



NDFP Declaration and Program of Action for the Rights, Protection and Welfare of Children



**NATIONAL DEMOCRATIC FRONT
OF THE PHILIPPINES**

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**NDFP Declaration
and Program of Action
for the Rights, Protection
and Welfare of Children**

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Preface

by Luis G. Jalandoni
Chairperson
NDFP Negotiating Panel
1 July 2012

In 2005, the NDFP Human Rights Monitoring Committee (NDFP-MC) published a 94-page booklet entitled *NDFP's Defense of the Rights of the Filipino Child*. It contained data on the status and conditions of Filipino children, the comprehensive position of the NDFP on their rights and welfare, as well as letters addressed to UN Secretary General Kofi Annan, UNICEF Philippines and a press statement which refuted baseless allegations of violations by the NDFP of children's rights.

It also featured a table of human rights and international humanitarian law (IHL) violations against children and minors by the armed forces of the Government of the Philippines (GPH, formerly designated as the GRP) from selected complaints filed as of 16 March 2005 with the Joint Monitoring Committee (JMC), the body created under the 1998 Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) signed between the GPH/GRP and the National Democratic Front of the Philippines (NDFP), to monitor implementation of the Agreement.

Seven years from the publication of this booklet, Filipino children continue to suffer under the same appalling conditions of poverty, want and neglect of the present semi-colonial and semi-feudal social system. Aggravating these conditions is the deliberate targeting of children in military and paramilitary operations against communities suspected to be under the control or supportive of the revolutionary movement that is represented by the NDFP in the peace negotiations. In order to conceal its own atrocities and abuses against children and vilify the national liberation movement, the GRP/GPH has been fabricating cases of use and recruitment by the New People's Army (NPA) of so-called child soldiers and falsely attributing all other forms of child rights violations to the NDFP.

In response to these continuing violations of the rights of children by the GRP/GPH, the NDFP in several statements has declared that these violations which mainly victimize the children of workers and peasants constitute a just cause for the continuing armed revolution of the Filipino people.

After research by the NDFP-MC and the NDFP-Joint Secretariat (JS) and legal study by the legal consultants of the NDFP, the revolutionary movement issued its Declaration and Program of Action for the Rights, Protection and Welfare of Children which was formally adopted by the NDFP National Council on 24 April 2012, on the 39th Anniversary of the founding of the National Democratic Front.

The present book features the Declaration where the NDFP resolves to carry out a program of action for the protection and welfare of children in accordance with its principles and policies as well as with international norms and standards pertinent to the rights and welfare of children. It reaffirms the NDFP position on the defense of the rights of the Filipino child and supplements the previous publication with new data and experiences from the past seven years, including those culled from complaints filed with the JMC during the said period. It is hoped that this publication will expose and belie the falsities authored by the GRP/GPH with respect to Filipino children and their rights and help in dismantling ill-founded biases against the NDFP.

This book consists of four parts and five appendices. In part one, NDFP Chief Political Consultant Jose Maria Sison introduces the NDFP's commitment to the protection of children's rights in the article "*NDFP's Defense of the Rights of the Filipino Child.*" This article has been featured in the previous booklet and has served as guide in the formulation of the Declaration.

Part two contains the NDFP Declaration and Program of Action for the Rights, Protection and Welfare of Children. Highlighted in the Program of Action is the creation of a Special Office for the Protection of Children which will, among others, receive complaints about violations of children's rights and oversee the implementation of the program of action by all NDFP organizations and instrumentalities.

Part three is an update of the profile of Filipino children in the previous booklet, presenting their current situation in hard facts and statistics that reveal in concrete terms the mindless disregard by the ruling classes of big landlords and compradors to the rights, protection and welfare of the great majority of Filipino children.

Part four and five contain the statement read by me during the formal launching of the Declaration on 29 June 2012 and the statements issued by selected spokespersons of the NDF in reaffirmation of their commitment to the Declaration, specifically from the Cordillera People's Democratic Front (CPDF), NDF-Bicol, NDF-North-Eastern Mindanao and NDF-Mindanao,

which were also read (except for the CPDF statement) during the formal launching.

The first and second appendices contain the Memorandum on the Minimum Age Requirement for NPA Fighters issued by the Executive Committee of the Communist Party of the Philippines on 15 October 1999, as amended, and the statement "*On the NPA's Alleged Mass Recruitment of Child Guerillas*" issued by the Military Commission of the CPP on 30 August 1999.

The third appendix is the reprint of my 7 March 2005 letter to UN Secretary General Kofi Annan in connection with the latter's report to the UN Security Council (UNSC) on 16 February 2005 on the violation of children's rights in situations of armed conflict which included a list of so-called "unnamed armed opposition groups" in the Philippines as alleged violators.

The fourth appendix is my 24 November 2008 letter in response to the report of the UNSG Working Group on Children and Armed Conflict dated 24 April 2008. In this letter, the NDFP brought to the attention of UNSG Ban Ki Moon the unmistakable bias of the report in favor of the GRP/GPH, its unsubstantiated accusations against the NPA, and its unjust insistence on applying to the NPA certain standards that are way beyond the scope of the UN Convention on the Rights of the Child.

The fifth appendix includes four matrices showing human rights and international humanitarian law violations by the GRP/GPH involving children as victims based on complaints filed with the JMC, news reports and statements of concerned NPA commands, and statements from Human Rights Watch. These matrices were prepared by the NDFP-Monitoring Committee (NDFP-MC) and the NDFP-Joint Secretariat (NDFP-JS) for the NDFP Negotiating Panel and the members of its International Legal Advisory Team (ILAT) to aid them in forming a substantive agenda for children, now embodied in the Declaration.

The first matrix consists of 94 complaints filed with the JMC against the GRP/GPH based on reports submitted by the NDFP-JS to UNICEF-Philippines as requested by the latter for its Periodic Global Horizontal Notes. The second matrix contains 25 complaints which have been filed with the JMC against the GRP/GPH but are yet to be submitted to UNICEF-Philippines. The third matrix comprises 11 additional incidents which were submitted to UNICEF-Philippines, not based on complaints filed with the JMC but on news reports and statements of certain NPA commands. The last matrix shows four additional cases based on two statements of Human Rights Watch.

The NDFP resolutely ensures that the rights of children are respected and their welfare is assured under the laws and policies of the people's democratic government and international law, in view especially of the risks for children in areas affected by the civil war. As documented in this publication, the NDFP and its allied organizations have been fastidious in implementing measures to protect children from the adverse consequences of the armed conflict. The NDFP has been strictly adhering to the policy of the CPP Central Committee which allows the NPA to recruit only persons who are 18 years old and older as armed fighters.

The NDFP recognizes the 1990 Convention on the Rights of the Child. It has issued in 1996 the Declaration of Undertaking to Apply the Geneva Conventions and Protocol I, assuming the rights and duties of states parties thereunder. The NDFP has also been faithfully complying with its obligation under the CARHRIHL to uphold, protect and promote human rights, including the right of the children and the disabled to protection, care, and a home, especially against physical and mental abuse, prostitution, drugs, forced labor, homelessness, and other similar forms of oppression and exploitation (Part III, Respect for Human Rights, Article 2, No. 24).

The gross and systematic violations of children's rights by the ruling classes as represented by the GRP/GPH are one of the causes that justly impel the Filipino people's revolutionary struggle. It is directed against the prevailing social system ruled jointly by the few big compradors and landlords with the complicity of bureaucrat and foreign monopoly capitalists. The people's war aims to liberate Filipino children from the exploitation and oppression that they suffer in common with their parents and families who belong mainly to the impoverished majority classes of workers and peasants.#



National Democratic Front of the Philippines Chief Political Consultant

The NDFP's Defense of the Rights of the Filipino Child*

**Prof. Jose Ma. Sison
National Democratic Front of the Philippines
Chief Political Consultant
25 October 2005**

What Most Filipino Children Suffer

At least 90 per cent of Filipino children suffer gross human rights violations under the semicolonial and semifeudal ruling system of the comprador big bourgeoisie and landlord class. They are victimized by the same foreign and feudal oppression and exploitation that torment their worker and peasant parents.

They live in appalling conditions of poverty and gross deprivation. They are malnourished and are prone to illness. They have extremely limited or no access to education, health care, medicine and proper housing. The overwhelming majority of them do not go beyond grade 4 and generally retrogress into illiteracy and innumeracy. Long before they reach the age of 15, they engage in hard labor to help their parents in eking out the subsistence of the family. The overwhelming majority of children live in the countryside under feudal and semifeudal conditions and they take part (often as unpaid labor) in agricultural production, some primary processing of the products and handicrafts.

Under the system of export-oriented semi-manufacturing, children are harnessed as cheap wage labor to do piece work either in their own homes, in plantations or in makeshift sweatshops in urban slums and village

* Originally published in the book *NDFP's Defense of the Rights of the Filipino Child* in 2005, this article is again being printed to provide the premise upon which the NDFP commits itself to the rights, protection and welfare of Filipino children.

communities. They are made to work for long hours, at times extending beyond 12 hours, at subhuman wages. A considerable number of children take to the streets to engage in petty peddling and other odd jobs in order to augment the inadequate incomes of their parents or make up for their parents' lack of employment.

Street children are exposed to extremely degrading conditions. Some of them are drawn to petty crimes, prohibited drug use and prostitution. They experience daily extortion and bullying from the police and are vulnerable to sexual molestation. They are often rounded up and dumped into crowded jails where they are mixed with hardened criminals. Here some of them are recruited as runners between the corrupt police officers and crime gangs and generally they are further abused by their hardened criminal cellmates.

The worst cases involve the murder and trafficking of children. In a southern city, street children are murdered by the police whenever the local authorities want to show off that they are suppressing street crimes, drug trafficking and burglaries in wealthy subdivisions. There is also the trafficking of children for illegal adoption, for making them sex slaves or sometimes for the sale of their internal organs abroad.

Not only the children of workers and peasants are vulnerable to human rights violations. Children of low middle class parents who go abroad in large numbers and take up menial jobs are left behind and also become susceptible to the risks of being without direct parental attention and motherly care. In these cases, the violations of the rights of the child are often veiled by the illusion that the remittances of their parents take care of everything.

The children of the Bangsa Moro and other national minorities suffer not only the class exploitation and oppression of the workers and peasants. They also suffer national discrimination in general and specific terms. The Manila-based authorities know well how to deliver the rich natural resources and cheap labor in the areas of the national minorities to foreign plantation and mining corporations and to local exploiters. But they allot extremely low public funds for the education, proper nutrition and health care of children and nursing mothers. There are no resources available for promoting intercultural understanding to combat discrimination at all levels.

Filipino children of the toiling masses in any ethno-linguistic community in the Philippines are usually made invisible or of less concern by the

powerful and wealthy in the current social system. When the sight of them cannot be denied, because genuine advocates of their rights call attention to them, they are often regarded as merely the objects of pity and not as conscious and active actors in gaining respect for and fulfilling their rights. There is an ever urgent need to arouse, organize and mobilize the children to fight for their own rights and interests.

Comprehensive NDFP Position on Child Rights

The National Democratic Front of the Philippines (NDFP) concerns itself with the rights and welfare of the millions of children below 18 years of age by addressing the root causes of the violations of the rights of the child. These root causes are in the rotten ruling system of oppression and exploitation, of extreme wealth for a few and extreme poverty for so many. In the concrete, the NDFP defends the children from the assaults on their rights by the three evils in semicolonial and semifeudal Philippine society: foreign monopoly capitalism, feudalism and bureaucrat capitalism.

The NDFP upholds, defends and promotes the rights of the child in accordance with its own principles, policies and regulations as well as with the international norms and standards set forth directly and indirectly in conventions and treaties. It has a program for the Filipino people to work and fight for national liberation and democracy against the foreign and local oppressors and exploiters. It aims to uphold national sovereignty and empower the working people, to carry out land reform and national industrialization, to foster a patriotic, scientific and democratic culture and to pursue an independent foreign policy for world peace and development. The NDFP requires the working committees on education under the organs of political power, the designated teachers for elementary and high school education and the mass organizations (especially of the teachers, women, youth, children and cultural activists) to realize the educational program of children below the age of 18 years in the areas under the people's self-government. Public school teachers of the GRP are encouraged to perform conscientiously their teaching functions and to promote patriotic and democratic values, ideas and practice among the children.

The NDFP looks after the health of the mothers and children, promotes health education, healthy diet and sanitation and directs the building of a system of disease prevention and health care delivery. The working committees on health under the organs of political power and the mass organizations of health workers cooperate with the other mass organizations and the health department of the New People's Army. The health system includes professional health workers and local

paramedic volunteers. Day care centers or systems of collective or shared child care are established wherever possible.

The parents are advised to keep in school their children who are 15 years and below and to let them perform tasks that are commensurate to their age and that do not prevent study time at home. Due to extreme poverty, the children as young as eight or nine, as long as they are able-bodied, want to participate in the work of adults. Nevertheless, the organs of political power and the mass organizations prohibit exploitative practices in farms, plantations and sweat shops. Children below 18 and above 15 are given basic instructions and training on how to protect, in cooperation with their parents and the rest of the community, their family and community from the assaults of the GRP military, police and irregular forces.

The NDFP encourages the organs of political power and the mass organizations of youth, women, teachers and cultural activists to set up children's organizations in recognition of the right of children to uphold and advance their own rights and participate in social transformation on the basis of their capacities and capabilities.

The Government of the Republic of the Philippines (GRP) is a gross violator of the rights of the child for as long as it is the instrument of the oppressive and exploitative ruling system. All the policy proclamations and legislation and signing of the Convention on the Rights of the Child and related conventions and treaties by the GRP, avowedly in favor of the children, amount largely to hogwash because they are used merely to prettify a system that oppresses and exploits the toiling masses of workers and peasants and their children.

The NDFP takes pain to stress to all entities honestly concerned with human rights in general and the rights of the child in particular to take a comprehensive and profound view of the fact that human rights violations against the toiling masses of workers and peasants, women and children are rampant in the Philippines, whether the people wage armed resistance or not. And when armed conflict occurs, it is the military, police and irregular forces of the GRP that wantonly unleashes the unjust violence to preserve the unjust ruling system.

The US and other imperialist governments and their puppet governments like the GRP are today using their official agencies and those of the United Nations as well as certain imperialist-funded nongovernmental organizations, academic hacks, ideologues and publicists to obfuscate the fact that human rights violations are generated by systems of oppression

and exploitation, such as the world capitalist system and domestic ruling system of the exploiting classes, and to make it appear that armed revolutionary movements for national liberation are responsible for human rights violations.

From the viewpoint of the armed revolutionaries, the oppressed and exploited people have no choice but to wage a just war of national liberation, strive for victories and thus have hope of fundamental change for the better. They cannot simply allow the oppressors and exploiters to escalate oppression and exploitation. The absence of the people's armed resistance does not put a stop to human rights violations. In fact, it emboldens the escalation of human rights violations through the daily violence of exploitation.

Indeed, the imperialists and their minions are busy escalating exploitation and oppression under various slogans. With the slogan of "free market" globalization the monopoly capitalists inflict a vicious assault on the national industries and economies of the undeveloped countries, on the hard-won trade union and social rights of the working class and people and on the social and natural environment. With the slogan of "preemptive war on terror" they justify wars of aggression against assertively independent states and the open rule of terror against national liberation movements and the people of the world.

Child Rights as Issue in the Civil War

The ideologues, politicians and publicists of imperialism and puppetry constantly devise "new language" to discredit and stigmatize the national liberation movements. Semantically they frame and denigrate these as "nonstate actors" to be contraposed to what is presumed as "duly-constituted state actors." Then they proceed to misrepresent the "nonstate actor" as "terrorist" and pontificate that the latter can undo the misrepresentation only by capitulating to the oppressive state and betraying the people.

The NDFP represents in peace negotiations with the GRP the people's democratic government which is the co-belligerent of the GRP in the current civil war. This people's democratic government has effective power over an extensive population and territory. It is led by the Communist Party of the Philippines (CPP). It has the New People's Army (NPA) as main component of state power. The NDFP encompasses a wide array of political forces and mass organizations. In fact, two states now exist in the Philippines: one is revolutionary, representing the people's democratic

power, and the other is counterrevolutionary, representing the foreign and domestic oppressors and exploiters.

In peace negotiations with the GRP, the NDFP represents the people's democratic government, which has its own constitution with a bill of fundamental rights. As a belligerent force under international law, the NDFP has proclaimed its Unilateral Declaration of Undertaking to Apply the Geneva Conventions and its Protocols and has deposited it with the Swiss Federal Council. The GRP and the NDFP have succeeded in forging and approving the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) by acting as co-belligerents equally using the International Bill of Rights and the International Humanitarian Law as frames of reference.

Since 1988, ahead of the Convention on the Rights of the Child, the Communist Party of the Philippines and the New People's Army have categorically adopted the policy of prohibiting the recruitment of children below 18 to serve as combatants. And time and again the NDFP has declared that both its policy and the law of the people's democratic government prohibit the NPA from recruiting children below the age of 18 to serve as combatants that can be deployed for military offensive campaigns and operations.

Those between the age of 15 and 18 may be trained and directed by the mass organizations not for the purpose of participation in combat or hostilities but for the purpose of safety and self-defense in their own homes and communities. They are civilians and are not required to carry firearms. They are no more military combatants or actual soldiers than high school and college students engaged in preparatory or basic military training. In this regard, the position of the NDFP and the people's democratic government is far more advanced than the standard set by the Geneva Conventions. Such standard allows the military recruitment of children or youth from the age of 15 to 18, provided within this age bracket priority is given to the recruitment of the older ones.

However, certain malicious detractors of the NDFP and the people's democratic government, in UN and US official agencies and imperialist-funded nongovernmental organizations define a so-called child soldier as anyone below 18 years of age, who may simply be in a community under attack by the armed forces of the reactionary state and who even if without arms may be misrepresented as combatants for being presumably lookouts, spies, porters, messengers, cooks and what else of the NPA. It now becomes a crime just to be a Filipino child living in a community

under attack by the GRP military, police and paramilitary forces. By lumping the NPA with certain irregular forces in Africa, there is even the insinuation that the NPA could be recruiting children as sex slaves. This shows complete ignorance of the strict Family Code of the people's government, which governs courtship, marriage and family relations.

There are those slanderers who have faked researches and findings, blatantly using hearsay, and have come up with such fantastic claims that from 10 to 30 percent of children in NPA areas are "child soldiers." These claims are patently false because they would make the number of NPA fighters run into hundreds of thousands, instead of the well-known varying estimates of 7,000-12,000 NPA fighters made by the Armed Forces of the Philippines (AFP). The shallowest kind of slander has been made by a foreigner who upon mere sight of short-sized NPA fighters concluded that they were children below 18. Filipino adults are often 4'10" to 5'2" in height. An American or European can easily mistake Ka Roger Rosal, CPP spokesman, for a teenager.

There are those who have capitalized on a handful of false cases of "child soldier" fabricated by the GRP military psywar experts and have extrapolated these into a far bigger number of "child soldiers" supposedly arrested by the GRP military and police. These are belied by the records of the Joint Monitoring Committee (created by CARHRIHL) and by earlier reliable records. In the well-known case of the child Edfu de la Cruz, the GRP military misrepresented him as a "child soldier" and actually subjected him to a series of human rights violations. He was seized by AFP troops while he was outside of his home. They forced him to tell them in which house were his parents and they proceeded to strafe the house and murder his parents. Then he was misrepresented and humiliated before the press as NPA "child soldier."

He was illegally detained indefinitely in the compound of the Department of Social Welfare and Development (DWSD). His grandmother and other close relatives were prevented from taking him home, until the demands of the NDFP in the peace negotiations and public opinion compelled the authorities to release him.

All entities spewing out the propaganda that the NPA recruits "child soldiers" below 18 years and that there is a high proportion of NPA "child soldiers" among the children below 18 years in NPA areas are themselves violators of the rights of the child. They play loose with the definition of the so-called child soldier. Anyone below 18 who is alleged to have any role in the NPA, even if a noncombatant, is a child soldier. In a perversion of justice and due process, they put on the NPA the burden of proving that

it has no “child soldiers” and they do not bother to bring their accusations and evidence to the GRP-NDFP peace negotiations or the Joint Monitoring Committee under CARHRIHL.

After four years of existence the UNICEF-funded Philippine Coalition to Stop the Use of Child Soldiers has not attempted to establish direct communication with the NDFP. Even the UNICEF has neither presented positive proof nor asked NDFP to comment on the researches (which is normal academic practice) that it has used to conclude that there are child soldiers in the NPA.

The detractors have maintained a hypocritical silence over the well-proven misrepresentation of children as “child soldiers,” as in the well-documented cases of Edfu and others. They thus make themselves party to the violation of the rights of these children by acquiescing to the military psywar labelling the children as “child soldiers.” The UN and UNICEF have not engaged the NDFP in serious dialogue but have preferred to rely on the false claims of the GRP military and some NGO entrepreneurs with special axes to grind against the NDFP.

Contrary to their claims that they defend the rights of the child, the detractors of the NPA actually pave the way for the GRP military, police and irregular forces to arrest, detain, torture and murder children in their own homes and communities. In their attempt to demonize the NPA, they spread the propaganda that children in communities suspected of being pro-NPA are fair game for military attack. They also conceal the crimes of the armed minions of the GRP and make the large-scale real violators of the rights of the child appear innocent of their crimes.

Gross Violations of Child Rights in GRP Military Campaigns

The outlandish and irresponsible definition of the so-called child soldier emboldens the military, police and irregular forces of the GRP to perpetrate the worst violations of the rights of the child when they unleash campaigns of suppression against the people and areas suspected of supporting the revolutionary movement. The aggressors justify their brutal attacks on the children because supposedly these are active members or reserves of the NPA. They direct lethal fire at children whom they subsequently misrepresent as NPA fighters.

GRP military campaigns of suppression often involve the wanton killing of adults and children through bombings, artillery fire, strafing from airplanes and by infantry, looting and burning. After the GRP troops secure control

of a village, children who are estimated to be at least 10 years old are at risk of being falsely accused as NPA combatant and being arbitrarily arrested, beaten up, tortured or murdered. In fact, it is an old continuing practice of GRP troops to feel out the shoulders of such children supposedly to find out whether the shoulders are hard enough to indicate frequent carrying of rifles. The GRP troops continue the tradition set by US General Jacob Smith in Samar during the Filipino-American War when he ordered the killing of all Filipino males who were at least 10 years old and supposedly old enough to carry a gun.

Increasingly, the military and police of the GRP abduct the children from suspected NPA-supporting communities and misrepresent them to the mass media as so-called child soldiers of the people's army. Then these children are detained in compounds of the DWSD or in municipal or city jails and the closest relatives are prevented by orders of the military from visiting them and bringing them home. These children detained in such a manner are relatively better known to the public, especially when there is military psywar in the press that these children are NPA combatants. In such cases, human rights organizations can quickly move to get the facts against the false claims of the military. In the worst cases, the children who are detained in military camps and forced to become orderlies and sometimes sex slaves are practically closed to human rights organizations for prompt investigation and documentation, unless the parents and other close relatives and mass organizations of the child or children concerned approach the human rights organizations for assistance.

Whenever they target an area for military suppression, the GRP military, police and irregular forces engage in food blockades, force the people to evacuate or let them stay in their community under the terms of the concentration camp or "strategic hamlet." Under conditions of food blockade or forced mass evacuation, the worst harm is inflicted on so many children. They go hungry, become sick without health care and have no chance to go to school for a long time. When the people are made to stay in their village, the troops occupy the school house as barracks and deprive the children of schooling.

In evacuation centers, the children are mainly the casualties. They are hit the hardest by outbreaks of diseases, like diarrhea, respiratory illness, measles and the like. They are also vulnerable to sexual abuse due to the flimsy accommodations, if any. If they survive, long after suffering hunger and illness, they will bear for a long time in their adulthood or until the end of their lives the invisible scars from their traumatic experience and will have serious difficulties in attaining normalcy or relating to conditions as they grow up.

Harsh World for the Children and the People's Resistance

The children of today live in an unprecedentedly harsh world, in which US imperialists and their followers can violate human rights with impunity and stigmatize the victims as the culprits. Under the auspices of the United Nations, the IMF, World Bank and the WTO coordinate the exploitation of the people of the world under the inhuman neoliberal economic policy. The US and other imperialist powers have used the UN repeatedly to justify, facilitate, carry out, prolong or prettify aggression and repression.

How many children in Iraq were killed by being deprived of food and medicine under the UN and US-UK policy of economic sanctions for more than ten years? At least 500,000 children. And how many more children have been killed by the US war of aggression against Iraq and Afghanistan and by the murderous policies and acts of the occupation and puppet government? How many of the children have been felled by disease for lack of clean water and proper food and have been deprived of education due to the destruction of the social infrastructure? How many children are scarred for life by the traumatic experience of the cruelties of aggressive war? Further, how many more children are to be killed, maimed or traumatized by cruel sanctions and wars of aggression as the US continues to impose its imperialist power on the entire Middle East, Central Asia, South Asia, East Asia and elsewhere?

The US and its bilateral and multilateral instruments (including the UN) cannot claim moral authority whatsoever to sit in judgment of and discredit genuine national liberation movements. It is clear that the US and its imperialist and puppet allies exploit the issue of human rights and humanitarianism as the pretext for military intervention and aggression.

Thus they work hard to manipulate the highly emotive issue of child rights and invent stories of the violation of child rights by the revolutionary forces in order to discredit the very people and the revolutionary forces that oppose the system that exploits and oppresses children and that therefore violates their rights in so many ways.

But the people of the world know better than to let the US and its accomplices go on violating the national and democratic rights and the entirety of human rights, including those of women and children. They are rising up to resist imperialist war and plunder. They want to build a new and better world in which they can enjoy the blessings of national independence, democracy, social justice, development and world peace.



National Democratic Front of the Philippines National Council

NDFP Declaration and Program of Action for the Rights, Protection and Welfare of Children

Preamble

The National Democratic Front of the Philippines (NDFP) hereby reaffirms the rights of children and resolves to carry out a program of action for the protection and welfare of children within the framework of the Guide for Establishing the People's Democratic Government (1972) and the 1996 NDFP Unilateral Declaration of Undertaking to Apply the Geneva Conventions of 1949 and Protocol I of 1977 and in accordance with the principles and policies enunciated by the NDFP as well as with the just and applicable provisions of international conventions pertinent to the rights and welfare of children.

The NDFP proclaims this Declaration and Program of Action within the framework of its political authority defined as follows:

1. The National Democratic Front of the Philippines stands for and carries the authority of the people's democratic government consisting of organs of political power in substantial parts all over the Philippines. It is the united front organization of all revolutionary forces of the Filipino people fighting for national independence and democracy. It includes the Communist Party of the Philippines (CPP) as the leading party in the aforesaid government, the New People's Army (NPA) as its armed force, and various mass organizations of workers, peasants, women, youth, professionals and other sectors.
2. There is dual state power in the Philippines. One state power is represented by the Manila-based reactionary government (Government of the Philippines or GPH, formerly designated as GRP) of big compradors and landlords. The other is represented by

the rural-based revolutionary government of workers and peasants, which has its own Constitution and Guide for Establishing the People's Democratic Government. The two contending states or governments are co-belligerent forces in a civil war, which has characteristics of both a non-international and an international armed conflict. However, they have agreed since 1992 to engage in peace negotiations within the framework of The Hague Joint Declaration and have forged other important bilateral and binding agreements.

3. In accordance with Article 1, paragraph 4 in relation to Article 96, paragraph 3 of the 1977 Protocol I Additional to the 1949 Geneva Conventions, the NDFP issued the Declaration of Undertaking to Apply the said Geneva Conventions and Protocol I on 5 July 1996 and submitted it to the proper depositary, the Swiss Federal Council on the same date. By proclaiming the said Declaration, the NDFP has assumed rights and duties under Protocol I, on top of those provided for under common Article 3 of the 1949 Geneva Conventions and under its Protocol II.

Article I. Declaration to Reaffirm, Protect and Promote the Rights of Children

Section 1. The NDFP and the revolutionary forces are resolutely committed and are vigorously involved in upholding, protecting and promoting the rights of all Filipino children. At the same time, they are cognizant of the fact that the overwhelming majority of children are the sons and daughters of workers, peasants and the urban poor and are victims of an unjust social system which consigns them to a life of exploitation, poverty, ignorance, malnourishment, disease and underdevelopment as human beings. They are forced to sell their labor. Some are lured into prostitution and pornography, kidnapped and trafficked for body parts, pushed into vagrancy, beggary, petty thievery and drugs, and jailed with hardened criminals.

Section 2. The NDFP regards the continuing gross and systematic violations of the human rights of the majority of Filipino children by the ruling system of big compradors and landlords as one of the compelling reasons for the revolutionary struggle of the Filipino people. Such violations have been aggravated by the deliberate targeting of these children in GRP/GPH military operations against communities suspected to be under the control and/or supportive of the revolutionary movement.

Section 3. The NDFP is ever resolved to ensure that the rights of children are respected and that their welfare is assured under the policies and laws of the people's democratic government and under the programs of its pertinent social agencies and the mass organizations of children, parents, teachers, women and other sectors interested in the rights and welfare of children in all urban and rural areas of the Philippines.

Section 4. As a matter of principle and practical necessity, all of those Philippine entities mentioned in the foregoing section are capable of self-reliantly looking after the rights and welfare of Filipino children. But they also adhere to the just and appropriate conventions and provisions of international law pertaining to children and may undertake appropriate forms of cooperation with foreign or international organizations and agencies for the benefit of children in the Philippines.

Section 5. The NDFP reiterates its commitment under the 1998 GRP/GPH-NDFP Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) to uphold, protect and promote the full scope of human rights and fundamental freedoms, including "the right of children and the disabled to protection, care and a home, especially against physical and mental abuse, prostitution, drugs, forced labor, homelessness, and other similar forms of oppression and exploitation." (Part III, Respect for Human Rights, Article 2, No. 24)

Section 6. The NDFP also reiterates its joint and separate commitment under the CARHRIHL "to provide special attention to women and children to ensure their physical and moral integrity. Children shall not be allowed to take part in hostilities." (Part IV, Respect for International Humanitarian Law, Article 10)

Article II. International Law Pertaining to the Protection of Children

The NDFP and the NPA adhere to conventions and provisions of international law as hereunder cited, which are relevant to the rights and protection of children in general or in a situation of armed conflict and which are deemed mutually binding in agreements between the NDFP and the GRP/GPH.

1. Article 25 of the Universal Declaration of Human Rights declares that childhood is entitled to special care and assistance.
2. By issuing on 5 July 1996 its Unilateral Declaration of Undertaking to Apply the Geneva Conventions of 1949 and Protocol I of 1977

in accordance with Article 1, paragraph 4 in relation to Article 96, paragraph 3 of Protocol I Additional to the Geneva Conventions and submitting said declaration to the proper depositary, the Swiss Federal Council, the NDFP has assumed rights and duties under Protocol I, on top of those provided for under common Article 3 of the 1949 Geneva Conventions and under its Protocol II.

3. Article 4, paragraph 3, Part II of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977 provides:

Children shall be provided with the care and aid they require, and in particular: (a) they shall receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care; (b) all appropriate steps shall be taken to facilitate the reunion of families temporarily separated; (c) children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities; (d) the special protection provided by this Article to children who have not attained the age of fifteen years shall remain applicable to them if they take a direct part in hostilities despite the provisions of subparagraph (c) and are captured; (e) measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being.

