

**Refugee Review Tribunal
AUSTRALIA**

RRT RESEARCH RESPONSE

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Questions

- 1. Can you please provide current information on the NPA?**
- 2. Are they still an active force in Paranaque?**
- 3. President Arroya announced a 2010 deadline for defeating the insurgency. What measures have been taken by the authorities?**

RESPONSE

1. Can you please provide current information on the NPA?

Recent human rights and security reports on the Philippines indicate that the New People’s Army (NPA) (the armed wing of the Communist Party of the Philippines (CPP)) is still active around the country. In its 2008 human rights report the US Department of State (USDOS) observes that: “Communist insurgents, mainly from the NPA, continued to kill political figures, military and police officers, and civilians, including suspected military and police informers. The NPA and other extortion groups also harassed businesses and burned buses and private communication facilities to enforce the collection of ‘revolutionary taxes.’” However, the USDOS report on terrorism in the Philippines in 2008 states that: “While the 5,000-strong NPA continued to disrupt public security and business operations with intermittent attacks on communication and transportation infrastructure throughout the Philippines, it continued to decline in personnel and effectiveness”. More recently, an August 2009 country risk assessment in *The Economist Intelligence Unit* reports on the possibility of talks resuming between the government and the National Democratic Front (the NDF, which represents the CPP and other left-wing groups). According to *The Economist Intelligence Unit* “[a] peace agreement would remove the threat the Communist Party’s armed wing, the [NPA], poses across much of the country. At present, companies that refuse its demands for ‘revolutionary taxes’ face reprisal attacks. Violent crime and kidnapping remain problems”. A search of recent media found reports of continued violent incidents involving the NPA. For

example, a 10 September 2009 *Reuters* article states: “Active in 69 of 80 provinces, the 4,000-member Maoist-led guerrilla force has stepped up attacks on plantations, mines, logging and telecommunications facilities in the countryside to raise funds for its recruitment, training and other activities”. The *Reuters* article also reports that the NDF has called off discussions with the government and that “peace talks could be delayed until a new government takes over next year”. A *Wall Street Journal* article, also dated 10 September 2009, profiles Jose Maria Sison, the founder of the CPP, who “says that the party’s military wing [the NPA] plans to significantly increase its armed capabilities in the next three years”. The article also quotes Ian Bryson, a Southeast Asia risk analyst at London-based consultancy Control Risks: “The threat remains from the NPA, but the risks are likely to diminish in the next few years,” Mr. Bryson said, adding that Mr. Sison’s comments about growing numbers of NPA guerrillas seem “more hopeful than realistic” (US Department of State 2009, *2008 Human Rights Report: Philippines*, 25 February – Attachment 1; US Department of State 2009, *Country Reports on Terrorism 2008 – Philippines*, 30 April – Attachment 2; ‘Philippines: Risk ratings’ 2009, *Economist Intelligence Unit*, 17 August – Attachment 3; ‘Philippines sees peace talks with leftists delayed’ 2009, *Reuters*, 10 September <http://www.reuters.com/article/latestCrisis/idUSMAN287139> – Accessed 6 October 2009 – Attachment 4; Guevarra, V. 2009, ‘Philippine Rebel Predicts Wider Insurgency’ *Wall Street Journal*, 10 September <http://online.wsj.com/article/SB125252364560796741.html> – Accessed 6 October 2009 – Attachment 5).

Reports

The latest USDOS human rights report on the Philippines includes the following details of the activities of the NPA in 2008:

In addition to killing soldiers and police officers in armed encounters, the New People’s Army (NPA) – the military wing of the Communist Party (CPP) – killed local government officials and ordinary civilians. There were reports that the Moro Islamic Liberation Front (MILF) and the terrorist groups NPA and Abu Sayyaf Group (ASG) used child soldiers in combat or auxiliary roles. Terrorist groups committed bombings that caused civilian casualties.

...Terrorist groups killed and kidnapped NGO workers and other civilians. Communist insurgents, mainly from the NPA, continued to kill political figures, military and police officers, and civilians, including suspected military and police informers.

