley), see the website of the Mines and Geosciences Bureau, [www.mgbxi.com/mineapp09.html](http://www.mgbxi.com/mineapp09.html).

<sup>121</sup>Crisis Group interview, civil society activist, Davao, 14 August 2010.

<sup>122</sup>For example, if a mine is doing well, small-scale miners who work in the surrounding areas expect to be given access to the mine. The NPA would partake in this divvying up of access, requesting permission for its members to mine for a couple of hours at a time. Crisis Group interview, senior military official, Manila, 17 August 2010.

<sup>123</sup>Sison explained, for example, that while a mayor might be permitted to log trees in order to make traditional ornaments, a governor would not be allowed to do so for profit. Crisis Group interview, NDFP negotiating panel, Utrecht, 16 September 2010. See also “CPP reiterates large-scale mining ban”, press release, CPP Information Bureau, 29 December 2010. See discussion in the section on Caraga below. There are reports that members of the military may also be illegally skimming profits from mining. According to an individual with contacts in Compostela Valley, some mine operators choose to pay off both the military and the NPA to protect themselves. Crisis Group interview, Manila, 1 December 2010.

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<sup>124</sup>Crisis Group interview, civil society activist, Davao, 12 August 2010.

<sup>125</sup>Crisis Group interview, senior military official, Manila, 17 August 2010.

<sup>126</sup>It is unclear where this practice originated. In a 23 August 2010 Crisis Group interview, a police official said it began in Davao, while the chapter on Bicol in *Primed and Purposeful*, op. cit., attributes it to the CPP-NPA there.

<sup>127</sup>“Army encounters NPA extortionists”, press release, 10th Infantry Division, 5 December 2010, available at [www.agila10id.com](http://www.agila10id.com). “Leftist rebel killed, 3 soldiers wounded in S. Philippines clash”, *Manila Bulletin*, 1 December 2010.

<sup>128</sup>“10th ID-EastMinCom guilty of disinformation; NPA ambush kills five, wounds 10 elite Scout Rangers”, press release, Front 27 Operations Command, NPA-Southern Mindanao, 5 December 2010, published on [www.bulatlat.com](http://www.bulatlat.com).

<sup>129</sup>Crisis Group interview, Davao, 12 August 2010.

<sup>130</sup>“Group welcomes inclusion of ‘landmine issue’ in peace talks”, *Daily Inquirer*, 2 January 2011.

patrol when around 30 NPA attacked. The soldiers returned fire, killing an NPA fighter armed with an M-16 rifle that the military recovered.<sup>131</sup> The 10th infantry division subsequently released a statement about the slain guerrilla. Juanito “Jun Jun” Bustamante was from Santa Cruz, Davao del Sur and had been a conductor on a jeepney until its owner sold the vehicle in early 2010. After briefly working as a bamboo cutter in Toril district, Davao City, he told his family in mid-May that he was going to Manila to look for work. In fact, he joined the NPA.<sup>132</sup>

The NPA often seizes weapons during such operations. At other times, the guerrillas plan raids expressly for this purpose, known as *agaw armas*. On the evening of 9 December in Barangay Mapula, Paquibato District, Davao City, Ka Parago’s 1st Pulang Bagani Command raided the Bahani Long Range Platoon, a patrol base manned by *lumad* CAFGUs under the command of AFP Corporal Fresilo Dosel. Eight paramilitaries ran away while one surrendered along with Dosel. The guerrillas made off with four M-1 Garands, two carbines, an M-16, a 12-gauge shotgun, a radio and ammunition. Because the NPA can secure a steady stream of weapons through such operations, the military is trying to restrict its access to ammunition.<sup>133</sup>

The raid was a propaganda success too. Ka Parago emphasised that the NPA “overran the patrol base without firing a single shot”, belying the military’s claims about the group’s brutality. The NPA also used the opportunity to reiterate its criticisms of CAFGU recruitment by pointing out that the paramilitary who surrendered was underage.<sup>134</sup>

The NPA in the Davao region received some bad press after it abducted as a “prisoner of war” Corporal Daiem Amsali Hadjaie on 16 November 2010. Hadjaie, who was ill, was on his way to the hospital when he was stopped at an NPA checkpoint in Monkayo, Compostela Valley. He was also a former MNLF fighter who had been integrated into the Philippine military. The MNLF called for his release, as did Rodrigo Duterte, who threatened to go into the mountains and free Hadjaie himself. On 28 November, the corporal was freed.<sup>135</sup>

*Targeted killings.* The Southern Mindanao NPA command also approves targeted killings, including of tribal leaders cooperating with the *Alsa Lumad* campaign.<sup>136</sup> On 6 August, the NPA ambushed Datu Ruben Labawan, the new head of the armed forces-affiliated Supreme Tribal Council for Peace and Development. Labawan and his wife were on one motorcycle, followed by two soldiers on a second motorcycle; all were on their way to the 10-03rd brigade headquarters in Santo Tomas, Davao del Norte. As they passed through barangay Colosas in Paquibato district, around twenty guerrillas shot at them from the roadside, missing Labawan but killing the two soldiers, one of whom was the datu’s relative. Four civilians in a car following behind were also injured. One, Datu Encencio Dangkay, died the next day from his wounds.<sup>137</sup>

The ambush escalated the conflict. On 12 August, two farmers were shot at by unknown assailants in barangay Colosas; one fled, but the other, Julius Tamondes, was killed. The NPA blamed the military, releasing statements accusing Del Rosario of encouraging Datu Labawan to launch a *pangayaw* (tribal war) against the civilians – mainly Visayan settlers – of the barangay where his relative was killed in the 6 August ambush.<sup>138</sup> There were also reports of a separate *pangayaw* launched by relatives of Datu Dangkay, who had crossed over from the neighbouring province of Bukidnon. By 23 August, Mayor Sara Duterte instructed the Colosas barangay captain to prepare for a possible evacuation. Residents were so worried about the threat of a *pangayaw* that children had stopped attending school.<sup>139</sup>

On 3 September, another farmer, Naldo Labrador, was killed, this time in barangay Paquibato Proper. The victim’s wife identified CAFGU member Roberto “Kulot” Repe as the gunman and the lookouts as members of the 69th infantry battalion under the 10-03rd infantry bri-

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POW Hadjaie after 12 days of captivity”, press release, Merardo Arce Command, Southern Mindanao, 28 November 2010.  
<sup>136</sup> A former CPP member said that targeted killings are normally approved at the level of the regional command. Crisis Group interview, Manila, 1 December 2010.

<sup>137</sup> “2 soldiers die in NPA ambush”, *Philippine Star*, 8 August 2010; “Another victim in Davao ambush dies”, *Davao Sun-Star*, 8 August 2010; Crisis Group interview, senior military officer, Davao, 13 August 2010.

<sup>138</sup> “10thID-AFP’s B/Gen del Rosario resuscitates failed ‘Alsa’ Lumad in Davao City; sows terror among Davao villagers anew”, press release, Merardo Arce Command, NPA Southern Mindanao, 18 August 2010; “Confiscated military documents reveal Confidential Agent Labawan and AFP collusion – NPA”, press release, Merardo Arce Command, NPA Southern Mindanao, 19 August 2010.

<sup>139</sup> “Evacuation likely: mayor”, *Davao Sun-Star*, 23 August 2010.

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<sup>131</sup> “NPA man killed in clash in Compostela Valley”, *Daily Inquirer*, 5 December 2010.

<sup>132</sup> “Another life wasted by communist insurgency”, press release, 10th Infantry Division, 10 December 2010, available at [www.agila10id.com](http://www.agila10id.com).

<sup>133</sup> Crisis Group interview, senior military officers, Davao, 13 August 2010.

<sup>134</sup> “NPA seizes 24 firearms”, *Ang Bayan*, 21 December 2010.

<sup>135</sup> See “Military called to halt rescue mission for ailing soldier”, *Davao Sun-Star*, 27 November 2010; “NPA releases

gade.<sup>140</sup> On 13 September, Mayor Duterte requested that the military deploy a “peace and development” platoon to barangay Colosas and stated that “whatever happens to the people in the area now will be the responsibility of the military”.<sup>141</sup> She likewise called for an investigation into the recent killings.

NPA members and their families have also been the victims of summary executions. Several members of Ka Parago’s family have been killed in recent years. On 4 March 2009, Commander Parago’s twenty-year-old daughter, Rebelyn, was abducted on her way home and found dead the next day.<sup>142</sup> Two months later, on 23 May, Evelyn Pitao, the rebel commander’s sister, was shot dead along with her lover. Both killings were initially blamed on the military.<sup>143</sup> Eight days after Evelyn’s death, the NPA’s Southern Mindanao Regional Command announced she had been killed for “blood crimes”. The statement declared she had been condemned by the “people’s court” – a supposed judicial body that likely does not exist<sup>144</sup> – for cooperating with the military since 1998, leading to: “the killing of her brother Danilo Pitao in Barangay Mankilam Tagum City on June 2008; the arrest of her former hus-

band, Ka Emong in Panabo City on January 2009; and the arrest of her brother, Ka Parago in Davao City on November 1999”.<sup>145</sup>

### 3. Pressure on *lumad* communities

A member of the Catholic Church who has worked for many years with indigenous peoples in Davao del Sur described how the NPA operates by “preying on Filipino hospitality”. At first, small groups of two to four cadres visit for short periods and develop relationships with the residents. They provide the community with seedlings and health care. With this foothold, they expand their influence and recruit. The “hard core” of the NPA is only four to six people, who disappear into the community when the military arrives. At times they simply take over one or two houses, whose regular occupants flee. If the military can identify where the NPA took shelter, these individuals are accused of giving support.<sup>146</sup> With both guerrillas and soldiers passing through, such communities are not only fearful of clashes but are also under severe psychological pressure.

The military does community organising of its own. One pro-military group is the Mindanao Indigenous Peoples Conference for Peace and Development (MIPCPD), which was started in 2003 to improve partnership with the government “to open up and establish its network with those of the private sector”. It claimed to represent eighteen ethnic, non-Muslim tribes. Other *lumad* organisations, such as PASAKA, castigated the group as a puppet of the military. Criticism peaked after MIPCPD baptised the Eastern Mindanao Commander (a rite of initiation into the *lumad* community), and renewed a memorandum of understanding with the military in 2007.<sup>147</sup> MIPCPD is reportedly now less closely aligned with the military.<sup>148</sup> A leftist activist in Davao believes the military sets up such groups to anoint “fake leaders” who will provide the free, prior and informed consent required before companies can extract resources from indigenous communities’ ancestral domains.<sup>149</sup>

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<sup>140</sup> “Peasant leader killed in Davao City, the 7th extrajudicial killing under the new administration”, *Bulatlat.com*, 11 September 2010.