4. Article 38 of the Convention on the Rights of the Child which came into force on 2 September 1990 states:
 1. *States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.*
 2. *States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.*
 3. *States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces.*

In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavor to give priority to those who are oldest.

4. *In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.*

5. The International Labor Organization (ILO) Convention No. 182 on the Elimination of the Worst Forms of Child Labor adopted by the International Labor Conference on 17 June 1999 states in its Articles 1 to 3:

Article 1:

Each Member which ratifies this Convention shall take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency.

Article 2:

For the purposes of this Convention, the term "child" shall apply to all persons under the age of 18.

Article 3:

For the purposes of this Convention, the term "the worst forms of child labour" comprises:

- (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;*
- (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;*
- (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties;*
- (d) work, which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.*

Article III. Children in Relation to the Civil War

The NDFP is cognizant of the rigors and risks for children in communities and areas affected by the civil war. The NDFP and its allied organizations such as the CPP, NPA and people's associations have constantly taken special care to make decisions and implement measures to protect the children from the adverse consequences of the armed conflict.

Section 1. The NDFP adheres to the decision of the Political Bureau of the CPP's Central Committee in 1988 stipulating that the New People's Army may recruit only persons who are 18 years old and older as armed fighters for its combat units even as Article 77, paragraph 2 of the said 1977 Protocol 1 Additional to the Geneva Conventions of 1949 and relating to the Protection of Victims of International Armed Conflicts still legally permits the recruitment of children 15 years and above as soldiers.

Section 2. The policy setting the minimum age of 18 for the recruitment to the NPA was reiterated in 2002 by the 11th Plenum of the CPP Central Committee in a resolution addressed to the NPA. The CPP recognized and commended the faithful adherence of the NPA to the policy. It discussed and reviewed the implementation of this policy in the field, the disciplinary measures that may be imposed on NPA commands as well as the responsible Party units in case of any violation and the participation of the organs of political power and mass organizations in various areas and communities in ensuring strict implementation.

Section 3. The NDFP acknowledges the issuances of the Military Commission of the CPP dated 30 August 1999 entitled "On the NPA's Alleged Mass Recruitment of Child Guerillas" and of the Executive Committee of the CPP dated 15 October 1999 and entitled "Memorandum on the Minimum Age Requirement for NPA Fighters".

Section 4. The NDFP confirms the following:

Article 1 of the Basic Rules of the New People's Army as amended by the Memorandum of October 1999 of the Executive Committee of the Central Committee of the Communist Party of the Philippines, has been replaced by the following text in order to clarify the commitments of the NPA and to avoid any misinterpretation:

Point 1. Any person, who is at least 18 years of age and is physically and mentally fit, regardless of sex, race, nationality or religion, has the capacity to fight and is ready to participate in armed struggle

against the reactionary state power, may become a combatant or a member of a fighting unit of the New People's Army.

Any person, not less than 15 years of age, may be admitted as a trainee or apprentice of the New People's Army and may be assigned to self-defense and other non-combat units and tasks.

The restriction on youth or children below the age of 18 years does not forfeit the primordial right of self-defense in the face of clear and imminent threat to life.

In the event of enemy aggression against or encroachment on the territory of the people's democratic government, all persons above 15 years of age may be mobilized for self-defense, provided that priority among those below 18 years of age but more than 15 years of age shall be given to the eldest ones in the distribution of weapons of self-defense.

The foregoing amendment shall take immediate effect.

Section 5. The NDFP recognizes the 1990 Convention on the Rights of the Child. However, the NDFP considers the 2002 Optional Protocol on the Involvement of Children in Armed Conflict, particularly on the prohibition of recruitment of children under 18 years of age in the armed forces and armed groups and their participation in hostilities, as not legally binding. Hence, it does not impose legal obligations on the NPA.

Article IV. Critique of the Optional Protocol on the Involvement of Children in Armed Conflict and the so-called Paris Principles

Section 1. The Optional Protocol on the Involvement of Children in Armed Conflict contains vague terms which result in the misrepresentation of children as child soldiers and provide the military forces of the reactionary state the license to mislabel children as child soldiers and violate their human rights.

Section 2. The aforesaid Optional Protocol sets the minimum age for recruitment and participation in hostilities at 18 and prohibits "armed groups that are distinct from the armed forces of a State" from recruiting and using persons under the age of 18 in hostilities, under any circumstances (Article 4 paragraph 1) but allows the schools operated or under the control of the States Parties' armed forces to train persons below

18 years old (Article 3 paragraph 5) while prohibiting other “armed groups” from doing so.

Section 3. The NDFP objects to the clear bias of the said Optional Protocol against national liberation movements, and considers it as a violation of international conventions and customary laws that recognize the right of oppressed nations to struggle for self-determination and establish organs of political power in opposition to the oppressive reactionary state. Nonetheless, the NDFP does not have the obligation to follow said Optional Protocol with its unacceptable provisions.

Section 4. The NDFP criticizes the non-compliance of the GRP/GPH's own unilateral declaration in its accession to the said Optional Protocol that the minimum age for voluntary recruitment into the Armed Forces of the Philippines (AFP) is 18 years, except for training purposes. Independent human rights organizations in the Philippines and abroad have confirmed that the GRP/GPH has in fact forcibly recruited children into its armed forces.

Section 5. The NDFP takes note that counterrevolutionary forces have used the 2007 so-called Paris Principles to buttress the Optional Protocol on the Involvement of Children in Armed Conflict in order to falsely accuse the revolutionary movement of recruiting and using child soldiers.

- a. The NDFP views the so-called Paris Principles, as well as the earlier Cape Town Principles – which are not instruments of international law – as carrying a vague, expansive and misleading definition of child soldiers that mixes up and confuses combatant and non-combatant tasks and even innocuous social and community activities.
- b. The so-called Paris Principles are prejudicial to liberation movements. These practically require children to be physically and even permanently separated from parents, families and the community which are or may come under indiscriminate sustained and vicious attacks from the reactionary armed forces. These actually violate the fundamental right of family union or the right of children to live with their families in communities of their choice, to undergo schooling in their own communities and to share in the legitimate aspirations and just struggles of their parents, guardians and/or other elders for an independent, democratic and prosperous Philippine society.
- c. By giving a misleading and inaccurate definition of child soldiers, these so-called Paris Principles have in effect put children at increased

risk by giving an implied license to the GRP/GPH military, police and paramilitary forces and other agencies to accuse children falsely as child soldiers, to treat them as legitimate military targets, to abuse, apprehend or take them away from their parents in any suspected community and subject them to detention and involuntary servitude and even abuse them sexually, and make them generally vulnerable and become open prey to various kinds of human rights violations and abuses in the communities under attack.

Section 6. The NDFP and the NPA have vigorously refuted the allegations by the GRP/GPH and the AFP - which have been confirmed to be false by independent human rights organizations in the Philippines and abroad – that the NPA recruits so-called child soldiers. Such allegations on violations have been unfortunately repeated without data verification and field validation by some international bodies and nongovernmental organizations (NGOs) directed and funded by agencies adverse to the Philippine revolutionary movement.

Section 7. The only recent objective field study, which was conducted by the IBON Foundation in cooperation with the Children's Rehabilitation Center (CRC) and the Center for Women's Resources (CWR) at the request of the United Nations Children's Fund (UNICEF) on the "needs assessment of children and women affected by armed conflict", has proven that the NPA follows the minimum age limit for NPA soldiers, as stipulated by the NDFP, CPP and NPA and by this Declaration.

Article V. Program of Action

Section 1. The NDFP, CPP, NPA, the organs of political power, the mass organizations and the broad masses of the people in both rural and urban areas shall ascertain that all children below the age of 18 years are either at home under the care of their parents, in school under the tutelage of their teachers or at work if they are of ILO-permitted working age under the responsibility of the employer.

Section 2. They shall take all necessary measures to assist child-rearing parents, to provide or permit schools and education for the children; to oppose and prevent the exploitation of children as laborers; to combat child prostitution, pornography, drug peddling, and trafficking of body parts; to encourage and help street or vagabond children to go back to school or to go to an appropriate refuge if for one reason or another they cannot be reunited with their parents or close relatives.

Section 3. They shall take all efforts to educate the children on the revolutionary history of the Filipino people, the basic problems in a semi-colonial and semi-feudal society and the revolutionary tasks of the people; to organize the children; and to mobilize them in civic, cultural and other social activities for their benefit and for the benefit of the people. They shall ensure that children learn how to conduct themselves in times of natural disasters, military attacks and other emergencies.

Section 4. They shall make the appropriate report to the entire nation and the international community concerning their achievements in this regard, in ensuring and improving the proper care of the children, their education, their good health, their proper nutrition and cultural activities. However, they shall take care that the information cannot be used by the reactionary state and its armed forces to attack the children and destroy the achievements that benefit the children.

Section 5. The New People's Army is prohibited by its own rules and standing orders, by the policies and decisions of the CPP, NDFP and the people's democratic government and by international law and the rules of war from recruiting and using children below the age of 18 years for combat or placing them in the chain of military command for the purpose of combat.

By virtue of its revolutionary integrity and discipline, the NPA itself shall at all levels and in all units prevent the recruitment and use of child soldiers.

- a. The CPP and NPA have their own internal rules and mechanisms to implement the prohibition of using children for combat. The CPP's Military Commission and the NPA Operational Command direct all commands and units of the NPA in different areas of the country to strictly implement the pertinent CPP policies and the NPA rules.
- b. Upon clear, credible and verifiable allegations of specific violations of any recruitment and use of children, the NDFP shall promptly investigate and ensure that appropriate disciplinary action is taken in line with international minimum standards.

Section 6. In time of an attack on a community by the reactionary military, police and paramilitary forces, the children have the right to join their elders in protecting the community or assisting especially the women, the children below the age of 15 and those in frail or ill health conditions, in saving themselves from enemy atrocities.

Section 7. In the event of military and civil authorities of the reactionary state falsely accusing children below the age of 18 years of being child soldiers, the parents or guardians, the teachers or the employer, the local community official and the priest or pastor of the community, shall be sought to stand up to vouchsafe for the children. Philippine human rights, civic and religious organizations shall also be sought to help them in asserting the truth and fighting for their rights.

Section 8. In the event of children being abducted, tortured, forced to make false confessions to being NPA fighters, detained in a military camp or in a Department of Social Welfare and Development (DSWD) compound or house or killed, the services of human rights, civic and religious organizations are crucial in assisting the children and the parents to fight for their rights and in ventilating the truth. They shall be entitled to the support and assistance of the NDFP should any of them so request.

Section 9. Depending on the progress of the GRP/GPH-NDFP peace negotiations and the effectiveness of the Joint Monitoring Committee (JMC) created under CARHRIHL, measures and mechanisms additional to Sections 6, 7 and 8 above may be made available for investigating any complaint related to the issue of child soldiers.

Section 10. The mechanisms and procedures independent of the NDFP, CPP and NPA for testing and verifying whether or not a child below the age of 18 years, are already stipulated or indicated in Sections 6, 7 and 8 above. There is, therefore, no need for the NPA and other revolutionary forces to put themselves at risk by allowing any foreign or international entity and its undefined partners to gain direct and unimpeded access to NPA commands and guerrilla fronts or to approach at will any military or political focal points which can be put under enemy surveillance.

Section 11. Upon its own initiative or under its auspices, the NDFP shall continue to investigate and document all violations of the rights of children by the reactionary state and its armed forces, including recruitment and use of children; killing and maiming of children; rape and other forms of sexual violence against children; abduction of children; attack against schools or hospitals; and, denial of humanitarian access to children.

Section 12. The NDFP is ever willing to receive from any entity clear, credible and verifiable allegation of specific violations of recruitment and use of children and shall promptly conduct investigation and make reports to the concerned parties. In case of any breach on the prohibition of the recruitment and use of children of less than 18 years of age, the

appropriate disciplinary action shall be undertaken against the erring officers and personnel of the NPA.

Section 13. The NDFP shall create and operationalize under its Human Rights Committee within 6 months after approval of this Declaration and Program of Action a Special Office for the Protection of Children. This office will have the following duties and functions:

- a. Oversee the implementation by all NDFP organizations and instrumentalities of this Program of Action and the conformity of all actions taken by the NPA and all allied organizations of the NDFP.
- b. Report widely the achievements of the aforementioned forces in upholding the rights of the children, protecting them and promoting their welfare.
- c. Receive complaints about violations of children's rights in connection with Sections 11 and 12 above and refer the complaints to the organs concerned for the appropriate action.
- d. Assist all allied organizations and instrumentalities of the NDFP with advice on all matters related to the protection of children in the armed conflict.
- e. Organize educational programs within all allied organizations of the NDFP on children's rights and encourage the formation of child protection units under the auspices of the organs of political power and mass organizations, especially of children, youth and women.
- f. Establish and maintain contacts and relations with all relevant international bodies and NGOs.
- g. Issue an annual report on the situation of children in the Philippines in relation to the armed conflict and on the activities to uphold, defend and promote the rights of children.

Section 14. The NDFP shall direct its Negotiating Panel in the peace negotiations with the GRP/GPH to present to its counterpart panel a draft additional protocol to the CARHRIHL. Said proposed additional protocol will further elaborate the aforesaid Article 10 of CARHRIHL in order to focus on the protection of minors from adverse effects of the armed conflict as well as against specific violations of the rights of children.

Section 15. The NDFP shall instruct its Negotiating Panel in the peace negotiations with the GRP/GPH to present a proposal to create a special section focused on the rights of children in the Joint Monitoring Committee created under the CARHRIHL.

Section 16. The NDFP shall further direct its Negotiating Panel in the peace negotiations with the GRP/GPH to demand and work for the inclusion in the prospective Comprehensive Agreement on Social and Economic Reforms (CASER) a provision that comprehensively uphold the rights of children, guarantees proper care and education and prohibits the exploitation of child labor.

Article VI. NDFP Cooperation with Foreign or International Entities with Regard to Children

Section 1. The NDFP is ever ready to engage in dialogue and present pertinent issuances, actions and mechanisms that its organizations, including the CPP and NPA, have undertaken, individually and collectively, in order to uphold the rights of children, protect them and promote their welfare. It is amenable to cooperate with foreign or international institutions, organizations and other entities in this regard.

Section 2. The NDFP is open to practical cooperation with foreign or international entities in investigating and monitoring the conditions and problems of children in areas outside and inside the guerrilla fronts and areas of armed conflict, provided such undertakings are supplementary and complementary to the basic undertakings of qualified Philippine entities and provided further that the political authority of the NDFP and this Declaration are acknowledged and respected by said foreign or international entities.

Section 3. The NDFP continues to respect the reasonable and viable standard of cooperation already established in the relations of the NDFP and the International Committee of the Red Cross (ICRC) and in previous joint missions of Philippine NGOs and their foreign or international partners for the purpose of investigating the human rights situation in the Philippines, including that of the children.

Section 4. The NDFP also appreciates the cooperation between the UNICEF and IBON, together with human rights and other local organizations, in investigating and reporting on the situation of children, particularly in areas of armed conflict. The NDFP is amenable to cooperation with the UNICEF, the UNESCO, ILO, World Health Organization (WHO), World Food

Program (WFP) and other United Nations (UN) agencies for the purpose of upholding the rights of children, protecting them and ensuring their welfare in an all-round way.

Section 5. The NDFP urges the United Nations Secretary General's Special Representative on Children and Armed Conflict (UNSG SRCAC) to seriously consider the example of the UNICEF in cooperating with local organizations independent of the reactionary armed forces in order to undertake investigation, reports and recommendations pertaining to children and cautions it from relying on speculations, hearsay and hostile claims of the reactionary armed forces and their agents, merely on the premise that they are instruments of a UN member-state, to make false conclusions and cause the unjust listing of the NPA as a recruiter and user of child soldiers.

The NDFP and the UNSG SRCAC cannot at this point establish and develop positive and productive relations because of the baseless and unwarranted vilification and listing of the NPA as child rights violators in the annual report of the UNSG. So long as such vilification and listing of the NPA persist, the NDFP finds it more useful to cooperate with other UN agencies like the UNICEF in upholding the rights of children, protecting them and looking after their welfare.

The NDFP continues to demand that the UNSG remove the NPA from its list of child rights violators and withdraw its previous reports which falsely accuse the NPA of recruiting and using child soldiers. Once this is done, then it becomes possible for the NDFP and the UNSG SRCAC to start and develop their cooperation.

Section 6. The NDFP may, subject to security considerations and under such regulations, terms and conditions set by its responsible political and military authorities, allow access by the pertinent institutions, organizations and other entities with common concern to protect the rights of children, to areas within its jurisdiction after full availment of the basic mechanisms stipulated in Article V, Program of Action of this Declaration.

**ADOPTED
National Council
National Democratic Front of the Philippines
24 April 2012**

Profile of Filipino Children*

25 July 2012

Child population: Over four out of ten (42%) Filipinos are aged 0-17 years old with males slightly outnumbering females.

| Child Population (2007) | Both Sexes | Male | Female |
|-------------------------|-------------------|-------------------|-------------------|
| All Ages | 88,304,615 | 44,583,853 | 43,720,762 |
| Under 1 | 2,069,785 | 1,064,642 | 1,005,143 |
| 1 - 4 | 8,503,596 | 4,375,823 | 4,127,773 |
| 5 - 9 | 10,617,528 | 5,477,180 | 5,140,348 |
| 10 - 14 | 10,198,111 | 5,213,422 | 4,984,689 |
| 15 - 17 | 5,815,528 | 2,976,107 | 2,839,421 |
| 0 - 14 | 31,389,020 | 16,131,067 | 15,257,953 |
| % of Total Population | 35.5 | 36.2 | 34.9 |
| 0 - 17 | 37,204,548 | 19,107,174 | 18,097,374 |
| % of Total Population | 42.1 | 42.9 | 41.4 |

Source: National Statistics Office (NSO)

Poverty: Poverty is officially estimated at just 27% of the population in 2009 which is higher than in 2003 and 2006. This however uses a poverty line of PhP46 or just a little over US\$1 a day – yet the poorest 70% of the population actually tries to survive on PhP104 (US\$2.35) or much less everyday. In any case poverty among children is much higher than among the total population.

The government is implementing a large conditional cash transfer (CCT) program which aims to provide as much as PhP15,000 (approximately US\$350) per year for up to five years to the poorest 4.3 million households upon compliance with some health and education conditions. The program as currently designed is a one-shot program ending in 2018 and has been criticized as a short-term dole-out scheme that does not address the roots of joblessness and poverty. The first batch of two million beneficiaries finishing their 5-year cycle in 2013 for instance will still face poor jobs and livelihoods prospects upon graduating from the program.

* Reprinted from IBON (2012, July) Profile of Filipino Children

| Magnitude of Poor and Poverty Incidence Among Total Population, Children and Youth | 2003 | 2006 | 2009 |
|---|-------------|-------------|-------------|
| Among Total Population | | | |
| Magnitude of Poor (in millions) | 19.8 | 22.2 | 23.1 |
| Poverty Incidence (in %) | 24.9 | 26.4 | 26.5 |
| Among Children ^a | | | |
| Magnitude of Poor Children (in millions) | 11.4 | 12.3 | 12.4 |
| Poverty Incidence for Children ^b (in %) | 32.7 | 34.8 | 35.1 |

a - Child refers to individual below 18 years old based on RA 7610, Special Protection of Children Against Abuse, Exploitation and Discrimination Act.

b - Poverty incidence among children refers to the proportion of children with per capita income less than the per capita poverty threshold to the total number of children.

Source: National Statistics Office (NSO)

Inequality: The richest 1% of families (185,000 families) had a combined income of PhP343 billion (US\$47.7 billion) in 2009 which is as much as that of the country's poorest 30% or 5.5 million families, according to data from the National Statistics Office (NSO). The income of the top 10% of families (35% of total income) was almost as much as that of the poorest 70% of families (36%). The richest 25 individual Filipinos meanwhile had a combined net worth of US\$21.4 billion in 2009 which was equivalent to the combined income for the year of the poorest 55.4 million Filipinos. (IBON Foundation)

Landlessness: Less than a third of landowners own or otherwise control over 80% of the country's agricultural land. Despite decades of land reform, land ownership declined from 63% of total farm area in 1971 to 51% in 2002; 52% of all farms (covering 51% farm area) are still under tenancy, lease, and other forms of tenurial arrangements, according to the NSO's latest agriculture census.

Unemployment: The average unemployment rate over the period 2002-2011 of 11.1% is the worst decade of unemployment in the country's history (this corrects for a change in government methodology in 2005 that greatly increases the number of discouraged workers). There were 4.3 million unemployed in 2011 aside from 16.7 million more in poor quality work (unpaid family work or other informal sector jobs), according to the NSO. Some 28% of the labor force is either unemployed or underemployed.

The unemployment rate among youth aged 15-24 years old was 16.3% in 2011 and they accounted for over half (50.4%) of the total number of unemployed.

Overseas workers: In 2010, according to the Department of Foreign Affairs (DFA), there were already 9.5 million Filipinos overseas which is equivalent to 10% of the population. The Philippine Overseas Employment Administration (POEA) meanwhile monitored 4,560 Filipinos leaving the country everyday to find work abroad in 2011. Overseas remittances reached US\$20.8 billion in 2011 which was equivalent to over 9% of the economy (gross domestic product, GDP).

Estimates of the number of children aged 0 to 14 years left behind by OFW parents have ranged from two (2) million to as much as 5.5 million – the high figure is cited in the Guide on Ratification of the International Convention on the Protection of the Rights of all Migrant Workers and their Families by the International Steering Committee for the Ratification of the Migrants Rights Convention (and is an estimate based on the 2000 Census on Population and Housing). The guide also cites studies that estimate some 15% of Filipino families with children growing up without either a father or a mother.

Child labor: There were some 5.5 million children aged 5-17 years old working in 2011, according to the NSO's 2011 Survey on Children (SOC). This means that almost one out of every five (18.9%) children 5-17 years old were working. In every ten working children, four were girls while six were boys. Moreover, over half (54.5%) or 3.0 million of these children work in hazardous environments.

| Working Children, 2011 (in '000) | |
|---|--------------|
| Both Sexes | 5,492 |
| 5 - 9 Years Old | 453 |
| 10 - 14 Years Old | 2,476 |
| 15 - 17 Years Old | 2,563 |
| Boys | 3,288 |
| Girls | 2,205 |
| In hazardous labor | 2,993 |

Source: National Statistics Office (NSO)

Street children: Estimates of children living in the streets in 2010 ranged from 250,000 (UNICEF estimates) to as much as 2.2 million (Children’s Rehabilitation Center). They are poor, malnourished and in ill health as well as particularly vulnerable to and victims of various forms of abuse, violence, and exploitation.

Debt: Foreign debt grew from US\$600 million in 1965 to US\$77.9 billion (including all monitored private sector debt) in 2011, according to the Bangko Sentral ng Pilipinas (BSP). National government outstanding foreign and local debt meanwhile increased from PhP600 billion in 1990 to PhP4,951 billion, or 51% of gross domestic product (GDP), in 2011 according to data from the Bureau of the Treasury (BTr). Interest and principal amortization ate up 53% of government revenues in 2011.

Life expectancy at 70 years old for both sexes is among the lowest half of countries in East Asia. The gap between males and females – 67 for males and 73 for females – is likewise among the widest in the region.

| 2009 | Life expectancy at birth (years) | | |
|---------------------------------------|----------------------------------|-----------|-----------|
| | Both sexes | Male | Female |
| Singapore | 82 | 79 | 84 |
| Korea, Republic of | 80 | 77 | 83 |
| Brunei Darussalam | 77 | 76 | 77 |
| China, People's Republic of | 74 | 72 | 76 |
| Malaysia | 73 | 71 | 76 |
| Vietnam | 72 | 70 | 75 |
| Democratic People's Republic of Korea | 70 | 67 | 72 |
| Philippines | 70 | 67 | 73 |
| Thailand | 70 | 66 | 74 |
| Indonesia | 68 | 66 | 71 |
| Timor-Leste | 67 | 67 | 69 |
| Myanmar | 64 | 61 | 67 |
| Lao PDR | 63 | 62 | 64 |
| Cambodia | 61 | 57 | 65 |

Source: World Health Organization (WHO)

Infant mortality (23 per 1,000 live births) and **under-five mortality** (29 per 1,000 live births) are among the lowest half in East Asia, according to World Health Organization (WHO) estimates using standardized methods for cross-country comparability. The official national estimate for 2008 of the infant mortality rate is 25 (an increase from 24 in 2006) and of under-five mortality 34 (an increase from 32 in 2006).

Mortality rates for the poorest are many times that of those at the highest income levels. The poorest 20% of the population had an infant mortality rate of 40 per 1,000 live births, child mortality rate of 19 per 1,000 live births, and under-five mortality of 59 per 1,000 live births versus equivalent figures for the top 20% of 15 (infant), 2 (child) and 17 (under-five).

| 2010 | Infant mortality rate (probability of dying by age 1 per 1000 live births) | Under-five mortality rate (probability of dying by age 5 per 1000 live births) |
|---------------------------------------|---|---|
| Singapore | 2 | 3 |
| Korea, Republic of | 4 | 5 |
| Malaysia | 5 | 6 |
| Brunei Darussalam | 6 | 7 |
| Thailand | 11 | 13 |
| China, People's Republic of | 16 | 18 |
| Vietnam | 19 | 23 |
| Philippines | 23 | 29 |
| Democratic People's Republic of Korea | 26 | 33 |
| Indonesia | 27 | 35 |
| Lao PDR | 42 | 54 |
| Cambodia | 43 | 51 |
| Timor-Leste | 46 | 55 |
| Myanmar | 50 | 66 |

Source: WHO

Maternal mortality of 99 per 100,000 live births is among the worst in East Asia. The rate of just 62% of **births attended by skilled health personnel** is the third worst in the region.

| 2010 | Maternal mortality ratio (per 100,000 live births) |
|---------------------------------------|---|
| Singapore | 3 |
| Korea, Republic of | 16 |
| Brunei Darussalam | 24 |
| Malaysia | 29 |
| China, People's Republic of | 37 |
| Thailand | 48 |
| Vietnam | 59 |
| Democratic People's Republic of Korea | 81 |
| Philippines | 99 |
| Myanmar | 200 |
| Indonesia | 220 |
| Cambodia | 250 |
| Timor-Leste | 300 |
| Lao PDR | 470 |

Source: WHO

| 2005-2011 | Births attended by skilled health personnel (%) |
|---------------------------------------|--|
| Singapore | 100 |
| Korea, Republic of | 100 |
| Brunei Darussalam | 100 |
| Democratic People's Republic of Korea | 100 |
| Malaysia | 99 |
| Thailand | 99 |
| China, People's Republic of | 96 |
| Vietnam | 84 |
| Indonesia | 77 |
| Myanmar | 71 |
| Cambodia | 71 |
| Philippines | 62 |
| Lao PDR | 37 |
| Timor-Leste | 30 |

Source: WHO

Stunted and underweight children: 32% of Filipino children under 5 years are stunted and 21% are underweight. The official national estimate of the prevalence of underweight children aged 0-5 years is 26.2% in 2008 which is up from 24.6% in 2005.

| 2005-2011 | Children aged <5 years (%) | |
|---------------------------------------|----------------------------|-------------|
| | Stunted | Underweight |
| China, People's Republic of | 9.4 | 3.4 |
| Thailand | 15.7 | 7.0 |
| Malaysia | 17.2 | 12.9 |
| Vietnam | 30.5 | 20.2 |
| Philippines | 32.3 | 20.7 |
| Democratic People's Republic of Korea | 32.4 | 18.8 |
| Indonesia | 40.1 | 19.6 |
| Cambodia | 40.9 | 29.0 |
| Lao PDR | 47.6 | 31.6 |
| Timor-Leste | 57.7 | 45.3 |
| Singapore | ... | ... |
| Korea, Republic of | ... | ... |
| Brunei Darussalam | ... | ... |
| Myanmar | ... | ... |

Source: WHO

Nutrition: The percentage of households hungry, or with per capita energy less than 100% adequacy, is 66.9% (2008). The proportion of the population with mean one-day energy intake less than 100% adequacy in turn was a very high 73.3% (2008). This is despite government claims that the proportion of households below the food (national subsistence) threshold is declining.

Immunization: Coverage among 1-year olds for measles, DTP3 and HepB3 is the third worst in East Asia.

| 2010 | Immunization coverage among 1-year-olds (%) | | | |
|---------------------------------------|---|-----------|-----------|------------|
| | Measles | DTP3 | HepB3 | Hib3 |
| China, People's Republic of | 99 | 99 | 99 | ... |
| Democratic People's Republic of Korea | 99 | 93 | 93 | ... |
| Korea, Republic of | 98 | 94 | 94 | ... |
| Thailand | 98 | 99 | 98 | ... |
| Vietnam | 98 | 93 | 88 | 63 |
| Malaysia | 96 | 94 | 95 | 94 |
| Singapore | 95 | 97 | 96 | ... |
| Brunei Darussalam | 94 | 95 | 96 | 95 |
| Cambodia | 93 | 92 | 92 | 92 |
| Indonesia | 89 | 83 | 83 | ... |
| Philippines | 88 | 87 | 85 | ... |
| Myanmar | 88 | 90 | 90 | ... |
| Timor-Leste | 66 | 72 | 72 | ... |
| Lao PDR | 64 | 74 | 74 | 74 |

Source: WHO

Disease: The tuberculosis incidence rate of 275 per 100,000 population is the fifth worst in East Asia and far above the Southeast Asian average of 193. The malaria morbidity rate per 100,000 population meanwhile increased from 25 in 2004 to 41 in 2008, according to the Department of Health (DOH).

| 2010 | Tuberculosis Incidence rate (per 100,000 population) |
|---------------------------------------|---|
| Singapore | 35 |
| China, People's Republic of | 78 |
| Malaysia | 82 |
| Lao PDR | 90 |
| Korea, Republic of | 97 |
| Thailand | 137 |
| Indonesia | 189 |
| Vietnam | 199 |
| Philippines | 275 |
| Democratic People's Republic of Korea | 345 |
| Myanmar | 384 |
| Cambodia | 437 |
| Timor-Leste | 498 |
| Brunei Darussalam | ... |

Source: WHO

Health spending measured as a percentage of gross domestic product (GDP) at 3.6% is the fourth lowest in East Asia and lower than the Southeast Asian average of 3.8 percent.

| 2009 | Total expenditure on health as % of gross domestic product |
|---------------------------------------|---|
| Democratic People's Republic of Korea | ... |
| Timor-Leste | 11.9 |
| Korea, Republic of | 6.9 |
| Vietnam | 6.9 |
| Cambodia | 5.3 |
| China, People's Republic of | 5.1 |
| Malaysia | 4.6 |
| Lao PDR | 4.3 |
| Thailand | 4.2 |
| Singapore | 4.1 |
| Philippines | 3.6 |
| Brunei Darussalam | 3.0 |
| Indonesia | 2.5 |
| Myanmar | 2.1 |

Source: WHO

Government health spending: The share of government health spending in total health expenditure (35%) and of government health spending in total government expenditure (7.1%) are both the third lowest in East Asia. On a per capita basis, government health spending of US\$23 annually is the fourth lowest in the region.