...By year’s end the CHR investigated 20 new cases of enforced disappearances, abductions, and kidnappings involving 27 victims, some of whom were found to have been detained without a warrant (see section 1.d.). Of the 20 cases, one was referred to the deputy ombudsman for the military, 16 were still under investigation, and three were either dismissed or closed. The NPA was implicated in two cases, members of the military and police were implicated in nine cases, and unidentified suspects were involved in the others.

...The NPA, as well as some Islamic separatist groups, were responsible for a number of arbitrary detentions.

...Communist insurgents, mainly from the NPA, continued to kill political figures, military and police officers, and civilians, including suspected military and police informers. The NPA and other extortion groups also harassed businesses and burned buses and private communication facilities to enforce the collection of “revolutionary taxes.”

At year's end, according to military and police sources, 209 members of the AFP were killed in action during encounters with rebel and terrorist groups: 140 by the NPA, 56 by the ASG, and 13 by the MILF. During the same period, AFP operations resulted in 340 insurgents killed: 166 NPA, 27 ASG, 146 MILF, and one from the Moro National Liberation Front. The PNP recorded 82 of its personnel killed from January to November and claimed 91 insurgents killed in operations around the country, including 67 NPA, two ASG, and 22 MILF.

On April 4, NPA forces in Tineg, Abra, fired at a truck carrying 14 civilians, killing four. On June 28, NPA forces killed four government forces members in two attacks on Siargao Island, Surigao del Norte; two civilians were killed in the crossfire. On August 5 and 13, NPA rebels killed two rebel returnees.

...During the year the NPA and the ASG targeted children for recruitment as combatants and noncombatants. The NPA claimed that it assigned persons 15 to 18 years of age to self defense and noncombatant duties; however, there were reports that the NPA continued to use minors in combat. A local NGO reported that 100 children were used as NPA soldiers in Eastern Samar.

...The NPA continued to subject military personnel, police, local politicians, and other persons to its so-called courts for "crimes against the people." The NPA executed some of these "defendants" (US Department of State 2009, *2008 Human Rights Report: Philippines*, 25 February – Attachment 1).

The USDOS country report on terrorism in the Philippines for 2008 states that while the NPA conducted intermittent attacks, "it continued to decline in personnel and effectiveness":

As in recent years, terrorist groups active in the Philippines included the Abu Sayyaf Group (ASG), Jemaah Islamiya (JI), the New People's Army (NPA), and the Rajah Solaiman Movement (RSM).

...The U.S. counterterrorism strategy of offering development opportunities in areas at risk for terrorist recruitment continued to marginalize the small remaining numbers of ASG and JI terrorists from Muslim insurgents in the southern Philippines. While the 5,000-strong NPA continued to disrupt public security and business operations with intermittent attacks on communication and transportation infrastructure throughout the Philippines, it continued to decline in personnel and effectiveness. However, the NPA remained steadfast in its refusal to accept President Arroyo's broad amnesty overtures, turning down offers to negotiate unless its U.S. and international designations as a terrorist organization were rescinded (US Department of State 2009, *Country Reports on Terrorism 2008 – Philippines*, 30 April – Attachment 2).

The Freedom House *Freedom in the World* report for 2009 has little information on the NPA, although it does state that "the communist NPA continues to engage in some executions, torture, and kidnappings in the countryside, especially in central and southern Luzon. In January 2008, the group carried out a significant attack on a mining company". Much of the information on insurgent groups in current human rights reports on the Philippines focuses on the Muslim insurgency in the southern provinces. Freedom House's report for 2009 states that "breakdown of peace negotiations between the government and Muslim insurgents plunged the southern provinces into the worst violence since 2003, with more than 600,000 people displaced from their homes by year's end" (Freedom House 2009, *Freedom in the World 2009 – Philippines*, UNHCR Refworld website, 16 July <http://www.unhcr.org/refworld/docid/4a64528e1e.html> – Accessed 2 October 2009 – Attachment 6).