<sup>141</sup> “Peace platoon vs. tribal revenge launched”, *Davao Sun-Star*, 14 September 2010; “Villagers decry militarization in Davao City”, *Daily Inquirer*, 14 September 2010.

<sup>142</sup> She had been stabbed repeatedly in the chest and her genitals had been mutilated. See “A killing too far: Rebelyn Pitao”, *abs-cbnNEWS.com*, 14 March 2009. The military denied the accusations made by Commander Parago, who named four military suspects, two of whom were military intelligence officers who were subsequently confined to barracks. *Ibid.*

<sup>143</sup> See the analysis by the Institute for War and Peace Reporting’s Alan Davis at [www.targetejk.net/index.php?option=com\\_content&view=article&id=20:evelyn-pitao&catid=5:blogs&Itemid=5](http://www.targetejk.net/index.php?option=com_content&view=article&id=20:evelyn-pitao&catid=5:blogs&Itemid=5). In another example, the NPA initially justified its 2 February 2008 killing of Davao businessman Vicente Ferrazini by claiming that he was supporting the military, both covertly and openly, and had permitted a company of soldiers to be based on his farm. After a public outcry – Ferrazini owned a chain of cake and ice cream shops – and once Rodrigo Duterte had denounced the killing, the NPA said on 25 February the killing had been a mistake. See “Duterte enraged over killing of Davao businessman”, *Davao Today*, 12 February 2008; “Ferrazini’s family tells NPA to leave Davao in peace”, *Davao Today*, 1 March 2008; “A Statement of Self-criticism on the Ferrazini Killing”, Merardo Arce Command, Southern Mindanao Regional Operations Command, New People’s Army, 25 February 2008.

<sup>144</sup> The UN special rapporteur on extrajudicial executions, Philip Alston, concluded that this court system “is either deeply flawed or simply a sham”. “Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Philip Alston: Mission to the Philippines”, UN Human Rights Council, A/HRC/8/3/Add.2, 16 April 2007, p. 14.

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<sup>145</sup> The statement was published by a number of news outlets, such as *Mindanews*, “Statement of NPA: Ka Parago’s Sister Punished for Blood Debts Incurred as AFP Intelligence Agent”, Merardo Arce Command, Southern Mindanao Regional Operations Command, New People’s Army, 31 May 2009.

<sup>146</sup> Crisis Group interview, Davao, 13 August 2010.

<sup>147</sup> See “Maj. Gen. Cunanan’s baptism is a defilement of indigenous culture”, press release, PASAKA, published on *Mindanews.com*, 15 June 2008; and “Lumads: militarisation is number one problem”, *Mindanews.com*, 1 March 2009.

<sup>148</sup> Crisis Group interview, tribal leader, Davao, 12 August 2010.

<sup>149</sup> Crisis Group interview, civil society activist, Davao, 13 August 2010.

Indigenous communities in Davao are deeply divided by the conflict. A civil society activist said that those who cooperate with the military and sign mining contracts on behalf of their communities are “*lumad* dealers, not *lumad* leaders”.<sup>150</sup> The perks of cooperating are considerable; an individual who has worked for many years with indigenous communities said those who do are “paid in a thousand ways”, with trips to Manila, for example.<sup>151</sup> A tribal leader pointed out that *lumads* often cannot remain neutral in Davao. Tribes that at one time favoured the NPA but have since broken with the militant left opt to side with the military for their own protection.<sup>152</sup> Meanwhile, senior officers in Davao believe their efforts to organise the *lumads* “give them social status” and a voice.<sup>153</sup> Despite the NPA’s base among *lumads*, its ideology is in tension with the indigenous rights movement.<sup>154</sup>

## B. CARAGA

Caraga, an administrative region comprised of four provinces (Agusan del Sur, Agusan del Norte, Surigao del Sur and Surigao del Norte) and the regional capital Butuan, is a longstanding guerrilla stronghold. Similar to Davao, it is rich in natural resources, with plantations, mining and logging. The presence of the NPA, which attacks infrastructure and levies taxes, has led companies to increase their security; some have military-trained CAFGUs within their private security forces. *Lumads* are around 10 per cent of the population and, as in Davao, are a major focus of the military’s counter-insurgency efforts. Indigenous communities living in the Andap valley in Surigao del Sur have been repeatedly displaced by the conflict over the last ten years.

As of September 2010, six army battalions were posted in the region.<sup>155</sup> A distinctive feature of counter-insurgency strategy in Caraga is that the military has successfully forged a partnership with the police and certain members of the Catholic Church through the Caraga Conference for Peace and Development. Soldiers, officers and clergy regularly exchange text messages and even play basketball together.<sup>156</sup> While the military has the lead role in counter-insurgency efforts, the police are involved in the “legal offensive” against the NPA. They file criminal cases against commanders responsible for offensives and try to find witnesses. Their 17 December 2010 arrest of Pedro Codaste, reportedly the party secretary of the North-Eastern Mindanao Regional Committee of the CPP, was a major coup.<sup>157</sup>

The public face of the communist movement in Caraga is 62-year-old Jorge “Ka Oris” Madlos, whose official title is spokesperson for the NDF in Mindanao but who is also believed to be on the Mindanao Commission.<sup>158</sup> Madlos is adept at using the media to publicise the NPA’s activities; operations are announced through local radio stations, and following the 42nd anniversary of the CPP’s founding in late December 2010, he granted extended interviews.<sup>159</sup> He seems to have taken on a higher profile role amid rumours that the CPP spokesperson, Gregorio “Ka Roger” Rosal, is dead.<sup>160</sup>

The organisation has nine fronts in the region, totalling around 300 guerrillas, and is most active in Agusan del Sur (bordering on the Compostela Valley) and Surigao del Sur.<sup>161</sup> A large proportion is *lumad*, although estimates from military and police vary. Women are involved in a variety of roles, including as commanders. A Caraga

<sup>150</sup> Crisis Group interview, Davao, 14 August 2010.

<sup>151</sup> Crisis Group interview, Davao, 13 August 2010.

<sup>152</sup> Crisis Group interview, tribal leader, Davao, 12 August 2010.

<sup>153</sup> Crisis Group interview, senior military officer, Davao, 13 August 2010.

<sup>154</sup> “The party only supports ethnic militancy that upholds the revolutionary effort, accepts party ‘guidance’, acts against the enemies of the revolution, and refrains from separatism under a future revolutionary regime”. Rutten, “Introduction: Cadres in Action, Cadres in Context”, in *Brokering a Revolution*, op. cit., p. 21. A point of tension is ancestral domain, a concept enshrined in the 1997 Indigenous Peoples Rights Act, which gives tribal communities more power over the areas they have traditionally inhabited. In Luzon in 1986, tribal commanders broke away to set up the Cordillera People’s Liberation Army in order to have greater autonomy over their struggle for self-determination, land and development. Coronel, “The Communist Insurgency in the Philippines”, op. cit., p. 422.

<sup>155</sup> “No let-up in militarization, rights abuses in Caraga”, *Bulatlat.com*, 23 September 2010.

<sup>156</sup> Crisis Group interviews, senior military officers, Davao, 13 August 2010; senior police officers, Butuan, 23 August 2010.

<sup>157</sup> The arrest in Agusan del Sur, on the second day of the holiday ceasefire, was carried out by police acting on outstanding warrants for Codaste. He faces charges of multiple murder, attempted murder and homicide. The NDF called the arrest a violation of the ceasefire. “Police arrest rebel leader in Agusan; NDF says truce violation”, *Daily Inquirer*, 18 December 2010; “The illegal arrest of Pedro Codaste and his four companions violates the GRP-declared ceasefire”, press release, NDFP-Mindanao, 19 December 2010.

<sup>158</sup> He is one of a handful of Mindanao-born cadres who joined even before martial law was declared and remain active in the movement. “Jorge Madlos: new face of the communist underground”, *Mindanews.com*, 29 December 2010.

<sup>159</sup> See the three-part interview with respected journalist Carolyn Arguillas published on *Mindanews.com* in January 2011.

<sup>160</sup> “AFP dares Ka Roger to join peace negotiations”, *GMANews.tv*, 3 January 2011.

<sup>161</sup> Crisis Group email communication, senior military officer, 28 January 2011.

clergyman summoned by the NPA to a remote barangay in early 2009 was met by around 30 NPA regulars, under the control of a woman in her early 30s. She had a .45 pistol on each hip and a stick.<sup>162</sup> Other women are guerilla fighters and nurses.<sup>163</sup> Along with Madlos, the other face of the group in Caraga is Maria Malaya, the spokesperson for the NDF-North-Eastern Mindanao. Some of the regional commanders are from elsewhere in the Philippines and are rotated in and out. The police believe this is because the guerrillas at times carry out operations against relatives of NPA members recruited locally.<sup>164</sup>

The North-Eastern Mindanao Regional Command that operates in Caraga has good command and control. The various fronts coordinate for joint operations. A notable example was a daring raid in Cantilan town, Surigao del Sur, in September 2007. More than 100 NPA fighters overran the police headquarters in its centre in broad daylight, seizing around twenty rifles, over 1,000 rounds of ammunition of various calibres and ten police uniforms.<sup>165</sup>

### 1. The military, the NPA and other armed groups

As in Davao, indigenous groups and leftist activists accuse the military in Caraga of arming *lumads* to fight the NPA. Many tribes have traditional armed groups, such as the Bagani, who are responsible for defending their ancestral domain. Hawudon Jethro Montenegro, the chair of San Miguel Manobo Indigenous Cultural Communities Organisation (SAMMICCO), in Surigao del Sur, complained that since the military has armed Bagani members, they have become a threat to the community. Datu Luciano Wagdus, from barangay Bolhoon, described how he is no

longer able to control the Bagani forces because of the army's interference.<sup>166</sup>

Another tribal group with nebulous relations with the military is the Lumadnong Pakig-bisog Sa Caraga (LUPACA, Indigenous People's Struggle in Caraga Region). While the military previously used the LUPACA as an anti-communist group, it is unclear whether the armed groups using the name now are paramilitaries or bandits or both.<sup>167</sup> Although the group has not been as closely aligned with the army in recent years, it was allowed to keep its weapons.<sup>168</sup>

The NPA still views the LUPACA as a threat. On 31 July 2010 in barangay Padiay, Sibagat town, Agusan del Sur, Leonardo "Andot" Behing was riding tandem on a motorcycle when two NPA fighters fired at him. He was shot 21 times and died. The NPA said he was a leader of the LUPACA and had carried out many crimes against the Philippine people, including kidnapping and banditry.<sup>169</sup>

A hostage crisis in Agusan del Sur in December 2009 also had a connection to the LUPACA. Tribal chieftain Ondo Perez, the man who seized 75 people in an attempt to force the police to drop murder charges against him, was once in the LUPACA. The crisis was a result of a bloody rivalry with Jun Tubay, another former LUPACA; both men were allowed to keep their weapons after leaving the group.<sup>170</sup> The military's willingness to provide arms, coupled with a reluctance to reclaim them from former allies, facilitates such violence.