Only 42% of Filipinos were covered by any form of health insurance in 2008 – including 38% covered by PhilHealth social insurance – but benefits are generally low. As a result, in 2008, PhilHealth only covered 7% of total health expenses while 24% was by government and a very high 58% was out-of-pocket.

| 2009 | General government expenditure on health as % of total expenditure on health | General government expenditure on health as % of total government expenditure | Per capita government expenditure on health at average exchange rate (US\$) |
|---------------------------------------|--|---|---|
| Brunei Darussalam | 85.2 | 7.5 | 710 |
| Thailand | 74.6 | 13.3 | 119 |
| Timor-Leste | 66.1 | 7.8 | 43 |
| Korea, Republic of | 58.2 | 12.2 | 689 |
| Malaysia | 55.7 | 8.4 | 176 |
| China, People's Republic of | 52.5 | 12.1 | 100 |
| Indonesia | 46.1 | 6.8 | 26 |
| Vietnam | 37.5 | 7.8 | 29 |
| Cambodia | 36.6 | 9.8 | 15 |
| Singapore | 36.1 | 8.3 | 553 |
| Philippines | 35.1 | 7.1 | 23 |
| Lao PDR | 28.3 | 5.8 | 11 |
| Myanmar | 11.3 | 1.0 | 2 |
| Democratic People's Republic of Korea | ... | ... | ... |

Source: WHO

Government health facilities and personnel: While the number of public hospitals has been increasing, the number of government doctors, dentists and nurses has fallen between 2002 and 2008.

| | 1999 | 2002 | 2005 | 2008 |
|----------------------------|--------|--------|--------|--------|
| Hospitals | 1,794 | 1,739 | 1,838 | 1,784 |
| Government | 648 | 662 | 702 | 711 |
| Private | 1,146 | 1,077 | 1,136 | 1,073 |
| Government Health Manpower | | | | |
| Doctors | 2,948 | 3,021 | 2,967 | 2,838 |
| Dentists | 2,027 | 1,871 | 1,946 | 1,891 |
| Nurses | 4,945 | 4,720 | 4,519 | 4,576 |
| Midwives | 16,173 | 16,534 | 17,300 | 17,437 |
| Barangay Health Stations | 14,416 | 15,283 | 15,436 | 17,018 |
| Rural Health Units | 2,212 | 1,974 | 2,266 | ... |

Source: Department of Health (DOH)

Basic education: The gross enrolment rate is high, especially at the primary level, but cohort survival and completion rates are much lower and even falling between 2007-2008 and 2010-2011. Millions of Filipino children, boys and girls, are not able to complete a full course even of just primary schooling. As it is functional literacy among 10-64 year olds is at 86.4% as of 2008.

The 2010 Annual Poverty Indicators Survey (APIS) of the NSO reported the incidence of out-of-school youth (OSY) at a high 15.5% equivalent to 6.0 million Filipinos; this is higher than the 14.7% incidence eight years ago. The OSY rate is highest for the poorest 10% of households at 17.8 percent.

| | PRIMARY | | SECONDARY | |
|--|-------------------|-------------------|------------------|------------------|
| | 2007 to 2008 | 2010 to 2011 | 2007 to 2008 | 2010 to 2011 |
| Schools | 44,140 | 45,964 | 9,599 | 12,950 |
| Public | 37,476 | 38,351 | 5,207 | 7,268 |
| Private | 6,664 | 7,613 | 4,392 | 5,682 |
| Pre-school Enrolment | 1,002,223 | 1,650,232 | | |
| Public | 591,445 | 1,224,173 | | |
| Private | 410,778 | 426,059 | | |
| Elementary Enrolment | 13,411,286 | 14,166,066 | 6,506,176 | 6,954,946 |
| Public | 12,318,505 | 13,019,145 | 5,173,330 | 5,580,236 |
| Private | 1,092,781 | 1,146,921 | 1,332,846 | 1,374,710 |
| Teachers (not including lab. schs. of SUCs) | 397,468 | 413,872 | 184,883 | 201,435 |
| Public | 348,028 | 361,564 | 131,865 | 146,269 |
| Private | 49,440 | 52,308 | 53,018 | 55,166 |
| Performance Indicators : | | | | |
| Gross Enrolment Rate | 102.03% | 107.47% | 81.40% | 81.78% |
| Participation Rate (or Net Enrolment Rate) | 84.84% | 89.89% | 60.26% | 60.93% |
| Cohort Survival Rate | 75.26% | 74.23% | 79.91% | 79.41% |
| Completion Rate | 73.06% | 72.11% | 75.37% | 74.67% |
| Dropout Rate (or School Leavers Rate) | 5.99% | 6.29% | 7.45% | 7.89% |
| Teacher-Pupil Ratio (public schools only) | 1:35 | 1:36 | 1:39 | 1:38 |

Source: Department of Education (DepED)

Education shortages: Department of Education (DepED) estimates peg the country's classroom shortage at 152,569 classrooms for school year 2011-2012. There is a shortage of more than 150,000 water and sanitation facilities and some 13.2 million school chairs. There is also a need for around 95.6 million textbooks. The country is also short 104,000 teachers.

Government education spending: The Constitution mandates that education receive the highest budgetary priority from government but automatic debt appropriations makes debt service the biggest item in the national budget. The total allocation for 112 state universities and colleges (SUCs) in the 2012 national budget was however cut by PhP147 million, with the top 51 SUCs receiving a combined cut of PhP574 million. National government spending on education has fallen from a peak of 4.0% of GDP in 1998 to 2.7% in 2011. The Philippine government spends only the equivalent of 2% of GNP on education, lagging behind Malaysia, Indonesia and developed countries for primary education.

Child rights violations in armed conflict areas: The Children's Rehabilitation Center (CRC) documented 1,205 cases of different human rights violations from 2001-2010 which includes 77 cases of killings, 59 cases of frustrated killings, 73 cases of illegal arrest and detention, 56 cases of torture and 10 cases of abduction. Forty-one (41) children were branded as child soldiers, 22 children were used as guides or shield during military operations and four (4) minors were recruited in paramilitary groups. Specifically in the period 2008-2011, the Armed Forces of the Philippines (AFP) branded 15 children – minors they encountered in the community during their operations – as child soldiers. These children were subject to illegal arrest and detention as well as tortured to admit that they are child soldiers. They were in many cases paraded in front of the media.

There are also complaints of rape and sexual abuse of children in the situation of armed conflict filed by the victims and human rights groups against the AFP with the Joint Monitoring Committee (JMC), the body created under the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) to monitor implementation of the Agreement.

Child abuse: The government's Department of Social Welfare and Development (DSWD) reports serving 4,749 child abuse cases in 2010 – which may not necessarily reflect a reduction in actual child abuse cases or a reduction in the DSWD's capacity to serve abused children. Two-thirds (66%) of child abuse victims are girls and more than half (55%) are aged 10 to below 18 years; about one out of four victims are under five years

of age (25%). The most common cases are abandonment (30%), sexual abuse/exploitation (30%) and neglect (23%). The most common sexual abuse is rape – predominantly of girls – followed by incest and acts of lasciviousness. The DSWD figure is low considering that it is based only on reports that it serves. Many more cases of child abuse are not reported to the DSWD.

Trafficking: Filipino children are commonly trafficked in the sex trade with an estimated 60,000-100,000 children involved in prostitution rings, with a high incidence of child prostitution in tourist areas (UNICEF). Poverty, poor employment opportunities and economic backwardness are the main causes of child trafficking in the Philippines. The country has the reputation of being a center of child pornography in the world.

Children are also victims of trafficking in body parts. Some are abducted and killed after surgery. Others are induced to provide body parts for a fee.

Children in prison: It has been reported that at least 50,000 children have been arrested and detained in the last 16 years (Amnesty International). Other estimates are of over 4,000 children in jails and detention centers across the country of whom many are mixed with adults (UNICEF). There are some 20,000 children in prison throughout the country any single year (Child Rights Information Network).



National Democratic Front of the Philippines National Council

The NDFP Declaration and Program of Action for Filipino Children

by Luis G. Jalandoni

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29 June 2012

Of the estimated total Philippine population of 95 million, about 42% are below 18 years of age. The National Democratic Front of the Philippines (NDFP) which fights for the national and social liberation of the Filipino people has consistently given serious attention to the rights, protection and welfare of children. In 2005, it published the NDFP's Defense of the Rights of the Filipino Child, which presented the conditions of Filipino children and the programs and policies of the NDFP regarding them.

The NDFP is cognizant of the fact that the overwhelming majority of children are the sons and daughters of workers, peasants and the urban poor. They are victims of an unjust social system which consigns them to a life of exploitation, poverty, ignorance, malnourishment, disease and underdevelopment as human beings. They are forced to sell their labor. Some are lured into prostitution and pornography, kidnapped and trafficked for body parts, pushed into vagrancy, beggary, petty thievery and drugs, and jailed with hardened criminals.

Data on Filipino children and the reports of NDFP forces from various regions prove that the conditions of Filipino children are worse than ever. In 2011, there were already 5.5 million child workers. In Northeastern Mindanao, children as young as five years old become log haulers, oil palm gatherers, coconut tree climbers, planters, harvesters, manual laborers carrying packages heavier than themselves.

Children living in the streets were estimated by the Children's Rehabilitation Center (CRC) at 2.2 million in 2010. Some 20,000 children are in prison throughout any single year according to Child Rights Information Network.

From 2001 to 2010, CRC documented 1,205 cases of different violations which include the false labeling of 41 children as child soldiers of the New People's Army, the use of 22 of them as guides or shield in military operations and the recruitment of four minors into paramilitary groups of the reactionary government.

In 2011, four female minors were seduced by the military and later abandoned into pregnancy in Marihatag, Surigao del Sur. At the Tropicana Beach Resort in General Santos City in 2008-2009, girls were brought as prostituted women to cater to US soldiers. US armed personnel directly involved in combat operations in Sulu, Tawi-Tawi, Basilan and Zamboanga del Sur have displaced and killed Moro civilians including children.

The NDFP regards the continuing gross and systematic violations of the human rights of the majority of Filipino children by the ruling system of big compradors and landlords as one of the compelling reasons for the revolutionary struggle of the Filipino people. Such violations have been aggravated by the deliberate targeting of these children in GRP/GPH military operations against communities suspected of being under the control and/or supportive of the revolutionary movement.

In view of the ever worsening conditions of children, the NDFP issued on April 24, 2012, its Declaration and Program of Action for the Rights, Protection and Welfare of Children.

The NDFP proclaims this Declaration and Program of Action within the framework of its political authority defined as follows:

1. It stands for and carries the authority of the people's democratic government consisting of organs of political power in substantial parts all over the Philippines. It is the united front organization of all revolutionary forces of the Filipino people fighting for national independence and democracy. It includes the Communist Party of the Philippines (CPP) as the leading party in the aforesaid government, the New People's Army (NPA) as its armed force, and various mass organizations of workers, peasants, women, youth, professionals and other sectors.
2. There is dual state power in the Philippines. One state power is that of the Manila-based reactionary government of big compradors

and landlords. The other is that of the rural-based revolutionary government of workers and peasants, which has its own Constitution and Guide for Establishing the People's Democratic Government. The two contending states or governments are co-belligerent forces in a civil war.

3. In accordance with Art. 1, paragraph 4 in relation to Art. 96, paragraph 3 of the 1977 Protocol I Additional to the 1949 Geneva Conventions, the NDFP issued the Declaration of Undertaking to Apply the said Geneva Conventions and Protocol I on 5 July 1996 and submitted it to the proper depositary, the Swiss Federal Council on the same date. By proclaiming the said Declaration, the NDFP has assumed rights and duties under Protocol I, on top of those provided for under common Article 3 of the 1949 Geneva Conventions and under its Protocol II.

The pertinent social agencies of the people's democratic government and the mass organizations of children, parents, teachers, women and other sectors interested in the rights and welfare of children in urban and rural areas are capable of self-reliantly looking after the rights and welfare of Filipino children. They also adhere to the just and appropriate conventions and provisions of international law pertaining to children and may undertake appropriate forms of cooperation with foreign or international organizations and agencies for the benefit of Filipino children.

The NDFP reiterates its commitment under the 1998 GRP-NDFP Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) to uphold, protect and promote "the right of children and the disabled to protection, care and a home, especially against physical and mental abuse, prostitution, drugs, forced labor, homelessness, and other similar forms of oppression and exploitation" (Part III, Respect for Human Rights, Art. 2, No. 24). It also reiterates its joint and separate commitment under the CARHRIHL "to provide special attention to women and children to ensure their physical and moral integrity. Children shall not be allowed to take part in hostilities." (Part IV, Respect for International Humanitarian Law, Art. 10).

Cognizant of the rigors and risks for children in areas affected by the civil war, the NDFP and its allied organizations have taken special care to make decisions and implement measures to protect children from the adverse consequences of the armed conflict.

In 1988, the Political Bureau of the CPP's Central Committee stipulated that the NPA may recruit only persons who are 18 years and older as armed

fighters for its combat units. On October 15, 1999 the Executive Committee of the CPP issued the “Memorandum on the Minimum Age Requirement for NPA Fighters” reaffirming the minimum age of 18 for NPA fighters. In 2002, at the 11th Plenum of the CPP Central Committee, the policy of the minimum age was reiterated.

The earlier Memorandum of October 15, 1999 by the Executive Committee of the CPP was further amended with immediate effect as reflected in the NDFP Declaration and Program of Action for the Rights, Protection and Welfare of Children adopted by the NDFP National Council on April 24, 2012.

Optional Protocol of 2002 and the So-Called Paris Principles

The NDFP recognizes the 1990 Convention on the Rights of the Child. However, it criticizes the 2002 Optional Protocol on the Involvement of Children in Armed Conflict, for its clear bias against liberation movements. This Optional Protocol prohibits “armed groups that are distinct from the armed forces of a State” from recruiting those under 18 in hostilities, under any circumstances yet allows schools under the control of States Parties to train persons below 18. The NDFP considers this Protocol not legally binding. Hence, it does not impose legal obligations on the NPA.

The Aquino government, in violation of its own declaration in its accession to the said Optional Protocol, has been exposed by human rights organizations as having forcibly recruited minors.

The so-called Paris Principles have been used by the GPH to buttress the Optional Protocol to falsely accuse the revolutionary movement of recruiting child soldiers. These so-called principles, which are not part of international law, contain a vague, expansive and misleading definition that mixes up and confuses combatant and non-combatant tasks and even construe innocuous social and community activities as acts of hostility or combat. These are prejudicial to liberation movements and practically require children to be physically and even permanently separated from parents, families and the community. They put children at grave risk by giving license to GPH security forces to accuse children falsely as child soldiers, treat them as military targets and be open prey to various kinds of rights violations.

Allegations by the reactionary government that the NPA recruits child soldiers have been vigorously refuted by the NDFP and have been confirmed to be false by independent human rights organizations in the Philippines and abroad. Unfortunately, such allegations have been repeated by some

international bodies and nongovernmental organizations directed and funded by agencies adverse to the NDFP.

Objective Field Study at Request of UNICEF

The only recent objective field study, which was conducted by the IBON Foundation in cooperation with the Children's Rehabilitation Center (CRC) and the Center for Women's Resources (CWR) at the request of the United Nations Children's Fund (UNICEF) on the "needs assessment of children and women affected by armed conflict", has proven that the NPA follows the minimum age limit for NPA soldiers, as stipulated by the NDFP, CPP and NPA and by this Declaration.

Program of Action

In the Declaration, the NDFP states its program of action for the rights, protection and welfare of children.

The NDFP forces and the broad masses of the people shall ensure that children are either at home with their parents, in school with their teachers or at work under an employer. They shall assist child-rearing parents, provide or permit schools and education for children. They shall oppose and prevent the exploitation of children as laborers and combat child prostitution, pornography, drug peddling and trafficking of body parts. They shall encourage vagabond children to go back to school or to an appropriate refuge, if they cannot be reunited with their parents.

They shall take all efforts to educate the children on the revolutionary history of the Filipino people, the basic problems in a semi-colonial and semi-feudal society and the revolutionary tasks of the people; to organize and mobilize them in civic, cultural and other social activities, and ensure that children learn how to conduct themselves in times of natural disasters, military attacks and other emergencies.

In time of an attack on a community by the reactionary forces, the children have the right to join their elders in protecting the community or assisting especially the women, the children below the age of 15 and those in frail health conditions, in saving themselves from enemy atrocities.

The NDFP forces shall make the appropriate report to the nation and the international community concerning the above but shall take care that the information cannot be used by the reactionary state and its armed forces to attack children.

The NPA itself at all levels and in all units prevents the recruitment and use of child soldiers. The CPP's Military Commission and the NPA Operational Command direct all commands and units of the NPA in different areas of the country to strictly implement the pertinent CPP policies and NPA rules.

Furthermore, upon clear, credible and verifiable allegations of specific violations of any recruitment and use of children, the NDFP shall promptly investigate and ensure that appropriate disciplinary action is taken in line with international minimum standards.

The mechanisms for protecting children's rights are the parents, teachers, local community officials, priest or pastor of the community. Their assistance will be sought when children are falsely accused as child soldiers. Likewise, Philippine human rights, civic and religious organizations shall be asked to help the children in asserting the truth and fighting for their rights.

Again, when children are abducted, tortured, forced to make false confessions to being NPA fighters, are detained in a military camp or in a Department of Social Welfare and Development (DSWD) compound or killed, the services of human rights, civil and religious organizations are crucial in assisting the children and their parents to fight for their rights and in ventilating the truth. The NDFP will be ready to support these organizations.

Depending on the progress of the GRP/GPH-NDFP peace negotiations and the effectiveness of the Joint Monitoring Committee under CARHRIHL, measures additional to the above may be made available for investigating any complaint related to the issue of child soldiers.

With the existence of the above-mentioned mechanisms and procedures, which are independent of the NDFP, CPP and NPA, there is, therefore, no need for the NPA and other revolutionary forces to put themselves at risk by allowing any foreign or international entity and its undefined partners to gain direct and unimpeded access to NPA commands and guerrilla fronts.

Upon its own initiative or under its auspices, the NDFP shall continue to investigate and document all grave violations of the rights of children by the reactionary forces, including recruitment and use of children, killing and maiming of children, rape, abduction, attack against schools or hospitals, and denial of humanitarian access to children.

The NDFP is ever willing to receive from any entity clear, credible and verifiable allegation of specific violations of recruitment and use of

children and shall promptly conduct investigation and make reports to the concerned parties. In case of any breach, the appropriate disciplinary action shall be undertaken against erring officers and personnel of the NPA.

The NDFP shall undertake the following organizational measures to uphold and defend children's rights. It shall create and operationalize under its Human Rights Committee within six months after approval of this Declaration and Program of Action a Special Office for the Protection of Children. This Special Office shall:

- a) oversee the implementation of this Program of Action
- b) report widely the achievements
- c) receive complaints and refer these to the organs concerned for appropriate action
- d) assist all NDFP forces with advice on all matters related to the protection of children in armed conflict
- e) organize educational programs and encourage the formation of child protection units under the auspices of the organs of political power and mass organizations especially of children, youth and women
- f) establish and maintain contacts and relations with all relevant international bodies
- g) issue an annual report on the situation of children in relation to the armed conflict and on the activities to uphold, defend and promote the rights of children.

The NDFP Negotiating Panel shall be directed to present to its counterpart Panel a draft additional protocol to the CARHRIHL that will further elaborate the pertinent Article 10 of CARHRIHL in order to focus on the protection of minors from adverse effects of the armed conflict and against specific violations of the rights of children.

The NDFP Panel shall also be instructed to present a proposal to create a special section focused on the rights of children in the Joint Monitoring Committee under the CARHRIHL.

The NDFP Panel shall further be directed to demand and work for the inclusion in the prospective Comprehensive Agreement on Social and

Economic Reforms (CASER) a provision that comprehensively upholds the rights of children, guarantees proper care and education and prohibits the exploitation of child labor.

NDFP Cooperation with Foreign or International Entities with Regard to Children

The NDFP is amenable to cooperate with international entities and engage in dialogue, present issuances, actions and mechanisms that its organizations have undertaken in order to uphold children's rights.

It is open to practical cooperation with international entities in investigating and monitoring children's conditions and problems provided that the NDFP's political authority and this Declaration are acknowledged and respected.

It respects the reasonable and viable standard of cooperation established in relations with the International Committee of the Red Cross (ICRC) and in previous joint missions of Philippine NGOs and their international partners for investigating the human rights situation in the Philippines, including that of the children.

It appreciates the cooperation between the UNICEF and IBON, together with human rights and other local organizations, in investigating and reporting on the situation of children, particularly in areas of armed conflict.

It is amenable to cooperation with UNICEF, the UNESCO, ILO, World Health Organization (WHO), World Food Program (WFP) and other United Nations (UN) agencies for the purpose of upholding the rights of children, protecting them and ensuring their welfare in an all-round way.

However, regarding the United Nations Secretary General's Special Representative on Children and Armed Conflict (UNSG SRCAC), it urges this UN unit to seriously consider the example of UNICEF in cooperating with local organizations independent of the reactionary armed forces and cautions it from relying on speculations, hearsay and hostile claims of the reactionary armed forces and their agents to make false conclusions and cause the unjust listing of the NPA as a recruiter and user of child soldiers.

The NDFP maintains that it cannot at this point establish and develop positive and productive relations with the UNSG SRCAC because of the baseless and unwarranted vilification and listing of the NPA as child rights violators in the annual report of the UNSG. The NDFP wrote UNSG Ban Ki

Moon on 24 November 2008 strongly protesting said baseless vilification and listing of the NPA. This letter was preceded by an earlier letter to then UNSG Kofi Annan on 7 March 2005.

The NDFP continues to demand that the UNSG remove the NPA from its list of child rights violators and withdraw its previous reports which falsely accuse the NPA of recruiting and using child soldiers. Once this is done, then it becomes possible for the NDFP and the UNSG SRCAC to start and develop their cooperation.

Finally, subject to security consideration, regulations, terms and conditions set by its political and military authorities, the NDFP may allow access to areas within its jurisdiction after fully availing of the basic mechanisms stipulated in this Program of Action.

NDFP Gains in Upholding the Rights of Children

NDFP revolutionary forces throughout the country have achieved substantial gains in upholding and protecting the rights of children. Literacy schools have been built. In one consolidated NPA area, 21 Lumad communities with a population of 7,000, all school-aged children receive basic education and a majority can go to high school. Sports and cultural development and health management system has been set up. In another region, children have been organized and cultural campaigns launched to combat anti-social activities. Collective production farms have been put up to help eradicate malnutrition.

Call for Deep going Study and Resolute Implementation of this Declaration and Action Program

The NDFP National Council calls on all NDFP forces throughout the country and the Filipino people to undertake deep going study of the Declaration and Action Program and to implement resolutely and creatively the Program of Action for the Rights, Protection and Welfare of Children. This program of action is an integral part of the revolutionary struggle to achieve national and social liberation.

Call for International Solidarity

The NDFP National Council issues the urgent call to the international community to provide effective political, moral and material support for this just struggle for the rights of Filipino children.



CORDILLERA PEOPLE'S DEMOCRATIC FRONT

**CPDF Statement Congratulating the Launching of the
NDFP Declaration and Program of Action
For the Rights, Protection and Welfare of Children**

29 June 2012

The Cordillera People's Democratic Front (CPDF) salutes the National Democratic Front of the Philippines (NDFP) for its launching of the NDFP Declaration and Program of Action For the Rights, Protection and Welfare of Children today.

It is high time that the practical efforts of the Philippine revolutionary forces to uphold the rights and welfare of children is formally presented to the international community in a formal declaration.

The national minorities continue to suffer national oppression reaching ethnocidal levels. Large scale corporate mining interests and foreign-owned hydroelectric dams and geothermal power plants continue to wreak havoc on the livelihood of indigenous communities, grab their ancestral lands and trample on their right to self-determination.

All these are being carried out through the brutal force of the Armed Forces of the Philippines and its various armed minions. These serve as protectors of these economic aggression activities. Innocent children and youngsters have not been spared.

Violations of the international protocols on children persist in the mountainous areas. The latest of these military atrocities is the rape of two minors from the depressed mining community of Mankayan, Benguet by the notorious Army Captain Danilo Lalin of the 86th IBPA . Two years ago, two high school students of Lias, Barlig, Mountain Province were victims of attempted rape by elements of the 54th IBPA. A case had been lodged

against the perpetrators in the local court but the wheels of justice under this reactionary government grind too slowly.

Last year, a UNICEF fact-finding mission documented the occupation by the 54th IBPA of school buildings turned into barracks in Sadanga, Mountain Province, and elsewhere. Aside from this is the occupation of day care centers, barangay halls, *dap-ays* and empty houses. The persistent presence of armed soldiers endanger civilians, especially young children. Throughout the region, elements of the military have enticed and recruited high school students. Young girls are being targeted by glib-tongued combat-intelligence operatives and enticed to become underage intel apprentices that report the presence and movements of Red fighters in the communities, for a pittance of free cell phone loads.

Soldiers continue to illegally barge into the houses of peasants in the remote indigenous villages, terrifying children as well as parents by forcing them at gunpoint to reveal the whereabouts of NPA Red fighters. As a variation, in the latest acts aiming to terrorize population supporting the revolutionary forces, special units of the military have dressed-up and disguised themselves as Red fighters in the desperate hope of deceiving the unsuspecting masses into providing information of their support to the revolutionary government and create an atmosphere of fear to the civilian population. This has caused undue trauma especially on children.

The CPDF will continue to monitor these acts of the AFP that violate the rights of children. The CPDF will endeavor to document these in order to present them to the NDF Special Committee on Children.

The CPDF further holds the military and the US-Aquino regime to account for coddling, abetting, hiding from the public and concealing from the bars of justice such rapist officers as PA Capt. Lalin and other military perpetrators of sexual abuses against minors.

In the face of the intensified national oppression in the Cordilleras, more and more families, clans and tribes, including their best sons and daughters, are being pushed to take part in the revolutionary cause. The indigenous people in the Cordillera and the revolutionary forces will exert every effort to frustrate the evil scheme of Oplan Bayanihan.

The particular rights of indigenous children as likewise the rights of national minorities on ancestral lands, life and natural resources will always be at the core of people's struggle. The continued trampling of indigenous

children's rights under this Oplan Bayanihan will certainly be exposed and denounced.

The indigenous people's children are regarded by the national minorities as the future leaders of the hinterland villages. The revolutionary forces continue to afford protection to these minors, providing education on their rights and welfare and instilling knowledge of indigenous practices vital to the perpetuation and development of traditional know-how in the defense of the ancestral domain, livelihood and resources along the course of national liberation and democracy.

These we pledge to our indigenous children.

Long live the National Democratic Front of the Philippines!

Defend the rights and welfare of the indigenous children and peoples!

Fight Oplan Bayanihan, combat militarization in the countryside!



*Simon "Ka Filw" Naogsan
Spokesperson
Cordillera People's Democratic Front*



National Democratic Front of the Philippines Bicol Region

The Revolutionary Movement's Advocacy and Protection of Children's Rights and Welfare

The National Democratic Front in the Bicol Region declares its warm acceptance and strict adherence to the NDFP Declaration and Program of Action for the Rights, Protection and Welfare of Children ratified by the National Council of the NDFP last April 24, 2012.

The formal declaration of all revolutionary forces' protection and advocacy of children's rights and welfare is due and timely in the face of the more systematic and worsening violations of children's rights, as brought about by the anti-people and counter-revolutionary program Oplan Bayanihan (OPB) of the US-Aquino III regime.

Our children have no future under the rotten and oppressive semi-colonial and semifeudal system which past and current puppet regimes continue to defend. Majority of children belonging to families of peasants, workers, urban poor and other oppressed families are deprived of the basic right to education, to enjoy decent homes and care of parents and/or relatives, to adequate food and right nutrition, and other conveniences, and to be protected against violence and abuse. Worse, children are the victims of the AFP and PNP's atrocious counterrevolutionary campaigns of repression directed by various regimes up to the present.

Bicol Region ranks as the fourth poorest region in the country and is dishonored with the high percentage of malnutrition among children as compared to the national average. Hunger is prevalent among children and this is aggravated by severe militarization in the countryside and urban centers which impede the daily production activities of the people.

Benigno Aquino III's regime has done nothing to prosecute and punish the armed personnel of the previous Arroyo regime who are implicated

in the violations of children's rights. On the contrary, the Aquino regime persists with its violent campaign of repression against the revolutionary movement and the people under the deceptive Oplan Bayanihan in order to veil its lack of any significant program to resolve the people's poverty and slavery.

In the Bicol Region alone, no less than 23 cases of violations of children's rights were documented by the organization Karapatan-Bicol from June 2010 to April 28, 2012. The AFP's militarization have resulted to the victimization of more than 90 children. Some of the glaring cases of violations of children's rights are the following:

1. In the province of Camarines Norte, siblings Michael Mancera (10 years old) and Richard (7 years old) were killed while their sister Leonisa (14 years old) was wounded when the 49th Infantry Battalion butchers under the command of a Lt. Alfie Lee massacred the Mancera family last February 25, 2012 at Brgy. Malaya, Labo town.
2. Seventeen-year old Charlie Borromeo of Brgy. Tibabo, Pio Duran, Albay developed Post-Traumatic Stress Disorder when, while on their way to a barrio dance last April 30, 2012, he and his friend were fired upon by the 2nd Infantry Battalion. His friend Alvin Moratalla (24 years old) was killed.
3. Troops of the 2nd IBPA massacred the Lotino family at Brgy. Nabasan, Daraga, Albay last October 11, 2010. Wounded was Jenny Lotino (17 years old) while her parents Wilfredo and Evelyn, and cousin Anjo Martos were killed. Severe Post-Traumatic Stress Disorder was developed by siblings Alvin (14 years old), Angel (7 years old) and Mariecris (2 years old) after having survived the massacre.
4. In Sorsogon, two female minors were victims of rape by troops of the 49th IBPA and CAFGU on two separate incidents - one perpetrated right inside the battalion headquarters of the 49th IBPA at Brgy. Rangas, Juban, and another at the 22nd IBPA camp at Sitio Tublijon, Brgy. Rizal, Sorsogon City.

The first victim is a 15-year old girl repeatedly raped by a PFC Hamandre Flores of the 49th Infantry Battalion on August 2010. Prior to the rape, the victim and her mother approached PFC Flores for assistance, Flores having an anti-communist program "The Good Samaritan" at a local radio station in Sorsogon City. The second victim is a 17-year old girl

raped by four CAFGU members at Sitio Tublijon, Brgy. Rizal, Sorsogon City last June 28, 2011.

5. Widespread use by the military of public facilities as barracks, such as schools, daycare centers, barangay halls, churches, and residences of civilians in their conduct of combat, intelligence, and CMO (civil-military operation) operations regarded as "peace and development teams (PDT)". This directly endangers children's lives as well as those of other civilians. Children develop Post-Traumatic Stress Disorder, and the normalcy of their schooling obstructed.

At present, the 49th IBPA's PDT operations continue in 12 barangays of Labo, Camarines Norte, including three more in other towns. Five barangays in the town of Guinobatan, Albay are exploited as barracks of PDTs that remain to be conducted in 13 barangays, while PDTs also operate in some barangays of Uson, Masbate.