The Human Rights Watch (HRW) world report for 2008 states “Armed encounters between the Armed Forces of the Philippines (AFP) and groups such as the communist New People’s Army (NPA), the Moro Islamic Liberation Front (MILF), and the Abu Sayaff Group (ASG) continue” (Human Rights Watch 2009, *World Report 2009 – Philippines*, January – Attachment 7).

Recent media

In a 10 September 2009 article *The Wall Street Journal* provides information on the CPP and the NPA. The article quotes the founder of the CPP, Jose Maria Sison, who says that the insurgency “intends to use sympathizers to recruit 3,000 to 5,000 new guerrillas in impoverished rural areas”. The article notes that “Philippine intelligence officials today still regard the NPA as the nation’s biggest security threat”. The article also quotes Ian Bryson, a Southeast Asia risk analyst at London-based consultancy Control Risks: “The threat remains from the NPA, but the risks are likely to diminish in the next few years”. The article follows at length:

More than 40 years after founding the Communist Party of the Philippines, a former literature professor who has long stayed outside his homeland says the party’s military wing plans to significantly increase its armed capabilities in the next three years.

Jose Maria Sison, who was imprisoned in 1977 by then-President Ferdinand Marcos and freed in 1986 by Corazon Aquino shortly after “People Power” put her in power, says the insurgency he seeded with Maoist ideas intends to use sympathizers to recruit 3,000 to 5,000 new guerrillas in impoverished rural areas.

He maintained that based on their experience, small squads of the New People’s Army are able to do organization work and recruitment in targeted villages, and platoons are capable of assaults to gather more firearms from Philippine soldiers and police stations.

In Mr. Sison’s view, there are currently about 6,000 rebels in the NPA. That is close to an estimate by the Philippine military, which put the number of guerrillas at 5,239 at the end of 2008.

Philippine intelligence officials today still regard the NPA as the nation’s biggest security threat. Its ambition to overthrow the Philippine government and replace it with a Maoist state, they say, surpasses that of a better-equipped Islamist insurgency in the south of the country, which hopes to carve out a localized Muslim homeland.

The 70-year-old Mr. Sison, who has lived in the Netherlands for 22 years, made his comments on the NPA in an interview soon after efforts were made – and then halted – to restart peace talks between the National Democratic Front, an umbrella organization of far-left Philippine groups, and the Philippine government.

The planned talks, initially set for August in Norway, didn’t proceed after Philippine authorities refused an NDF demand that Manila first drop criminal charges against two suspected Communist leaders currently in hiding.

In 1992, the NDF and Philippine government representatives, meeting in The Hague, agreed to a joint declaration on pursuing peace talks; then-President Fidel Ramos later signed the agreement.

From 1992 to 2004, when the last round took place, the two sides held about 30 formal and informal meetings, according to the Philippine Peace Center, a nongovernment organization.

Since 1990, Mr. Sison has used the title of chief political consultant to the NDF, and in that capacity he has been involved in discussions about restarting the peace talks after a five-year break. Philippine government negotiator Avelino Razon Jr. has described Mr. Sison's insistence that Manila prosecutors drop charges against the rebel leaders as "unreasonable."

For years, Mr. Sison has denied being chairman of the Communist Party or directing its military wing. Philippine intelligence officials have long said that he has denied any party position to help maintain a refugee status.

With his NDF position, Mr. Sison has had a role in setting the agenda of the peace talks. To date, the process has produced agreement on just one main agenda item – mutual respect for human rights and international humanitarian laws.

When Mr. Sison founded the Communist Party of the Philippines in 1968, he adopted the nom de guerre Amado Guerrero, or beloved warrior. Before his 1977 capture in a safe house after meeting field commanders, Mr. Sison galvanized the growth of the party.

While he was leading the party's insurgency against the Philippine government, he regularly told fellow guerrillas their struggle would be protracted – and he still feels that way. President Gloria Macapagal Arroyo has ordered the Philippine army to eliminate the NPA by 2010. Mr. Sison foresees that in addition to a growing number of rebels, the Manila government in coming years will be confronted by increased NPA propaganda and community-organizing efforts.

