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**Report on Activities
May - June 2011**



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

Report on Activities

Joint Secretariat Joint Monitoring Committee of CARHRIHL NDFP-Nominated Section May - June 2011

The following were the major activities and accomplished tasks of the NDFP-nominated section in the Joint Secretariat for the period May 1 to June 30, 2011.

I. Complaints

There were 119 complaint forms received during the period May 1 to June 30, 2011, five (5) of which were against the forces of the NDFP and the rest were against the forces of the GPH.

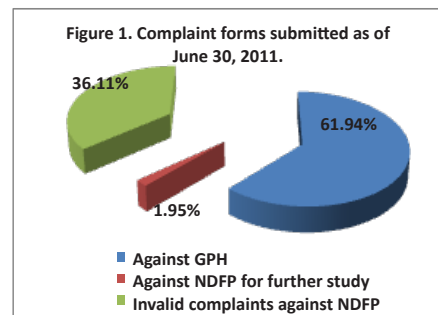
The new numbered complaint forms brought the total number of submitted complaint forms to 4,827 or an increase of 2.53% over the last period. The total complaint forms against the GPH now constitute 61.94% of all complaint forms or 2,990 while those against the NDFP constitute 38.06% or 1,837 (see Figure 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 five (5) complaints submitted against the NDFP during this reporting period as complaints still to be reviewed by the NDFP-MC.



The NDFP-MC thus considers that there are actually only 94 bona fide complaints against the NDFP, constituting 5.12% of all complaint forms against the NDFP and 1.95% of all numbered complaint forms submitted with the Joint Monitoring Committee (JMC) (see Figure 1).

All of the 114 new complaints against the GPH in the current reporting period involved violations of human rights, with 114 complaints involving violations of civil and political rights, 14 of which also involved

violations of social, economic and cultural rights.

Fifty-eight (58) complaints also involved violations of international humanitarian law, with all 58 complaints involving violations against civilians. Three (3) complaints involved violations against persons deprived of liberty and one (1) complaint involved a violation against a family member of a deceased combatant. 113 complaints involved violations of individual rights while 12 complaints involved violations of collective rights (see Table 1).

Table 1

Violation of HR	114
Civil and Political Rights	114
Social, Economic and Cultural Rights	14
Violations of IHL	58
Against Civilians	58
Against Persons Deprived of Liberty	3
Against Families or Representatives	1
Violations of Individual Rights	113
Violations of Collective Rights	12

In terms of type of violations, there were 43 complaints involving violations against the right to life. Of these, the most common violations were killing and torture, with 15 instances each.

There were 16 complaints involving violations against property, with 12 instances of divestment of property and four (4) instances of destruction of property.

There were 101 complaints involving violations of other rights, the most common violations being threat/harassment/intimidation, 87 instances; coercion, 41 instances; arbitrary or unjustified detention, 32 instances (one of which was incommunicado); and arbitrary or unjustified arrest, 31 instances.

Seven (7) complaints involved violations of rights of sectors, namely peasants, urban poor, workers, indigenous peoples, and vendors. In particular, there were four (4) instances of sexual harassment, one (1) instance of land grabbing, and one (1) instance of restriction, denial, or prohibition of the right to form unions.

There were 12 complaints involving violations of collective rights, the most common violation being use of private residences and/or public places for military purposes and/or endangerment of civilians with 22 instances.

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

There were 74 individual victims identified as adult women and 87 victims identified as children/minors, of whom 33 were male, 39 were female, and 15 were of unspecified gender.

Many of the incidents took place in 2009 and 2010 while the rest occurred from 2004 to 2008 and in 2011. Seventy-four (74) of the incidents occurred in Bicol while 21 took place in Southern Tagalog. The rest occurred in Davao Region, National Capital Region, Central Luzon, SOCCSKSARGEN, and Cagayan Valley. See Table 3 for a breakdown of the number of incidents according to year and province.