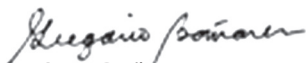
6. The 9th Infantry Division likewise carries out its "soft approach" in psywar operations that target children in the barrio. In PDT operations, parents and students are rounded up in public elementary and highschools for anticommunist seminars, soldiers organize drinking sessions with the barrio's youth, court minor girls, distribute their cellphone numbers, feed children with lugaw (rice porridge) and bread, and hand out coins to children in exchange for information on NPA camps.

In contrast with violations of children's rights perpetrated by the reactionary state's armed forces, the revolutionary forces of the CPP, the NPA, the local organs of political power, and the various mass organizations strictly uphold the rights and welfare of children.

Women and the youth organize themselves into revolutionary mass organizations. They conduct programs on literacy, launch political and cultural activities, and organize free medical services in cooperation with medical workers of the New People's Army. Cooperative planting and production is being extensively campaigned in many guerilla fronts across the Bicol Region so as to immediately address food scarcity and malnutrition among children.

The NPA likewise strictly adheres to the CPP's directive which prohibits recruitment into NPA combat formations of youth below 18 years of age.

It is the NDF-Bicol's and the whole revolutionary movement's lasting aspiration to lay out the conditions that guarantee children's rights and welfare towards the attainment of a genuinely free, peaceful and prosperous society for the children.



Ka Greg Bañares

Spokesperson, NDF-Bicol

29 June 2012



NATIONAL DEMOCRATIC FRONT *North-Eastern Mindanao Region*

The Entire Revolutionary Forces in NEMR Firmly Adhere to the NDFP Declaration and Program of Action for the Rights, Protection and Welfare of Children

The entire revolutionary forces in the North-Eastern Mindanao Region declare its firm adherence to the NDFP's Declaration and Program of Action for the Rights, Protection and Welfare of Children. The revolutionary movement in the region has always been diligent in its observance of international humanitarian laws including Protocol II of the Geneva Convention and United Nations Convention on the Rights of the Child. With this NDFP Declaration, we resolve to further improve, strengthen and advance programs of actions to protect and ensure the welfare of the children within the North-Eastern Mindanao Region.

The current semi-feudal, semi-colonial system has continuously victimized Filipino children. The reactionary government's puppetry to foreign powers and its slavery to big foreign business has deprived the children of opportunities, exploited their vulnerabilities, violated their rights, and destroyed their futures.

In the areas within the North-Eastern Mindanao Region, children suffer from poverty, hunger and lost opportunities. Poverty forced children to become child laborers of logging companies, plantations and mining operations. The reactionary government itself reported that in 2001, 103,915 children ages 5-15 years old, were working as unskilled and manual labor in Caraga. With the ever worsening poverty, this number has increased. Because of hunger, children as young as five years old become log haulers, oil palm gatherers, coconut tree climbers, planters, harvesters, manual laborers carrying packages heavier than themselves. In May 30 of this year, children as young as six years old were caught hauling logs in Jabonga, Agusan del Norte. The increase of tourism has also resulted in the rising number of children victimized by human trafficking and

prostitution. Child prostitution has grown in communities within operating mining companies and docking areas of mining vessels. At present Caraga Region is almost at par with the Davao Region with the number of human trafficking victims.

Inaccessible and expensive education under a semi-colonial and semi-feudal system has deprived children of their right to education. According to the reactionary government's statistics, there is a 75.89 participation rate for basic education and only 48.70 participation rate for public secondary education in Caraga Region in 2009. For children who were able to attend school only 65.73% completed elementary education and only 64.88% of those who entered high school graduated. In barrios with government public schools, residents who joined the NPA were either unschooled or have difficulty reading and writing. For these communities, education is not truly free and unable to cope with rising school fees, children are forced to work instead of acquiring an education.

Communities, who through their own efforts and with the help of non-government developmental organizations and their people's organizations, have established schools are target of militarization further disrupting the education of children. This year alone 138 school-aged children from 11 lumad and peasant communities of Surigao del Norte and Agusan del Norte were deprived of school when their community along with eight others, evacuated because of intense combat operations by 4th ID, 402nd Bde and 30th IB PA troops.

Communities located within and around mining areas and plantations with people's organizations that oppose the entry and continued operation of such companies are militarized. Aquino's "investment security forces" launch clearing operations and enter communities under the guise of Community Organizing for Peace and Development (COPD). Families are being driven away from their homes and livelihoods. Lives are put in danger by bombings, shelling, indiscriminate firing, harassments and threats of the mercenary Armed Forces of the Philippines. Community economic activities are disrupted. Under the US-Noynoy Aquino regime there have been five instances of massive evacuation of peasant and lumad communities affecting at the very least, 25 communities in seven municipalities within the provinces of Surigao del Sur, Surigao del Norte and Agusan del Norte. Such displacement of communities victimized hundreds of families and thousands of individuals including children.

Harassment, threats and torture against civilians and children precede such evacuations. In October 2010, then 14-year old Josemar Dayola

was among the eight civilians from Mahaba, Marihatag, Surigao del Sur who were interrogated, hogtied, dragged and tortured at gunpoint by operating Scout Rangers and troops of the 29th IBPA. They were forced to give information about the NPA. The child was threatened to be killed and was made to choose between being buried alive or pushed off a helicopter when he failed to provide information. In December of 2011, siblings 11-year old Rambie Jr. and 10-year old Raven Callao along with 16-year old John Michael Roces were physically assaulted, threatened and forced by the COPD troops of the military in Brgy. Mabuhay, Tandag, Surigao del Sur, to give information about NPA activities within their community.

Under Oplan Bayanihan, children in the region were falsely accused and declared to the media and the public by the military as NPA fighters. In June 2011, three children from San Agustin, Surigao del Sur, aged 10 and 16 were detained, physically assaulted, tortured and accused as members of the NPA by the operating 4th ID and 401st Brigade and 29th IBPA of the AFP. The children were seized while they were gathering coconut in their farmland. The military claimed that the three were “child warriors... in charge of the landmines” during an ambush by the NPA against military troops. Despite witnesses and evidences negating the military’s claims, the children were only returned to their parents after they were declared as “child warriors” in the media.

The military has tried to vilify the NPA with allegations of recruiting minors. In May 2011, 20-year old civilian Richard Paras was ambushed and killed by operating troops of the 402nd DRC in Lingin-Bato, Padiay, Sibagat, Agusan del Sur. Richard was on his way home and was resting and using his cellphone when military troops chanced and fired upon him. To cover their blunder, the military declared Richard Paras as a minor aged 17 and a member of the NPA despite the protests and evidence provided by the child’s parents, community members and barangay officials. The military then accused the NPA of recruiting minors.

The military however, was exposed as recruiters of children when a 16-year old CAFGU named “Peryong” was killed during a military operation last June 7, 2011 in San Isidro, Lianga, Surigao del Sur. The military tried to hide the fact that “Peryong” was a member of the CAFGU under the 29th IBPA but the parents of the child proclaimed “Peryong” as having been recruited by the military when he was 16 years old.

These are just but a few of the crimes committed against children by the reactionary US-Aquino Regime and its mercenary forces.

The revolutionary movement on the other hand, has respected the rights of children, implemented programs to promote their interests and provided them opportunities for development. In the course of waging the national democratic revolution the NPA has implemented programs and endeavours within its areas that ensure children's rights and welfare are upheld and that opportunities for their development are accessible.

The children within the mass base areas have directly benefitted from agrarian revolution achieved through the organizing and consolidation by Red Fighters. In organized areas, communal farms have been established and a self-reliant economy has been started. The need for food and other needs are slowly being fulfilled. Highest priority is given to provide children within NPA areas with opportunities for advancement.

Literacy schools have been built, providing the children with education and skills for development. In one NPA consolidated area of 21 lumad communities with a population of 7,000, all school-aged children receive basic education and a majority are able to go to highschool. These highschool graduates go back and serve in their communities and further develop education and health of the children in the communities. In these areas, NPA recruits have been educated. Such achievement is in the process of being replicated in other consolidated areas.

In base areas there are sports and cultural development for children and health management system has been set up. The NPA in North-Eastern Mindanao has been conscientious with its implementation of recruitment policies for Red Fighters. Recruitment and acceptance to the NPA can only be done to those aged 18 years and above.

The revolutionary forces in North-Eastern Mindanao Region will continue to advance and protect the rights and welfare of children as embodied in the NDFP's Declaration and Program of Action for the Rights, Protection and Welfare of Children. It will implement conscientiously the program of actions listed in the declaration and would set up the necessary instrumentalities for its realization. It will immediately initiate massive education campaigns of said declaration among the masses, Red Fighters and the entire revolutionary forces in the region.

Mario Malaya
Spokesperson
June 15, 2012



NATIONAL DEMOCRATIC FRONT - MINDANAO

June 15, 2012

Uphold and Protect the Rights of Filipino Children!

The NDF-Mindanao fully affirms the NDFP Declaration and Program of Action for the Rights, Protection and Welfare of Children. We reiterate our commitment to defend and promote the rights, interests and welfare of Filipino children, which are fully integrated into the social program of the people's democratic revolution with a socialist perspective. Ensuring the future of our children is one fundamental reason why we are waging a people's war. We want to create a society where all children can be provided the basic necessities like education, food, clothing, a home, and all the opportunities needed to make a happy, balanced childhood.

But in Mindanao, being part of the Philippine semi-feudal, semi-colonial system, children's rights are systematically violated, and they carry the heaviest burden of social exploitation and oppression. Millions of them are unschooled and found in dreadful working conditions in rural and urban areas in the island. They can be seen in the vast rice and cornfields, in large-scale plantations, such as in Dolefil, Del Monte and the sugarcane fields of Bukidnon, in hundreds of tunnels, panning and other mining areas, and in logging concessions as low-waged or unpaid laborers. School-aged children are also heavily exploited in the landing areas and piers as porters, small vendors, and scavengers in the urban centers. In 2009, the GPH conservatively estimated the number of working children in Mindanao, ages 5 to 17, at 543,000 individuals.

Prevalent in Mindanao and the entire country, children suffer from the most exploitative and degrading conditions, are pushed to become thugs, drug peddlers and users, and mendicants. Hired or trafficked by criminal syndicates, they are helplessly forced into prostitution and in many cases, slaughtered for their organs to be traded abroad. Minors are not even spared from the numerous extra-judicial killings committed with impunity by state-sponsored motorcycle-riding death squads such as in the cities of

Davao, Digos, Tagum, Cagayan de Oro, Butuan, Bayugan and in other urban areas in Mindanao. Calamity-related tragedies also victimize children, such as the hundreds killed during the typhoon Sendong.

Noynoy Aquino's Oplan Bayanihan and all preceding anti-insurgency campaigns of the GPH have created a more horrendous and more miserable life for the children. During the first half of 2012, military operations have caused massive evacuations in areas where multinational mining and plantations operate in the five regions of Mindanao as well as in several Moro communities, displacing thousands of families, close to half of them are children. In the AFP's vicious and systematic attack on schools, especially those in remote areas, teachers and pupils are harassed, intimidated and vilified; school buildings and school premises are occupied or used for military purposes as barracks or detachments.

Children's rights violations are repeatedly committed by the AFP, PNP and by private goons. Most affected are Lumad and peasant children who are often traumatized by the AFP's indiscriminate bombing and Howitzer shelling, strafing, direct threats and intimidation, such as in the provinces of Caraga, Bukidnon, Davao, North Cotabato, the Zamboanga peninsula, and in the island provinces of Sulu and Tawi-Tawi. Consequently, they experience the most difficult and unhealthy situations; many of them get sick, some even die. During AFP civic and combat operations, minors have become easy target for corruption, seduction and rape, drug addiction, illegal arrest, torture and even extra-judicial killing.

There are also cases of children conscripted into the AFP's war machine as CAFGUs, CVOs, BDS guards, guides and advance guards during military operations. A fresh case of AFP recruitment of four minors was unmasked during the NPA raid in Brgy. Binicalan, San Luis, Agusan del Sur on May 30, 2012, where one 15-year-old CAFGU was wounded. Cases of minors being tortured by the AFP and presented as "NPA child soldiers" were documented in Davao del Sur, Davao City, Cagayan de Oro, San Fernando, Bukidnon and other parts of Mindanao. There is the case of the Villa girl from Davao City who was courted by a military man, taken to the military camp and presented to the media as a child soldier. Where there is a prolonged AFP civic-military operation, girls are duped, seduced and later abandoned after getting them pregnant, as was the case in 2011 of four female minors in Marihatag, Surigao del Sur.

Moro children are also subjected to a host of other oppressions and injustices, such as chauvinism and other forms of discrimination. Millions of Moro children together with their families were forced to evacuate their

homes and ancestral lands during Estrada's brutal counter-insurgency campaign in 2000-2001 in Central Mindanao. During the Arroyo regime in 2008, half a million Moro people, mostly women and children, were displaced due to the state's counter-terrorism and counter-insurgency campaigns. Moro children also suffer as their families become internal refugees as a result of inter-clan wars.

Continuing US intervention in the country, especially with the ever increasing presence of US troops, has greatly contributed to the further oppression and exploitation of children in the Philippines. Between 2008-2009, there was the case of girls who were brought to the Tropicana Beach Resort in General Santos City as prostituted women to cater to US soldiers. US armed personnel are also directly involved in combat operations in Sulu, Tawi-Tawi, Basilan and Zamboanga del Sur, which have displaced, and even killed, Moro civilians, including children.

Thus, the NDFP's national and democratic program and its socialist perspective for Filipino children are at the forefront of our revolutionary struggle. The rights of children to free education, food, health, clothing and shelter and many others must be protected and upheld. They must be provided with nationalist, scientific and mass-based cultural programs. Socialized child-rearing and nursery and a support system for child-rearing mothers and single parents must also be promoted.

Currently and concretely in our base areas, violations against children's rights are gradually eliminated. The people's democratic government has successfully reduced the number of illiterate adults and children, especially in many Lumad areas in Mindanao. Children have been organized, and cultural campaigns have been launched for them to combat anti-social activities. Collective production farms have been put up to help eradicate malnutrition in their communities. Their health committees have coordinated with the health staff of the New People's Army (NPA) to provide basic health services to the barrio-folk. Units of the NPA and the organs of political power strictly adhere to the international laws of war regarding the non-recruitment of minors into the People's Militia or the NPA.

In line with our long term program for children, it is our immediate task to protect children's rights and welfare. Children must be kept safe from atrocities of the fascist armed forces of the GPH as well as from hostilities and anti-social groups. They must be organized and educated on the history and current situation to know their place in Philippine society.

More than ever, the NDF-Mindanao is duty-bound to mobilize all its resources in order to defend, uphold and promote the rights and welfare of children, including the NDFP's Program of Action which stipulates the creation of a special office for the continuing protection of children's rights and welfare.

(Sgd.) **Ka Oris**
Spokesperson
NDF-Mindanao

Appendix A

Memorandum on the Minimum Age Requirement for NPA Fighters

**Executive Committee, Central Committee
Communist Party of the Philippines
October 15, 1999**

To all Party Organs and NPA Commands:

Please be informed and guided by the following:

1. Under International Humanitarian Law, specifically Article 77, paragraph 2 of Protocol I of 8 June 1977 additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts, the parties to the armed conflict "in recruiting among those persons who have attained the age of 15 years but who have not attained the age of 18 years (...) shall endeavor to give priority to those who are oldest." Under Article 4, paragraph 3 of Protocol II additional to the Geneva Conventions, children who have not attained the age of 15 shall not be allowed to take part in the hostilities. Under Article 4, paragraph 3 (d) of Protocol II, children under the age of 15 who have taken a direct part in hostilities, despite the prohibition in Article 4, paragraph 3 (c) of the same Protocol and are captured remain entitled to the special protection provided to children by Article 4, paragraph 3.
2. Under the United Nations Convention on the Rights of the Child, adopted on 20 November 1989, children are accorded special rights up to the age of 18 years and the minimum age limit stipulated for the participation of children in hostilities is 15 years.
3. The International Committee of the Red Cross and Red Crescent Movement have called for the adoption of an optional protocol to the UN Convention on the Rights of the Child aimed in particular at prohibiting the recruitment of children under 18 years of age into the armed forces and armed groups and their participation in hostilities. The proposed optional protocol has not yet been adopted and carries vague terms, such as "direct and indirect participation" and "hostilities".

So far, existing international humanitarian and human rights law allows the recruitment of persons between the age of 15 and 18 as combatants of a party to an armed conflict.

The Communist Party of the Philippines, the New People's Army and the National Democratic Front of the Philippines respect the aforesaid law and take into account the following: the fact that the NPA is waging a people's war, that its enemy is brutal and carries out acts of aggression against the people in their territory and that all persons regardless of age are entitled to the inherent right of self-defense. Entire communities are responsible for their internal security and can carry out self-defense against the aggressor.

In consonance with existing international humanitarian and human rights law, the Politburo of the Party Central Committee adopted in 1988 the policy prohibiting the recruitment of children below the age of 18 years as regular members or armed fighters of combat units of the New People's Army. We continue to uphold such policy and reiterate it now in the face of the intensified psywar campaign being waged by the Manila government.

Furthermore we hereby amend Point 1 of Principle III of the Basic Rules of the New People's Army which reads as follows:

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

As amended, Point 1 of Principle III shall henceforth read as follows:

Point 1. Any person, who is at least 18 years of age and is physically and mentally fit, regardless of sex, race, nationality or religion, has the capacity to fight and is ready to participate in armed struggle against the reactionary state power, may become a combatant or a member of a fighting unit of the New People's Army.

Any person, not less than 15 years of age, may be admitted as a trainee or apprentice of the New People's Army and may be assigned to self-defense and other non-combat units and tasks.

The restriction on youth or children below the age of 18 years does not forfeit the primordial right of self-defense in the face of clear and imminent threat to life.

In the event of enemy aggression against or encroachment on the territory of the people's democratic government, all persons above 15 years of age may be mobilized for self-defense, provided that priority among those below 18 years of age but more than 15 years of age shall be given to the eldest ones in the distribution of weapons of self-defense.

The foregoing amendment shall take immediate effect.

The New People's Army adheres strictly to the principles and instruments of international humanitarian and human rights law. We must expose as false and malicious the propaganda campaign of the enemy that the NPA is systematically recruiting children who are less than 15 years of age to become combatants.

We must denounce the enemy's practice of murdering children of less than 15 years of age and misrepresenting them as armed fighters of the NPA or kidnapping, torturing, intimidating and forcing them to say that they are NPA combatants and imprisoning them indefinitely and subjecting them to cruel and humiliating treatment.

We challenge the Manila government (GRP) to honor its own signature on the GRP-NDFP Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law and accede to the realization of the GRP-NDFP Joint Monitoring Committee where complaints may be presented or proceed directly to the appropriate international court of law and to complain against any alleged violation of the Geneva Conventions and Protocols I and II.

Appendix B

On the NPA's Alleged Mass Recruitment of Child Guerillas

**Military Commission, Central Committee
Communist Party of the Philippines
August 30, 1999**

The revolutionary movement considers children and youth as social sectors that should be aroused, organized and mobilized for the revolution. Millions of children and youth, sons and daughters of workers, peasants and other exploited and oppressed people, are condemned by the decadent ruling semicolonial and semifeudal system to extreme poverty, slavery and a dark future.

They are further made to suffer by the current rabidly reactionary, puppet, anti-democratic and anti-masses US-Estrada regime. Under the policies of imperialist "globalization" and all-out denationalization, deregulation and liberalization — they and their fathers and mothers are brutally abandoned to the voracious appetite for superprofits of foreign monopoly capitalists and extortion by the local big comprador bourgeoisie and landlord classes. They are victimized by the widespread military operations of the AFP-PNP that are marked by forced evacuations, food and population control, indiscriminate bombardment and firing, illegal searches and arrests and other forms of fascist abuse and intimidation.

The revolutionary movement led by the Communist Party of the Philippines, the New People's Army in particular, is a young movement. It is the youth who are at their prime that constitute the vast majority of the revolutionary movement's cadres, members, officials and fighters. This is as it should be. It has been repeatedly proven by the country's history that it is the youth who are most open and interested in revolutionary change and advance. There is likewise a need for the youth's enthusiasm and their resolute faith in the future for perseverance in the struggle despite a myriad of suffering and trials. One significant victory of the Second Great Rectification Movement has been the revitalization of the youth's participation in the revolutionary movement and the noticeable growth in the number of new blood among the movement's full-time forces.

Along with this, the Party, the NPA and the movement as a whole are conscious of the particular status and needs of minors, especially children.

The movement is made up of various types of organizations as well as military and non-military forces and participates in different types of activities and struggles both armed and unarmed, legal and illegal in the political, economic, cultural, organizational, health, military and other fields. Thus, even as they are tirelessly mobilized to participate in the revolution, minors are purposely removed from combat and military activities. Children are organized under the aegis of the revolutionary women's movement to provide special attention to their health and educational needs that have been grossly neglected by the reactionary ruling classes.

The revolutionary movement consciously abides by international laws and rules of war that prohibit the recruitment of children below 15 years of age for combat work. More, in 1988, the Political Bureau of the Party's Central Committee issued a clear decision stipulating that the NPA may only recruit persons who are 18 years old and older for its combat units. This issue, along with other issues related to the respect for human rights were included in the first phase of the peace talks between the GRP and the NDFP and the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) that has been approved and signed by both parties but which the Estrada regime has refused to implement.

While the Marcoses and the worst violators of human rights in the Philippines are being exculpated and allowed to return to power, the Estrada regime and its minions in the AFP and PNP are fabricating issues about supposed NPA violations of human rights through the alleged mass recruitment of child guerillas. Up to now, they have had nothing to show except for isolated cases in a few places, most of whom are victims of illegal arrest and have been falsely accused of being NPA members. The AFP and PNP have long had the practice of falsely accusing as NPA and planting firearms as "evidence" even on members of unarmed and nonmilitary mass organizations, including elements of the legal democratic movement. The Party and the NPA do not expect the reactionary and fascist US-Estrada regime to cease, but rather, to step up such vilification and intrigues while intensifying its militarist Oplan Makabayan that aims to end the armed conflict in the country with an iron fist.

Data prove that the NPA on the whole abides by international laws and rules on war that include the prohibition of the recruitment of children for combat. The Communist Party and the NPA have their own clear internal rules to implement this. On this occasion, the Party's Military Commission and the NPA National Operational Command once again remind all

commands and units of the NPA in different areas of the country to strictly ensure the implementation of the Party's policies and the NPA's rules on this matter.

Expose and resist the unbridled oppression and exploitation of the youth by US imperialism and the ruling comprador bourgeoisie and landlord classes!

Further arouse the youth for the revolution!

Appendix C



National Democratic Front of the Philippines Negotiating Panel

7 March 2005

Secretary-General Kofi Annan
United Nations
UN Headquarters
New York, USA

Through: Under Secretary General Olara A. Otunnu
Special Representative of the Secretary-General for
Children and Armed Conflict

Fax Number: +1(212)9630807

Dear Sir:

In your action plan report to the UN Security Council on 16 February 2005 for the systematic monitoring and reporting of child abuse in situations of armed conflict, you listed the Philippines as one of the 54 offending parties, with unnamed armed opposition groups as violators.

The National Democratic Front of the Philippines (NDFP), the revolutionary movement fighting for the national and social liberation of the Filipino people, wishes to inform you of the following:

1. The NDFP has been engaged in peace negotiations with the Government of the Republic of the Philippines (GRP) since 1986, with the Royal Norwegian Government acting as Third Party Facilitator since April 2001. It has signed no less than ten agreements with the GRP, the most important of which are The Hague Joint Declaration of 1 September 1992, setting the objective, framework, agenda and modalities of the peace negotiations, the Joint Agreement on Safety and Immunity Guarantees (JASIG) of 24 February 1995, and the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) of 16 March 1998, requiring both parties to respect human

rights and international humanitarian law in the conduct of the armed conflict, and providing for a mechanism, the Joint Monitoring Committee (JMC), to monitor the implementation of the agreement. The parties are now negotiating an agreement on social and economic reforms, after which they shall negotiate an agreement on political and constitutional reforms, and finally an agreement on the disposition of forces and end to hostilities. The peace negotiations have been supported with two unanimous resolutions by the European Parliament. We are attaching hereto a booklet containing the ten agreements and the two European Parliament resolutions.

2. As a revolutionary movement, the NDFP is guided by principles and has its own program, constitution, guides and policies that conform with the international conventions on civil and political rights, and on economic, social and cultural rights. Some of these documents were included as attachments to the NDFP's Declaration of Undertaking to Apply the Geneva Conventions of 1949 and Protocol I of 1977 submitted on 5 July 1996 to the Swiss Federal Council as the official depositary of the conventions and to the International Committee of the Red Cross (ICRC). We are attaching hereto a copy of the aforesaid NDFP Declaration and attachments.

3. On the issue of child soldiers, we are attaching hereto two documents issued by the Military Commission and the Executive Committee of the Communist Party of the Philippines (CPP) dated 30 August 1999 and 15 October 1999, respectively. We are also attaching hereto my 17 February 2005 statement on the violations of children's rights by the GRP's Armed Forces of the Philippines (AFP) and Philippine National Police (PNP).

We strongly deny the false testimony of Ms. Merceditas Gutierrez, the GRP head of delegation before the UN Human Rights Committee on 21 October 2003, accusing the New People's Army (NPA) of allegedly recruiting minors and deploying them in combat operations. Ms. Gutierrez mentioned 210 so-called cases of alleged NPA recruitment of child soldiers. We ask that we be provided with evidence of these.

We ask the UN Secretary-General through the Special Representative of the Secretary-General for Children and Armed Conflict, Mr. Olara A. Otunnu, to respect our right to be heard. It is bad enough that the NDFP is denied due process. Worse, the GRP is allowed to cover up its blatant and multiple violations of children's rights, such as the following:

1. the indiscriminate bombardment of villages and strafing of houses by the armed forces of the GRP have resulted in the death of children, including infants,
2. when the military and police forces of the GRP raid communities, they arrest nursing mothers as well as the children from 10 to 15 years for indefinite detention and misrepresentation to the press as child recruits of the NPA,
3. the children thus illegally arrested and detained are intimidated, humiliated and are often used as servants or child prostitutes in military camps or sometimes turned over to the Department of Social Welfare and Development (DSWD) of the GRP for prolonged detention and propaganda under the pretext of reeducating them,
4. when the children are detained in military camps or in the compounds of the DSWD, they are deprived of access to their parents and other close relatives and these relatives are barred for indefinite periods from taking custody over them despite orders by GRP courts,
5. when entire communities are uprooted and forced to evacuate, as a result of bombardments, strafing, ground assaults and wanton emplacements of landmines by the armed forces of the GRP, the children, nursing mothers and elderly are the most vulnerable to disease due to lack of food and shelter and due to malnutrition, unsanitary conditions and lack of medicine and medical care,
6. the children are deprived of education when they are among those forced to evacuate from their homes or when they are illegally arrested and detained in either military camps or compounds of the DSWD,
7. children detained in military camps and used as servants are subjected to beatings in order to force them to work and are threatened with death to discourage them from escaping, and
8. children detained in military, police and paramilitary encampments or stations and even the children of the armed personnel of the GRP who stay in such places due to lack of proper housing are exposed to dangers in the armed conflict.

We have evidence of the foregoing violations of children's rights by the GRP. In due time, we can present this to you through the NDFP Human Rights Committee. There are also independent organizations concerned with human rights in general and children's rights in particular that are knowledgeable about the aforesaid violations.

For your information, we have engaged the office of the UNICEF in the Philippines in discussions and planned joint activities. But we deem as baseless, biased and prejudicial the inclusion of "unnamed armed opposition groups," presumably the NPA included, in the report of the Secretary-General to the UN Security Council. We hope to be able to present our policy and the facts about our respect for children's rights against the misrepresentations and multiple violations of such rights by the GRP.

Very truly yours,

(Sgd.) Luis Jalandoni
Chairperson, NDFP Negotiating Panel
Member, NDFP National Executive Committee

Appendix D



National Democratic Front of the Philippines National Executive Committee

24 November 2008

Secretary General Ban Ki-moon
United Nations
UN Headquarters, New York
New York, USA

Through: Ms. Radhika Coomaraswamy
UN Special Representative of the Secretary General
Working Group on Children and Armed Conflict

Dear Sir:

We, from the National Democratic Front of the Philippines (NDFP), read your 24 April 2008 report on children and armed conflict in the Philippines at the website of the United Nations Security Council.

We presume that the report is based on research undertaken by personnel in the office of the UN Secretary General (UNSG) Working Group on Children and Armed Conflict. While seeming to be objective, the report shows unmistakable bias in favor of the Government of the Republic of the Philippines (GRP) and is dismissive of the revolutionary struggle of the NDFP, a legitimate national liberation movement and a co-belligerent in the civil war within the purview of international law and international humanitarian law and not just a non-state actor.

As a belligerent force in the armed conflict in the Philippines, the NDFP represents 17 allied revolutionary organizations and local organs of political power that are present throughout the country in urban and rural areas and in more than 120 guerilla fronts, with a mass base running into millions and an armed force operating nationwide under the guidance of a central political authority established in accordance with the NDFP's Guide for Establishing the People's Democratic Government.

The NDFP has also been engaged in formal peace negotiations with the GRP since 1992 facilitated at different times by the governments of Belgium, The Netherlands and Norway and supported by two European Parliament resolutions. The NDFP has declared on 15 August 1991 its adherence to Common Article 3 and Protocol II of the Geneva Conventions and has submitted on 5 July 1996 its unilateral Declaration of Undertaking to Apply the Geneva Conventions of 1949 and Protocol I of 1977 to the Swiss Federal Council as official depositary and the International Committee of the Red Cross (ICRC) as guardian of international humanitarian law.

Your report has relied one-sidedly on allegations by agencies of the GRP, especially the notoriously corrupt, vicious and inept Armed Forces of the Philippines (AFP), without hearing the side of the NDFP as required by standards and fundamental rules of fairness and due process. And it has sought to apply on the New People's Army (NPA) standards that are not even made absolutely applicable to States and are way beyond the scope of the UN Convention on the Rights of the Child and the Optional Protocol on the involvement of children in armed conflict.

Your report seeks to impose on the NPA adherence to the so-called Paris Principles which, by broadening the definition of child soldier, practically demand that children be separated from parents, families and the community under military attack by the reactionary armed forces in gross violation of the human rights and fundamental freedoms of the children. May we further point out that the children have the same right as any Filipino to aspire for a free, democratic and just society against an oppressive and exploitative social system, as well as the right to take part voluntarily in various unarmed ways in the overall struggle of the Filipino people for national and social liberation. We view the so-called Paris Principles to be lopsidedly in favor of the reactionary status quo and the counterrevolutionary state against a principled national liberation movement.

In case you have not been informed, may we reiterate that on 7 March 2005, we wrote a letter to your predecessor, Mr. Kofi Annan, asking that we be accorded the right to be heard in accordance with the essential requisites of fairness and due process on accusations by the GRP against the NPA for alleged violations of the rights of children in the armed conflict. We also provided him with a copy of the memorandum by the Executive Committee of the Communist Party of the Philippines (CPP), setting the minimum age of 18 for recruitment to the NPA, issued on 15 October 1999, more than two years before the Optional Protocol on the involvement of children in armed conflict came into force on

12 February 2002 and better upholds the rights of children than the minimum age of 16 for recruitment to the armed forces of the United States.