"The NPA is waging a war of fluid movement," he said. "It doesn't defend a territory to the death – it has no fixed structures to defend."

The U.S., along with the Philippine government and the European Union, considers the NPA a terrorist group. Mr. Sison, who can't travel to the U.S., hasn't been granted the right of stay in the Netherlands, but he has been allowed to remain since he came in 1987 on an overseas lecture tour.

While he was on that tour, the Aquino government canceled his passport. Colleagues advised Mr. Sison to stay in the Netherlands, fearing attacks in the Philippines at that time on leftist leaders. In 1992, a Dutch court gave him the status of a political refugee.

During the years since Mr. Sison left the Philippines, the communist insurgency there has continued, and inflicted both human and economic costs. The guerrillas' custom of extracting what they call "revolutionary taxes" from mines, plantations, transport and telecommunications companies operating in rural areas has hurt development of infrastructure across the country for years.

Ian Bryson, Southeast Asia risk analyst at London-based consultancy Control Risks, said endemic poverty and corruption in far-flung areas of the Philippines could continue to nurture the insurgency.

But in his view, gradual economic improvements in the Philippines – which this year has succeeding in avoiding recession amid the global crisis – are likely to keep trickling down to the rural communities in which the insurgents operate. "The threat remains from the NPA, but the risks are likely to diminish in the next few years," Mr. Bryson said, adding that Mr. Sison's comments about growing numbers of NPA guerrillas seem "more hopeful than realistic" (Guevarra, V. 2009, 'Philippine Rebel Predicts Wider Insurgency' *Wall Street Journal*, 10 September <http://online.wsj.com/article/SB125252364560796741.html> – Accessed 6 October 2009 – Attachment 5).

Question 1 of *Research Response PHL31974*, dated 29 June 2007 provides background information on the NPA and “revolutionary taxation” (RRT Research & Information 2007, *Research Response PHL31974*, 29 June – Attachment 8).

2. Are they still an active force in Paranaque?

Paranaque is one of the cities and municipalities that make up Metro Manila, and is located just south of Manila city. A map locating Paranaque within the Philippines can be found on the Paranaque City website, and is included here as Attachment 9. A map locating Paranaque within Metro Manila from the same website is also included here as Attachment 10 (‘Map locating Paranaque within the Philippines’ (undated), The City of Paranaque website http://www.paranaquecity.com/map_philippines.html – Accessed 6 October 2009 – Attachment 9; ‘Map locating Paranaque within Metro Manila’ (undated), The City of Paranaque website http://www.paranaquecity.com/map_metromanila.html – Accessed 6 October 2009 – Attachment 10).

No information was found reporting on NPA activities in Paranaque. According to information from Freedom House, the NPA is active in central and southern Luzon (see map included as Attachment 9). The above-mentioned Freedom House 2009 report states “the communist NPA continues to engage in some executions, torture, and kidnappings in the countryside, especially in central and southern Luzon” (Freedom House 2009, *Freedom in the World 2009 – Philippines*, UNHCR Refworld website, 16 July <http://www.unhcr.org/refworld/docid/4a64528e1e.html> – Accessed 2 October 2009 – Attachment 6; ‘Map locating Paranaque within the Philippines’ (undated), The City of Paranaque website http://www.paranaquecity.com/map_philippines.html – Accessed 6 October 2009 – Attachment 9).

An undated profile on the NPA found on the USDOS Overseas Security Advisory Council (OSAC) website states: “Although primarily a rural-based guerrilla group, the NPA has an active urban infrastructure to support its terrorist activities and uses city-based assassination squads”. According to the OSAC profile, the group has cells in Manila and other metropolitan centres (‘Communist Party of Philippines/New People’s Army (CPP/NPA)’ (undated), Overseas Security Advisory Council website <http://www.osac.gov/Groups/group.cfm?contentID=1298> – Accessed 20 January 2006 – Attachment 17).