The allegiance to the government of LUPACA or Bagani tribal forces, or even those recruited as CAFGUs who are under military control, is not assured. Often families are split between the two sides of the communist conflict,

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<sup>162</sup> Crisis Group interview, Butuan, 23 August 2010.

<sup>163</sup> A tribal chieftain in Surigao del Sur described seeing "young female medics". Crisis Group interview, 20 August 2010. A female student, Kemberly Jul Luna, from Mindanao State University-Iligan Institute of Technology, was active with a campus church group before joining the leftist League of Filipino of Students in February 2008. She quickly became much more politically aware through exposure to the poor and victims of human rights violations. Appalled at the August 2008 clashes between the military and the MILF, by January 2009 she had left the university to join the NPA in Bukidnon. She was killed, age 21, in December of that year. See "Brainy beauty joins NPA, dies in Bukidnon", *Daily Inquirer*, 8 January 2010. On the plight of two girls from troubled homes who joined, see "The case of 2 'missing' girls", *Daily Inquirer*, 27 December 2008.

<sup>164</sup> Crisis Group interview, senior police officers, Butuan, 23 August 2010.

<sup>165</sup> Crisis Group interview, police officers, Cantilan, 20 August 2010; and "Surigao town police unit relieved after NPA raid", *GMAnews.tv*, 27 September 2007. Only two police officers were injured in the attack. The NPA reportedly gave medical assistance to one of the injured officers who was unable to flee.

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<sup>166</sup> "Philippines: SAMMICCO complains vs BAGANI-Task Force Gantangan concerning land actions", *indigenouspeople-issues.com*, 8 December 2010.

<sup>167</sup> For example, in 2004, a commander of the LUPACA group was arrested for kidnapping. "Most wanted kidnap suspect in Caraga Region captured", *Manila Bulletin*, 28 August 2004. Around the same time, the group was cooperating with the military in staging fake NPA surrenders to increase public support for the army. "Indigenous People's Federal Army and Other Lumad Armed Groups", in *Primed and Purposeful*, op. cit., p. 406.

<sup>168</sup> Crisis Group interviews, tribal leaders, source close to the military, Caraga, 20, 23 August 2010.

<sup>169</sup> "NPA admits killing Manobo man over 'crimes against people'", *Daily Inquirer*, 3 August 2010.

<sup>170</sup> See "Hostage crisis in Agusan del Sur ends", *ABS-CBNnews.com*, 13 December 2009; Miriam Coronel Ferrer, "The Lumad Wars", *ABS-CBNnews.com*, 18 December 2009; "Hostage-taking in Agusan del Sur exposes bankruptcy of U.S.-Arroyo regime's security policy", press release, NDF North Eastern Mindanao Region, 16 December 2009.

with some members in the NPA and others siding with the military. As an environmental activist described, CAFGUs are pragmatic and play both sides: “If there’s a military, guide the military; if there’s an NPA, guide the NPA”.<sup>171</sup>

Given the array of armed actors in Caraga, the lines between the NPA, CAFGUs, tribal militias, private armies and extortion gangs are blurred. A tribal leader in Agusan del Norte described how some members of his community who were recruited as guerrillas found life in the NPA too difficult. They were allowed to surrender, but the NPA warned then not to cooperate with the military: “If you are leaning to another side, then you will be killed”. Although some received livelihood assistance through the government’s rebel returnee program, others did not. A few were hired by local government officials or companies as bodyguards.<sup>172</sup>

The NPA compares favourably to the region’s armed goons in the eyes of many residents. Santiago town, Agusan del Norte, is rich in gold, armed men and targeted killings.<sup>173</sup> One group that operates there, the Taberlog, has a fearsome reputation. One man whose land is traversed by both the Taberlog and the NPA described how while “the Taberlog show no mercy”, the NPA is easier to deal with: “Their guns are down, and they talk calmly”.<sup>174</sup>

Some criminal groups or hired goons use the name of the NPA to inspire fear. Throughout Caraga, interviewees distinguished between the “real” and these “fake” NPA. As opposed to the “real” NPA – described as a rule-bound organisation that dispenses advice, provides medical care and takes responsibility for its killings – the “fake” ones are “banditos”.<sup>175</sup> A member of the Catholic Church who works closely with the military said the latter may have once been in the NPA or been expelled from it.<sup>176</sup> An-

other religious figure in the region disagreed, saying the “fake” NPA are in fact groups set up by the military to destroy the communists’ reputation.<sup>177</sup> It is often difficult for soldiers and police to know who is a member of the communist movement, although they generally know the commanders in a given area.

The “real” NPA takes advantage of the region’s lawlessness to dispense its alternative form of justice. On 5 May 2010, during the election campaign, the mayor of Lingig, Surigao del Sur, Robert Luna, was travelling with his security escort (two soldiers and two police) on the major highway connecting Davao to the Caraga region, when he was stopped at a checkpoint by 30 NPA fighters. The group said Luna would be tried for his role in the killings of three men – one a former mayor – and for corruption related to a government infrastructure project.<sup>178</sup> He was released two weeks later unharmed. Other candidates have been asked to pay “permit-to-campaign” fees before being allowed to campaign in NPA-controlled areas.<sup>179</sup> A mayoral candidate in the 2004 elections was asked to pay 100,000 pesos (\$2,250) but was able to reduce the amount to 10,000 pesos (\$225) and was not asked for any payment in 2010.<sup>180</sup>

## 2. Companies, resources and the NPA

*Revolutionary taxes.* In December 2010 seven large mining companies in Caraga threatened to pull out of the region over NPA “taxes”, underscoring how control over resources is at stake in the conflict. According to the 4th infantry division, the NPA has increased tax levied on mining companies from 15 million pesos (\$340,000) to 20 million pesos (\$450,000) a month. The group has also

<sup>171</sup> Crisis Group interview, Surigao del Sur, 19 August 2010.

<sup>172</sup> Crisis Group interview, 20 August 2010.

<sup>173</sup> For example, ahead of the 2010 barangay elections, local official Rommel Magdayo Moldez was shot dead in his house on 22 October in barangay San Isidro, Santiago. Moldez had been involved in improving security around the mines at Mount Sarug. “Re-electionist Barangay Kagawad shot dead in Agusan del Norte”, GMANews.tv, 23 October 2010.

<sup>174</sup> Crisis Group interview, Agusan del Norte, 22 August 2010. The Taberlog are reportedly the private army of a local politician. They number around twenty and are heavily armed.

<sup>175</sup> Crisis Group interviews, 20–22 August 2010. The NPA prides itself on its discipline. In addition to the “basic party course” introduced in 1979 to ensure all recruits understand the principles guiding the Philippine revolution, the NPA has its own “basic rules”, which date from the its creation in 1969. These are based on Mao Zedong’s “Three Main Rules of Discipline” and “Eight Points of Attention”. The rules are available at [www.philippinerevolution.net](http://www.philippinerevolution.net).

<sup>176</sup> Crisis Group interview, Butuan, 23 August 2010.

<sup>177</sup> Crisis Group interview, 21 August 2010.

<sup>178</sup> There were no outstanding criminal charges against Luna for the killings, but a corruption investigation was ongoing. “NPA rebels to try captive Surigao mayor for murder”, *Philippine Star*, 7 May 2010; “NPAs release Surigao mayor”, *Philippine Star*, 19 May 2010.

<sup>179</sup> There are also “permits to post posters” and “permits to win” – the latter implying that the NPA campaigns or intimidates voters on the candidate’s behalf. The CPP denies the “permit to win” exists but admits the NPA collects fees from candidates. “CPP-NPA denies issuing ‘permit to win’ for May polls”, *Daily Inquirer*, 12 January 2010. The military claims that amounts levied range from 5,000 pesos to 20 million pesos (\$115 to \$460,000), depending on the position and the individual’s relationship with the guerrillas. “NPA to rake in billions during elections”, ABS-CBN News, 8 March 2010.

<sup>180</sup> When he went to the mountains to negotiate with the group, he explained how he used to help get NPA guerrillas released from prison in the 1980s, which resulted in a reduction. Crisis Group interview, Surigao del Sur, 20 August 2010.

demanded the firms supply computers, radios and guns.<sup>181</sup> A CPP statement countered that the NPA might impose “fines” and take “punitive actions” against firms plundering the environment but disputed the existence of revolutionary taxes.<sup>182</sup> Madlos asserted that for the revolutionary government, “it is impossible not to tax [these firms]”.<sup>183</sup> He added that some companies take a pragmatic view, “After all, we are not demanding for us. [The] NPA does not pocket the amounts they give, and they understand that”.<sup>184</sup>

The chair of the government peace panel, Alex Padilla, said the issue of revolutionary taxation would be raised in negotiations. But others called for a stronger response, such as Senator Gregorio Honasan, a former soldier, who suggested that mining firms be allowed private armies to fight off the NPA.<sup>185</sup> A tribal leader in Caraga reacted with alarm, saying it would pose “a severe threat to *lumad* communities” on whose lands these companies operate.<sup>186</sup>

*Targeting of companies.* Dole Food Company’s banana plantations in Surigao del Sur were regularly attacked in 2010. On 26 November, the NPA destroyed around 22,000 plants, with an estimated value of \$250,000 in Tago town.<sup>187</sup> Further south in the same province, the NPA cut down around 1,600 plants in Barobo town on 13 December. Both areas had been attacked earlier in the year as well.<sup>188</sup> The NPA argues that because firms such as Dole exploit the region’s resources and people, its attacks are justified. The military and many independent

observers say Dole is targeted because the company refuses to pay off the group.<sup>189</sup>

Globe Telecom, a major telecommunications provider, is also affected. On 15 September 2010 in an upland barangay in Cortes town, Surigao del Sur, fifteen NPA fighters burned the communication tower’s generator and sprayed other equipment with bullets.<sup>190</sup>

Some companies that are routinely targeted by the NPA turn to the military for assistance.<sup>191</sup> The Surigao Development Corporation (SUDECOR), a logging company operating in Surigao del Sur, relies on regular patrols by soldiers and has paramilitaries within its own security forces.<sup>192</sup> In 2010, it lodged formal complaints against the NPA with the regional office of the Commission on Human Rights (CHR) in Butuan for burning equipment and using explosive devices.<sup>193</sup> It has adopted a more confrontational stance compared to other companies and is frequently attacked by the NPA.<sup>194</sup>

Around 100 fighters from the NPA’s front committees 30 and 31 launched an offensive against SUDECOR in Lanuza town, Surigao del Sur, on 11 November 2009. The attack began in the morning, when NPA fighters ambushed the Special Civilian Armed Auxiliary (SCAA) paramilitary detachment assigned to the logging company. Eleven paramilitaries and some company employees were held by the NPA, as it seized eighteen firearms and then burned logging equipment. Reinforcements, including troops from the 58th infantry battalion were sent, but the two vehicles carrying them were hit by an explosive, killing eight soldiers, one police officer, two members of the SCAA and two company security personnel. More troops were sent, and fighting continued until the evening. The military said eleven guerrillas were killed.<sup>195</sup> The clash

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<sup>181</sup> “NPA threatens 7 mining companies in Caraga – AFP”, GMA News.tv, 27 December 2010.