Despite the evidence provided by the UNICEF-commissioned study on how the CPP memorandum is being strictly implemented on the ground, your report unfairly highlighted and exaggerated the exception stated in the CPP memorandum of extending voluntary training to children 15 and above for the purpose of public safety and other non-combat functions, to impute so-called violations of children's rights to the NPA. It makes the unfounded claim that such children are "in practice ... trainees or apprentices of the New People's Army" and that this supposed "NPA practice of inculcating children into its units" contradicts its own declared policy. Such prejudgment based on unsubstantiated reports is not only unfair but also a gross distortion of the truth. It reveals a clear bias by your office against the Filipino people's legitimate armed and political resistance to an oppressive and exploitative social system and malice in the false labeling and criminalization of the national liberation movement in the country.

We do consider it positive that your report acknowledges "the existing line of communication between the UNICEF and the NDFP", as well as the initiative taken by the NDFP in proposing to the GRP the participation of "representatives from UNICEF, the International Committee of the Red Cross (ICRC) and the Government of Norway as international observers in an investigation of 12 cases of children's deaths that had been filed with the Joint Monitoring Committee (JMC)". As you know, the JMC is the body mandated under the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) between the GRP and the NDFP, to receive and investigate complaints of alleged violations of human rights and international humanitarian law by the armed forces of the two co-belligerent Parties.

We also consider it positive that you have recommended to the UN Country Team in the Philippines to engage the NDFP in earnest dialogue on the issue of children's rights in a situation of armed conflict.

But for the sake of truth and fairness, we must point out the glaring errors of fact in your report. These could have been avoided had the researchers in the office of the UNSG Working Group on Children and Armed Conflict taken the time to dialogue with and hear the side of the NDFP to ascertain the truth before making their "findings."

The claim of the GRP negotiating panel that the NDFP had refused its attempts to place in the agenda of the peace negotiations the issue of recruitment and use of children in combat is a blatant lie. The fact that we have proposed to the GRP the above-cited joint investigation on the death of 12 children within the frame and concrete provisions of CARHRIHL and with the participation of international observers shows that the NDFP is deeply committed to protect and uphold the rights of children in armed conflict under international law.

Under The Hague Joint Declaration, the CARHRIHL is the first item in the four-point substantive agenda in the peace negotiations between the GRP and the NDFP. It contains two provisions that pertain to the rights of children. Under No. 24 of Article 2 of Part III (Respect for Human Rights), children are protected against physical and mental abuse, prostitution, drugs, forced labor, homelessness and other forms of oppression and exploitation. Under Article 10 of Part IV (Respect for International Humanitarian Law) children are not allowed to take part in hostilities.

In the presence of officials of the Royal Norwegian Government, the current Third Party Facilitator in the peace negotiations, we have frequently called the attention of the GRP to the daily suffering and gross violations of the human rights of 90 percent of Filipino children, together with their worker and peasant parents, under the exploitative and oppressive rule of foreign monopolies and such local reactionaries as the big compradors, landlords and corrupt bureaucrats. We cited the use of child labor in sweatshops and agricultural plantations, the plight of street children and children in prison, the summary killing of children on mere suspicion of theft and drug use in several cities of the country, and the absolute failure of the GRP to provide for the health, educational and social needs of Filipino children. We consider these continuing violations of the human rights of children by the ruling classes, as represented by the GRP, as one of the just causes of the revolutionary struggle of the Filipino people.

In the situation of armed conflict, we have exposed the malicious and baseless accusations and consistently lambasted the GRP in the course of the peace negotiations for manufacturing so-called cases of alleged use of child soldiers by the NPA in order to cover-up and condone the rampant violations of the human rights of children by the reactionary armed forces and police and provide them the license to kill, arrest, torture, detain and wantonly abuse the rights of children in military operations against communities suspected to be influenced or under the control of the NPA. We cited the killing of 9-year old Grecil Buya in Compostela Valley on 31 March 2007, as well as the illegal arrest and detention, physical abuse

and involuntary servitude of Edfu de la Cruz and Levi Mabanán, whose parents (in the case of Edfu) and surrogate father (in the case of Levi) were summarily killed by the GRP military in their respective houses as suspected NPA members.

Even your own report states that out of the purported “31 children allegedly associated with the NPA (who) were taken into custody by the AFP in combat operations....at least 10 reported being beaten or subjected to other physical violence while in custody, with some being exposed to media and presented as ‘NPA child combatants’”. Indeed, children have become special targets in GRP military operations under the Gloria Macapagal-Arroyo regime. And this is in the agenda of the peace negotiations between the GRP and the NDFP.

We notice that your report does not contain enough details on alleged violations of the rights of children by the NPA. We are therefore asking for a bill of particulars on these allegations to enable us to look into and investigate the cases through the NDFP-section in the JMC and Joint Secretariat (JS). For your information, the Royal Norwegian Government has recently extended support to the NDFP-JS for conducting on-the-spot investigation and fact-finding missions of reported violations of human rights filed with the JMC.

We take this opportunity to share with you a list of some pertinent update on the violations of the rights of children by the reactionary armed forces based on complaints and documents received by the JMC. It might include some of the cases covered by the researchers in the office of the UNSG Working Group on Children and Armed Conflict.

Finally, we wish that your office would take a more comprehensive and balanced view of the situation of Filipino children to have a full understanding and consideration of the following points:

First, more than 90 per cent of children in the country, together with their parents, are exploited and oppressed and subjected to gross and systematic violations of civil, political, social, economic and cultural rights by foreign monopoly interests and their local reactionary agents.

Second, the aforesaid rampant violations of the rights of children are a *casus belli*, a cause for the Filipino people and revolutionary forces to wage a revolutionary struggle for national and social liberation.

Third, as noted in your own report, whenever the counterrevolutionary state unleashes its military, police and irregular forces in campaigns of suppression under Oplan Bantay Laya against the people in certain regions, provinces, areas or communities, the children suffer most from aerial and artillery bombardments and indiscriminate gunfire, the occupation of schoolhouses as barracks, the food blockades and the forced evacuation of the people.

Fourth, the military and police forces of the counterrevolutionary state have directly victimized children by misrepresenting them as NPA soldiers and subjecting them to arbitrary arrest and detention, torture, involuntary servitude in military camps, extrajudicial killings and other human rights violations.

Fifth, the so-called Paris Principles are slanted against the national liberation movement and gives a vague and overbroad definition of child soldier (misrepresenting children as spies, couriers, porters and so on) which gives the reactionary military, police and irregular forces of the counterrevolutionary state the license to make the children in communities an open prey or fair game for armed assault and other barbarities.

Thank you very much for your kind attention.

Very truly yours,

(Sgd.) Luis G. Jalandoni
Member, NDFP National Executive Committee
Chairperson, NDFP Negotiating Panel

Encl.: Initial Data of Incidents of Human Rights & International Humanitarian Law Violations by the Military and Paramilitary Forces of the Government of the Republic of the Philippines AGAINST CHILDREN AND MINORS, December 2007 to 20 November 2008. Based on Complaints Filed with the Joint Monitoring Committee (JMC). Prepared by the National Democratic Front of the Philippines-Joint Secretariat (NDFP-JS). Thirteen (13) pages, containing 49 cases of violations.

Additional Incidents for the Period July 2005-November 2007. Human Rights & International Humanitarian Law Violations of the Government of the Republic of the Philippines (GRP). Compiled as of 20 November 2008. Sixteen (16) pages containing 68 cases of violations.

Appendix E-1

Complaints Filed with the JMC Against the GRP/GPH for HR & IHL Violations Involving Children and Minors

Based on the NDFP-JS Reports to UNICEF-Philippines
for the Latter's Periodic Global Horizontal Note
(Date of Incident 2002 to 2011)

Prepared by NDFP-JS on 12 January 2012

1. CASE NO. G-070 and G-071

| Name of Victim | Age | Gender |
|--|-----|--------|
| Kosair MUNER | 16 | M |
| Taufic MUNER | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children in Situation of Armed Conflict (Falsely accused as Abu Sayyaf members) Illegal Arrest/Illegal Detention | | |
| Alleged Perpetrators | | |
| Elements of 103rd Brigade, AFP Southern Command | | |
| Summary Account of Incident | | |
| March 30, 2002 Brgy. Lustre, Zamboanga City Soldiers arrested the siblings in their house without warrants of arrest on suspicion that they were members of the Abu Sayyaf Group. Taufic was a grade VI student while Kosair was in second year high school. | | |

2. CASE NO. G-007

| Name of Victim | Age | Gender |
|-------------------|-----|--------|
| Marequiel JOSE † | 11 | F |
| Kevin DONGYAPON † | 7 | M |
| Rap-Rap JOSE † | 5 | M |
| Jonel JOSE | 10 | M |
| Jovet JOSE | 6 | M |
| May-May DONGYAPON | 5 | F |
| Dessa DONGYAPON | 3 | F |
| Gabriel JOSE | 4 | M |

**NDFP Declaration and Program of Action
for the Rights, Protection and Welfare of Children**

| | | |
|---|----------------|---------------|
| Wilken JOSE | 2 | M |
| Rico CABAÑO | 7 | M |
| Judy Ann CABAÑO | 6 | F |
| Shiela CABAÑO | 4 | F |
| Roel CABAÑO | 1 yr & 10 mos. | M |
| Mae CABAÑO | 1 yr & 10 mos. | F |
| Unnamed child | 1 mo. | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including Children (Indiscriminately fired at three Lumad houses) Multiple Killing of Children Use of Children (Falsely claimed those killed and wounded as NPA and/or children of NPA) Denial of Decent Burial, Refusal to Tender Remains and Desecration of Remains Denial of Medical Attention Disrespect for the Rights of Indigenous People Forcible Evacuation/Displacement Illegal Arrest/Illegal Detention (of a three-year old child)</p> | | |
| Alleged Perpetrators | | |
| <p>Major Alexis Gopico, Commanding Officer, 8th Special Forces Battalion (SFB) Sgt. Roberto Belabbo, team leader, 1st platoon, 8th SFB Lt. Manny Catunggal, 27th Special Forces Company (SFC) Lt. Bernardo Samin, 30th SFC PFC Genaro Casim, 8th SFB PVT Benjie Edmilao, 8th SFB Noli Banugan, CAFGU</p> | | |
| Summary Account of Incident | | |
| <p>August 18, 2002 Sityo Cabuyao "Nursery", Brgy. Binondo, Baganga, Davao Oriental</p> <p>At dawn of August 18, 2002, around 130 elements of the 8th Special Forces Battalion attacked Sitio Cabuyao, a Mandaya community. The houses of the Jose, Cabaño and Dongyapon families were strafed on suspicion of providing shelter for the NPA.</p> <p>After the strafing, three soldiers mauled Dodong Dongyapon. They tied his neck and his hands behind his back, accusing him of being an NPA. During the beating, the soldiers took his wounded son Kevin from the house and carried him to the road, wrapped in a blanket. When Dodong heard Kevin begging for water, he implored the soldiers to release him so that he could attend to his son. His pleas falling on deaf ears, Dodong broke free from his captors and ran to Kevin, who was then asking to be brought home as he already wanted to sleep. Dodong asked the soldiers for medicine but was told not to worry because a helicopter was already on its way. Kevin died shortly after.</p> <p>The soldiers divested some of the Dongyapon family's belongings and butchered their chicken. They tried to take Kevin's body with them, but Dodong insisted that they leave him. Later, at around 7:00 a.m., Dodong's daughter Dessa (three years old) and wounded wife</p> | | |

Amelia were forced to board a helicopter and brought to a military camp. There, Dessa and Amelia were heavily interrogated and forced to admit being NPA members. Their relatives attempted to fetch the two from the camp but were not allowed to see the latter. Dessa and Amelia were released on August 24, 2002.

Two other children were also killed: Marequiel Jose (daughter of William and Laylinda) and Rap-Rap Jose (son of Roger), while four others were wounded, namely, Amelia Dongyapon, who was then five months pregnant, brothers Jovet Jose and Jonel Jose, and Maria Cabañog.

Hours after the firing, the soldiers forced the surviving victims out of their houses and gathered them at the front yard. Maria was interrogated on the whereabouts of her husband, whom the soldiers accused as NPA. Despite pleas from the mother, the soldiers forcibly took Jovet and Jonel. The children were declared by the military as NPA when brought to the hospital.

Meanwhile, alleging that Marequiel was a child of an NPA, the soldiers put her body inside a sack and threw it on a truck. When the truck stopped at the town of Binondo, Marequiel's older brother Bobby boarded the vehicle to plead with the soldiers for the release of Marequiel's body. The soldiers, however, ordered him to go down, hitting his behind.

Marequiel's body was recovered only two days later. For fear of subsequent military attacks, six families were forced to abandon their homes. Among the evacuees were the following children: Jovet, Jonel and their siblings Wilken and an unnamed infant; Dessa and sister Maymay; Maria Cabañog's children Roel and Mae, Sheila, Rico, and Judy; and Gabriel Jose.

On August 19, 2002, Maj. Alexis Gopico, chief of the 8th Special Forces Battalion, announced to the media that his troops attacked a "rebel's camp" in Sitio Cabuyao, killing five NPA and wounding four others. Gopico was later quoted in a national broadsheet as saying that two of those slain might have been "children of NPA rebels" or "possibly daughters of civilians who frequented the rebels' camp." Col. Johnny Macanas, spokesperson of the Fourth Infantry Division, likewise reported to the media the capture of three NPA, two of whom were minors. Later, however, Macanas recanted his statement, saying that those captured were not NPA but civilians caught in the crossfire.

3. CASE NO. G-114

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Jinny Cedot MARTINEZ | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and falsely accused as NPA) | | |
| Frustrated Killing of a Child | | |
| Denial of Medical Attention | | |
| Illegal Arrest/Illegal Detention (Detained with adult prisoners and indicted with grave offenses) | | |
| Torture (during interrogation) | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| PFC Eric Longcop and other members of the 19th Infantry Battalion Philippine Army (IBPA) | | |

| Summary Account of Incident |
|--|
| <p>February 14, 2003</p> <p>Sitio Naga, Brgy. Tinag-an, Albuera, Leyte</p> <p>The victim with his two cousins and a friend were on their way to a dance when they were arrested by soldiers. They were suspected to be NPA members. The victim was used by the soldiers to look for an NPA camp. When the victim was not able to lead them to an NPA camp, a gun was cocked and fired on his neck that caused a 7-inch graze. The victim was able to escape from his captors later.</p> <p>But when he and his relatives asked municipal officials for help, he was denied medical attention because the police insisted on interrogating him. Just then, the soldiers arrived and brought him to their patrol base and subjected him to a series of tactical interrogations.</p> <p>He was charged with multiple frustrated homicides for his alleged involvement in a firefight between the Philippine Army/CAFGU and the NPA on January 30, 2003. He was jailed together with common criminals.</p> |

4. CASE NO. G-018

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Jul SAHIBUL † | 17 | M |
| Bennasir MUAMIL † | 13 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including Children, in a Situation of Armed Conflict</p> <p>Use of Children (Falsely claimed the dead minors as Abu Sayyaf members)</p> <p>Killing of Children</p> <p>Denial of Decent Burial</p> | | |
| Alleged Perpetrators | | |
| <p>Around 100 unidentified troopers of AFP Scout Rangers based in Sulu</p> | | |
| Summary Account of Incident | | |
| <p>March 20, 2003</p> <p>Brgy. Lampaki, Indanan, Sulu</p> <p>Around 100 Scout Rangers conducted a military operation against the Abu Sayyaf which resulted in the massacre, summary execution and torture of civilians who were tending their pastures in the outskirts of the barangay. Killed were students Bennasir, Jul and an adult. Their dead bodies were found in three shallow graves covered with leaves. One of those tortured was a 68-year old man, who later died. The soldiers accused the victims as members of the Abu Sayyaf Group.</p> | | |

5. CASE NO. G-063

| Name of Victim | Age | Gender |
|-----------------------|------------|---------------|
| Jimmy BALULAO | 17 | M |
| Tohami Rascal ULONG | 16 | M |

| |
|--|
| Type of Violation/s (In Relation to the Children Victims) |
| Use of Children in Situation of Armed Conflict (Falsely accused of involvement in the Sasa Wharf Bombing) Illegal Arrest/Illegal Detention |
| Alleged Perpetrators |
| Elements of CIDG Davao |
| Summary Account of Incident |
| April 8, 2003 Almonte Extension, Purok Bualan, Poblacion 2, Cotabato City Jimmy and Tohami were arrested separately. Their hands were bound with a metal wire and they were loaded into a vehicle. Both were accused as the perpetrators of the April 2, 2003 Sasa Wharf Bombing and were charged with multiple murder and multiple frustrated murder. |

6. CASE NO. G-116

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Benjie CABUGOY † | 17 | M |
| Obet QUIDLAT † | 16 | M |
| Randy POTOY † | 15 | M |
| Rey (Kokoy) CORPIN † | 13 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, Including Children (Multiple killings or massacre, seven of the nine victims had single-shot wounds in the head execution style) Use of Children (Falsely claimed the dead minors as NPA members) Desecration of the Remains (Boiling water was poured on victims' bodies, scalding their skins) | | |
| Alleged Perpetrators | | |
| Lt. Honofre Nelmidia, Col. Oscar Lactao and other elements of 19th IBPA | | |
| Summary Account of Incident | | |
| April 16, 2003 Brgy. San Isidro, Kananga, Leyte Residents of Sitio Mahayahay woke to a series of gunfire nearby. Nine persons were killed in what the military declared was an encounter between the NPA and soldiers of the 19th IBPA. Among them were four minors. The victims were all members of a progressive legal youth organization ANAKBAYAN. They died together with leaders and members of a legal peasant group. But the soldiers claimed them all to be NPA members. About 50 residents of Brgy. Bagabao including their Chairman Agustin Romero responded and went to the alleged encounter site. They discovered nine dead persons, seven of whom had single gunshot wounds in their heads, execution style. They also observed that boiling water was poured on the victims' bodies, which scalded their skins. | | |

One of the farmers who survived was later used as guide by the soldiers in their military operation.

7. CASE NO. G-066

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Mark PANGGILAWAN | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child in Situation of Armed Conflict (Falsely accused as bomb carrier) Illegal Arrest/Illegal Detention | | |
| Alleged Perpetrators | | |
| Elements of the PNP | | |
| Summary Account of Incident | | |
| June 17, 2003 Bulaong Terminal, Cotabato City and Balunto, Brgy. Labangal, General Santos City The victim, an Indonesian, and his companions were hired as fishermen and fetched by a certain Danny, the fishing firm's hiring officer, who treated them to lunch in a carinderia. While they were having lunch, Danny went to the comfort room but never came back. Policemen arrived and arrested Mark and his companions on suspicion of being carriers of the bomb allegedly found in the eatery. They were jailed and subsequently charged with bombing. | | |

8. CASE NO. G-099 B

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Shem Ray PATI | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and falsely accused as NPA supporter) Illegal Search Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| 40 elements of 41st IBPA | | |
| Summary Account of Incident | | |
| July 24, 2004 Ud-udiao, Sallapadan, Abra The victim and his brother were accosted and illegally searched by soldiers while on their way to meet their mother. The brother was falsely accused as NPA. Shem's bag was searched and he was accused that the cellophane found inside would be given to the NPA. The brothers were interrogated for 15 minutes before they were allowed to proceed. | | |

9. CASE NO. G-250

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Jessie ALMENIS | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and tortured to inform on the NPA) Torture (Physical and psychological torture) Threat/Harassment/Intimidation Divestment of Property/Illegal Seizure (Work animal hacked and bolo seized) | | |
| Alleged Perpetrators | | |
| Lt. Rodrigo Jimena and other elements of 61st IBPA | | |
| Summary Account of Incident | | |
| October 2, 2004 Brgy. Nagbinlod, Sta. Catalina, Negros Oriental The victim was riding a horse when soldiers blocked his path and grabbed him from his mount, causing him to fall. The soldiers grabbed his bolo and asked him where the NPA were encamped. When the victim was unable to answer, his horse was hacked and he was later threatened with his bolo unless he points to where the NPA camp was located. A soldier took some rope, looped it around the victim's neck and hanged him from a tree. While hanging, the soldiers threatened to kill him if he refuses to talk. He was allowed to go afterwards. | | |

10. CASE NO. G-547

| Name of Victim | Age | Gender |
|---|------------|---------------|
| "Liza" | 15 | F |
| "Jenny" | 15 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family (Occupied a civilian house where teenaged girls were staying) Use of Children (Falsely accused as NPA, photographed with and taught how to handle firearms; attempted bribery; made to sign papers without counsel and without having read the contents) Rape or Sexual Assault Illegal Arrest/Illegal Detention | | |
| Alleged Perpetrators | | |
| Elements of 21st IBPA, Col. Dario | | |
| Summary Account of Incident | | |
| February 14, 2005 Tabuk, Kalinga On February 7, 2005, soldiers belonging to the 21st IBPA arrived and occupied the house of 15-year old twin sisters in Pinukpuk, Kalinga. | | |

The next day, while the sisters were on their way to school, the soldiers followed them and asked them about the whereabouts of the NPA. Due to fear, the twins decided to go to Tabuk, Kalinga the following day. The soldiers who were staying in their house learned of their plan and told the twins to drop by their detachment in Tappo, Pinukpuk before going to Tabuk.

When the twins arrived at the detachment on February 9, 2005, two soldiers coached them on how to reply to interview questions in exchange for P1,000.00. The twins, however, did not accept the money.

On February 10, 2005, a certain Capt. Adena gave them P300.00 for their fare to Casigayan, Tabuk. On February 12, 2005, they were fetched by the military and brought to the camp in Bantay, Tabuk. They were interviewed and made to sign papers hastily without having read the contents. After which, they were returned to Casigayan.

On February 13, 2005, they were again fetched by Capt. Adena and taken to the camp where they were invited to a videoke singing session that lasted until early morning of February 14, 2005. Later that day, a certain Sgt. Tayabang took pictures of the twins for souvenirs, with Liza holding an M-16 rifle and Jenny, a .45 caliber pistol. Liza was also taught how to dismantle and assemble rifles while a soldier took photographs. That afternoon, they were given food and water that made them lose consciousness. When Liza came to, she felt body pains and discovered bloodstains in her underwear.

Meanwhile, for days, the twins' mother was looking for them. When she arrived at her sister's house, she was surprised to learn from her nephew that her daughters were in an undisclosed military camp allegedly as "rebel returnees". She tried to visit her daughters at the camp but was allowed to talk with them only for a few minutes and in the presence of soldiers. Sensing that something was wrong with her daughters, she decided to report the incident to the Department of Social Welfare and Development (DSWD).

The next day, upon her arrival at the DSWD, she was surprised to see Liza and Jenny. The military apparently turned them over earlier that day. She was informed that her daughters implicated her as the one who recruited them to join the NPA. She denied the allegation and tried to explain her side but to no avail. She failed to secure custody of her children.

After two days, the twins were turned over to a relative. On February 21, 2005, the military hurriedly brought them to the Commission on Human Rights (CHR) office in Tuguegarao City, Cagayan where they were made to sign a joint affidavit without knowing its contents and the presence of counsel. The affidavit alleged that the twins were forced by their mother to join the NPA.

Later, the twins voluntarily executed a joint affidavit denying the military's accusations. The mother also executed an affidavit corroborating the statement of the twins.

11. CASE NO. G-431

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Shirley CALIWAN | 15 | F |
| Jerwin LLENA | 12 | M |
| Nestor CALIWAN | 10 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted and falsely accused as NPA; Offered money to fetch two men) | | |
| Illegal Arrest/Illegal Detention | | |
| Threat/Harassment/Intimidation | | |

| |
|---|
| Alleged Perpetrators |
| Elements of 19th IBPA under the command of Maj. Louie Dagoy |
| Summary Account of Incident |
| <p>March 13, 2005</p> <p>Sitio Olotan, Brgy. Mahayag, Ormoc City</p> <p>The Caliwan siblings were on their way to their farm in Sitio Olotan when they heard a gunshot. At first they ignored it since it sounded like it came from afar. But as they neared their destination they saw soldiers surrounding and pointing guns at three women.</p> <p>The soldiers told Shirley and Nestor to come near. At gunpoint, they were being forced to admit that they owned the things that the soldiers found in a tunnel. One of the soldiers interrogated Shirley and asked if she was the NPA known as "Commander Jean-Jean". The girl denied the military's allegations.</p> <p>At the same time Jerwin with his uncle, Fredo, were on their way to Sitio Olotan to get a carabao. When they arrived, soldiers called them and mauled Fredo whom they accused of being an NPA. Jerwin was ordered by the soldiers to fetch two farmers (husbands of two of the women whom the soldiers earlier held at gunpoint). The boy refused to obey the order even after the soldiers offered him P500.00 to do as they said.</p> <p>The victims were interrogated and threatened that their houses would be burned if another encounter between the NPA and the military occurs.</p> <p>They were ordered to board a truck and were brought to a police precinct and detained for four days. Before being released, the children were told by the military to report to the DSWD once every month until they reach the age of 18.</p> |

12. CASE NO. G-433

| | | |
|--|------------|---------------|
| Name of Victim | Age | Gender |
| Edelito ROLUNA | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Accosted and forced to admit having attended an NPA training)</p> <p>Torture (Manhandled and choked to admit accusation but retracted admission when forced to implicate others)</p> <p>Illegal Arrest/Illegal Detention</p> <p>Threat/Harassment/Intimidation</p> | | |
| Alleged Perpetrators | | |
| A certain Lt. Ching Capuspus and other elements of the Charlie Coy 43rd IBPA | | |
| Summary Account of Incident | | |
| <p>July 31, 2005</p> <p>Sitio Cabungaan, Baybay, Leyte</p> <p>Edelito was playing basketball when a soldier placed an arm around his shoulder and without explanation, led him towards the barangay hall. Once they were inside, Edelito was blindfolded and interrogated. He was punched, choked, and his ears were hit using rolled up papers.</p> | | |

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The soldiers wanted him to divulge the whereabouts of the rebels and to admit that he joined an NPA military training. Because of the torture, he was forced to admit their allegations. But he retracted the admission when the soldiers began forcing him to name his neighbors who allegedly participated in the same training.

The victim spent the whole night on the floor of the barangay hall under close watch by the soldiers. He was only allowed to leave the following morning.

13. CASE NO. G-755

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Robert GUERERO | 16 | M |
| Gilbert DUMALA | 14 | M |
| Rimon ROSAS | 13 | M |
| Ariel LUNDAAN | 10 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Residents were forcibly gathered together to identify dead bodies) | | |
| Use of Children (Interrogated on their knowledge of the NPA and threatened to be buried alive) | | |
| Torture (Ordered to drop down on the ground and their backs stepped on while their hands were tied) | | |
| Alleged Perpetrators | | |
| Elements of Alpha Coy 29th IBPA | | |
| Summary Account of Incident | | |
| August 9, 2005 | | |
| Purok 2, Brgy. Culiram, Talacogon, Agusan Del Sur | | |
| About 20 residents, including four minors were ordered by the military to search for their supposed relatives who were among those who died in an earlier firefight. | | |
| On their way to the area, they were accosted by another group of soldiers. They were ordered to remove their shirts, drop to the ground, and to use their shirts as blindfolds. The soldiers stepped on the backs of those who did not completely drop face down on the ground. All the victims' hands were tied. At gunpoint, they were grilled one by one about their knowledge of the NPA. The soldiers threatened to kill them and bury them in a shallow pit if they refused to answer. The victims could hear each other moan and the four children cried in fear. | | |
| Later in the afternoon, the soldiers grouped them into threes and fours before releasing them. The four minors were the first to be released but they were told to run fast and if they get caught again, they would be shot. | | |

14. CASE NO. G-757

| Name of Victim | Age | Gender |
|-----------------------|------------|---------------|
| Eva MAQUILING | 5 | F |
| Ken MAQUILING | 3 | M |

| |
|---|
| Type of Violation/s (In Relation to the Children Victims) |
| Attack on a Civilian Family, including Children (Barged into house and accused residents as NPA supporters) Threat/Harassment/Intimidation Violation of Domicile |
| Alleged Perpetrators |
| 20 elements of 58th IBPA |
| Summary Account of Incident |
| August 11, 2005 Sitio Lumbayagan, Brgy. Maticdom, Tandag, Surigao del Sur Military elements arrived at the house of farmer Manuel S. Maquiling where he was staying together with his wife and two children. They asked Manuel if they could enter but before he could reply the soldiers immediately went inside. They searched the house and found a backpack which they said was left behind by an NPA. When asked about it, Manuel said it was left by a stranger to his five-year old daughter Eva. The soldiers then asked the girl who the owner of the backpack was. When Eva said that she did not know, the soldiers accused the family of being liars and coddlers of the NPA. |

15. CASE NO. G-770

| Name of Victim | Age | Gender |
|---|------------|---------------|
| A certain Conie | 13 | F |
| A certain Jason | 10 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Accosted and interrogated on the location of NPA camp) Use of a Child (Ordered a child to lie on the ground while being threatened and interrogated) Threat/Harassment/Intimidation (Threatened to be killed for refusing to cooperate) | | |
| Alleged Perpetrators | | |
| 14 unidentified military men | | |
| Summary Account of Incident | | |
| April 30, 2005 Cagtugas, San Isidro, Marihatag, Surigao del Sur The two children, together with four adults, were on their way to gather "Baroy" (a plant used for mat weaving) when they were stopped by several military men. The victims were interrogated and threatened with death if they did not reveal the location of the NPA camp. Conie was ordered to lie on the ground and asked where the "Alimaong Unit" of the NPA was located. The soldiers told the group that they will all be beheaded if they refused to cooperate, and that the children would be killed first because they could become NPAs when they grow up. | | |

16. CASE NO. G-457

| Name of Victim | Age | Gender |
|---|-----|--------|
| Roger EROLON | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Summoned and accused of involvement in an armed encounter) Illegal Detention | | |
| Alleged Perpetrators | | |
| Elements of 12th IBPA, CAFGU | | |
| Summary Account of Incident | | |
| October 1, 2005 Brgy. Mantikil, Siaton, Negros Oriental Roger was summoned to a CAFGU detachment, allegedly upon the orders of the detachment commander. There, he was accused of having been involved in an armed encounter which supposedly occurred at dawn on the same day. He was detained and interrogated for three hours before being released. | | |

17. CASE NO. G-2069

| Name of Victim | Age | Gender |
|---|---------------------|--------------------|
| Cristina CABUGATAN and other schoolchildren | 11 Not Specified | F Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of School and Health Center for Military Purposes Use of Children (Required to attend a film showing of alleged NPA child soldiers) | | |
| Alleged Perpetrators | | |
| Elements of 28th IBPA | | |
| Summary Account of Incident | | |
| November 3, 2005 Naboc Elementary School, Brgy. Naboc, Monkayo, Compostela Valley Shortly after the students had their recess, soldiers who had encamped at the nearby barangay health center entered the school premises. Cristina, a grade 3 pupil, narrated that the soldiers held a forum and film showing about the NPA's alleged child soldiers. One of the soldiers discussed the film and told the students not to join the NPA. The activity was allegedly sanctioned by the principal and all the students were required to attend. | | |

18. CASE NO. G-474

| Name of Victim | Age | Gender |
|---|------------|---------------|
| "Flor" | 15 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and asked on whereabouts of the NPA) Sexual Molestation and Harassment (Brought to a barrio church where she was sexually molested and harassed) | | |
| Alleged Perpetrators | | |
| Ramil Carpio and another soldier of Bravo Coy, 61st IBPA | | |
| Summary Account of Incident | | |
| November 10, 2005 Sitio Kalabasaan, Brgy. Milagrosa, Sta. Catalina, Negros Oriental Soldiers were conducting military operations in the area, when they passed by Flor and her companions near their house. Two of the soldiers approached Flor and asked if she saw members of the NPA around. The soldiers also accused her father of being an NPA. The soldiers brought Flor to the barrio church which was about 15 meters away from her house. They asked her if she has a boyfriend and if she has tried "kissing" since, according to them, it is a very enjoyable experience. One of the soldiers put an arm around Flor's shoulder and made lewd comments. The soldiers told her that they will have sexual intercourse with her and they laughed at their own comments. Because of fear, Flor ran back home and did not go out until the soldiers were gone. | | |

19. CASE NO. G-537

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Ray Lester Esguerra MENDOZA | 16 | M |
| Frencess Ann Galdonez BERNAL | 15 | F |
| <i>Note: The victims were released after the charges against them were dismissed. This incident of innocent backpackers being tortured to admit false charges became a major international issue. It also helped to expose the GPH policy of deliberately targeting children in its "counter-insurgency" operations.</i> | | |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted and falsely accused as NPA) Torture/Cruel, Inhuman and Degrading Treatment or Punishment (Subjected to different forms of torture to force admission as NPA) Illegal Arrest/Illegal Detention Divestment of Properties | | |

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| Alleged Perpetrators |
| Elements of 160th PNP-PMG headed by Police Supt. Brent Madjaco, elements of the 3rd Coy PNP-Regional Mobile Group led by PSI Joseph Paolo Bayungasan, unidentified elements of PA, AFP |
| Summary Account of Incident |
| February 14-16, 2006 Abatan, Buguias, Benguet Ray Lester and Frencess were among 11 “punks” and freelance backpackers who were illegally arrested while riding a dumptruck on their way to Sagada, Mt. Province. They were arrested on suspicion of being NPA. The truck was stopped by men in full battle gear and the 11 victims were forced to jump down from the dump truck. The armed men told them to kneel and then kicked them on their backs, forcing them to fall face down on the ground. Any slight movement from them resulted in kicks and strikes from the men who were later identified as elements of the PPMG and PRMG. All of their belongings including cellular phones, cameras, belt bags, backpacks, wallets, tents, and others were confiscated. The victims were brought to a military camp where they were interrogated and subjected to different forms of torture to force admission as NPA. Frencess Ann was kicked and a plastic bag was placed over her head while being interrogated. Ray Lester was made to stand in a hole and covered with soil up to his chest. The perpetrators inflicted non-stop torture in order to force the victims to admit responsibility for an NPA raid on a nearby military camp on February 10, 2006. |

20. CASE NO. G-1319 and 1494

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Loloy BUOT (not his real name) | 15 | M |
| Anabel BIGKAY | 15 | F |
| Wenna DUALE | 14 | F |
| Tina IBOS (not her real name) | 13 | F |
| Angeline DUALE | 13 | F |
| Tessie IGPAD | 11 | F |
| and 23 schoolchildren (including elementary pupils) | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Indiscriminately fired at a Lumad’s house) Use of Child (Used as guide in military operations) Forced Labor (Commanded to watch and care for days over a wounded teacher) Divestment of Properties | | |
| Alleged Perpetrators | | |
| Cpl. Allan Madrid, 16 members of ALAMARA vigilante group headed by a certain Commander Andigao, and two elements of 73rd IBPA | | |

Summary Account of Incident

February 18, 2006

Sitio Nabunturan, Brgy. Kalagangan, San Fernando, Bukidnon

The first complaint stated that members of the ALAMARA vigilante group and two soldiers fired at the house of Datu Emolong Bigkay. Several people were then resting inside and around Bigkay's house including 18 elementary and 10 kindergarten students. The shooting went on for more than 30 minutes. When the shooting stopped, the armed men continued to threaten the survivors with their weapons.