Information from recent media articles indicates that the NPA has not undertaken attacks in Metro Manila, although the group is reported to carry out organising activities in Metro Manila.

A 3 March 2009 *Inquirer* article reports on the arrest of a NPA leader in Manila. According to this article, the military dismissed speculations that the NPA was planning attacks in Metro Manila:

The military believes that Sarmiento was in Manila to meet with other Central Committee members, [Brigadier General Gaudencio] Pangilinan said but dismissed speculations that the NPA was planning attacks in Metro Manila.

“Ibang group ang nago-operate sa [A different group is operating in] Metro Manila, [however] if it would serve their propaganda, they would attack Metro Manila but it would attract the public,” Pangilinan said (Evangelista, K. 2009, ‘Military presents alleged NPA rebel’, *Inquirer*, 3 March – Attachment 11).

A 2 February 2009 *Business World* article lists various places in which the NPA have conducted recent attacks, including in areas close to Metro Manila. A 6 January 2009 *Philippine Daily Inquirer* provides more details on one of the incidents mentioned in *The Business World* article in which policemen were ambushed in Rizal province. *The Philippine Daily Inquirer* article states that: “An NPA band calling itself the Narciso Antazo Aramil Command sent a statement to the Inquirer entitled ‘People’s War Bulletin’ in which it claimed responsibility for the ambush, one of the closest attacks to Metro Manila since the rebellion began 40 years ago” (Sarmiento, R. & Desiderio, L. 2009, ‘Communist rebels own Tampakan police attack; state bucks offer to negotiate’, *Business World*, 2 February – Attachment 12; Mallari Jr., D. 2009, ‘NPA admits abduction, bares offensive’, *Philippine Daily Inquirer*, 6 January – Attachment 13).

A January 2009 *Gulf News* article reports: “In northern areas of Metro Manila, such as Malabon, teams of heavily armed soldiers patrol volatile areas where communist insurgents carry out organising activities” (‘Army chief says fight against leftist guerrillas on course’ 2009, *Gulf News*, 11 January – Attachment 14).

A December 2008 *Manila Standard* article reports that the Communist Party of the Philippines is allegedly launching a five-year buildup of its NPA wing to grab power in the 2010 elections. The article further states that “The CPP’s central committee also called on the NPA to strengthen its ranks and intensify its attacks in Metro Manila and in the countryside with the ‘overriding objective to approach the goal of destroying the ruling system’” (‘Reds told: Exploit crisis, gear up for power grab’ 2008, *Manila Standard*, 27 December – Attachment 15).

Question 2 of *Research Response PHL31974*, dated 29 June 2007, provides some information on whether the NPA maintains an active presence in Manila (RRT Research & Information 2007, *Research Response PHL31974*, 29 June – Attachment 8).

3. President Arroya announced a 2010 deadline for defeating the insurgency. What measures have been taken by the authorities?

The above-mentioned HRW 2008 report states: “Under a military operation entitled *Oplan Bantay Laya 2* (Operational Plan Freedom Watch), the stated aim of which is to crush the NPA by the end of Arroyo’s term in 2010, the government accelerated counterinsurgency operations in central Luzon, southern Tagalog, Bicol, eastern Visayas, southern Mindanao, and northern Mindanao”. The USDOS terrorism report for 2008 states that “the NPA remained steadfast in its refusal to accept President Arroyo’s broad amnesty overtures, turning down offers to negotiate unless its U.S. and international designations as a terrorist organization were rescinded”. More recently, as noted in Question 1, peace talks between the government and the communist insurgents were planned to resume in August/September 2009. Recent media articles indicate that talks have again been called off. The 10 September 2009 *Reuters* article quotes Avelino Razon, the government’s peace adviser, who states: “While the government remains hopeful of resuming talks, the window of opportunity is becoming narrower as we move close to the 2010 elections”. A 13 August 2009 *BBC News* article states that “[a]nalysts have said they believe President Gloria Arroyo lacks the will or authority to achieve a breakthrough in any proposed negotiations with such long-standing insurgencies. She is dependent on the military for political support, parts of which have a stake in continued fighting” (Human Rights Watch 2009, *World Report 2009 – Philippines*, January – Attachment 7; US Department of State 2009, *Country Reports on Terrorism 2008 – Philippines*, 30 April – Attachment 2; ‘Philippines sees peace talks with leftists delayed’

