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**Report on Activities
January - February 2011**



**NDFP Nominated Section
Joint Secretariat
Joint Monitoring Committee**

Report on Activities

Joint Secretariat Joint Monitoring Committee of CARHRIHL NDFP-Nominated Section January - February 2011

The following were the major activities and accomplished tasks of the NDFP-nominated section in the Joint Secretariat for the period January 1 to February 28, 2011.

I. Complaints

There were 56 complaint forms received during the period January 1 to February 28, 2011, two (2) of which were against the forces of the NDFP and the rest were against the forces of the Government of the Philippines (GPH), formerly Government of the Republic of the Philippines (GRP).

The GPH-section unilaterally consolidated the 54 complaint forms against its forces into 46. After reviewing the consolidation done by the GPH-section, the NDFP-section counted 54 separate incidents corresponding to the 54 complaint forms.

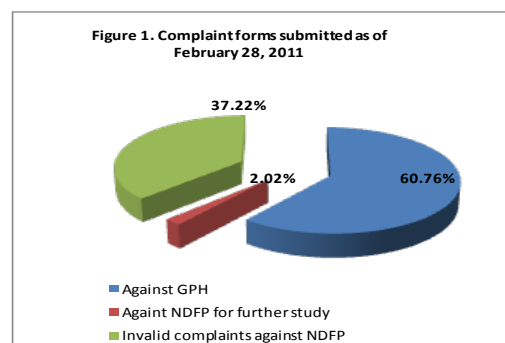
By the count of the GPH-section (46), the new numbered complaint forms brought the total number of submitted complaint forms to 4,648 or an increase of 1.04% over the last period. The total complaint forms against the GPH now constitute 60.76% of all complaint forms or 2,824 while those against the NDFP constitute 39.24% or 1,824 (see Figure 1).

A study published in March 2008 by the NDFP Monitoring Committee (MC) and the NDFP-Joint Secretariat (JS) has revealed that more than 96% of the complaint forms submitted against NDFP as of December 31, 2007 were nuisance complaints and that only six (6) could be considered meriting further study and investigation and 63 others were for review by the concerned units and organs of the revolutionary

movement. During the consultations of the NDFP-MC and NDFP-JS in September 2008, it was recommended that another six (6) complaints previously classified as defective in March 2008 be considered for further study and investigation.

During the consultations in March 2010 between the NDFP-MC and the NDFP-section, it was decided after review that one (1) of the original six (6) complaints considered for further study and investigation in March 2008 be included among the 63 for review by the concerned units and organs of the revolutionary movement. Further, it was also decided after review that of the 13 complaints filed against NDFP after December 31, 2007, only one (1) of the complaints merited further study and investigation and two (2) for review by concerned units while one (1) is falsely attributed and the rest are nuisance complaints.

The NDFP-JS considers the 13 complaints submitted in September-October 2010 and the five (5) complaints received on November-December 2010 as complaints still to be reviewed and studied by the NDFP-MC.



On the other hand, the complaints received by the NDFP-section during the current period are duplicates of two complaints (S-1822 and S-1804), which have been filed earlier.

Thus, there are 94 bona fide complaints against the NDFP, constituting 5.15% of all complaint forms against the NDFP and 2.02% of all numbered complaint forms submitted with the Joint Monitoring Committee (JMC) (see Figure 1).

All of the 54 new complaints against the GPH (by the count of the NDFP-section) involved violations of human rights, with 54 complaints involving violations of civil and political rights and 1 complaint involving violations of social, economic and cultural rights.

All 54 complaints also involved violations of international humanitarian law, with 53 complaints involving violations against civilians and one (1) complaint involving violations against a combatant. Two (2) complaints involve violations against persons deprived of liberty. All complaints involved violations of individual rights with three (3) complaints also involving violations of collective rights (see Table 1).

Table 1

Violation of HR	54
Civil and Political Rights	54
Social, Economic and Cultural Rights	1
Violations of IHL	54
Against Civilians	53
Against Combatants	1
Against Persons Deprived of Liberty	2

In terms of type of violations, there were nine (9) complaints involving violations against the right to life. Of these, the most common violations were torture, physical abuse, cruel, inhuman and/or degrading treatment or punishment and indiscriminate gunfire and strafing, with two (2) instances each.