Volunteer teacher Joan Lingkuran was killed while two others were wounded. Daisy Inggay, another volunteer teacher, was hit by bullets on her head and right leg. Lucio Igpap was wounded on the forehead when he jumped off a cliff to avoid getting shot. All of the children were severely traumatized and suffered various injuries.

The second complaint stated that "Loloy" was on his way to gather sweet potatoes when members of the paramilitary ALAMARA leveled their M-16 armalites at him. They ordered him to serve as their guide to find a house in Tabok. When they reached Datu Bigkay's home, "Loloy" ran towards the door and yelled "There are armed men coming here!"

A moment later, the men started shooting at the house. "Loloy" ran and ushered some children to safety.

Several people were then resting inside and in the vicinity of the house, including 28 elementary and kindergarten students. Out of fear and panic, the children scampered away. When the shooting stopped, the armed men continued to threaten them with high-powered weapons. Anabel was inside the house but she managed to crawl out to the nearby bushes. She witnessed two of her teachers get hit as the volley of gunfire continued. An ALAMARA member saw Anabel and asked her where her gun was. She said she was just a student and did not have a gun. After the shooting, Anabel was forcibly taken by the ALAMARA members. She and her teacher Daisy Inggay were herded to a helicopter and brought to a hospital.

Anabel was commanded by the soldiers to watch over Daisy who was wounded. For two days, the girl lived in fear as she watched over her wounded teacher.

The perpetrators also looted the belongings of the victims, stealing shirts, pants, shoes, blankets, and malongs.

21. CASE NO. G-2018

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Ungoyon "Ernie" OMALING | 17 | M |
| Abunda SIBOGAN | 16 | M |
| Edgar OMALING | 15 | M |
| <i>Note: This incident is also the subject of a complaint filed by Mr. Eligio P. Mallari, NCR Commissioner In-Charge, Commission on Human Rights (CHR) on June 22, 2007 against the NPA (S-1789). The sole victim in S-1789 is identified as Ernie Umaling and not Ernie Omaling.</i> | | |

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| Type of Violation/s (In Relation to the Children Victims) |
| Use of Children (Accosted, falsely accused and photographed as NPA) Torture (Interrogated and threatened with bodily harm and sexual abuse, leading one to admit having a rifle even though he did not have any) Use as Guide (Brought along on a long trek in search of a weapon) Occupation of Barangay Hall for Military Purposes Illegal Arrest/Illegal Detention |
| Alleged Perpetrators |
| 22 elements of 26th IBPA led by Col. Madrigal |
| Summary Account of Incident |
| <p>April 9, 2006</p> <p>Sitio Menopal, Brgy. Tapak, Paquibato District, Davao City</p> <p>Edgar, Ernie and Abunda were gathering firewood when they heard strings of gunfire along the hill side. They hurriedly ran toward Edgar’s house for safety. Later, an army soldier went to the house and took a glimpse inside. Upon seeing the three minors, the soldier accused them of being NPA members. They were forcibly brought to the sitio hall which was being used as a station by the 26th IBPA. The stationed soldiers aimed their firearms at the minors when they arrived at the hall. The commanding officer ordered that they be brought to the camp in San Fernando, Bukidnon. Fearing that they would get mauled if they refused, the three were forced to go with the soldiers. They walked for two hours until they reached Brgy. Matupi where they stayed for one night.</p> <p>The following day, the minors were taken to the battalion headquarters in San Fernando, Bukidnon aboard an army truck. The soldiers took photos of them before they were again ushered to the army truck, this time to be brought to another camp in Malaybalay, Bukidnon. There, a certain Col. Madrigal asked them if they brought rifles. The soldiers said that if the minors “will not tell the truth, they will be mauled and exploited sexually”.</p> <p>Out of fear, Ernie was forced to say that he had a rifle although he did not actually have one. The Colonel then said that they would go to the place where Ernie allegedly kept his rifle.</p> <p>On April 11, they arrived at Brgy. Digongan by 6:00 p.m. and then they hiked for more than 10 hours. At around 7:00 a.m. of April 12, they finally reached the place where the rifle was allegedly hidden. The three minors were escorted by soldiers in searching for Ernie’s alleged rifle. Since Ernie was only forced to admit having a firearm, the search was fruitless.</p> <p>At around 1:00 p.m., they were brought back to the camp in San Fernando, Bukidnon. Edgar, Ernie and Abunda were detained there for a month. While in military custody, they were photographed, interrogated and threatened with bodily harm and sexual abuse. The boys constantly lived in fear of being killed or mauled throughout their detention.</p> |

22. CASE NO. G-913

| Name of Victim | Age | Gender |
|-----------------------|------------|---------------|
| Jefferson PARAISO | 16 | M |
| Joey IMPERIAL | 15 | M |
| Kennedy ABELIO | 15 | M |

| |
|---|
| Type of Violation/s (In Relation to the Children Victims) |
| Attack on Civilians, including Children Use of Children (Accosted with two farmers and falsely accused as NPA; Ordered to carry the military's backpacks and generator, and made to guide a carabao pulling a sled with the body of a dead soldier) Torture (Mauled while under interrogation) Illegal Arrest/Illegal Detention |
| Alleged Perpetrators |
| Elements of 76th IBPA, PNP Lopez, Quezon and 59th IBPA |
| Summary Account of Incident |
| June 7, 2006 Brgys. Villa Espina, Dung-awan and Pisipis, Lopez, Quezon Jefferson, Joey and Kennedy, together with two farmers, just came from their farms when they were arrested by the military. They were interrogated, mauled and accused as NPA. The soldiers ordered them to carry backpacks and a generator. They were also ordered to guide a carabao pulling a sled that carried the body of a slain soldier. They were brought to the military camp where they were again interrogated, tortured, jailed and charged with rebellion. The victims were reportedly released on bail. |

23. CASE NO. G-2138

| Name of Victim | Age | Gender |
|--|----------------|--------------------|
| Mae ARGODO and other unnamed minors | 12 15 to 17 | F Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children Use of Children (Interrogated on whereabouts of NPA and forced to affix signatures on blank pieces of paper and photographed with their names written on placards) Illegal Arrest/Illegal Detention | | |
| Alleged Perpetrators | | |
| Elements of 76th IBPA | | |
| Summary Account of Incident | | |
| July 18, 2006 Brgy. Veronica, Lopez, Quezon Military elements accosted and arrested several civilians shortly after an encounter with the NPA. Among those arrested and detained was 12-year old Mae Argodo. They were all brought to a military camp and forced to affix their signatures on a blank piece of paper. Their wallets were also inspected. They were herded into a truck and brought to another camp where they were again told to sign blank sheets of paper. All of them were interrogated about their knowledge of NPA | | |

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presence in their area. Then they were photographed while holding a placard with their names written on it. They spent the night in huts inside the camp before they were released the following morning in a nearby barangay after signing their names on a blank piece of paper.

24. CASE NO. G-894

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Randy SACDALAN | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including Children (Forced community residents to attend a meeting organized by the military in a civilian house)</p> <p>Use of a Child (Coerced to inform on parents and the NPA)</p> <p>Threat/Harassment/Intimidation (Threatened that in case of an armed encounter, civilians, children included, would not be spared)</p> | | |
| Alleged Perpetrators | | |
| Elements of Special Task Force Bulacan headed by Lt. Col. Rogelio Boac of the 7th Infantry Division (ID) under the command of Maj. Gen. Jovito Palparan | | |
| Summary Account of Incident | | |
| <p>August 7, 2006</p> <p>Sitio "Spratley Island" Wawang Atlag, Malolos, Bulacan</p> <p>The military organized a meeting with the community at the house of a certain Ester. Randy and his grandmother Elizabeth attended the said meeting.</p> <p>His grandmother signed their names in the attendance sheet. When the soldiers learned that Randy's surname was Sacdalan, he was interrogated whether he knew the Sacdalans from another place. He said he did not know those people. He was then asked about his parents' full names, their residence, and whether they received NPA in their house. Randy denied that their family entertained the NPA at home and the soldiers stopped questioning him.</p> <p>The soldiers alleged that their barangay is a hotbed of the NPA. They told the community to cooperate with the military and even left a cellphone number which they told residents to contact once they see NPA in the area. They warned the people that in case of an armed encounter, they should close their houses because civilians, children included, will not be spared as "their bullets do not choose their targets."</p> | | |

25. CASE NO. G-1639

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Hazell MARTINEZ | 16 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family (Suspected to have an NPA family member)</p> <p>Use of a Child (Interrogated and told to inform on the NPA; told to surrender her father; photos were taken of child and mother after interrogation)</p> | | |

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| Alleged Perpetrators |
| Lt. Pastrana and five elements of 42nd IBPA and rebel returnees Edwin Nazarionda and a certain alias Lea |
| Summary Account of Incident |
| <p>October 24, 2006</p> <p>Brgy. San Ramon, Iriga City, Camarines Sur</p> <p>Lt. Pastrana arrived one morning and questioned Alice Martinez regarding her daughter Hazell. He wanted to take the child to the military camp but Alice refused to let her daughter go alone.</p> <p>Upon reaching the military headquarters, Hazell was subjected to questioning. A civilian unknown to her mentioned names of alleged NPA members and asked Hazell if she knew those people. The man gave Hazell a cellphone number and told her to send texts about locations of NPA bases in their area. She was told to tell her father to surrender, and in exchange the military would help their family.</p> <p>The military took pictures of Hazell and Alice before escorting them back to their barangay.</p> |

26. CASE NO. G-2030

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| Ma. Florian Joyce PANGINEN | 13 | F |
| Around 200 Students of Brgy. Calabuanan National High School | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of School for Military Purposes (Holding "counter-insurgency" forum in a school and surrounding it with troops to ensure attendance) | | |
| Threat/Harassment/Intimidation (Required residents and students to attend forum where accusations were made against legal partylist groups and mass organizations) | | |
| Use of a Child (Shamed a child by falsely accusing her mother as tax collector of the NPA) | | |
| Alleged Perpetrators | | |
| Around 100 elements of 48th IBPA led by MSgt. Rolly Castillo, Lt. Donato Molina and 2Lt. Tony Pilas | | |
| Summary Account of Incident | | |
| <p>December 1, 2006</p> <p>Brgy. Calabuanan National High School, Brgy. Calabuanan, Baler, Aurora</p> <p>The military organized an anti-insurgency forum in the local high school billed as a forum on the dangers of using illegal drugs. Around 200 students and other residents of the barangay were required to attend. They were surprised when the activity was not about the dangers of illegal drugs. To make sure that everyone would attend for the entire duration of the forum, the military surrounded the school with a hundred heavily armed soldiers.</p> <p>All the speakers were soldiers and they attacked and maligned the partylists Bayan Muna, Anakpawis, and Gabriela, and various people's organizations including PAMANA or the Panlalawigang Alyansa ng mga Magsasaka sa Aurora. They said that the partylist groups and people's organizations were all members of the NPA.</p> | | |

The soldiers also accused the mother of one of the students (Ma. Florian Joyce) of being a revolutionary tax collector for the NPA. The girl's mother Josefina is a member of PAMANA. After the symposium, Florian Joyce hurried home, extremely upset and crying over the humiliation she felt because of the soldiers' false accusation against her mother.

27. CASE NO. G-963

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Virgilio RAFALES | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Arrested and falsely accused as NPA and used as guide in military operations) Torture (Mauled to admit being NPA and forced to sign statement as rebel supporter and surrenderee) Illegal Arrest/Illegal Detention (Not allowed visits by relatives) | | |
| Alleged Perpetrators | | |
| Brgy. Councilor Gerry Abinguna and four soldiers belonging to the Bravo Coy, 62nd IBPA. | | |
| Summary Account of Incident | | |
| <p>January 4, 2007</p> <p>Brgy. Laygayon, Pinabacdao, Samar</p> <p>Virgilio and his uncle were arrested without warrants. They were brought to a military camp and were separated from each other. Virgilio was tortured by the soldiers to make him admit membership in the NPA. His uncle heard him shouting in pain.</p> <p>The following day, they were brought to the 62nd IBPA headquarters and made to sign, without the presence of a lawyer, an affidavit which stated that they were supporters of the NPA and that they were voluntarily surrendering to the military.</p> <p>Virgilio's uncle was released after three days but the former remained under military custody. His sister tried to visit him on three occasions but she was not permitted to see him. The military now uses Virgilio as their guide during military operations.</p> <p>The Commission on Human Rights has confirmed that the victim is under the military's custody but could not get custody of him because of his signed affidavit which, according to the military, proves that the victim's stay with them is "voluntary."</p> | | |

28. CASE NO. G-1077

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Twenty children | 3 to 10 | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Coerced to watch a military propaganda film entitled "Knowing The Enemy") | | |
| Alleged Perpetrators | | |
| Elements of CALABARZON police together with Brgy. Captain Naredo of Brgy. Parian | | |

| Summary Account of Incident |
|--|
| <p>January 2007</p> <p>Brgy. Parian, Calamba City, Laguna</p> <p>A group of policemen went to the victims' community during the latter part of January 2007 supposedly to do community service. They borrowed a television set from one of the residents to show a film which turned out to be the military propaganda film entitled "Knowing The Enemy."</p> <p>The policemen tried to entice the adults of the community to come and watch the video but since no one wanted to, they gathered the children instead. A witness heard one of the policemen tell the children not to emulate the violent acts shown in the video and the children answered "yes" in unison. The police also told the children that progressive partylist groups like Bayan Muna were connected to the CPP-NPA-NDF.</p> |

29. CASE NO. G-1153

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Aileen QUINTOS | 15 | F |
| Rosemarie TOMAS | 14 | F |
| Marlon FUENTES | 14 | M |
| Aycece QUINTOS | 14 | M |
| Jolan JAVIER | 13 | M |
| Christian SANTIAGO | 13 | M |
| <i>Note: This incident is also the subject of a complaint filed by the AFP Northern Luzon Command against the NPA (S-1741). In S-1741, Aileen's name is spelled as "Arleen." She is alleged to be an NPA wounded and captured in an encounter with the military.</i> | | |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of Children (Falsely accused as child soldiers)</p> <p>Frustrated Killing or Maiming</p> <p>Denial of Medical Attention (Wounded children were left by the roadside for several hours and not brought to the hospital by the military)</p> <p>Forcible Evacuation</p> | | |
| Alleged Perpetrators | | |
| Elements of 17th IBPA | | |
| Summary Account of Incident | | |
| <p>January 21, 2007</p> <p>Brgy. Carupian, Baggao, Cagayan Valley</p> <p>The victims were among the residents of Zone 4 who evacuated to Zone 3 because of an encounter between the AFP and the NPA in Brgy. Carupian. The victims, all students, were among ten residents who asked the permission of the military to go back to Zone 4 to get their school things. While waiting for the rest of the group under a tamarind tree in Zone 3, military elements stationed in a nearby hill fired at them, hitting Rosemarie on the right</p> | | |

thigh and Aileen Quintos on the right leg. They were brought to the hospital by their companions without any assistance from the military.

In a radio interview, Col. Jacinto Bareng, Commanding Officer of the 17th IBPA, said that those civilians killed and wounded were “collateral damage”, in military operations. He also alleged that Aileen and Rosemarie were suspected members of the NPA.

30. CASE NO. G-961

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Rolly Villamor COMPOC | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Coerced to report regularly to the military to force his father, an alleged NPA, to surrender; used as guide in military operations) | | |
| Alleged Perpetrators | | |
| M/Sgt. Valencia; a certain Marco; another soldier of the 15th IBPA; and Col. Jessie Dellosa, CO of 302nd Bde | | |
| Summary Account of Incident | | |
| February 21, 2007 Brgy. Janopol Norte, Balilihan, Bohol Rolly, son of an alleged NPA commander and a woman political prisoner, was ordered by the military to report to a safehouse. In the safehouse, he was told to ask his father to surrender and report any visits by him. In a previous visit, the military offered Rolly and his guardian a house and the release of Rolly’s mother from prison in exchange for his father’s surrender. Later, soldiers took the victim to their camp to monitor his father’s movement. They also made the boy guide them to his uncle’s (his father’s brother) house. | | |

31. CASE NO. G-970

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Two children of Alvina Solitario DAVIN | 3 & 4 | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family, including Children (Suspected as NPA supporters) Use of Children (Frightened into falsely saying that the family had firearms) Threat/Harassment/Intimidation Violation of Domicile Divestment of Property (Soldiers cooked the family’s two chicken for their food) | | |
| Alleged Perpetrators | | |
| Elements of 61st IBPA under 2Lt. Danilo O. Baranda | | |

| Summary Account of Incident |
|---|
| <p>January 27, 2007</p> <p>Sitio Nagud-ud, Brgy. Nagbalaye, Sta. Catalina, Negros Oriental</p> <p>Soldiers arrived at the house of Alvina Davin and asked her children if there were firearms hidden in their house. Overcome by fear, the children were compelled to say yes. The soldiers confronted Alvina and she denied keeping any firearm in her home. Without asking for permission, some of the soldiers went inside and searched the house. The other soldiers took two of Alvina's chicken and cooked them in her own kitchen.</p> <p>The soldiers warned Alvina not to tell the NPA about what happened. They warned that if any soldier would die in the area, they would consider the place as a no-man's land and kill everyone, including animals and livestock. The soldiers stayed at the victims' house the whole day.</p> |

32. CASE NO. G-969

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Five children of Abilino MERCADO | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family, including Children (Suspected as NPA supporters)</p> <p>Use of Children (Interrogated about firearms the family was purportedly hiding)</p> <p>Violation of Domicile</p> <p>Threat/Harassment/Intimidation</p> | | |
| Alleged Perpetrators | | |
| Nine elements of 61st IBPA under 2Lt. Danilo O. Baranda | | |
| Summary Account of Incident | | |
| <p>March 4, 2007</p> <p>Sitio Cadlum, Brgy. Nagbalaye, Sta. Catalina, Negros Oriental</p> <p>Soldiers arrived at the Mercado residence while Abilino and his children were having lunch. One of the soldiers went to search the house without a warrant and did not allow Abilino to be present during the search. Other soldiers questioned the children about firearms supposedly hidden in the house but they found none.</p> <p>The military suspected the Mercado family of being NPA supporters.</p> | | |

33. CASE NO. G-1314

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Al Jakirani ALIH | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child in Situation of Armed Conflict (Arrested as alleged Abu Sayyaf member)</p> <p>Torture (Manhandled; genitals were electrocuted; deprived of food; forced to sign/ fingerprint a confession while blindfolded)</p> <p>Illegal Arrest/ Illegal Detention (Released after a month for mistaken identity)</p> | | |

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| Alleged Perpetrators |
| Five elements of Naval Intelligence Special Group under Capt. Aragonés, Marine Battalion Landing Team 6 Intelligence Group (MBLT6 IG) |
| Summary Account of Incident |
| <p>March 10, 2007</p> <p>Isabela Wharf, Brgy. Port Area, Isabela City, Basilan</p> <p>Pedicab driver Jakirani was arrested by five soldiers in civilian clothes while waiting for passengers. He was handcuffed, blindfolded, brought on board a navy boat. He was ordered to reveal the name of his commander. When he said he did not know what they were talking about, the soldiers boxed and kicked him in the stomach until he lost consciousness.</p> <p>Jakirani was accused of being “Abu Usman” of the Abu Sayyaf group and of participating in kidnapping activities. He was taken to the military headquarters in Zamboanga City and interrogated for three days. He was only given food once, his genitals were electrocuted three times, and he was mauled repeatedly until he was forced to say that he was indeed “Abu Usman”. He was made to confess by affixing fingerprints on a confession paper while blindfolded.</p> <p>After three days, he was transferred to the provincial jail and charged with kidnapping and serious illegal detention.</p> <p>He was released the following month after a CHR investigation revealed that it was a case of mistaken identity.</p> |

34. CASE NO. G-1899

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Tatang RAFAEL | 17 | M |
| Renante FERNANDO | 16 | M |
| Jill ALONZO | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted, falsely accused, and publicly displayed as alleged NPA child soldiers) | | |
| Illegal Arrest/Illegal Detention | | |
| Denied Right to Counsel and Visits by Family | | |
| Alleged Perpetrators | | |
| 30 elements of 29th IBPA; Capt. Renald Romel Goce | | |
| Summary Account of Incident | | |
| <p>March 23, 2007</p> <p>Brgy. Laperian, Prosperidad, Agusan del Sur</p> <p>Renante Fernando was on his way home together with his cousins Tatang Rafael, Jill Alonzo, Marvel Gomez and Ernie Alonzo when a firefight erupted between the military and the NPA in Brgy. Laperian. They sought cover to avoid being hit. When the shooting stopped, soldiers came upon their hiding place and arrested them. The victims were accused as NPA and were detained in a military camp.</p> | | |

Renante's mother and Laperian Brgy. Capt. Leonardo Vergara visited the victims at the camp the following day. They were allowed to see only two of the victims. When relatives again visited, they were not allowed to see the victims anymore. The military refused to turn them over to their parents and said that the DSWD would determine if and when the minors would be released. The parents were made to sign a paper, which stated that the children would still be detained at the 29th IBPA and if the DSWD would decide to release them, they would be brought to PNP-Bayugan for their release papers.

On March 27, 2007, the victims were featured in two TV reports of ABS-CBN Northern Mindanao. While their faces were blurred and only their feet were shown, they were wearing nameplates and were misrepresented as NPA members arrested after an encounter.

When the victims' release was followed up with the DSWD two days later, an employee said that the DSWD provincial officer had brought the victims to Manila and would be back on March 31, 2007.

35. CASE NO. G-976

| Name of Victim | Age | Gender |
|---|-----|--------|
| Grecil BUYA † | 9 | F |
| Gary BUYA | 6 | M |
| <p><i>Note: This incident is also the subject of a complaint filed against the NPA by New Bataan Police Investigator PO1 Bertito P. Bioco (S-1788). This became a big issue when the military's accusation against Grecil as NPA combatant was belied by her parents and the community.</i></p> | | |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family, including Children (Indiscriminate gunfire directed at a civilian house)</p> <p>Use of a Child (Photographed a dead child with an M-16 rifle placed beside her body to make her appear as NPA fighter)</p> <p>Killing and Frustrated Killing</p> | | |
| Alleged Perpetrators | | |
| <p>Around 30 elements of 28th and 16th IBPA, headed by 2Lt. Francis John Gabawa, platoon commanding officer</p> | | |
| Summary Account of Incident | | |
| <p>March 31, 2007</p> <p>Purok 6, Brgy. Kahayag, New Bataan, Compostela Valley</p> <p>Gary and Grecil Buya were bathing in a river near their house when gunfire erupted at around 8:00 a.m. Gary called his sister after hearing the shots and ran back to the house. Meanwhile, the victims' parents Gregorio and Virginia, who were carrying the victims' younger sisters, were able to run away.</p> <p>Grecil's dead body was found a few meters from their house with her brains blown off by a bullet which went through her head. She also sustained a bullet wound at the right elbow.</p> <p>The military took pictures of Grecil's body and placed an M-16 rifle beside her. The residents and the barangay captain, however, attested that Grecil and her family were civilians and</p> | | |

that they did not see any rifle beside Grecil's body. A resident who was able to flee also said that the gunshots came from "above" the place where a platoon of soldiers was positioned. An independent fact-finding investigation conducted by medico-legal experts established that Grecil died due to a gunshot wound at the back of her head that exited to her face. According to a witness, the victim was found lying face down with her body pointing southeast three meters away from their house which was the object of intense firing by soldiers of the 67th IBPA who were positioned on the slope of a hill northwest of the house. The testimony of the witness was consistent with the findings of the medico-legal experts on the trajectory of the bullet that killed Grecil.