2009, *Reuters*, 10 September <http://www.reuters.com/article/latestCrisis/idUSMAN287139> – Accessed 6 October 2009 – Attachment 4; ‘Philippines clashes leave 43 dead’ 2009, *BBC News*, 13 August <http://news.bbc.co.uk/2/hi/asia-pacific/8198684.stm> – Accessed 6 October 2009 – Attachment 16).

A 17 August 2009 country risk assessment by *The Economist Intelligence Unit* reports that the possibility of talks between the government and the NDF had increased significantly since July:

[T]he possibility of talks between the government and the National Democratic Front (the NDF, which represents the Communist Party of the Philippines and other left-wing groups) has become increased significantly since July, when the two sides made initial concessions that could allow talks to begin, as early as August. A peace agreement would remove the threat the Communist Party’s armed wing, the New People’s Army (NPA), poses across much of the country. At present, companies that refuse its demands for “revolutionary taxes” face reprisal attacks. Violent crime and kidnapping remain problems (‘Philippines: Risk ratings’ 2009, *Economist Intelligence Unit*, 17 August – Attachment 3).

A 13 August 2009 *BBC News* article reports on clashes between soldiers and Islamic militants in the southern Philippines. In regard to the NPA, the article states that peace talks are due to resume later in the month. The article also notes that “[a]nalysts have said they believe President Gloria Arroyo lacks the will or authority to achieve a breakthrough in any proposed negotiations with such long-standing insurgencies. She is dependent on the military for political support, parts of which have a stake in continued fighting” (‘Philippines clashes leave 43 dead’ 2009, *BBC News*, 13 August <http://news.bbc.co.uk/2/hi/asia-pacific/8198684.stm> – Accessed 6 October 2009 – Attachment 16).

As noted previously, more recent media articles indicate that peace talks have stalled, and may be delayed until a new government takes over next year (‘Philippines sees peace talks with leftists delayed’ 2009, *Reuters*, 10 September <http://www.reuters.com/article/latestCrisis/idUSMAN287139> – Accessed 6 October 2009 – Attachment 4; Guevarra, V. 2009, ‘Philippine Rebel Predicts Wider Insurgency’ *Wall Street Journal*, 10 September <http://online.wsj.com/article/SB125252364560796741.html> – Accessed 6 October 2009 – Attachment 5).

The above-mentioned 2008 USDOS human rights report details a number of examples of security forces targeting civilians in the fight against insurgent groups. The report states: “In April UN Special Rapporteur Philip Alston issued a report based on his February 2007 mission. Among other findings, the report noted that the government’s counterinsurgency strategy presumed some civil society groups had ties to the CPP or the NPA and led security forces to treat leftist leaders and community organizers as legitimate targets” (US Department of State 2009, *2008 Human Rights Report: Philippines*, 25 February – Attachment 1).

The above-mentioned Freedom House 2009 report likewise states:

A November report by a UN special rapporteur on extrajudicial executions found that a significant number of recent extrajudicial executions of leftist activists were “the result of deliberate targeting by the military as part of counterinsurgency operations against the communist rebels.” The abuses were believed to be encouraged by a government mandate to crush the communist insurgency by 2010, blurred lines between legitimate leftist parties and illegal groups affiliated with the rebel New People’s Army (NPA), the president’s dependence on high-level military support to retain power, and a persistent culture of impunity (Freedom

House 2009, *Freedom in the World 2009 – Philippines*, UNHCR Refworld website, 16 July <http://www.unhcr.org/refworld/docid/4a64528e1e.html> – Accessed 2 October 2009 – Attachment 6).