<sup>182</sup> “CPP reiterates large-scale mining ban”, op. cit.

<sup>183</sup> “CPP in Mindanao says it collects ‘fines’ not ‘taxes’”, *Daily Inquirer*, 31 December 2010.

<sup>184</sup> “Q and A with Jorge Madlos: ‘We can stop them only to a certain degree’”, *Mindanews.com*, 9 January 2011.

<sup>185</sup> Honasan joined the armed forces in 1971 and was involved in the “people power” revolution that ended Marcos’ government. He then led a number of coup attempts against the government of Cory Aquino. He was granted amnesty by her successor, Fidel Ramos, and ran for the Senate in 1995.

<sup>186</sup> “‘Lumad’ oppose arming mine firms to repel rebel attacks”, *Daily Inquirer*, 5 January 2011.

<sup>187</sup> “Caraga PNP to abide by holiday truce with NPA despite attacks”, 18 December 2010; “NPAs raid banana plantation in Surigao del Sur”, *Manila Bulletin*, 27 November 2010. Information on Dole’s operations in the Philippines is available on its website.

<sup>188</sup> The NPA cut down plants in a different Dole plantation in Tago on 29 March, and burned four backhoes and two bulldozers owned by a Dole subcontractor in Barobo on 27 March. “Reds torch construction equipment in Surigao”, ABS-CBN News, 28 March 2010; “Suspected NPA rebels chop down P1.6M worth of banana plants”, GMA News.tv, 30 March 2010.

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<sup>189</sup> Crisis Group interviews, Manila and Davao, August and November 2010.

<sup>190</sup> “NPAs torch Globe tower in Surigao”, *Gold Star Daily*, 16 September 2010.

<sup>191</sup> For example, the military sometimes stations detachments next to mining company headquarters. Crisis Group interview, local activist, Caraga, 21 August 2010.

<sup>192</sup> Crisis Group interview, senior police officers, Butuan, 23 August 2010.

<sup>193</sup> Crisis Group interview, CHR, Butuan, 23 August 2010.

<sup>194</sup> The NPA singled out SUDECOR in a statement criticising President Aquino’s proposed logging ban, announced in January 2011 after devastating floods and landslides in Mindanao, Eastern Visayas and Southern Tagalog: “The CPP also doubts whether Aquino would order a stop to the big logging operations of ... SUDECOR”. “Aquino’s log ban proposal ‘comes too late and too little’ – CPP”, press release, CPP, 16 January 2011.

<sup>195</sup> “24 killed as rebels, soldiers clash in Surigao del Sur”, *Manila Bulletin*, 13 November 2009; “23 people killed in Surigao clash”, *Philippine Star*, 13 November 2009.

was unusual both for numbers killed and length – senior police officers say that in most cases the NPA is unable to sustain long gun battles.<sup>196</sup>

The group's spokesperson Maria Malaya castigated SUDECOR for destroying the environment, singling out its destructive method of "bulldozer-dragging". She also declared that attacks would not stop until SUDECOR stopped its operations. She emphasised the destruction of logging equipment rather than the seizure of firearms.<sup>197</sup>

The Commission on Human Rights condemned the attack and blamed the NPA for other violence.<sup>198</sup> Two months earlier, on 11 September 2009, it had attacked a SUDECOR vehicle carrying paramilitaries and civilians. One member of the SCAA was killed, along with two civilians, one a child, Cristine Salahay. The NDF released a statement ten days later to clarify that the civilians had been killed in crossfire and were not targets of the attack, and to remind civilians not to travel in vehicles with soldiers, police or paramilitaries.<sup>199</sup> The NPA claimed to have personally apologised to the parents of Cristine Salahay, provided compensation, paid for the burial of the civilians killed and disciplined the guerrillas responsible.<sup>200</sup> Until 2008, the Mindanao Commission reportedly had a dedicated budget for compensating civilian casualties. It was suspended when the regional command ordered fighters not to attack military targets in the company of civilians.<sup>201</sup> It is unclear whether it has been reinstated.

Attacks against SUDECOR in 2010 attracted less attention, although harassment continued. Three NPA fighters were arrested on 5 December, after soldiers discovered documents and bomb-making equipment close to the road leading to a SUDECOR logging concession.<sup>202</sup> On 16 November, in Barangay Hinapuyan in Carmen town, Surigao del Sur, a 40-minute firefight broke out between

ten NPA fighters and state security forces in which one paramilitary was killed. The clash occurred along a road that the government side was patrolling to secure the company's equipment.<sup>203</sup> There was another encounter in the same area the morning of 28 July.<sup>204</sup> Other attacks on the company's infrastructure occurred throughout the year.<sup>205</sup>

*Illegal logging.* The NPA has relationships with illegal loggers in Caraga. Although the CPP leadership regularly decries the effects of mining and logging, environmental NGOs are not certain of the guerrillas' sincerity. Several NGO workers described how although they interact with the NPA in the region, the organisation does not clearly align itself with environmental causes.<sup>206</sup> A member of a *lumad* community in Agusan del Norte said, "maybe they receive some shares, so they keep their mouth shut [about illegal logging]".<sup>207</sup> NPA involvement in at least one recent killing related to illegal logging points to potential inconsistencies in its pro-environment stance.

On 21 August 2010, the police chief of Lianga, Surigao del Sur, Christopher Mazo, was killed by the NPA as he escorted Department of Environment and Natural Resources (DENR) officials – four of whom were wounded – during an investigation into illegal logging in the upland barangay of San Agustin. The department had located around 1,200 cubic metres of illegally-cut logs and had sent a retrieval team of more than 80 to the site. DENR had requested a police escort.<sup>208</sup> The NDF acknowledged

<sup>196</sup> Crisis Group interview, Butuan, 23 August 2010.

<sup>197</sup> "NPA military action aims to put a stop to Sudecor's operations", press release, NDF-Northeastern Mindanao Region, 12 November 2009.

<sup>198</sup> "CHR Caraga condemns another NPA atrocity", *Northern Mindanao Chronicle*, 11-17 November 2009.

<sup>199</sup> "NDF-NEMR commiserates with the families of civilians caught in the crossfire in the ambush against armed SCAA/CAFGU of SUDECOR", press release, NDF-Northeastern Mindanao Region, 21 September 2009.

<sup>200</sup> Crisis Group email communication with Luis Jalandoni, chair of the NDFP negotiating panel, 26 December 2010.

<sup>201</sup> "40 years and counting: the Communist movement in Mindanao", Newsbreak (online), 29 December 2008. The NPA does not provide compensation for individuals who have been summarily executed based on judgments by the "people's courts". Crisis Group interview, IP activist, Davao, 12 August 2010.

<sup>202</sup> "3 NPA rebels captured in Surigao del Sur", *Gold Star Daily News*, 6 December 2010.

<sup>203</sup> Once over, the military recovered explosives and shells from several types of weapons: M-14, M-16, M-1 Garand, AK-47 and Carbine rifle. "Govt militiaman killed, Army officer hurt in Surigao Sur clash", GMANews.tv, 17 November 2010.

<sup>204</sup> NPA fighters attacked a SUDECOR compound guarded by troops from the 36th infantry battalion and paramilitaries. Earlier that day, a group of around fifteen guerrillas, including two women, burned a jeep and a truck about 8km away. "Gov't troops repulse NPA attackers; 1 rebel slain", *Daily Tribune*, 30 July 2010.

<sup>205</sup> For example, on 4 and 6 October, vehicles in Carmen town were burned; on 8 January, front committee 30 burned four units of rakers in Lanuza town. "SUDECOR to NPA threats: we shall overcome", Philippine Information Agency, 14 October 2010; "Suspected NPA rebels burn logging equipment in Surigao", ABS-CBN News, 10 January 2010.

<sup>206</sup> Crisis Group interviews, Caraga, 19-20 August 2010.

<sup>207</sup> Crisis Group interview, Agusan del Norte, 21 August 2010.

<sup>208</sup> "DENR condemns NPA ambush of retrieval team, killing Liangg COP", *Mindanao Magazine*, 26 August 2010; Crisis Group interview, senior police officers, Butuan, 23 August 2010. The same day in Catarman, Samar, the NPA killed eight police, first detonating explosives beneath their truck and then shooting each in the head. Some observers believe the attacks were coordinated. "Cop killed, 2 DENR men hurt in NPA attack in Surigao Sur" and "Eight policemen killed in Samar ambush",



that Front 19 had carried out the attack but contradicted the DENR account of the incident. The group said more than 50 military and police had accompanied the government officials and engaged in combat operations. The statement also again warned civilians against travelling in military vehicles.<sup>209</sup> The police filed murder charges against five senior members of the NPA in Caraga, including Jorge Madlos and Maria Malaya.

Two DENR officials have since been summarily executed in Surigao del Sur. Both Nelson Luna, killed 29 October, and Rolando Sindy, killed 6 December, were shot from the rear by a gunman and an accomplice riding tandem on a single motorcycle.<sup>210</sup> The DENR issued a statement after Sindy's death that linked the killings to Oplan Kalasangan (Operational Plan Forest), a campaign against illegal logging launched in July 2010 by the department. No one has claimed responsibility for the killings.

The police and military in Caraga believe the NPA protects illegal loggers in exchange for a cut of the profits.<sup>211</sup> In response, the NPA accuses the DENR of being complicit in illegal logging, saying some officials are paid not to enforce government regulations. A tribal community in Agusan del Norte agrees that some DENR officials are corrupt, with some striking deals with the NPA.<sup>212</sup>

### 3. Displacement and violence in tribal communities

The militarisation and displacement of communities in upland areas of Surigao del Sur have attracted national attention. One affected community is barangay Mahaba, located a 45-minute drive on a poorly maintained gravel road into the hills that slope up from Surigao del Sur's coast. This lush area is part of the Andap Valley, which spans the uplands of several municipalities.<sup>213</sup> Several communities in the valley have evacuated their homes over the last ten years, fearful of encounters between soldiers and the NPA.