36. CASE NO. G-1151

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Dan-Dan Quillano † | 11 | M |
| Buboy Montenegro | 12 | M |
| Unnamed child | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Indiscriminate gunfire directed at a hut with civilians inside) | | |
| Use of a Child (Falsely claimed as NPA) | | |
| Killing/Frustrated Killing | | |
| Desecration of Remains (Mutilated the body and mixed with pig's carcass) | | |
| Alleged Perpetrators | | |
| Elements of 58th IBPA, Special Cafgu Active Auxilliary (SCAA) and CAFGU under the 402nd Bde of the 4th ID Philippine Army | | |
| Summary Account of Incident | | |
| April 2, 2007 | | |
| Brgy. Caromata, San Miguel, Surigao del Sur | | |
| Dan-Dan, his mother, eight other women, Buboy Montenegro and another child, all civilians, were waiting for their companions in a hut to begin the opening of a new field of kaingin (slash and burn farming), when they were fired upon by soldiers on patrol in the area. Dan-Dan was hit in the abdomen and died instantly. | | |
| The soldiers chased the rest who ran away to safety. But they caught Dan-Dan's mother, Betty Quillano. She was dragged to where her son lay, interrogated and beaten repeatedly. She died when soldiers bashed her head. Dan-Dan's body was mutilated, mixed with a pig's carcass and burned together with his mother's body. | | |
| In the afternoon of the same day, a Huey helicopter dropped a bomb on the place of incident. The military issued a statement to the media saying that Betty and Dan-Dan were NPA casualties who died when they overran an NPA camp in Brgy. Caromata. | | |
| The victims' relatives were not able to recover the remains of Betty and Dan-Dan because the military's Special CAFGU Active Auxiliary (SCAA) and CAFGU closely guarded the area. Also, a military unit was assigned to the community to monitor the movement of the residents. | | |

37. CASE NO. G-1308 and G-2016

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Renee Boy LAPUS | 13 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including a Child (Accosted civilians during military operation)</p> <p>Use of a Child (Accused as NPA; being forced to admit uncle's membership in the NPA; used as guide and shield in military operations)</p> <p>Illegal Arrest /Illegal Detention</p> <p>Threat/Harassment/Intimidation</p> | | |
| Alleged Perpetrators | | |
| Army soldiers Marquez, Palillo, Lt. Michael Candole and Mayata and 40 composite elements of 72nd, 28th and 25th IBPA and CAFGUs | | |
| Summary Account of Incident | | |
| <p>April 24, 2007</p> <p>Sitio Vic Lantawan, Brgy. Magcagong, Maragusan, Compostela Valley</p> <p>At around 7:00 a.m., Renee Boy Lapus and his uncle Valentin B. Lapus Jr., together with another companion, went to the store of Renee's aunt to deliver a sack of rice. On their way home, they were stopped and interrogated by military elements in full battle gear. The victims were accused of being NPA and were told that the rice they were carrying was for the NPA. They were mauled, tied and blindfolded.</p> <p>The soldiers threatened to hang Renee Boy if he refused to admit his uncle's membership in the NPA. Renee repeatedly denied the accusation. He was then taken by the soldiers to Sitio Dasuran together with other civilians the soldiers had waylaid, while his uncle Valentin was left behind.</p> <p>Upon reaching the place, Renee, together with another female victim accosted earlier, were commanded by the soldiers to stay at a pathway while another civilian was forced to accompany the soldiers to a mining area. Valentin had not been seen and heard from since.</p> | | |

38. CASE NO. G-1354

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Undetermined number of street children | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Paid to distribute leaflets containing libelous statements against partylist groups and mass organizations) | | |
| Alleged Perpetrators | | |
| Maj. Benedict Manquiquis, Civil Military Operations, 4th ID PA | | |

| Summary Account of Incident |
|---|
| <p>May 1, 2007</p> <p>Freedom Park, Divisoria, Cagayan de Oro City</p> <p>Several street children distributed three sets of statements to participants of the Labor Day rally. The statements contained black propaganda and libelous accusations against five progressive partylist groups, namely Bayan Muna, Gabriela, Anakpawis, Kabataan and Suara Bangsa Moro and other people's organizations.</p> <p>The marshals of the rally confiscated the statements and asked the children where they came from. They pointed to a man standing nearby. When the marshals went after him, he tried to escape but he was eventually caught and brought to a police precinct for investigation. He initially refused to disclose his real identity but when he was told that no case will be filed against him, he identified himself as Maj. Benedict Manquiquis of the Civil Military Operations (CMO), 4th ID PA. He paid the children P10.00 to P20.00 and gave them candies in exchange for distributing the statements.</p> |

39. CASE NO. G-2047

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Liezel MENDOZA | 17 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accused as NPA member) | | |
| Illegal Arrest/Illegal Detention | | |
| Alleged Perpetrators | | |
| Elements of 19th IBPA led by Lt. Col. Lope Dagoy | | |
| Summary Account of Incident | | |
| <p>May 27, 2007</p> <p>Brgy. Tag-abaca, Leyte, Leyte</p> <p>Liezel Mendoza, who was four months pregnant, was at home when military elements arrested and brought her to a military camp in Brgy. Aguting, Kananga, Leyte. The army unit made her arrest public, alleging that she was a member of the NPA.</p> <p>Upon learning of her arrest, Liezel's parents and human rights group KARAPATAN sought the intercession of the DSWD for her release. She, however, remained in the custody of the military.</p> | | |

40. CASE NO. G-1348

| Name of Victim | Age | Gender |
|--|------------|---------------|
| George BUSTRELLO | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including a Child (Fired upon while riding a motorcycle) | | |
| Use of a Child (Forced to admit membership in the NPA and involvement in the 2007 raid of a police station while nursing wounds in the hospital) | | |

| |
|--|
| Frustrated Killing Threat/Harassment/Intimidation |
| Alleged Perpetrators |
| Policemen Nob & Sarauz of Danggagan Police, TSG. Roy B. Ochate (INF) PA of Military Intelligence Company & unidentified elements of Danggagan Police under the command of PSI Henry Panares |
| Summary Account of Incident |
| <p>July 1, 2007</p> <p>Brgy. Magsaysay, Kitaotao, Bukidnon and Bukidnon Provincial Hospital, Malaybalay, Bukidnon</p> <p>George Bustrello was riding a motorcycle on his way home together with his older brother Romeo and their friend Virgilio Elorde when two armed men believed to be elements of the military on board another motorcycle started shooting at the victims.</p> <p>Romeo was hit on the leg while George was hit on the hip and pelvis. Their friend was hit on the left underarm (the bullet passed through his abdomen and hit his intestine), right knee and left buttock. The gunmen immediately fled the scene. Police investigation revealed that the gunmen used a .45 caliber and a 9mm pistol.</p> <p>The victims were brought to the Bukidnon Provincial Hospital. The military and police intelligence manned the vicinity of the hospital. During confinement, they were interrogated and forced to admit that they were NPA members involved in the June 2007 raid of Danggagan Police Station. The victims' mother Norma Bustrello was also harassed and accused of being an NPA supporter.</p> <p>George and Romeo were discharged from the hospital on July 22 and 25, 2007, respectively. After his discharge on July 23, 2007, Virgilio was illegally detained at the Provincial Detention and Rehabilitation Center. Multiple charges for common crimes were filed against him only weeks after.</p> |

41. CASE NO. G-1504

| Name of Victim | Age | Gender |
|---|-------|--------|
| Ananghilda JUHASAD | 16 | F |
| Arumana JUHASAD | 13 | F |
| Abdul Matar JUHASAD | 11 | M |
| Almujil JUHASAD | 7 | M |
| Aljibir JUHASAD | 4 | M |
| Andil JUHASAD | 2 | M |
| Mardiya JUHASAD | 2 mos | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family, including Children, in Situation of Armed Conflict</p> <p>Use of Children (Interrogated, falsely accused and photographed as Abu Sayyaf members)</p> <p>Violation of Domicile</p> <p>Threat/Harassment/Intimidation</p> <p>Illegal Arrest/Illegal Detention</p> | | |

| |
|--|
| Alleged Perpetrators |
| Four elements of Scout Rangers, Philippine Army based in Camp Teodolfo Bautista |
| Summary Account of Incident |
| <p>August 19, 2007 Tulay, Zone 3, Jolo, Sulu</p> <p>Unidentified soldiers forced their way at dawn into the Juhasad house. At gunpoint, the victims, their eldest sister Mudzna and parents were interrogated and accused as Abu Sayyaf members. The soldiers ransacked the house in search of guns but failed to find any. The Juhasads were made to step out and put their names in the military list.</p> <p>Mudzna asked if the soldiers had a warrant and invoked their human rights. The soldiers said that for the AFP, there are no human rights. The children cried out of fear. The family including the minors were herded into a van and brought to the military camp in Jolo.</p> <p>At the camp, the family was photographed and again subjected to interrogation.</p> |

42. CASE NO. G-1555

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Sherina ISNIRANI | 15 | F |
| Santanina ISNIRANI | 14 | F |
| Sabrina ISNIRANI | 10 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family, including Children, in Situation of Armed Conflict (Accused as Abu Sayyaf family)</p> <p>Violation of Domicile</p> <p>Illegal Arrest/Illegal Detention</p> <p>Torture (Kept in a van with closed windows for an hour; shown knives to be used to cut off their heads; children were traumatized)</p> | | |
| Alleged Perpetrators | | |
| 60 Elements of Philippine Army, Task Force Comet under Maj. Gen. Reuben Rafael, 104th Bde, Joint Special Operations Force under Brig. Gen. Ruperto Pabustan | | |
| Summary Account of Incident | | |
| <p>August 19, 2007 Brgy. Tulay, Zone 3, Jolo, Sulu</p> <p>The Isnirani family was awakened at dawn when the door to their house was kicked open by three armed men in fatigues. The father was accused as Abu Sayyaf member. The men searched the house but did not find any weapons.</p> <p>The Isniranis and their neighbors were herded out of their homes and taken to a military camp on board a van. After a couple of hours, they were transferred to another van and transported to another place within the camp. The guards kept the van locked and all the windows closed. The engine was turned off and it became very hot inside. The victims cried and many felt like they were suffocating. They were ordered to stay inside the van for an hour without ventilation.</p> | | |

After a while, the soldiers told the victims that they should start digging their own graves. They were shown knives which the soldiers said would be used to cut off their heads and plastic bags where their heads would be placed.

The victims' mugshots were taken and then they were interrogated inside the camp before they were released. The children stopped schooling because of trauma.

43. CASE NO. G-1360

| Name of Victim | Age | Gender |
|--|-----|--------|
| Christopher DELA CARSADA | 12 | M |
| Cristobal DELA CARSADA | 10 | M |
| Jeremy PRANADA | 8 | M |
| Jenalyn PRANADA | 6 | F |
| Cristabel DELA CARSADA | 5 | F |
| Jeffrey PRANADA | 5 | M |
| Jefferson PRANADA | 1 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Military occupation of indigenous community) Occupation of School for Military Purposes Forced Recruitment (As CAFGU) Forcible Evacuation/Displacement | | |
| Alleged Perpetrators | | |
| Col. Molina, Lt. Velasquez, Lt. Guillermo, Lt. Lachama, Lt. Escudero & 20 elements of 16th IBPA and 59th IBPA | | |
| Summary Account of Incident | | |
| November 7, 12 and 17, 2007 and December 8, 2007 Sitio Baykoran, Brgy. Pagsangahan, General Nakar, Quezon About 20 military elements arrived at Sitio Baykoran, and stayed overnight at the sitio's Sentrong Paaralan ng Agta, a school for Dumagats. Two days later, they returned and again set up camp in the school. They held a community meeting where they coerced residents, including Dumagat youth, into signing up for the CAFGU. The soldiers said that those who will enlist would receive financial aid for their families, but if no one signs up, the soldiers would not leave the area. They also threatened the youth that their refusal to enlist would mean that they were NPA supporters. For fear of the military's continued presence, Totoy dela Carsada, Rudy Pranada and Freddie Fortunato, among others, agreed to train for the CAFGU. However, they soon quit after undergoing abusive training. They and their families were among those forced to leave their homes on December 8, 2007 to avoid the military. Their children were forced to stop schooling. They are now among the many internal refugees from various parts of Quezon. | | |

44. CASE NO. G-1910

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| Gina SARZONA | 14 | F |
| Analyn GALDIANO | 14 | F |
| Amor WAGDOS | 13 | F |
| 21 unnamed schoolchildren | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including Children (Military occupation of indigenous community) Occupation of School for Military Purposes Use of Children (Coerced to inform on their siblings; photographed entire classes of schoolchildren) Violation of Domicile (Stayed in houses of residents) Threat/Harassment/Intimidation Forced Evacuation (Children had to abandon schooling)</p> | | |
| Alleged Perpetrators | | |
| <p>Elements of 58th IBPA, led by Sgt. Basty Jandayon, under the command of Col. Francisco Mendoza</p> | | |
| Summary Account of Incident | | |
| <p>November 13-24, 2007</p> <p>Sitio Manluy-a and Sitio Emerald, Brgy. Diatagon, Lianga, Surigao del Sur</p> <p>On November 13, 2007 military elements arrived at the Manobo community. For two weeks, they stayed at residents' houses in Sitio Emerald and at the Manluy-a Tribal Filipino School.</p> <p>While classes were being conducted, soldiers were seen patrolling the campus, cocking their firearms and observing the teachers and students. Once Sgt. Basty Jandayon entered the classroom of fourth graders Gina, Analyn and Amor. He took pictures of the class and when the teacher asked him why, he said he just wanted to have a remembrance.</p> <p>He thereafter approached Analyn and said "You, you are the child of an NPA, right?" She was not able to answer because she was too scared to speak. Analyn's parents are both farmers and she had no idea why the soldier accused her of being the child of an NPA. In a sworn statement, Amor said that Sgt. Jandayon told her and the other students not to join the NPA.</p> <p>According to Gina, the soldiers asked for their names and about their subjects in school. Some soldiers who stayed at their house even asked to see their school notebooks and read what was written inside. The soldiers also had a drinking spree in their house. Gina said that she couldn't do her assignments and she couldn't eat because the presence of the armed soldiers made her feel very uncomfortable and distracted.</p> <p>Many affected families were forced to evacuate to the barangay gym and the children to abandon their schooling. The evacuees experienced hunger as the continued military presence prevented them from moving freely and attending to their farms.</p> | | |

45. CASE NO. G-1360 A

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Undetermined number of minors | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Called a community meeting to recruit for the CAFGU) Forced Recruitment Use of Children (Took photos and videos and made the children appear as NPA surrenderees) | | |
| Alleged Perpetrators | | |
| Lt. Guillermo, 59th IBPA Commanding Officer and elements of 59th IBPA | | |
| Summary Account of Incident | | |
| November 21, 2007 Sitio Baykoran, Brgy. Pagsangahan, General Nakar, Quezon Fully armed and uniformed military men called for a meeting where they asked all youth aged 15 to 20 to join the CAFGU. The youth were warned that if the CAFGU could not get new recruits from their sitio, this would mean that they were supporters of the NPA. Some youth were forced to join out of fear. At the training camp, using cellphones, the soldiers took photographs and videos of the youth. They were made to appear as NPA surrenderees. | | |

46. CASE NO. G-1486

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Muhalideen Sulaik HASSAN | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children in Situation of Armed Conflict (Accused of bombing a shopping mall) Illegal Arrest/Illegal Detention | | |
| Alleged Perpetrators | | |
| SPO2 Eduardo Gatela & three elements of PNP Kidapawan City | | |
| Summary Account of Incident | | |
| November 22, 2007 Kidapawan City, North Cotabato Two Moro youths Muhalideen Sulaik Hassan and Alex Tatukin Sanduyugan were accused of bombing the KMCC Shopping Mall in Kidapawan City where a baggage counter personnel was killed and eight others were injured. The two were in Rajamunda, Pikit when the explosion happened. They were on board a motorcycle on the way to Buliok National High School in Pikit to fetch Hassan's father who was the principal of the said school. After taking the older Hassan home, they proceeded to fetch Hassan's girlfriend who worked as merchandise promoter in KMCC. | | |

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The two were still far from KMCC when they were apprehended by the PNP and accused of being responsible for the bombing on the basis of a plastic baggage claim tag they found in Hassan's wallet. The PNP said that the tag's duplicate was on the package that exploded in KMCC.

Subsequent investigation by human rights groups revealed that Hassan's tag was for an umbrella, and that its duplicate was still in the possession of the mall management when the two were apprehended.

In the meantime, the Department of Justice (DOJ) presented suspects said to be involved in the series of bombings in Mindanao including the bombing of KMCC. These suspects turned witnesses denied that Hassan and Sanduyugan had anything to do with the bombing.

47. CASE NO. G-1873

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| Jovenel | 14 | M |
| Cristal SAGARAL | 12 | F |
| Cristopher SAGARAL | 10 | M |
| Cristine SAGARAL | 9 | F |
| Cristian SAGARAL | 8 | M |
| Cris SAGARAL | 7 | M |
| Crisjoy SAGARAL | 5 | F |
| Unnamed Child of Ricky Sagoral | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family (Children were terrorized while parents were away) | | |
| Recruitment of a Child (Used a known thief as guide and informant) | | |
| Use of Children (Accused as NPA and ordered to show their guns) | | |
| Torture (Ordered a speech-disabled child to squat then the nozzle of a gun was put inside his mouth) | | |
| Violation of Domicile | | |
| Divestment of Property (Stole family's chicken, eggs and knives) | | |
| Alleged Perpetrators | | |
| 17 elements of Regional Mobile Group (RMG), PNP Masbate | | |
| Summary Account of Incident | | |
| January 12, 2008 | | |
| Sitio Curvada, Brgy. Pasig, Claveria, Masbate | | |
| Farmer Ricky Sagoral left his eight children at home so he could fetch his wife Haidy who had just attended a regional summit on extrajudicial killings in Legaspi City. After Ricky left, 17 military elements entered their house. With them was Bertoldo Quilong-Quilong, 16, a known thief. The youth served as the military's guide and informer on civilians whom the NPA supposedly visited. | | |
| The military ransacked the Sagoral's house and threatened the children that they would be shot if they moved. They made the speech-disabled Cristopher squat and put the nozzle | | |

of a gun inside his mouth. The soldiers accused the children of being NPA members and ordered them to show their guns.

The children also saw the soldiers steal their family's three chickens, 42 eggs and the knives in the kitchen. All eight children were terrified, crying and trembling when their parents arrived home.

48. CASE NO. G-1471

| Name of Victim | Age | Gender |
|---|-----|--------|
| Joel BANTAYAN | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including a Child (Accused as NPA supporters and interrogated on the whereabouts of the NPA) | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of 103rd Division Reconnaissance and Task Force Raptor led by 2Lt. Dennis Tafalla & Cpl. Elpidio Caculba Jr. | | |
| Summary Account of Incident | | |
| January 24, 2008 | | |
| Brgys. San Agustin, La Filipina and Magdum, Tagum, Davao del Norte | | |
| At around 9:00 a.m., Joel Bantayan, Rudy Ambas, Roque Masyang, Jocelyn Eramis and five others were cutting bamboo when soldiers encircled them. One of the soldiers asked them if they were NPA supporters and where the NPAs were located. When Rudy answered that he did not know, a soldier hit him at the back with a rifle. After a while, gunfire was heard. Joel and the rest were able to run for safety while Rudy and Roque were held by the soldiers. When the gunfire stopped, the soldiers confiscated things allegedly left by the NPA, which were used later as evidence against Rudy and Roque. | | |

49. CASE NO. G-1992

| Name of Victim | Age | Gender |
|---|-----|--------|
| Gennivieve HISTORIA | 16 | F |
| Johinna GOAYNON | 14 | F |
| Lovely Joy SUGIHAN | 14 | F |
| Margielyn LONTE | 14 | F |
| Japhit Joy SUGIHAN | 13 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Interrogated on activities of a Lumad organizer for a partylist group) | | |
| Use of a Child (Told to inform on her father and his organization) | | |
| Alleged Perpetrators | | |
| T/Sgt. Jerry Batilo and two elements of the 26th IBPA, under Maj. Gen. Jose Barbieto of 4th IDPA and Col. Nonato Alfredo Peralta Jr., 403rd Bde CO, Philippine Army | | |

| Summary Account of Incident |
|---|
| <p>February 7-8, 2008</p> <p>Can-ayan, Malaybalay City, Bukidnon</p> <p>T/Sgt. Jerry Batilo and two military elements belonging to the 26th IBPA interrogated the victims, student-tenants of a boarding house in Brgy. Can-ayan. They were asked if they knew a certain Perfecto Goaynon and his involvement in the partylist Bayan Muna (People First) which the military tagged as a leftist group.</p> <p>Goaynon was a full-time Lumad organizer, chairperson of the Pigyayungaan, an organization assisting Lumads in Malaybalay City, and also actively involved in the electoral campaign of Bayan Muna in the 2007 elections.</p> <p>One of the tenants was Goaynon's daughter Johinna. All except her denied knowing Goaynon. She was then interrogated about her father, his occupation and his involvement in Bayan Muna. She said that her father was a farmer.</p> <p>The following day, Batilo and another soldier approached Marivic Sumosaw, another tenant, to fetch Johinna from her classroom. Johinna was again interrogated and was told to secure the names of Bayan Muna members and officials from her father.</p> |

50. CASE NO. G-1944

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Two children of Brgy. Kagawad Antonio AYUMEN | 10 & 13 | Not Specified |
| Newborn twins of Catalina TULINGEN | Not Specified | Not Specified |
| An undetermined number of children in the community | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on an Indigenous Community (Military occupation of indigenous community, including church and Brgy. Hall; curfew imposed, activities monitored and residents interrogated and houses searched; residents kept from tending rice fields and looking for food in the mountains)</p> <p>Use of School and Church for Military Purposes (Transformed into military camps with mortal cannons that fired day and night accompanied by aerial bombardments)</p> <p>Use of Children (Intimidated to open their house in search of guns and documents)</p> <p>Forced Labor (Used as porters in carrying military packs and supplies)</p> <p>Threat/Harassment/Intimidation</p> <p>Violation of Domicile</p> <p>Divestment of Property (Houses were looted and livestock slaughtered)</p> | | |
| Alleged Perpetrators | | |
| <p>300 soldiers under Lt. Dalven Abdul Rashid Avila and Lt. June Pedregosa of 50th IBPA and 503rd Bde PA</p> | | |

Summary Account of Incident

March 12 and 24, 2008 to April 2008

Pananuman, Tubo, Abra

On March 12, 2008, military troops composed of around 300 soldiers arrived in Pananuman to conduct military operations. The soldiers used the primary school, the Seventh Day Adventist church, and the dap-ay (indigenous socio-political center) as their camps.

A group of soldiers threatened the two children of Brgy. Kagawad Antonio Ayumen and told them that they would be placed inside a sack if they did not give the key to their house. The soldiers even told the children that their father was keeping guns and documents of the NPA. Severely traumatized, the children had to be transferred to another province. Ayumen was also accused of having connections with the NPA and was kept under close watch.

The soldiers conducted illegal searches in the houses of the residents and tricked them into believing that the searches were legal under the anti-terrorism law. Many of the houses were also looted, and some livestock of the residents were slaughtered by the soldiers for food without the owners' knowledge or permission.

The soldiers conducted aerial bombing operations for four days in the mountains of Pananuman. A mortar cannon was set up on a hill behind the houses of the residents and the church, and then later beside the primary school. Shells were fired both day and night, which the residents estimate to have numbered to 53.

Residents were terrified by the noise and were unable to eat and sleep properly. Children were especially affected, particularly the newborn twins of Catalina Tulingen who lived in a house near the community school. Most children woke up crying in the middle of night. Some of them suffered from fever, colds and asthma because of the powder from the artillery firing.

Curfew was imposed and the daily activities of the residents were closely monitored. They were prohibited from attending to their rice fields or kaingin and from gathering food from the mountains. They were also interrogated about the whereabouts of their family members while anyone not present in the community was immediately tagged as an NPA.

On March 24, 2008, elements of the 50th IBPA led by Lt. Avila reportedly had an encounter with the NPA. After which, Avila directed the residents to retrieve the body of a dead soldier. The children were also made to carry the packs and supplies of the military back to the community.

The military occupation lasted for more than a month. But even after the soldiers had left, the residents continued to experience hunger and economic instability since they were prevented from pursuing their livelihood. Many also suffered from disorders due to extreme fear and anxiety.

51. CASE NO. G-1875

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Dodong NUGAS | 17 | M |
| Gelly NUGAS | 13 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family, including Children (Manhandled adults and pointed guns at children and asked about the NPA) | | |
| Violation of Domicile | | |

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| Destruction of Property (Breaking window to enter the house) Divestment of Property (Stole cash and family's hen) |
| Alleged Perpetrators |
| PFC Alcalá, PFC Cervantes, PFC Somera, PFC Camero and 14 unidentified elements of 9th IBPA Bravo Coy |
| Summary Account of Incident |
| April 10, 2008 Sitio Malapingan, Brgy. Suba, Mobo, Masbate It was around 5:30 a.m. when Boboy Nugas, a farmer, was awakened by noises. He saw 18 military elements in front of his house beating up his nephew Dannyboy Verano in the presence of Nugas' wife. The soldiers called and asked him if he saw any NPA. They then proceeded to question all the occupants of the house, including the children Dodong and Gelly, about the whereabouts of the NPA, while pointing guns at them. The soldiers destroyed the window through which they entered the house. They ransacked it and stole the P10,000.00 cash that they found as well as one egg-laying hen. |

52. CASE NO. G-1859

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Jhunril DUMAGAN | 11 | M |
| Larra DUMAGAN | 10 | F |
| Lynlin OGSANG | 4 | F |
| Mika OGSANG | 2 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family (Terrorized children while parents were away) Use of Children (Forcing a speech-impaired child at gunpoint to show the alleged gun of his parents; molested a mother while her child is watching) Violation of Domicile Destruction of Property (Destroyed television and electrical appliances) Divestment of Property (Stole cash) Threat/Harassment/ Intimidation (Traumatized the children) | | |
| Alleged Perpetrators | | |
| PFC Alcalá, PFC Servantes, PFC Somera, PFC Camero and 14 other elements of Bravo Coy 9th IBPA | | |
| Summary Account of Incident | | |
| April 10, 2008 Sitio Malapingan, Brgy. Suba, Mobo, Masbate Larry and Josie Dumagan left their two children, one of whom was speech-impaired, under the care of their cousin-neighbor Mirafior Ogsang as the couple had errands to do. Minutes after they left, 18 military elements arrived at the house, entered it and questioned Ogsang where the Dumagans allegedly hid their gun. | | |

The soldiers then began to ransack the house supposedly in search of firearms and NPA. They destroyed the television and other electrical appliances, went through the cabinets, and threw the contents on the floor. They also stole the money in the amount of P300,000, which the Dumagans intended to use for their livelihood. They then pointed a gun at Jhunril, the speech-impaired child, and ordered him to show them where his parents' gun was. The child was severely frightened, shaking his head and trembling.

The soldiers also touched Ogsang's private parts. This was witnessed by her four-year old daughter Lynlin who was also petrified by fear. Guns were leveled at all the children, causing them to be severely traumatized.

53. CASE NO. G-1693

| Name of Victim | Age | Gender |
|--|-----|--------|
| Monica CARSER † | 13 | F |
| Monina CARSER | 12 | F |
| Cristine CARSER | 7 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family, including Children (Strafed a civilian house with gunfire while children were inside)</p> <p>Use of Children (Falsely branded dead child as NPA)</p> <p>Killing of a Child/Maiming of Children</p> <p>Desecration of Remains (Remains of the child and two others had no clothes on when brought to the funeral parlor)</p> | | |
| Alleged Perpetrators | | |
| Lt. Generoso Bulina, 1Lt. Guillermo, 2Lt. Rudy Valera and 4 other unnamed military elements of Alpha and Bravo Coy of the 16th IBPA, 202nd Bde, 2nd ID Philippine Army | | |
| Summary Account of Incident | | |
| <p>April 15, 2008</p> <p>Sitio Macalla, Brgy. Pagsangahan, Gen. Nakar, Quezon</p> <p>Soldiers strafed with gunfire the house of spouses Moises and Nerissa Carser which lasted for over an hour. Killed immediately were their daughter Monica, a visitor named Elisa N. Pera and an unidentified adult male. The couple's two other daughters Cristine and Monina were wounded as well as Nerissa and Rose Ann Gumanoy, another visitor.</p> <p>The soldiers immediately took custody of the wounded and took the bodies of those killed to a funeral parlor. They labeled Monica, a civilian, an NPA.</p> <p>The following day, human rights workers were initially denied entry to the funeral parlor by the soldiers. When allowed later, they were warned that they could not stay long and were prevented from conducting investigation. According to the staff of the funeral parlor, there were three bodies which were brought by the military, including that of Monica, and all three had no clothes on.</p> <p>When the human rights workers returned to the funeral parlor on another day, they were told that Monica's body had already been taken by the soldiers earlier that day and brought to another barangay.</p> | | |

54. CASE NO. G-2055

| Name of Victim | Age | Gender |
|--|-----|--------|
| Rico D. ESMERIA | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Coerced to inform on housemates and the NPA; abducted and used as guide in military operation; covered with ski mask to look like an informant) | | |
| Forced Labor (Used as porter in carrying military backpacks) | | |
| Abduction | | |
| Violation of Domicile | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Undetermined elements of 3rd Scout Rangers led by Col. Allan Pajarillo | | |
| Summary Account of Incident | | |
| April 15-19, 2008 | | |
| Brgy. San Ramon, Barcelona, Sorsogon | | |
| Rico Esmeria was having breakfast inside his house when military elements entered and trained their guns at him. They pulled a ski mask over his head and asked him where his housemates were. He replied that he did not know. The soldiers then made him carry their backpacks and took him with them on a military operation. Rico spent four days wearing the ski mask. On the fifth day he was taken to the military camp. The soldiers then removed his ski mask, untied and questioned him about the NPA. | | |
| On April 19, 2008, the soldiers took Rico to the PNP station where his uncle fetched him. Rico said that he was unable to sleep the entire time that he was in the custody of the military because he was afraid that he would be killed. | | |

55. CASE NO. G-1939

| Name of Victim | Age | Gender |
|--|-----|--------|
| Christina CABUGATAN | 14 | F |
| Obet BAYANI | 10 | M |
| Egay BAYANI | 6 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Accosted Lumad civilians and asked about the supply of rice and dried fish that they bought for the community and if their father had guns) | | |
| Use of a Child (Accosted a child tending a store if NPA had gone there and if her father had a firearm) | | |
| Torture (Hit with the handle of a bolo on right thigh) | | |
| Threat/Harassment/Intimidation (Threw a rifle on the counter to frighten a child) | | |
| Alleged Perpetrators | | |
| 19 elements of 28th IBPA | | |

| Summary Account of Incident |
|--|
| <p>May 2, 2008</p> <p>Sitio Bermuda, Brgy. Mangayon, Compostela, Compostela Valley</p> <p>Lumad siblings Obet and Egay Bayani together with Uraya Mansayloan and Ewan Solinay went to the town center to buy two sacks of rice and four kilos of dried fish for the community's consumption. On their way home that afternoon, military elements blocked their path and asked them if the supplies were for the NPA. The soldiers also showed their guns and asked Obet if his father had one.</p> <p>When he replied in the negative, the soldier yelled at him that he should not lie and grabbed his right shoulder and ear. Witnessing this, the younger Egay panicked and ran towards their house. The soldier once again told Obet to be honest. When he did not respond, the soldier took the bolo hanging from his waist and hit him with the bolo's handle three times on the right thigh.</p> <p>Meanwhile, at around 10:00 a.m., Christina Cabugatan was tending to their sari-sari store when three soldiers arrived and bought junk food. Two of the soldiers left. The one left behind asked her if there have been any NPA buying softdrinks from the store. Christina asked if that would be a problem. The soldier said that he had been informed that NPA passed by the store days before. He threw his rifle angrily at the store counter, causing it to break. Then he asked Christina if she was not afraid of the firearm and if her father had something like it.</p> <p>At about 11:30 a.m., two of the soldiers returned to the store and told Christina that there is perhaps a room in the store where NPA are hiding. Christina stepped outside and challenged the soldiers to look for NPA inside. But instead of going inside, the soldiers slept at the bench in front of the store until 3:00 p.m.</p> |

56. CASE NO. G-2062

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Elpidio Curot CORGIO Jr. | 16 | M |
| Genebeth Curot CORGIO | 10 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted and bribed to inform on the whereabouts of the NPA or where they hid their guns) | | |
| Threat /Harassment/Intimidation (Threatened with harm and told that they had been taught well by the NPA) | | |
| Alleged Perpetrators | | |
| 40 elements of 28th IBPA | | |
| Summary Account of Incident | | |
| <p>May 15, 2008</p> <p>Brgy. Ngan, Compostela, Compostela Valley</p> <p>Siblings Elpidio and Genebeth Corgio were pulling logs when heavily-armed soldiers came by. They asked the children if any members of the NPA were in the area, bribing them first with P100, and then with P500. The soldiers then followed the children as they walked, continuously forcing them to say where the NPA were. The soldiers also asked the children where they hid their guns and threatened that if they, the soldiers, saw anything, they will</p> | | |

come back for the victims. The soldiers commented that the children had been taught well by the NPA on how to answer questions and accused their father of being an NPA. The children denied the accusation.