The USDOS 2008 terrorism report gives the following lengthy information on measures taken against terrorist groups active in the Philippines:

As in recent years, terrorist groups active in the Philippines included the Abu Sayyaf Group (ASG), Jemaah Islamiya (JI), the New People's Army (NPA), and the Rajah Solaiman Movement (RSM). U.S. intelligence, reconnaissance, and surveillance supported Armed Forces of the Philippines' operations against terrorist elements in the southern Philippines, while U.S. Department of Justice criminal-investigation and antiterrorism programs trained approximately 5,000 police and other security personnel. Implementation of the Coastwatch South program continued to move forward; its radar stations and sea-surface and aerial assets will dramatically improve the government's oversight of the "Terrorist Transit Triangle" region bordered by the Philippines, Malaysia, and Indonesia. The Department of Homeland Security Immigration and Customs Enforcement's newly-developed Philippine Biometric Initiative has provided Philippine National Police with fingerprints, photographs, and other information on 130 suspected terrorists.

Philippine security forces continued to make progress against terrorist groups, killing 35 terrorists and capturing another 16 during the first half of the year. Those apprehended included an RSM cofounder and two bomb makers in Mindanao.

The U.S. counterterrorism strategy of offering development opportunities in areas at risk for terrorist recruitment continued to marginalize the small remaining numbers of ASG and JI terrorists from Muslim insurgents in the southern Philippines. While the 5,000-strong NPA continued to disrupt public security and business operations with intermittent attacks on communication and transportation infrastructure throughout the Philippines, it continued to decline in personnel and effectiveness. However, the NPA remained steadfast in its refusal to accept President Arroyo's broad amnesty overtures, turning down offers to negotiate unless its U.S. and international designations as a terrorist organization were rescinded.

...The 2007 passage of the Human Security Act (HSA) was an important step in the modernization of tools available to Philippine law enforcement for use against terrorists. The Act permits wiretapping of members of judicially-designated terrorist organizations, and financial investigations of individuals connected to terrorist organizations. However, the law's tight restrictions have limited its actual application. The key difficulty in implementing the law is that stiff fines will be imposed on the law enforcement agency for violating a suspect's rights if the accused is later acquitted or the case is dismissed (fines are approximately USD 10,000 per day for the entire period of detention). The Act did, however, provide for the establishment of an Antiterrorism Council to effectively implement counterterrorism efforts in the country and ensure interagency cooperation. The Council focused its first year's efforts in building the organizational and administrative infrastructure necessary to facilitate closer cooperation between Council members and supporting agencies.

The United States had excellent cooperation from Philippine law enforcement officials in obtaining access to terrorist detainees and witnesses for FBI interviews, and access to criminal, immigration, financial, and biographic records via the mechanisms established in the U.S. – Philippine Mutual Legal Assistance Treaty (MLAT). The Philippine Security Engagement Board was the primary mechanism for the planning and coordination of nontraditional security issues, including counterterrorism and maritime security. Throughout the year, the Embassy continued to achieve significant progress in supporting the counterterrorism efforts of the Philippine government, including well-coordinated Embassy

programs aimed at strengthening security forces and promoting peace and development in Mindanao. This pro-active partnership with the Philippine government has yielded solid results in combating terrorist elements, including ASG, JI, and the NPA.

The Antiterrorism Assistance (ATA) Program continued to increase the capabilities of Philippine law enforcement agencies to detect, deter, counter, and investigate terrorist activities in the Philippines through carefully-targeted and sequenced delivery of training courses and equipment grants. During 2008, ATA increased its focus on Mindanao by providing valuable training in a wide range of areas including Interdicting Terrorist Activity, Explosive Incident Countermeasures, Post-Blast Investigation, Advanced Computer Forensics, and Cellphone Forensics. ATA instituted a K-9 program of bomb-detection dogs with the Philippine National Police (PNP) by funding U.S.-trained dogs, their handlers, veterinarians, and kennel facilities. ATA assistance has also focused on training in response mechanisms to chemical, biological, radiological and nuclear (CBRN) terrorism. On the prevention end of the spectrum, U.S. assistance under the Biosecurity Engagement Program (BEP) has received strong cooperation from the GRP in securing laboratory infrastructure, dangerous pathogen collections, and raising awareness on biological threats in order to prevent bioterrorism in the Philippines, a place where burgeoning biotechnology, infectious diseases, and transnational terrorist threats coexist.