Around 90 soldiers from the 36th infantry battalion arrived in barangay Mahaba in March 2010 and set up

camp in various locations: the barangay hall, a day care and the chapel. Some families let the soldiers stay in their houses.<sup>214</sup> According to a local activist, the families in the barangay are split between those who back the government and those who favour the guerrillas.<sup>215</sup>

Although initially the soldiers got along with the residents,<sup>216</sup> tensions escalated in early August as new troops from the 75th infantry battalion were deployed to the same area. On 7 August, an army truck driven by a soldier in civilian clothes plunged off the road into a ravine close to the village. According to local residents, NPA fighters then shot the soldier.<sup>217</sup> A week later, a drunken soldier threatened several residents, saying that if any other soldiers were harmed, the community would pay.<sup>218</sup> Fearful they would be caught in the crossfire of any further clashes, roughly 160 families (750 individuals) left their homes for the Marihatag gym on 20 August.

A dialogue two days later brought together the barangay leaders, local government officials and the battalion commander. The evacuees demanded either a complete pull-out, or that the soldiers set up their camps outside the barangay's perimeter. The battalion commander refused, explaining that the military is responsible under the constitution for protecting the Filipino people. However, later that evening, the Marihatag mayor received a text from the military to say that the troops had left. The next day the evacuees went home.<sup>219</sup>

On 25 August, a group of seven farmers were stopped by soldiers who reportedly detained the group for five hours and physically assaulted and interrogated them.<sup>220</sup> On 28 August, soldiers and the NPA clashed in sitio Palonpon, barangay Mahaba. The two sides repeatedly exchanged

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*Daily Inquirer*, 22 August 2010; Crisis Group interviews, Butuan, 22-23 August 2010.

<sup>209</sup> "NPA admits killing Surigao town cop chief through sniper attack", Philippine News Agency, 23 August 2010.

<sup>210</sup> "DENR employee shot dead", *Gold Star Daily*, 31 October 2010; "Forest rangers getting killed by illegal loggers", *Daily Inquirer*, 11 December 2010.

<sup>211</sup> Crisis Group interviews, Caraga, 19-23 August 2010.

<sup>212</sup> "Green groups also blame DENR for rise in slays", *Daily Inquirer*, 28 December 2010; Crisis Group interviews, Surigao del Sur and Agusan del Norte, 19-22 August 2010.

<sup>213</sup> Tandaga, Tago, Cagwait, San Agustin, Marihatag and Ligan municipalities.

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<sup>214</sup> Crisis Group interview, local activists, Marihatag, 24 August 2010.

<sup>215</sup> Crisis Group interview, Surigao del Sur, 21 August 2010.

<sup>216</sup> Crisis Group interview, local activists, Marihatag, 24 August 2010. A senior officer formerly posted in the Compostela Valley said the NPA tells communities to cooperate with the military as long as it stays – normally not longer than six months. Crisis Group interview, Manila, 17 August 2010.

<sup>217</sup> Crisis Group interview, Marihatag, 24 August 2010. Karapatan's account of these events does not include any mention of the NPA shooting the injured soldier in the truck. It instead describes soldiers firing into the community and accusing residents of harbouring NPA snipers among them. "Residents of Brgy. Mahaba terrorized by Philippine government security forces in Marihatag, Surigao del Sur, Mindanao", Karapatan, 7 September 2010.

<sup>218</sup> Crisis Group interview, Marihatag, 24 August 2010; "Residents of Brgy. Mahaba terrorized ...", Karapatan, op. cit.

<sup>219</sup> "No let-up in militarization, rights abuses in Caraga", *Bulatlat.com*, 23 September 2010; Crisis Group interview, local government officials, Marihatag, 24 August 2010.

<sup>220</sup> "No let-up in militarization, rights abuses in Caraga", op. cit.

fire from 1pm to 2pm, resulting in one woman guerrilla being shot dead. These incidents prompted another evacuation, of approximately 200 families (more than 1100 individuals).<sup>221</sup> During the evacuation, two farmers – Agustito Ladera and Renato Deliguer – went missing; the leftist human rights organisation Karapatan has identified soldiers from the 36th infantry battalion as likely responsible.<sup>222</sup> The evacuation ended on 8 September, after the local government had helped broker an agreement for the military's withdrawal.

A similar evacuation in June and July 2009 displaced more than 1,500 members of the Manobo tribe from upland areas of nearby Lianga municipality.<sup>223</sup> At the request of the evacuees, Commission on Human Rights Chairperson de Lima intervened and personally oversaw the return of the displaced on 30 August.<sup>224</sup>

Evacuations due to the NPA conflict are small-scale compared to the hundreds of thousands displaced by the collapse of peace talks between the MILF and the government in August 2008.<sup>225</sup> Nevertheless, they underscore the limitations of the military's counter-insurgency strategy. Militarisation of communities only enhances the NPA's ability to vilify the unpopular armed forces. As a tribal leader from Agusan del Norte observed, "it would be better if the NPA came, because they [unlike the military] ask permission".<sup>226</sup> While senior commanders recognise

that there is deep-seated suspicion of the armed forces,<sup>227</sup> coupling peace and development operations to intimidation tactics leads to an incoherent and counter-productive strategy.

### C. NEGROS

In Negros, the military confidently claimed in early 2009 that "NPA terrorists will be wiped out by 2010"; in fact attacks escalated.<sup>228</sup>

The CPP-NPA's strength in Negros has declined considerably since the 1980s, when it successfully infiltrated the lowlands long controlled by wealthy planter elites who own haciendas and sugar mills. Years of organising and guerrilla struggle fell apart, as the Aquino government's counter-insurgency strategy broke some of the alliances the CPP had forged and killed NPA fighters. The 1992 split and subsequent divisions within the "rejectionist" side further weakened leftists in the province.<sup>229</sup>

The CPP-NPA in Negros is now led by the Central Visayas Regional Committee under former priest Frank Fernandez, who also serves as spokesman for the NDF.<sup>230</sup> There are some reports that Fernandez, who is in his 60s, is in poor health.<sup>231</sup> Nevertheless, he commands some 200 armed fighters, according to a mid-2010 military estimate, operating on four fronts: central, northern, south eastern and south western.<sup>232</sup> This last front lost one of its top leaders on 21 September 2010, when Armando Sumayan, alias Ka Pao, its acting secretary, was killed in a clash with soldiers near Sipalay City, where he had reportedly been collecting revolutionary taxes.<sup>233</sup> The army in November 2010 claimed that the front had been "downgraded", meaning significantly reduced in power as a result of arrests and surrenders, but such claims have often proved wrong in the past.<sup>234</sup>

At a press conference marking the 42nd anniversary of the CPP in late December 2010, Ka Marco of the Negros Island Regional Party Committee announced plans to re-

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<sup>221</sup> "Hundreds flee village as rebels, military clash in Surigao", ABS-CBN News, 3 September 2010.

<sup>222</sup> "Two farmers feared abducted by elements of the 36th IBPA in Marihatag, Surigao del Sur, Philippines", Karapatan, 4 October 2010.

<sup>223</sup> The *lumads* asked that soldiers not occupy homes or any other non-government buildings; cease forced recruitment into the CAFGU; and not obstruct delivery of food or other goods. The military refused to pull out completely, saying the local commanders lacked the authority to do so. It also denied forcibly recruiting anyone as a CAFGU and blocking food, and reportedly singled out teachers from two alleged "communist-terrorist front organisations" as responsible for the evacuation – the Tribal Filipino Program in Surigao del Sur (TRIFPSS) and the Alternative Learning Center for Agriculture Development (ALCADEV), in sitio Han-awan, barangay Diatagon. See "Special report on the internally displaced persons of Lianga, Surigao del Sur", 401st infantry brigade, 4th infantry division, 24 July 2009; Memorandum regarding "Investigative mission to determine the conditions of internally displaced persons in the municipalities of Tandag and Lianga, Surigao del Sur", CHR, 11 September 2009.

<sup>224</sup> A video of the return process is available through Karapatan-Caraga at <http://karapatancaraga.blogspot.com/2009/09/military-pull-out-lianga-evacuees.html>.

<sup>225</sup> See Crisis Group Briefing, *The Philippines: The Collapse of Peace in Mindanao*, op. cit.

<sup>226</sup> Crisis Group interview, 20 August 2010.

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<sup>227</sup> Crisis Group interview, Davao, 12 August 2010.

<sup>228</sup> "3 NPA terrorists apprehended in Sorsogon, Negros", Armed Forces of the Philippines news release, 12 January 2009.

<sup>229</sup> See Rosanne Rutten, "Regional Dynamics: Rise and Decline of the CPP-NPA in Negros Occidental", *Brokering*, op. cit.

<sup>230</sup> Fernandez, like the group's peace panel chair, Luis Jalandoni, was a protégé of Bishop Antonio Fortich, the legendary bishop of Negros who died in 2003.

<sup>231</sup> "Ka Frank is still active", *Visayan Daily Star*, 4 January 2011.

<sup>232</sup> The estimate of 200 is cited in "Army foils NPA tactical offensives", *Visayan Daily Star*, 2 July 2010.

<sup>233</sup> "Top CPP-NPA leader killed in south", *Visayan Daily Star*, 23 September 2010.