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Table 2

Type of Violation	No. of Incident(s)	Type of Violation	No. of Incident(s)
Threat/Harassment/Intimidation	87	Enforced Disappearance	1
Coercion	41	Denial of Decent Burial, Refusal to Tender Remains	1
Arbitrary or Unjustified Detention (with one incident of detention incommunicado)	32	Criminalization of Agrarian Disputes	1
Arbitrary or Unjustified Arrest	31	Land Grabbing	1
Violation of Domicile	26	Restriction, Denial, Prohibition of the Right to Form Union	1
Use of Private Residences, Public Places (barangay hall, day care center, health care center), Schools and Religious Places (chapel) for Military Purposes and/or Endangerment of Civilians	22	Violation of Other Rights of Vendors	1
Killing	15	Violation of Other Rights of Indigenous Peoples	1
Torture	15	Violation of Other Rights of Workers	1
Divestment of Property	12	Violation of Other Rights of Peasants	1
Physical Abuse	9	Violation of Other Rights of Urban Poor	1
Restriction or Violation of Right to Association	7	TOTAL NO. OF VIOLATIONS	374
Arbitrary or Unjustified Search and Seizure	7		
Frustrated Killing	6		
Indiscriminate Gunfire, Bombing	6		
Violation of Rights of Arrested or Detained Persons (against trial by publicity, right to visit by family and right to counsel)	6		
Forcible Evacuation/Displacement	6		
Use of Civilians in Military Operations as Guide and/or Shield	6		
Cruel, Inhuman and/or Degrading Treatment or Punishment	4		
Criminalization of Political Acts	4		
Destruction of Property	4		
Sexual Abuse/Sexual Harassment	4		
Restriction or Dispersal of Mass Actions, Public Assemblies and Gatherings	3		
Exploitation of Children in the Context of Armed Conflict	3		
Demolition	2		
Forced Recruitment/Conscription	2		
Creating, Maintaining, Supporting or Allowing Paramilitary Groups	2		
Denial of Medical Attention	2		

Table 3

REGION/ PROVINCE	2004	2005	2006	2007	2008	2009	2010	2011
<i>Bicol</i>								
Albay	0	0	0	0	0	0	0	1
Camarines Sur	1	1	0	4	7	41	13	6
<i>Cagayan Valley</i>								
Isabela	0	0	0	0	0	0	0	1
<i>Central Luzon</i>								
Bulacan	0	0	0	0	0	0	0	1
<i>Davao Region</i>								
Compostela Valley	0	0	0	0	1	0	8	0
Davao City	0	0	0	0	0	0	1	0
Davao del Norte	0	0	0	0	0	0	1	0
Davao del Sur	0	0	0	0	0	0	0	1
<i>NCR</i>								
San Juan	0	0	0	0	0	0	0	1
Navotas	0	0	0	0	0	0	0	1
Muntinlupa	0	0	0	0	0	0	0	1
Manila	0	0	0	0	0	0	0	1
<i>SOCCKARGEN</i>								
North Cotabato	0	0	0	0	0	0	1	0
<i>Southern Tagalog</i>								
Batangas	0	0	0	0	0	2	13	6
TOTAL	1	1	0	4	8	43	37	20

The alleged perpetrators in a majority of the complaints (96) were elements of the Armed Forces of the Philippines (AFP). Nine (9) complaints involved members of the Philippine National Police (PNP) while six (6) involved paramilitary forces. The other kinds of perpetrators are shown in Table 4.

Table 5 shows the complete list of filers and the number of complaints they filed. Most are regional human rights organizations. Two (2) complaints were filed by relatives while two (2) others were filed by the victims themselves.

Majority of the alleged perpetrators were elements of the Armed Forces of the Philippines (AFP), paramilitary and the Philippine National Police (PNP). Table 4 shows the breakdown of the alleged perpetrators.

Table 4

Alleged Perpetrators	Instances
AFP	44
Paramilitary (CAFGU, etc.)	12
PNP	8
Private security agency	2
Civilian National Unit	1
LGU	1
Goons, private army, etc.	1
Unidentified but believed to be military	1

Four human rights organizations – Panay Alliance-KARAPATAN, KARAPATAN-SMR, KARAPATAN-NMR and KARAPATAN-Bukidnon – filed a total of 42 complaints. CHESTCORE, a health workers' organization, filed eight (8) complaints while relatives of the victims filed two (2) complaints. See Table 5 for a detailed breakdown of the filers and the number of complaints they filed.

Table 5

Filer	No. of Complaints
Panay Alliance-KARAPATAN	17
KARAPATAN-SMR	15
KARAPATAN-NMR	9
CHESTCORE	8
Relative	2
KARAPATAN-Bukidnon	1
TOTAL	52