The U.S. Department of Justice/International Criminal Investigative Training Assistance Program (DOJ/ICITAP) trained 4,197 police personnel and pursued police development primarily through the Model Police Station Program, which trained PNP personnel at 10 stations in 15 critical subjects; the Maritime Police Project, which when completed will equip maritime police in Palawan Province with special patrol boats to monitor the western Sulu Sea bordering Malaysia; and the Southern Philippines Law Enforcement Development Project, which entailed training PNP personnel in basic police operations and investigation techniques in Sulu Province.

Other programs have included the DHS Immigration and Customs Enforcement (DHS/ICE) development of the Philippine Biometrics Initiative, whereby fingerprints, photographs, and other information on suspected terrorists were collected and provided to the appropriate Philippine authorities. The Coastwatch South program will dramatically improve oversight of the tri-border “Terrorist Transit Triangle” with the use of 12-17 coastal radar sites connected by a string of air, ocean, and ground surveillance and interdiction assets, including Forward-Looking Infrared Radar (FLIR) pods for Philippine Navy aircraft and 10 rigid-hull inflatable boats (RHIBs) (US Department of State 2009, *Country Reports on Terrorism 2008 – Philippines*, 30 April – Attachment 2).

List of Sources Consulted

Internet Sources:

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

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

RRT Library Catalogue

List of Attachments

1. US Department of State 2009, *2008 Human Rights Report: Philippines*, 25 February.
2. US Department of State 2009, *Country Reports on Terrorism 2008 – Philippines*, 30 April.
3. ‘Philippines: Risk ratings’ 2009, *Economist Intelligence Unit*, 17 August. (FACTIVA)
4. ‘Philippines sees peace talks with leftists delayed’ 2009, *Reuters*, 10 September <http://www.reuters.com/article/latestCrisis/idUSMAN287139> – Accessed 6 October 2009.
5. Guevarra, V. 2009, ‘Philippine Rebel Predicts Wider Insurgency’ *Wall Street Journal*, 10 September <http://online.wsj.com/article/SB125252364560796741.html> – Accessed 6 October 2009.
6. Freedom House 2009, *Freedom in the World 2009 – Philippines*, UNHCR Refworld website, 16 July <http://www.unhcr.org/refworld/docid/4a64528e1e.html> – Accessed 2 October 2009.
7. Human Rights Watch 2009, *World Report 2009 – Philippines*, January.
8. RRT Research & Information 2007, *Research Response PHL31974*, 29 June.
9. ‘Map locating Parañaque within the Philippines’ (undated), The City of Parañaque website http://www.paranaquecity.com/map_philippines.html – Accessed 6 October 2009.
10. ‘Map locating Parañaque within Metro Manila’ (undated), The City of Parañaque website http://www.paranaquecity.com/map_metromanila.html – Accessed 6 October 2009.
11. Evangelista, K. 2009, ‘Military presents alleged NPA rebel’, *Inquirer*, 3 March. (FACTIVA)
12. Sarmiento, R. & Desiderio, L. 2009, ‘Communist rebels own Tampakan police attack; state bucks offer to negotiate’, *Business World*, 2 February. (FACTIVA)
13. Mallari Jr., D. 2009, ‘NPA admits abduction, bares offensive’, *Philippine Daily Inquirer*, 6 January. (FACTIVA)
14. ‘Army chief says fight against leftist guerrillas on course’ 2009, *Gulf News*, 11 January. (FACTIVA)
15. ‘Reds told: Exploit crisis, gear up for power grab’ 2008, *Manila Standard*, 27 December. (FACTIVA)
16. ‘Philippines clashes leave 43 dead’ 2009, *BBC News*, 13 August <http://news.bbc.co.uk/2/hi/asia-pacific/8198684.stm> – Accessed 6 October 2009.

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