There were 15 complaints involving violations against property, with 11 instances of destruction of property and eight (8) instances of divestment of property.

There were 48 complaints involving violations of other rights, the most common violations being threat/harassment/intimidation with 29 instances; coercion with 16 instances; use/attack of schools, religious and other public places and private residences for military purposes and/or endangerment of civilians with 14 instances; and arbitrary or unjustified detention with 12 instances.

One (1) complaint involves a violation of sectoral rights, specifically basic student rights and academic freedom.

There were three (3) complaints involving violations of collective rights, of which there were two (2) instances of restriction or violation of right to free speech, association or assembly and one (1) instance of violation of basic student rights and academic freedom.

Table 2 is the complete tabulation of the types of rights violated and the number of instances for each type of violation.

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Table 2

Type of Violation	No. of Incident(s)
Threat/Harassment/Intimidation	29
Coercion	16
Use/Attack of Schools, Religious (Chapel) and Other Public Places (Brgy. Hall) and Private Residences for Military Purposes and/or Endangerment of Civilians	14
Arbitrary or Unjustified Detention	12
Destruction of Properties	11
Violation of Domicile	10
Arbitrary or Unjustified Arrest	9
Divestment of Properties	8
Arbitrary or Unjustified Search and/or Seizure	6
Use of Civilians in Police, Military or Paramilitary Operations as Guide and/or Shield	4
Criminalization of Political Acts	4
Torture	2
Cruel, Inhuman and/or Degrading Treatment or Punishment	2
Violation of Rights of Arrested or Detained Persons	2
Physical Abuse	2
Restriction or Violation of the Right to Free Speech, Association or Assembly	2
Indiscriminate Gunfire/Strafing	2
Forced Labor/Involuntary Servitude	2
Frustrated Killing	1
Enforced Disappearance	1
Denial of Medical Attention	1
Death Due to Indiscriminate Gunfire	1
Forcible Evacuation/Displacement	1
Refusal to Tender Remains	1
Exploitation of Children in the Context of the Armed Conflict	1
Violation of Basic Student Rights and Academic Freedom	1
TOTAL NO. OF VIOLATIONS	145

There were 22 individual victims identified as adult women and 12 individual victims identified as children/minors, of whom six (6) were male, two (2) were female, and four (4) were of unspecified gender.

Many of the incidents occurred in 2006 while the rest occurred in 2005 and from 2007 to 2011. A great majority (52) of the incidents took place in Western Visayas while the rest took place in Southern Tagalog. For a breakdown of the incidents by year and province, see Table 3.

Table 3

REGION/ PROVINCE	2005	2006	2007	2008	2009	2010	2011
Western Visayas							
Iloilo	11	17	4	1	15	4	0
Iloilo	10	7	3	0	10	2	0
Capiz	0	9	1	0	5	2	0
Aklan	1	1	0	0	0	0	0
Antique	0	0	0	1	0	0	0
Southern Tagalog							
Tagalog	0	0	0	0	0	1	1
Batangas	0	0	0	0	0	1	1
TOTAL	11	17	4	1	15	5	1

Elements of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) were mostly the alleged perpetrators. The other kinds of perpetrators are shown in Table 4.

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Table 4

Alleged Perpetrators	Instances
AFP	40
PNP	13
Paramilitary (CAFGU, etc.)	2
LGU	1
Private security agency	1
Unidentified but believed to be military	3

Table 5

Filer	No. of Complaints
Panay Alliance-KARAPATAN	49
Batangas Integrated Human Rights Alliance	1
Relative	1
Previously filed (Panay Alliance-KARAPATAN)	3
TOTAL	54

Two human rights organizations – Panay Alliance-KARAPATAN and Batangas Integrated Human Rights Alliance – filed 52 complaints and one (1) complaint, respectively. One (1) complaint was filed by a relative of the victim (see Table 5).