<sup>234</sup> "Rebels step up offensives", *Visayan Daily Star*, 27 November 2010.

cruit more fighters. The goal is to establish two guerrilla fronts for each of the island's ten congressional districts.<sup>235</sup> According to the military, the NPA finds most of its recruits locally; many are in their 20s.<sup>236</sup>

Prior to this announcement, recruitment efforts had already increased. In 2010, the CPP-NPA approached several former "rejectionist" guerrillas living in the province and asked them to come back. Apparently this tactic has not been successful, as most former members of the communist movement are unwilling to return, given both the acrimony of the split and the difficulty of life in the countryside.<sup>237</sup>

The united front in Negros had also suffered a set back in late 2009, when several priests allied with the NDF left over a dispute about the CPP policy of centralising funds.<sup>238</sup> Under "democratic centralisation", NPA units and front organisations are allowed to keep a percentage of the money they raise – either 40 per cent or 20 per cent according to differing accounts.<sup>239</sup> An individual who works in remote parts of Negros described how there are still non-governmental organisations raising funds for the group, as well as priests and lawyers linked to the NDF who educate communities about the CARHRIHL.<sup>240</sup>

## 1. NPA and military clashes

Of the many NPA-military clashes in 2010, the most spectacular was a raid on 28 August, when some 30 guerrillas from the Northern Negros Front attacked a militia post in Barangay Bug-ang, Toboso and made off with 23 weapons. The raid seemed carefully planned. An initial group of eight guerrillas, wearing uniforms of the police Criminal Investigation and Detection Group (CIDG), drove up in a van and approached army Staff Sergeant

Efraim Bagonoc as he was walking to a nearby town. Forcing him and another man into the van, the NPA then used him to gain entry to the post, which was manned by only ten CAFGUs. The rest of the guerrillas, riding a sugarcane truck, came in behind.<sup>241</sup> According to witnesses, they tried to force Bagonoc to kneel down, after striking him repeatedly with rifle butts, and then shot him at close range in front of the paramilitaries and his fourteen-year-old daughter, as one of the guerrillas videotaped the execution.<sup>242</sup> Autopsy reports showed he had three gunshot wounds in his head, four in his chest, and three in his left hand.<sup>243</sup> Two CAFGU were also shot and wounded. The guerrillas seized two M-16 ArmaLite rifles, twelve M-14 assault rifles and nine M-1 Garand rifles, then burned much of the post to the ground.<sup>244</sup>

The NPA acknowledged its responsibility for the attack but denied military accusations that it had violated international humanitarian law.<sup>245</sup> It said the description in media reports of Bagonoc's killing was false; he had tried to seize a weapon from one of the guerrillas, a spokesman said, and they were forced to shoot in self-defence.<sup>246</sup> It did not try to disguise its satisfaction over the weapons, saying that since January, the NPA in Negros had acquired 41 high-powered rifles and fifteen pistols; "this meant the formation of two new platoons of the NPA and further expansion of the mass base and field fronts".<sup>247</sup>

On 23 September, police filed criminal charges against 36 men and women believed involved in the attack, identifying 21 of them by name. The man accused of being the commander, Rogelio Danoso alias Ka Gildo, is a senior leader of the northern front who had been arrested in

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<sup>235</sup> "NPA creating more fighting units", *Visayan Daily Star*, 4 January 2011.

<sup>236</sup> Crisis Group interview, military officer, Bacolod, 27 November 2010. In late 2009 in Negros Oriental, the military captured two male students enrolled in universities in Cebu and one female nurse, also from Cebu. They were carrying medicine, a revolver, ammunition and "subversive documents". All three were charged with rebellion; a schoolmate of one of the suspects had been killed in an encounter in Negros Oriental in 2008. "3 NPA 'recruits' nabbed after encounter: military", *Visayan Daily Star*, 20 October 2009.

<sup>237</sup> Crisis Group interviews, military officer, Bacolod, 27 November 2010; former CPP member, Manila, 1 December 2010.

<sup>238</sup> Crisis Group interviews, local activist and former CPP member, Bacolod, 27-28 November 2010.

<sup>239</sup> According to a retired police general, Rodolfo Mendoza, the CPP has changed the policy to a 40-60 split. "Reds are now into business, says security expert", *Daily Inquirer*, 6 November 2010.

<sup>240</sup> Crisis Group interview, local activist, Bacolod, 27 November 2010.

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<sup>241</sup> "NPA disguised as cops kill Army commander", *Visayan Daily Star*, 30 August 2010.

<sup>242</sup> "Slain soldier's kin file raps vs. NPA", *Visayan Daily Star*, 7 September 2010.

<sup>243</sup> "Slain Army man was set to retire", *Visayan Daily Star*, 30 August 2010.

<sup>244</sup> "NPA disguised as cops kill Army commander", *Visayan Daily Star*, 30 August 2010; "1 killed, 2 injured in NPA attack", *Panay News*, 30 August 2010.

<sup>245</sup> The military accused the NPA of using the police uniforms as deception and Sgt. Bagonoc as a "human shield" to gain entry to the post. The NPA maintained that the sergeant and the CAFGUs were legitimate military targets and that it had the highest respect for international humanitarian law. Statement of Ka Cecil Estrella, spokesperson of the Roselyn "Ka Jean" Pelle Command, 30 September 2010.

<sup>246</sup> "Raps filed vs. 36 rebels", *Visayan Daily Star*, 24 September 2010.

<sup>247</sup> "NDF-Negros praises the successful tactical offensives by the NPA in Northern Negros and calls for the continued advancement of the armed struggle", official statement, 7 September 2010.

early 2009 but then released on bail.<sup>248</sup> Another who was charged was Mary Grace Delicano, alias Ka Kim, wife of the then secretary of the south-western front, Armando Sumayang.

## 2. Targeting of companies

Negros's sugar industry and haciendas are frequent NPA targets. As in Davao and Caraga, the military and other observers believe such attacks are linked to revolutionary taxation. The Negros CPP regional committee defends them as "legitimate action of a legitimate political force" that provides services, but also admits "the bulk goes to strengthening the armed struggle".<sup>249</sup>

On 5 October 2010, an NPA unit set off a small bomb at the water pumping station of the Victorias Milling Company in Victorias City, Negros Occidental, the country's largest sugar refinery. It then poured gasoline over a few transformers and set them on fire. The attack caused damage estimated at between P400,000 and P600,000 (\$9,000 and \$13,500), and appeared to be meant as a warning to the company to meet the NPA's demands for payment, just as the milling season was about to begin.<sup>250</sup> Three NPA members in police uniforms had arrived at the pumping station first and disarmed a security guard. They were joined minutes later by ten others, including a woman who videotaped the operation. Some 30 other guerrillas provided back-up security. The operation took about ten minutes, after which the group withdrew.<sup>251</sup> Six suspects were arrested a few days later and charged with arson, economic sabotage and robbery.

Similar sabotage efforts, sometimes involving the burning of equipment, are a common feature of the NPA's efforts to exert pressure on corporations, haciendas and businesses to pay "revolutionary tax". As in Caraga, Globe Telecom's facilities in Negros have been targeted by the NPA, but the attacks stopped in late 2008.<sup>252</sup> Security guards at corporations are also a good source of weapons. On 30 April, in a raid on the Maricalum Mining Company

in Sipalay City, Negros Occidental, guerrillas seized seventeen guns as well as about P2,000,000 (about \$45,000) worth of copper.<sup>253</sup>

In Negros, businesses and individuals asked to pay tax normally receive a letter from the CPP-NPA that bears the organisation's logo and a "control number" used to trace payments. The next step is a face-to-face meeting, usually in a remote area, to determine whether the company or individual concerned can pay the amount requested. Once a sum is agreed, the group sends an emissary to collect the money.<sup>254</sup>

Most businesses that receive such letters do not complain publicly. Altertrade, an organic, fair trade company run by ex-CPP members from the "rejectionist" side of the split, was one that did. In 2001, it received a letter from the CPP regional executive committee demanding a one-time payment of 30 million pesos (\$675,000). The company appealed to its international partners, both the government and the communist peace panel chairs and various embassies. Then, on 13 August 2006 in Toboso, Negros Occidental, one of its trucks was flagged down and burned by three men armed with handguns and assisted by another twenty guerrillas.<sup>255</sup> NDF spokesperson Fernandez eventually claimed responsibility in January 2007. Altertrade again raised the issue with the group's Utrecht-based representatives, its trading partners and governments.<sup>256</sup>

## 3. Summary executions

The NPA in Negros targets informers, suspected killers of CPP-NPA members and sympathisers, and individuals deemed responsible for crimes against the people. It also carried out three killings during 2010 of members of the "rejectionist" Revolutionary People's Army (RPA).<sup>257</sup> In some cases, the executions are preceded by charges in a "people's revolutionary court", although this seems to be another name for a decision taken by the local leadership rather than any judicial proceeding.

On 2 November 2010, a former RPA leader, Renante Canete, was killed with four shots to the head while watching a cockfight in Brgy. Lopez Jaena, Sagay City,

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<sup>248</sup> Danoso was arrested on arson charges for his role in the burning of a sugarcane loading facility in Toboso in 2009; he was also said to be responsible for several summary killings. "2 NPA leaders caught in Bacolod", *Cebu Daily News*, 21 February 2009.

<sup>249</sup> "NPA creating more fighting units", *Visayan Daily Star*, 4 January 2011.

<sup>250</sup> "Rebels' to face arson, robbery-in-band raps", *Visayan Daily Star*, 8 October 2010. The company maintains it did not receive any letters demanding payment. "No communication received from rebels before attack", *Negros Daily Bulletin*, 11 October 2010.

<sup>251</sup> "New People's Army bombs sugar mill in Negros", *Philippine Daily Inquirer*, 6 October 2010.

<sup>252</sup> Crisis Group interview, local journalists, 27 November 2010.

<sup>253</sup> "Rebels steal P2M in copper", *Visayan Daily Star*, 3 May 2010.

<sup>254</sup> Crisis Group interview, Manila, 1 December 2010.

<sup>255</sup> "NPAs burn ex-comrades' cargo truck", *Daily Inquirer*, 16 August 2006.

<sup>256</sup> Exchange of letters between Altertrade, CPP-Negros and Luis Jalandoni, made available to Crisis Group.

<sup>257</sup> The RPA is the armed wing of the "rejectionist" Visayas Commission. It merged with the formerly Manila-based Alex Boncayo Brigade (ABB) in 1997. The RPA-ABB signed a peace pact with the government in 2000 but remains armed. For more details see Chapter 12 in *Primed and Purposeful*, op. cit.

Negros Occidental. The Roselyn “Ka Jean” Pelle Command claimed responsibility, saying Canete ran a hold-up gang called Cuadro de Jack and was part of a military death squad responsible for the killing of agrarian leader Reynaldo Bocaling.<sup>258</sup> The statement called on RPA members to desist from further activities against the mainstream movement and to surrender to it “so their appeals can be processed”.<sup>259</sup> The military claimed the execution was part of an ongoing CPP-NPA purge and that a document revealing a broader plan to kill former communists now siding with the military was found in the possession of Danilo Escropolo Badayos, secretary of the Central Visayas command, who was arrested in October.<sup>260</sup> It also claimed the RPA still has some 200 to 300 members although most are no longer engaged in active fighting.<sup>261</sup>

On July 23, NPA hitmen killed a sugar farmer named Sergio Villadar in Escalante, supposedly after he was charged before a “revolutionary people’s court” for the 2007 killing of a worker named Ely Cumawas. A statement from the Roselyn “Ka Jean” Pelle Command said Villadar had resisted when it tried to arrest him, so it was forced to shoot him.<sup>262</sup> It was not clear if the attack was related to the killing the day before of a sugar worker named Joel Rezaga, also in Escalante. According to an activist, the level of killings in Escalante is particularly high because local politicians hire former RPA members as bodyguards or goons.<sup>263</sup>

Members of organisations loosely aligned with the CPP-NPA-NDF, including the political party Bayan Muna, the human rights organisation Karapatan and the September 21st movement have also been the victims of targeted killings. Benjamin Bayles, 43, a man who belonged to all three, was killed in June 2010 in Himamaylan City by hooded gunmen. Two soldiers, privates from the 61st IB, were subsequently arrested for the murder and are on trial.<sup>264</sup> The NPA said that with Bayles’s killing, the mili-

tary was now responsible for 36 extrajudicial executions in Negros.<sup>265</sup>

#### **D. NO DEFEAT THROUGH COUNTER-INSURGENCY OPERATIONS**

The CPP-NPA policy of decentralised operations permits the guerrillas to adapt their strategies to the regions where they operate. The rebels have proved particularly resilient in Mindanao, where weak governance ensures their criticisms of the Philippine government resonate. The island provides large amounts of money for their coffers, and the NPA has adeptly manoeuvred the struggles for control of resources among *lumads*, companies and small-scale loggers and miners to its advantage. Even in parts of the country where there is a smaller support base, such as Negros, the NPA remains a force to be reckoned with.

After more than 40 years of counter-insurgency, it is clear the military’s strategy is not working. Nor, at the same time, has the CPP been able to seize power. It is unlikely it will achieve its declared goal of expanding its ranks and reaching “strategic stalemate” by 2015 through the tactics described. Peace talks may be the only way forward for both sides.

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<sup>258</sup> “NPA claims slay of former RPA leader”, *Visayan Daily Star*, 9 November 2010.

<sup>259</sup> “Slain RPA-ABB leader led hold-up gang, death squad in Negros combined”, *Daily Bulletin*, 9 November 2010.

<sup>260</sup> “AFP claims NPAs into another purging”, *Trade Union Congress of the Philippines News*, 5 November 2010.

<sup>261</sup> Crisis Group interview, military officer, Bacolod, 27 November 2010.

<sup>262</sup> “NPA admits killing sugar farmer in Negros”, *Philippine Daily Inquirer*, 27 July 2010.

<sup>263</sup> Crisis Group interview, Bacolod, 27 November 2010.

<sup>264</sup> Updates on the trial are available at <http://bulatlat.com/main/tag/benjamin-bayles/>.

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<sup>265</sup> “NDF condemns extra-judicial killings”, *Visayan Daily Star*, 29 June 2010.

#### IV. PROSPECTS FOR NEGOTIATIONS

Talks between the Philippine government and the National Democratic Front of the Philippines (NDFP), which negotiates on behalf of the CPP-NPA, have been intermittent and inconclusive since they began under the Cory Aquino government in 1986. Twelve agreements and 25 years later, they have scarcely touched on substantive issues.<sup>266</sup> The Aquino government appears serious about ending the conflict with a political settlement that it aims to reach within three years.<sup>267</sup> An important step was taken in December 2010, when the president announced he had requested the justice department to drop charges against the “Morong 43”, a group of health workers arrested on dubious grounds in February 2010, whose detention had become a cause celebre for the left.<sup>268</sup> Aquino will need to ensure the military is on board for negotiations to bear fruit. Its reaction to the release of the Morong 43 was lukewarm,<sup>269</sup> but according to the negotiating panel, he has persuaded the generals of the wisdom of pursuing talks.<sup>270</sup>

Both sides have previously taken an instrumentalist approach to negotiations. According to CPP orthodoxy, negotiations are a tactic to be pursued alongside the “protracted people’s war”, not a replacement for the latter. The government has historically been sceptical that it is possible to secure peace through talks, with the exception of the Ramos government, under which the most progress was made.<sup>271</sup>

In September 1992, the two sides signed the Hague declaration. This established the formal agenda for negotiations as a four-phase process consisting of discussions on human rights and international humanitarian law; socio-economic reforms; political and constitutional reforms; and the end of hostilities and disposition of forces. In 1995, the Joint Agreement on Safety and Immunity Guarantees (JASIG) ensured the safety of the NDFP panel’s various negotiators.<sup>272</sup>

The only major achievement of the talks to date is the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL), signed in 1998. Both sides recognise the importance of the agreement and adherence to it as a confidence building measure and litmus test of sincerity.<sup>273</sup> The Joint Monitoring Committee (JMC), designed to investigate violations of the agreement jointly, was only inaugurated in spring 2004, with the assistance of the third-party facilitator, Norway. In August 2004, the NDFP negotiating panel indicated it was withdrawing from talks over the renewed inclusion of the CPP-NPA and Sison on terrorist lists<sup>274</sup> and a scandal over President Arroyo’s June re-election.<sup>275</sup> The government was not willing to convene the JMC outside of ongoing peace negotiations, so its two sections have never met.

In 2005, the Arroyo government suggested an interim ceasefire to kick-start the talks. The NDFP panel refused, characterising this as a demand for surrender that reversed the order for peace talks set out in the Hague declaration.<sup>276</sup> The government then suspended the JASIG. This prompted the NDFP negotiators to suggest the insurgency could only end if the government agreed to an array of

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<sup>266</sup> Crisis Group interviews, Manila and Davao, August 2010. The NDFP panel has published all agreements to date and other “outstanding issues” such as the terrorist listing in “The GRP-NDFP Peace Negotiations: Major Written Agreements and Outstanding Issues”, National Democratic Front of the Philippines, Booklet no. 8, March 2006. The agreements are also available from the website of the Office of the Presidential Adviser on the Peace Process, [www.opapp.gov.ph](http://www.opapp.gov.ph).

<sup>267</sup> Crisis Group interview, Western diplomat, Manila, 30 November 2010. Padilla said, “the previous administration tried to eliminate the NPA in three years time but did not succeed because they used military means”. See “Gov’t eyes peace pact with NDF within 3 years”, press release, OPAPP, 14 December 2010.

<sup>268</sup> The military maintains they are communist insurgents. They were charged with illegal possession of firearms and explosives; the group claimed these had been planted on them by the military. “Tears, applause greet Aquino order to drop charges vs. Morong 43”, *Daily Inquirer*, 11 December 2010.

<sup>269</sup> “Military abide by Aquino order but insists Morong 43 are Reds”, *Daily Inquirer*, 11 December 2010.

<sup>270</sup> Crisis Group telephone interview, Alex Padilla, chair of the government negotiating panel, 9 February 2011.

<sup>271</sup> The NDFP panel shares this assessment and spoke favourably of Ramos’s approach. Crisis Group interview, Utrecht, 16 September 2010. It is also relevant that the Ramos government

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was negotiating at the time of the split and therefore was dealing with a considerably weaker group.

<sup>272</sup> For an analysis of the challenges involved in negotiating the JASIG, see Rene V. Sarmiento, “Facilitating dialogue with armed insurgents in the Philippines”, Conciliation Resources, 2005.

<sup>273</sup> Crisis Group interviews, government and NDFP representatives, Manila and Utrecht, August and September 2010.

<sup>274</sup> The inclusion of the CPP-NPA on such lists is more a reflection of the international political environment after the 11 September 2001 attacks in the U.S. than an accurate assessment of the organisation’s activities. Crisis Group interview, Manila, 9 August 2010. According to one assessment, the CPP-NPA is better described as a national liberation movement whose form and goals are rooted in the 1960s. “The evolution of the armed conflict on the communist front”, Philippine Human Development Report, 2005, chapter 3. Sison was removed from the EU terrorist list in December 2010.

<sup>275</sup> On the “Hello Garci” scandal, see Crisis Group Report, *The Philippines: Counter-insurgency vs. Counter-terrorism in Mindanao*, op. cit., p. 23.

<sup>276</sup> “Reds reject gov’t offer of ‘interim ceasefire’”, *Philippine Star*, 1 May 2005.

political, social and economic reforms set out in a document released in August the same year, the “Concise Agreement to End Civil War and Achieve a Just Peace Immediately”.<sup>277</sup>

The Arroyo government responded by widening counter-insurgency efforts to target above-ground militant activists, eroding what little trust there had been between the two sides. As part of this “legal offensive”, in 2006 various members of the left, including of the NDFP’s side of the JMC, were charged with rebellion, which enables warrantless arrest. This severely undermined prospects for resuming talks.<sup>278</sup>

Complaints of violations of the CARHRIHL have continued to be filed with the NDFP and government committees that together comprise the JMC.<sup>279</sup> Once a complaint is filed, each committee is meant to pass it on to the other side, followed by a joint investigation. For the first two years, leftist groups were alone in using the complaints mechanism, to point out abuses committed by the military and police. Once the government realised that it was essentially losing a new propaganda war, it lodged 1,395 complaints with the NDFP committee in November 2006. The NDFP panel refers to these and others it considers unsubstantiated as “nuisance” complaints.<sup>280</sup> Because the JMC has never met, each side has launched separate investigations. The government has investigated six cases of extrajudicial killings; the NDFP committee has not disclosed the number of unilateral investigations it has undertaken, but says it does investigate valid complaints.<sup>281</sup>

Some progress was made towards restarting talks in 2009 through backchannel negotiations facilitated by Norway. In February, the government indicated that a ceasefire was no longer a prerequisite to the resumption of negotiations. In July, it reinstated the JASIG and began working towards the release from prison of several of the NDFP’s political consultants. Disagreements over the terms of their release and the issuing of travel documents meant

formal talks did not resume before Arroyo’s term expired in June 2010.<sup>282</sup>

In his July 2010 state of the nation address, President Aquino said the government was ready to declare an immediate ceasefire and resume negotiations. The CPP-NPA rejected the demand for a ceasefire first, but welcomed the opportunity to reopen formal talks.<sup>283</sup> In October, Aquino changed tack and named the government peace panel, led by health undersecretary Alex Padilla.<sup>284</sup> Despite their suspicions of Aquino’s adviser on the peace process, Teresita “Ging” Deles, the NDFP reacted positively to the panel.<sup>285</sup>

In Hong Kong on 1-2 December, the NDFP panel chair, Luis Jalandoni, and Padilla met for informal discussions that resulted in a ceasefire over the Christmas holidays (16 December 2010 to 3 January 2011), the longest break in hostilities in more than ten years.<sup>286</sup>

A second round of informal talks was held in Oslo from 14 to 18 January 2011. The government raised the issue of the NPA’s use of “landmines”, arguing that the CARHRIHL agreement does not recognise the legality of command-detonated explosives, unlike the Ottawa Treaty.<sup>287</sup> The NDFP challenged the 4 January arrest of Tirso “Ka Bart” Alcantara, a high-ranking NPA figure, who the group

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<sup>277</sup> This is available in “The GRP-NDFP Peace Negotiations: Major Written Agreements and Outstanding Issues”, op. cit., pp. 118-120.

<sup>278</sup> For more in depth analysis, see “Philippines: Political Killings, Human Rights and the Peace Process”, Amnesty International, op. cit.

<sup>279</sup> Norway continued to provide funding despite the suspension of formal talks. Although the two committees share an office in Cubao, Quezon City, they do not interact with each other, even going so far as to avoid crossing paths in the hallway. Crisis Group interview, Manila, 10 August 2010.

<sup>280</sup> Crisis Group interview, NDFP representatives, Manila and Utrecht, August and September 2010.

<sup>281</sup> Crisis Group interviews, OPAPP staff, 17 August 2010; NDFP representatives, Manila and Utrecht, August and September 2010.

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<sup>282</sup> Crisis Group interview, OPAPP staff, 17 August 2010; and OPAPP document on status of talks, made available to Crisis Group.

<sup>283</sup> “Reds ready to resume peace talks with Aquino gov’t – Sison”, *Daily Inquirer*, 27 July 2010.

<sup>284</sup> The other members of the panel are Pablito Sanidad of Baguio City, Ednar Dayanghirang of Davao Oriental, Lourdes Tison of Negros Occidental and Jurgette Honculada of Zamboanga. “Aquino set to talk peace with Reds, names panel”, *Daily Inquirer*, 22 October 2010.

<sup>285</sup> Deles held the same role under Arroyo from 2003 to 2005. When asked for his views on Deles, Sison said “Deles is a negative ... she has shown rottenness before”. Crisis Group interview, Utrecht, 16 September 2010.

<sup>286</sup> Temporary ceasefires have been declared before, usually around holidays or after natural disasters. The NDFP is averse to formal, monitored ceasefires based on the experience of the 60-day ceasefire under the Cory Aquino administration during which many of the group’s underground members surfaced. Sison said that then General Ramos boasted the military’s “intelligence stocks had gone up” because of the ceasefire. Crisis Group interview, NDFP negotiating panel, Utrecht, 16 September 2010.

<sup>287</sup> Crisis Group telephone interview, Alex Padilla, government peace panel chair, 9 February 2011. The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, to which the Philippines is a state party, bans landmines that are activated by the victim. Mines that are detonated by a combatant who can see the target are legal under the terms of the convention. Non-state armed actors cannot be parties to it.

says is a participant in the peace process and therefore covered by the JASIG.<sup>288</sup> A joint communiqué released after talks ended stated that while the government would work for the release of the NDFP's consultants and others protected by the JASIG, formal negotiations would begin without any preconditions.<sup>289</sup> These will be held from 15 to 21 February in Oslo, facilitated by Ture Lundh, a Norwegian diplomat, and accompanied by another ceasefire.

Although most welcome the resumption of talks, others question the intentions of the CPP-NPA and "whether the government is even talking to the right people".<sup>290</sup> The CPP remains committed to overthrowing the Philippine state, which begs the question of what kind of political settlement is possible.<sup>291</sup> The sides have agreed to take up simultaneously the next two items set out in the Hague declaration: socio-economic reforms as well as political and constitutional reforms.<sup>292</sup> Satur Ocampo of Bayan Muna suggested the former could perhaps consist of development programs that the organisation would like to run in areas under CPP-NPA control. However, the government may not be willing to acknowledge that the insurgency controls territory.<sup>293</sup> At the same time, the armed side of the movement is not convinced substantial reforms can be achieved through a parliamentary process.<sup>294</sup> Whether the entire organisation, including the Philippines-based Tiamzon couple, supports negotiations is also unclear.

An option the government and military have previously floated is to pursue local talks, given the uncertainty over whether the Utrecht panel really represents the organisation. The CPP-NPA leadership is adamantly opposed, perceiving an effort to split the movement, as well as gather intelligence for military operations.<sup>295</sup> It is not in its interest to grant either international mediators or mem-

bers of the government access to local commanders.<sup>296</sup> However, the Philippine government's negotiating team and the military are now convinced that "whatever influence they [Utrecht] have, they are still worth talking to ... it's better for the country".<sup>297</sup>

As the government pushes ahead with negotiations, it would also do well to recall that the outcomes of talks with the various armed "rejectionist" splinter groups were more about peacebuilding and money than substantive political issues.<sup>298</sup> In some cases the government did not insist on disarmament, enabling such groups to retain their weapons. The ceasefire with the RPA in Negros Occidental is a case in point. The last thing the Philippines needs is for the CPP-NPA to break into splinter groups that clash among themselves, engage in extortion and act as guns for hire.

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<sup>288</sup> The identities of individuals protected by the JASIG can be confirmed by checking photos kept in a safe in the Netherlands. The NDFP has not requested this step to be taken in Alcantara's case. Crisis Group telephone interview, Alex Padilla, government peace panel chair, 9 February 2011.

<sup>289</sup> "GPH-NDF joint communiqué on informal talks", 18 January 2011.

<sup>290</sup> Crisis Group interview, Western diplomats, Manila, 30 November 2010.

<sup>291</sup> A senior government official said the NDFP panel would need to make major adjustments to its demands for a deal to be possible. Crisis Group interview, Manila, 10 February 2011.

<sup>292</sup> Crisis Group telephone interview, Alex Padilla, government peace panel chair, 9 February 2011.

<sup>293</sup> Crisis Group interview, Satur Ocampo, Bayan Muna, Manila, 11 August 2010.

<sup>294</sup> Ibid; and Crisis Group interview, academic, Manila, 9 August 2010.

<sup>295</sup> Crisis Group interview, NDFP negotiating panel, Utrecht, 16 September 2010.

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<sup>296</sup> Norway has previously asked for access to local commanders and was rebuffed. The NDFP made some effort to facilitate access to mass organisations. Crisis Group interview, NDFP negotiating panel, Utrecht, 16 September 2010. Regardless of any government policy, informal local negotiations already exist. Civil society groups and barangay captains discuss with NPA commanders the need to respect customs and rules governing access to their community. Crisis Group interview, academic, Manila, 16 August 2010. They sometimes approach the public face of the group in Utrecht as well but rarely receive a response. Crisis Group interview, civil society activist, Manila, 30 November 2010. An activist who works in North Cotabato explained that he had asked the local NPA commanders not to recruit children. Crisis Group interview, Davao, 14 August 2010.

<sup>297</sup> Crisis Group telephone interview, Alex Padilla, government peace panel chair, 9 February 2011.

<sup>298</sup> Crisis Group interview, former CPP member and former government official, Manila, 9-10 August 2010.



## V. CONCLUSION

The CPP-NPA is now in its fifth decade of waging war against the Philippine government. It has outlasted martial law and four democratically elected governments. Despite what many consider its anachronistic ideology, the insurgency has endured, because many of its criticisms of income inequality, human rights abuses and broader social injustice still resonate with some Filipinos.<sup>299</sup> It remains a countrywide threat to the Philippine military and police and a hindrance to government efforts to establish control over and develop large parts of the country. For Filipinos who live in areas where armed clashes occur and various forms of pressure are exerted by both sides, this is bad news. The fact that the conflict does not produce as many casualties as it once did in no way diminishes the broader toll it takes on communities.

In Mindanao, violence will continue because of the CPP-NPA even if the government manages to contain the conflict with the MILF. In fact, many of the problems in Muslim Mindanao that are receiving attention and money from donors exist in NPA-controlled villages as well. But in these areas of Mindanao, such as upland Surigao del Sur, it is the military alone that has conducted a counter-insurgency campaign with one hand and led development efforts with the other. Although the new internal security plan, Oplan Bayanihan, aims to involve a wider range of departments in the military's peace and development operations so as to undercut support for the CPP-NPA, the sense in these communities of being neglected by and mistrustful of the government runs deep. The government also seems unwilling to end its use of paramilitary forces and tribal militias as long as the guerrillas remain a security threat.

As the Aquino government and the NDFP negotiating panel proceed with peace talks, the priority must be on convening the JMC and rendering it an effective mechanism for investigating violations of the CARHRIHL. Both sides have mistaken human rights monitoring for a tally sheet. The NDFP monitoring committee must hold NPA commanders to account for their actions. Likewise, the Philippine military and police should avail themselves of this opportunity to demonstrate their commitment to human rights by cooperating fully with the joint investigations the JMC will undertake once convened.

The peace process with the CPP-NPA has often taken a backseat to efforts to broker peace with the MILF, but

President Aquino has taken office with a commitment to respect human rights and end both insurgencies before his term expires in 2016. Serious obstacles remain to reaching a political settlement with the CPP-NPA. But it is far better to negotiate than to wage an unwinnable war or wait for the organisation to disintegrate over time, with the risk that NPA fighters will simply swell the ranks of the many hired guns.

**Jakarta/Brussels, 14 February 2011**

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<sup>299</sup> A scholar suggests the longevity is a product of the group's ability to "react to political opportunities while maintaining ideological leadership". Caouette, *Persevering Revolutionaries*, op. cit., p. 521.

## APPENDIX A

### MAP OF THE PHILIPPINES



Courtesy of The General Libraries, The University of Texas at Austin

## APPENDIX B

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**February 2011**

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**Gianfranco Dell'Alba**

**Jacques Delors**

**Alain Destexhe**

**Mou-Shih Ding**

**Gernot Erlar**

**Marika Fahlén**

**Stanley Fischer**

**Malcolm Fraser**

**I.K. Gujral**

**Max Jakobson**

**James V. Kimsey**

**Aleksander Kwaśniewski**

**Todung Mulya Lubis**

**Allan J. MacEachen**

**Graça Machel**

**Barbara McDougall**

**Matthew McHugh**

**Nobuo Matsunaga**

**Miklós Németh**

**Christine Ockrent**

**Timothy Ong**

**Olara Otunnu**

**Shimon Peres**

**Victor Pinchuk**

**Surin Pitsuwan**

**Cyril Ramaphosa**

**Fidel V. Ramos**

**George Robertson**

**Michel Rocard**

**Volker Rühle**

**Mohamed Sahnoun**

**Salim A. Salim**

**Douglas Schoen**

**Christian Schwarz-Schilling**

**Michael Sohlman**

**Thorvald Stoltenberg**

**William O. Taylor**

**Leo Tindemans**

**Ed van Thijn**

**Simone Veil**

**Shirley Williams**

**Grigory Yavlinski**

**Uta Zapf**

**Ernesto Zedillo**