57. CASE NO. G-2017

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Joemar BINANING | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and falsely accused as NPA) Torture (Punched, kicked, slapped, shot at close to his feet and handcuffed) Illegal Arrest/Illegal Detention Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| A certain Tamay and 2 other CAFGUs and 3 Scout Ranger elements of 67th IBPA | | |
| Summary Account of Incident | | |
| June 8, 2008 Poblacion, Brgy. Binondo, Baganga, Davao Oriental At past 3:00 p.m., Joemar Binaning had just finished helping his uncle cut bamboo grass and was returning home when he was accosted by soldiers and other CAFGUs. He was asked what he was doing in the place and whether he was a member of the NPA. He answered that he was a student. Refusing to believe his answer, a CAFGU punched him in different parts of his body. The soldiers took him to the army detachment and threatened to turn him into “corned beef” if he did not tell the truth. One of the soldiers kicked his abdomen and pointed a rifle at him. Another soldier shot the ground closest to his feet. He was interrogated, slapped, handcuffed and repeatedly accused of being an NPA member and of attending its seminars. At 6:00 p.m., another soldier approached Joemar and forcibly handcuffed him. Again, he was asked if he was a member of the NPA. He was released at around 7:15 p.m. | | |

58. CASE NO. G-2014

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Roxan MACUSANG | 16 | F |
| Freddie More MACUSANG | 13 | M |
| Kelvin Jay MACUSANG | 5 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted in their own home and accused of letting the NPA sleep in their house) Threat/Harassment/Intimidation (the experience traumatized the children) Violation of Domicile | | |

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| Alleged Perpetrators |
| 30 elements of 28th IBPA and CAFGU led by Lt. Col. Ferdinand Budin and CAFGU Baca Seballios and Felix Erwila |
| Summary Account of Incident |
| June 15, 2008 Brgy. Camansa, Montevista, Compostela Valley Soldiers went to the Macusangs' residence and accused the victims Roxan, Freddie More and Kelvin Jay of letting NPA sleep in their house. When the eldest Roxan denied it, the soldiers called her a liar. Without showing a warrant, the soldiers searched the house. When they found nothing, they proceeded to interrogate the victims. Afterwards, six of the soldiers went back inside the house and returned with an empty fatigue-colored backpack. They showed the bag to Roxan and alleged that it was owned by an NPA member. Again, the soldiers interrogated the victims. The children were shaken and terrified by the experience. |

59. CASE NO. G-2172

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Khemberlou POQUITA | 14 | F |
| Krizia Mae POQUITA | 9 | F |
| Rocel POQUITA | 7 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted in their own home and told to tell their mother to stop joining rallies; asked if there was a rifle in the house) | | |
| Alleged Perpetrators | | |
| Elements of 28th IBPA | | |
| Summary Account of Incident | | |
| June 22, 2008 Purok 11, Cabinuangan, New Bataan, Compostela Valley Siblings Khemberlou, Krizia Mae and Rocel were in their house preparing snacks for the participants of a purok meeting in their community. Two soldiers arrived at the house and asked the siblings where their parents were. The soldiers also told Krizia Mae to tell her mother to stop joining rallies in Davao City. She was also asked if she wants to be an NPA when she grows up and if there was a rifle in the house. | | |

60. CASE NO. G-2019

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Khemberlou POQUITA | 14 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family, including a child (Accosted in their own home; questioned a child on whereabouts of her activist mother; threatened that the whole family is in the military's Order of Battle) | | |

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|---|
| Alleged Perpetrators |
| Lt. Col. Fernando Budin, Lt. Wendel Ariola and five other elements of 28th IBPA under 1001st Bde |
| Summary Account of Incident |
| <p>July 17, 2008</p> <p>Poblacion, New Bataan, Compostela Valley</p> <p>Early in the morning, Meriro Caro Poquita, chairperson of the Concerned Citizens for People's Rights in New Bataan left her house on an errand. Left behind in the house were her husband Cirilo, son Jason and daughter Khemberlou. Soon after, military elements arrived and questioned them about Poquita's whereabouts.</p> <p>The soldiers said that the entire family was in the military's Order of Battle. They also demanded that Khemberlou's mother report to the army camp that same day because she was accused as an NPA sympathizer and supporter by Lt. Col. Budin, in view of her active involvement in the human rights organization KARAPATAN.</p> |

61. CASE NO. G-2173

| | | |
|---|------------|---------------|
| Name of Victim | Age | Gender |
| Bernie IB-IB | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including a Child (Accosted in their own home and interrogated on whereabouts of the NPA)</p> <p>Violation of Domicile</p> <p>Threat/Harassment/Intimidation (Pointed an M203 at the child)</p> | | |
| Alleged Perpetrators | | |
| 30 elements of 28th IBPA and CAFGUs led by Lt. Paran | | |
| Summary Account of Incident | | |
| <p>July 25, 2008</p> <p>Sitio Lubog, Brgy. Ngan, Compostela, Compostela Valley</p> <p>Farmer Vergil Ib-ib and his brother Bernie were fixing the roof of their house when military elements arrived. Without warning, four of the soldiers went up the house and kicked the tent which formed the house's makeshift roof. Two others went inside the room where Vergil's wife was tending to their eight-month old baby and proceeded to ransack the room and other parts of the house in search of firearms. When they found nothing, the soldiers went downstairs and interrogated Vergil.</p> <p>The soldiers then took the brothers to a forested area two kilometers from the house. The soldiers kept questioning them about the NPA, and aimed an M203 rifle at Vergil.</p> <p>The brothers were allowed to leave three hours later with a warning that the soldiers would come back and would not allow them to escape the next time.</p> | | |

62. CASE NO. G-2068

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Jeric A. CORTES | 13 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians (Community residents were required to attend a meeting and told that the community had been tagged a Red Flag area) | | |
| Use of a Child (Interrogated on the whereabouts of father) | | |
| Alleged Perpetrators | | |
| One Platoon of the 36th IBPA, led by Cpl. Montemayor and Lt. Galet and a certain Bubong, a military asset | | |
| Summary Account of Incident | | |
| August 5, 2008 | | |
| Cogonon, Brgy. Salvacion Trento, Agusan del Sur | | |
| Jenevieve Cortes, a member of the Tabinggwangan Farmers Association (TAGWAF), attended a meeting in the morning called by the military. The soldiers told the residents that the community had been tagged as a Red Flag area, and that there was a list of names of residents sympathetic to the NPA. They said that they already knew who the NPA supporters were, and that if the residents had any relatives in the NPA, they should tell these relatives to surrender so the government can help them either put up a small business or undergo training to become soldiers. They also called on the "NPA sympathizers" to clear their names with the military within three days. | | |
| During the open forum, the military said that residents should not run away if they meet soldiers, because if they do, they would be shot, and that they would not hesitate to shoot at houses of civilians if there were NPA inside. | | |
| In the evening, the military, accompanied by their informer, went to the Cortes' residence and interrogated Jenevieve's son Jeric for an hour about his father's whereabouts. | | |

63. CASE NO. G-2183

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Stephanie MULATO | 11 | F |
| Rosell MULATO | 7 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family (Suspected as NPA supporter) | | |
| Use of Child (Interrogated seven-year old on whereabouts of mother) | | |
| Threat/Harassment/Intimidation (Child was separated from mother so the latter could be interrogated) | | |
| Violation of Domicile | | |
| Alleged Perpetrators | | |
| Seven elements of 28th IBPA and a certain "Manaay," a CVO paramilitary | | |

| Summary Account of Incident |
|---|
| <p>August 21-22, 2008</p> <p>Purok 7, Sitio Lubgan, New Bataan, Compostela Valley</p> <p>Military elements went to Margina Mulato's house and questioned her seven-year old daughter Rosell about her whereabouts. Rosell was alone in the house that time. The soldiers asked for a picture of her mother but Rosell said that she had none.</p> <p>The following day, military elements again went to the house and told Margina to go with them to the detachment. She initially refused but later decided to go upon the advice of a barangay official. Her 11-year old daughter Stephanie accompanied her to the detachment. While there, a female soldier took her daughter away while Margina was being interrogated. She was accused of being a "collector" for the NPA and also a supporter and member of the NPA. She and Stephanie were allowed to leave after signing a paper, the contents of which she was not allowed to read.</p> |

64. CASE NO. G-2676

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Gerald Pilod PABLEO | 13 | M |
| Erwin Pilod PABLEO | 12 | M |
| Gemma Pilod PABLEO | 9 | F |
| Mary Joy PABLEO | 6 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including Children (Indiscriminate gunfire at a civilian's house)</p> <p>Use of Children (Falsely accused as NPA)</p> <p>Violation of Domicile</p> <p>Illegal Arrest/Illegal Detention</p> | | |
| Alleged Perpetrators | | |
| Elements of 11th IBPA and PNP led by 2Lt. Reynaldo Cañete | | |
| Summary Account of Incident | | |
| <p>January 25, 2009</p> <p>Brgy. Panubigan, Canlaon City, Negros Oriental</p> <p>The Pableo family along with some visiting relatives was inside their house when a burst of gunfire was heard. Gerald heard a shout from outside ordering them to turn on the lights. He saw his mother stand up to light the kerosene lamp. As she did so, the firing started again and she was hit on the left breast. Erwin saw his father drop to the ground to cover his sister Gemma and his niece, Mary Joy.</p> <p>When the gunfire ceased, the children were screaming and crying for help. Gerald saw several military men enter their house and search their belongings. One soldier placed a gun near the head of their relative Felix Remobatak who was already dead.</p> <p>Gerald asked the soldiers for help since his mother was wounded. One of the soldier told him "no more mercy, boy, because you are dumb for you are NPA". None of the soldiers gave any medical attention to the child's mother who died after agonizing for several hours.</p> | | |

The military subjected the victims to interrogation. The adults and Gerald were later brought to the PNP Station where the interrogation continued. Gerald was brought back home by a policeman the following day.

65. CASE NO. G-2589

| Name of Victim | Age | Gender |
|---|-----|--------|
| Armando SATENYAMAN | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and falsely accused as NPA) Torture (Manhandled to inform on location of NPA camp) Threat/Harassment/Intimidation Illegal Arrest/Illegal Detention | | |
| Alleged Perpetrators | | |
| 15 elements of the 79th IBPA under the command of Lt. Arvin Dugho | | |
| Summary Account of Incident | | |
| <p>January 31, 2009</p> <p>Sitio Hunob, Brgy. Nagbinlod, Sta. Catalina, Negros Oriental</p> <p>On his way to his uncle's farm, Armando saw the soldiers milling around the house of his uncle. They whisked him aside and interrogated him on the location of the NPA camp, threatening him with death if he did not confess.</p> <p>Some of the soldiers brought him further off and continued with the interrogation. Moments later, they brought him back to the rest of the group then to the back of his uncle's house where 15 soldiers surrounded him at gunpoint. As the interrogation went on, the soldiers' commanding officer repeatedly hit Armando on the head and cheeks. Another soldier pulled out a knife and ordered him to hold its handle. When Armando refused, he punched the victim and stuck the knife at his neck.</p> <p>After two hours of torture, the soldiers ordered Armando to bring the rope of his snare. He immediately ran off and when he was a hundred meters away, he darted off to the woods and stayed hidden for almost two hours. Later, he saw the soldiers pass by with a man whose hands were tied behind his back.</p> | | |

66. CASE NO. G-2304

| Name of Victim | Age | Gender |
|--|-----|---------------|
| Richelyn LOZANO | 15 | F |
| [Children of Margie and Rogelio Moreño]: | | |
| Angeline MOREÑO | 12 | F |
| Micky MOREÑO | 10 | M |
| Angelimar MOREÑO | 8 | Not Specified |
| Nicky MOREÑO | 4 | M |
| Nico MOREÑO | 2 | M |

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|---|----|---------------|
| [Children of Ronilo Balsemo]: | | |
| Ronil BALSEMO | 8 | M |
| Jonil BALSEMO | 7 | M |
| Judil BALSEMO | 5 | Not Specified |
| Em-em BALSEMO | 2 | Not Specified |
| [Children of Ronita and Reneboy Moreño]: | | |
| Ronel MOREÑO | 14 | M |
| Angeline MOREÑO | 13 | F |
| Warren MOREÑO | 10 | M |
| Eduardo MOREÑO | 9 | M |
| Charmaine MOREÑO | 7 | F |
| Jasmin MOREÑO | 5 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on 3 Civilian Families, including Children (Suspected as NPA supporters)</p> <p>Use of Child (Falsely accused as NPA; ordered to pose for pictures while holding a gun and a red flag with hammer and sickle emblem; presented to the media)</p> <p>Threat/Harassment/Intimidation</p> <p>Violation of Domicile</p> <p>Illegal Arrest/Illegal Detention</p> | | |
| Alleged Perpetrators | | |
| 13 elements of 11th IBPA led by 2Lt. Sonny A. Pabro | | |
| Summary Account of Incident | | |
| <p>February 2, 2009</p> <p>Sitio Asaran, Brgy. Buenavista, Himamaylan City, Negros Occidental</p> <p>At about 6:00 a.m., spouses Margie and Rogelio Moreño were having breakfast together with their children Angeline, Micky, Angelimar, Nicky, Nico and relatives Richelyn Lozano and her boyfriend Budok Belando when military elements arrived at their house.</p> <p>Richelyn, Rogelio and Budok were ordered to go out and brought to a vacant lot nearby and interrogated. The soldiers accused them of being NPA members.</p> <p>While the three were being interrogated, two military men forcefully entered the house and conducted a warrantless search. They later told Margie that they found one magazine of an M-16 with five live bullets. Margie immediately denied that the ammunition belonged to them.</p> <p>At around 8:00 a.m. of the same day, some soldiers entered and searched the house of Ronilo Balsemo. His children Ronil, Jonil, Judil were frightened and scampered for safety leaving behind their youngest sibling Em-em who was crying.</p> <p>When Ronilo arrived at around 9:00 a.m., he found his belongings scattered and the soldiers still inside his house. He was immediately questioned about two pistols which the military claimed to have found in his house. When he denied possession of the guns, he was hit with the butt of an armalite. Ronilo was later brought to the house of the Moreños.</p> <p>The military forcibly ordered Rogelio, Richelyn, Budok and Ronilo to pose for pictures while holding the guns allegedly found in their homes.</p> | | |

At around 10:00 a.m., Ronita and Reneboy Moreño were at home with their six children, namely, Ronel, Angeline, Warren, Eduardo, Charmaine, and Jasmin, when six military men arrived. They were accused of allowing the NPA to use their house as a meeting place. Two soldiers entered the house without their consent and searched inside. They found a shotgun which Reneboy uses to hunt for wild pigs. He was immediately brought to the house of Rogelio Moreño where the others were still being detained.

At around 12:00 noon, several soldiers went to a nearby grassy land and when they came back, they said that they found a red flag with a hammer and sickle on it, a damaged handset radio, and some documents.

The interrogation of the victims who were all members of the Kapisanan ng Mangunguma sa Buenavista, affiliated with the Kilusang Magbubukid ng Pilipinas, continued until 4:00 p.m. When the soldiers left, they took Richelyn, Budok, Rogelio, Ronilo and Reneboy with them. They were subsequently brought to a military detachment in Himamaylan City.

The next day, they were brought to the City Prosecutor's office and were charged with rebellion, insurrection or sedition and illegal possession of firearms. They were presented to the media and were again photographed while holding the red flag with the hammer and sickle emblem and with the firearms allegedly found in their possession.

67. CASE NO. G-2398

| Name of Victim | Age | Gender |
|--|-----|--------|
| Mariel ALIBANG | 15 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Recruitment (Use as military asset and paid informer) | | |
| Alleged Perpetrators | | |
| A certain Rommel Dalisen, John Lee, Caguioa, Jet, of the 50th IBPA | | |
| Summary Account of Incident | | |
| February - May 2009 Mankayan, Benguet From February to May 2009, military elements used Mariel Alibang to gather data on and monitor members of the progressive organization Kilusang Mayo Uno (KMU). She was given the amount of at least P600 for allegedly cooperating with the military. | | |

68. CASE NO. G-2514

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Undetermined number of children and minors | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Military Occupation of a Civilian Community for Eight Months (Encamped in residential houses and barangay hall; Food blockade was instituted and movements of residents were restricted) Use of School and Day Care Center for Military Purposes Recruitment (To CAFGU thru drinking sessions) | | |

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| Use of Children (Asked to sing revolutionary songs to insinuate that the community support the NPA) Threat/Harassment/Intimidation |
| Alleged Perpetrators |
| Elements of 41st IBPA, Alpha, Bravo & Charlie Coy led by Lt. Limuel Jimeno |
| Summary Account of Incident |
| February 14-September 2009 Talampac, Lacub, Abra From February to September, more than 100 military elements conducted “clearing operations” in Brgy. Talampac. They encamped in the barangay hall and several residential houses but most of the soldiers were camped outside residential areas within the territory of the village. They performed menial construction works for the village and conducted house-to-house surveys and film-showings about the “evils of communism”, tagging some progressive organizations as “terrorists”. The soldiers’ occupation of the barangay hall, which serves as a day care center, forced the children to hold classes in their teacher’s house. The soldiers also asked the children to sing revolutionary songs for them to insinuate that the community or the families of the children supported or sympathized with the NPA. The residents were required to secure safe conduct passes before they could leave for their small-scale mining tunnels, fields and hunting grounds. They were also prohibited from using flashlights at night because according to the military, the NPAs use flashlights. The residents were instead made to use pinewood to indicate that they are civilians. In violation of a local ordinance, the soldiers engaged in drinking sprees, during which they invited young men and convinced them to join the military or the CAFGU and to allow mining corporations to operate in their communities. Because of the unwanted military presence and the undue restraint on their livelihood activities, the residents’ supply of water, food and other resources were depleted. |

69. CASE NO. G-2550

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Jerlyn TERC | 17 | F |
| Pelmar TERC | 17 | M |
| Emy TAÑO | 16 | F |
| Elsie PERALES | 16 | F |
| Mary Ann TERC | 14 | F |
| Genesis TERC | 11 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilian Communities (Indiscriminate aerial bombardment) Use of Civilians, including Children in Military Operations as Guide and/or Shield Use of Children (Accosted in a house and accused as NPA members; Forced to sign a document which they were not allowed to read) | | |

| |
|---|
| Alleged Perpetrators |
| 14 elements of 29th IBPA under the command of Col. Benedict Arevalo and Lt. Ricardo Naguiat |
| Summary Account of Incident |
| <p>February 22, 2009</p> <p>Upper Poblacion, Brgy. Lipa, Quezon, Bukidnon</p> <p>At around 7:00 a.m. on February 22, 2009, an armed encounter took place between elements of the 29th IBPA and the NPA. The military then aerially bombarded Brgy. Lipa for two days as part of their "clearing operations." This caused 208 families including 481 children to evacuate from their homes.</p> <p>Pablito Sab, a barangay official was watching the military planes and was busy using his cellphone when soldiers headed by Lt. Naguiat arrived and confiscated his phone. When they saw a text message telling the recipient not to go to that place, they suspected that Sab was an NPA. The soldiers held Sab until they found someone who could attest to the fact that he is indeed a civilian. Farmer Primo Limboran was asked to identify Sab but the soldiers did not believe him. The soldiers also took Limboran with them.</p> <p>At around 11:00 a.m. they arrived outside the house of farmer Bernie Pareja who was at the time with the six named victims. Naguiat motioned for the victims to come near but they hesitated because of fear. Limboran begged the victims to do as the soldiers said. All the victims were forced to accompany the soldiers and they walked for about four kilometers.</p> <p>Once they stopped, the soldiers started interrogating the victims. They were accused of being NPA and they were forced to sign a document which they were not allowed to read. Even after the victims signed, they were not released. The victims were able to flee the area only after an exchange of gunfire ensued between the soldiers and an unidentified armed group.</p> |

70. CASE NO. G-2408

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Ocampo ADLAWAN | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians including a Child (Accosted while farming and forced to admit as NPA) Use of Civilians, Including a Child, in Military Operations as Guide Torture (Poked the child's neck with farming knives) Forced Labor (Compelled to carry the soldiers' bags) Illegal Arrest/Illegal Detention Threat/Harassment/Intimidation Divestment of Property (Ate victims' lunch and seized their farming tools) | | |
| Alleged Perpetrators | | |
| 60 elements of 25th IBPA | | |

| Summary Account of Incident |
|---|
| <p>March 30, 2009</p> <p>Sitio Puting Bato, Brgy. Ngan, Compostela, Compostela Valley</p> <p>While farmers Ocampo Adlawan, Winnie Eskol and Danny Tomana were tilling their farm, a group of about 60 soldiers arrived. They aimed their rifles at the three and asked if they were members of the NPA. The soldiers then separated them and continued with their interrogation. They took the victims' farming knives and poked these at their necks. They ate the victims' packed lunch. They also stripped off their boots and shirts and looked at their bodies, saying that they have broad shoulders "like the NPA."</p> <p>Winnie was blindfolded and felt the blade of his knife at his neck. He cried, pleading with the soldiers. Ocampo was threatened that he would be killed and buried using their own knives and shovels. When he begged the soldiers to stop poking Winnie, he was scolded and a knife was rubbed on his head.</p> <p>Afterwards, the soldiers forced the victims to guide them through the village and ordered Ocampo to carry their bags. The soldiers warned that if they (the soldiers) were attacked by the NPA, they would come back for the victims. The soldiers detained them until they were finished eating lunch.</p> |

71. CASE NO. G-2410

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| 750 unnamed Ata-Manobo children including 10 accused as children of the NPAs | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Community (Indiscriminate aerial bombardment of an Ata-Manobo community including 750 children)</p> <p>Use of Children (Falsely accused 10 children as children of NPAs)</p> <p>Illegal Search</p> <p>Destruction of Property</p> <p>Forcible Evacuation/Displacement</p> | | |
| Alleged Perpetrators | | |
| 30 composite units of 60th IBPA and 3rd SFB | | |
| Summary Account of Incident | | |
| <p>April 2009</p> <p>Sitio Sambolangan, Brgy. Palma Gil, Talaingod, Davao del Norte</p> <p>The military conducted operations and made searches in the Lumad community of Sitio Sambolangan, constantly asking the villagers about the whereabouts of the NPA.</p> <p>In an encounter with the NPA on April 14, 2009, a helicopter dropped three bombs at a nearby village. The residents' ricefields were hit, sending 10 children playing outside to run for cover. The soldiers accused them of being children of the NPAs.</p> <p>The military operations forced at least 300 families to evacuate to another sitio.</p> | | |

72. CASE NO. G-2781

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Levy John PALENCIA | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted in their farm and forced to admit at gunpoint that his father was an NPA member) Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Seven elements of 47th IBPA | | |
| Summary Account of Incident | | |
| June 26, 2009 Sitio Agbariri, Brgy. Bungsuan, Dumarao, Capiz Levy John was at their farm near their house when two soldiers who were passing by called him. When the boy went near them, the soldiers pointed their rifles at him and ordered him to approach their officer who was some 20 meters away. The boy initially refused because he had to look after his two younger siblings but he was forced to do as they said. At gunpoint, the officer told him to admit that his father was a member of the NPA. | | |

73. CASE NO. G-2525

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Christian BANGUNAN | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Recruitment (CAFGU member) | | |
| Alleged Perpetrators | | |
| Elements of 77th IBPA | | |
| Summary Account of Incident | | |
| June-July 2009 Dalican, Bontok, Mt. Province Sometime in June 2009, military elements recruited Christian Bangunan, an out-of-school youth, to join the CAFGU training in Gamu, Isabela for 48 days. Upon completing the said training, he was formally recruited as a member of the CAFGU which operates in the Mountain Province. | | |

74. CASE NO. G-2455

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Junel S. TIONG | 12 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Accosted and tortured)</p> <p>Torture (Hit with rifle butt and threatened with death in order to inform on his uncle who was being accused and tortured as NPA)</p> <p>Cruel, Inhuman and/or Degrading Treatment or Punishment (Hit with rifle butts and threatened with death to inform on his uncle who was being accused and tortured as NPA; ordered to jump in the hole of two old toilets while a grenade was put on top of the hole)</p> | | |
| Alleged Perpetrators | | |
| Elements of 26th IBPA under the 4th ID | | |
| Summary Account of Incident | | |
| <p>July 4, 2009</p> <p>Purok 15, Sitio Maut, Brgy. San Jose, Monkayo, Compostela Valley</p> <p>Junel Tiong and his relatives were hiking towards Sitio Maut to search for a carabao. Junel went ahead of the others riding a horse. When he passed soldiers along the road, they ordered him to come near. But when he came near them, the soldiers walked to the direction of a waiting shed nearby and left him.</p> <p>Junel then proceeded to the farmhouse of his uncle Alvin Lopez, which was only about five meters away from the waiting shed. A soldier whistled at him, beckoning him to come back to the waiting shed. Junel was then told to go to the lower part of the hill and stand before a tree. He did so alone while the soldiers looked on. He was about three meters away from the tree when he saw Alvin being guarded by five soldiers. Alvin's head and mouth were wrapped in a cloth and his hands tied behind his back. A soldier asked Junel if he knew the man and if he is an NPA. He answered that it was his uncle who is a farmer, not an NPA.</p> <p>Later, Junel was commanded to go back to the waiting shed. There, the other soldiers hit him at the nape with the butt of their rifles, inserted the muzzle of an M203 grenade launcher inside his mouth, and held a knife to his neck. They also forced him to jump into the holes of two old toilets. Then a soldier hung a grenade through the hole while Junel was inside. He was also bitten by ants.</p> <p>Moments later, Junel's mother and relatives arrived, saw him crying and covered with mud while the soldiers stood nearby. They denied having done anything to him.</p> | | |

75. CASE NO. G-2647

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Remy "Jun-Jun" DIGAYNON, JR. | 2 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Military Occupation of Civilian Community (Private residences and basketball court)</p> <p>Harassment of a Civilian Family (Suspected of having an NPA member)</p> <p>Use and Occupation of School for Military Purposes</p> | | |

| |
|---|
| Use of a Child (Used as hostage to force his suspected NPA-mother to come down and surrender) |
| Forcible Evacuation/Displacement |
| Alleged Perpetrators |
| Elements of 67th IBPA and RSOT under 67th IBPA led by Lt. Cruz, Lt. Bobong Bragona and Sgt. Marquez |
| Summary Account of Incident |
| <p>July 2009 - March 5, 2010</p> <p>Sitio Cog, Brgy. Mahan-ub, & Sitio Lukod, Brgy. Fortune, Baganga, Davao Oriental</p> <p>In July 2009, military elements started occupying the Cog Elementary School as their temporary camp, as well as houses of residents and the basketball court.</p> <p>A group of soldiers went to the Digaynon residence. They took farmer Remy Digaynon and his brother-in-law Pampilo Japitan to their camp. They interrogated them about the whereabouts of Digaynon's children whom they accused as NPA. When they denied having knowledge of them, the soldiers said that they could kill them and would make them attend their "pulong-pulong" or meeting.</p> <p>The soldiers kept on hanging around the Digaynon's residence. They suggested to Remy's wife Angelita to bring their two year-old grandson Jun-jun to the hospital and pretend that he is sick, so that their daughter (Jun-jun's mother) would come down and surrender.</p> <p>Angelita did not heed the suggestion. Angered, the soldiers forced the victims to close down their small store, alleging that it only supports the NPA in the area. As a consequence, the goods inside the store were spoiled and wasted.</p> <p>The series of harassments prompted the victims to move to another barangay. But the soldiers did not stop hounding them.</p> <p>On March 5, 2010, a group of soldiers led by Lt. Bobong Bragona went to the victims' new house and insisted that they return to their community and help them make Jun-jun's mother surrender. Fed up, Angelita angrily shouted at the soldiers about her rights. Lt. Bragona apologized and told Angelita that they would not come back. However, before the soldiers left, Angelita heard them say, "Sige lang, dong..." ("Go on, kid") and saw them give Jun-jun a knowing look. Angelita took this last statement as a threat against the child.</p> |

76. CASE NO. G-2558

| Name of Victim | Age | Gender |
|---|-----|--------|
| Jackelyn GUYO | 17 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted inside her home; accused of having an NPA boyfriend; and questioned on her father's membership in the NPA) | | |
| Violation of Domicile | | |
| Threat/Harassment/Intimidation | | |
| Destruction of Property (Smashed a container holding corn seeds) | | |
| Alleged Perpetrators | | |
| Elements of Scout Rangers and 25th IBPA | | |

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| Summary Account of Incident |
|---|
| <p>September 10, 2009</p> <p>Sitio Ayan Kamarin, Brgy. Napnapan, Pantukan, Compostela Valley</p> <p>During military operations in their area, a soldier entered Jackelyn's house and interrogated her. The soldier accused her of having a boyfriend who is an NPA member and also questioned her about her father, asking if he was a member of the NPA.</p> <p>Jackelyn vehemently denied the soldier's allegations. Before leaving, the soldier smashed a container of corn seeds and scattered its contents. He alleged that the NPA had hidden their bullets among the corn seeds.</p> |

77. CASE NO. G-2574

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Decederia BIGNO | 13 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and interrogated on the whereabouts of the NPA) | | |
| Alleged Perpetrators | | |
| 20 elements of Alpha Coy 79th IBPA, 302nd Bde PA led by 1Lt. Arvin Dugho | | |
| Summary Account of Incident | | |
| <p>November 1, 2009</p> <p>Sitio Halway, Brgy. Nagbinlod, Sta. Catalina, Negros Oriental</p> <p>Soldiers led by 1Lt. Dugho interrogated Decederia who was in a neighbor's house, about the whereabouts of the NPA. While being questioned, Decederia noticed that three of the soldiers sneaked to the back of their house. After the interrogation, gunshots filled the air.</p> | | |

78. CASE NO. G-2737

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Wilson BUCAL | 17 | M |
| Joecel BAUTISTA | 16 | M |
| Gilberto LIMBOC | 16 | M |
| Eugene SEVILLA | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Recruitment (Coerced children to join CAFGU) | | |
| Alleged Perpetrators | | |
| Elements of the 730th Combat Group Philippine Air Force headed by Lt. Col. Incognito and elements of 16th IBPA | | |

| Summary Account of Incident |
|--|
| <p>February-September 2010</p> <p>Brgy. Calayo, Hacienda Looc, Nasugbu, Batangas</p> <p>Military elements brought minors to their camp to undergo military training. They enticed these minors to join the CAFGU by offers of scholarships and salaries.</p> <p>The recruitment and training of at least four minors was exposed when said minors were overheard talking about their training after returning from the camp.</p> |

79. CASE NO. G-2617

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Ronnel GERONIMO | 14 | M |
| A certain Rodelyn | 1 | F |
| A certain Rhealyn | 11 mos | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family, including Children (Accosted on their way to their farm; interrogated and tortured)</p> <p>Use of Child (Falsely accused as NPA)</p> <p>Torture (Manhandled to admit brother's membership in the NPA)</p> <p>Threat/Harassment/Intimidation</p> <p>Divestment of Property (Seizure of farm animals)</p> | | |
| Alleged Perpetrators | | |
| 30 composite elements of Scout Rangers and 72nd IBPA | | |
| Summary Account of Incident | | |
| <p>February 14, 2010</p> <p>Sitio Lantawan, Brgy. Sangab, Maco, Compostela Valley</p> <p>At around 7:00 a.m., Ronnel, together with his family, were walking towards their farm when they were stopped by 30 armed men in military fatigue uniform. The armed men interrogated them about the location of the NPA. When they could not give any information, the soldiers were irked and accused them of being NPA themselves.</p> <p>Moments later, one of the armed men snatched the bolo strapped to the waist of Ronnel's father and attempted to hack the man's neck. The soldiers warned them that any NPA found staying at their place would immediately be killed.</p> <p>They also told Ronnel's mother (who was carrying her granddaughters Rodelyn and Rhealyn) that bringing children with them was just their way to avoid being identified as NPA.</p> <p>Ronnel and his brother Roderic were forcibly separated from the family and were individually tortured.</p> <p>They tried to force Roderic to confess his alleged membership to the NPA. He was struck on the abdomen and hit with a 4-foot hard wood when he denied the soldiers' accusation.</p> <p>Ronnel was also being forced to admit that his brother was an NPA. When he denied it, he was hit at the abdomen and his back was punched three times.</p> | | |

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After being tortured, the brothers were fetched by their mother to rejoin the rest of the family. Hours later, one of the soldiers told the family that they could go home 30 minutes after they had left.

At 5:00 p.m., the family immediately proceeded to their farm and discovered that their goats and chicken had been stolen.

80. CASE NO. G-2660

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Marksu MAISTRE | 7 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including a Child (Accosted while fishing; interrogated and tortured) | | |
| Use of a Child (Together with father, used as shield in military operations) | | |
| Violation of Domicile | | |
| Abduction/Illegal Arrest/Illegal Detention | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| A certain "Angel", a certain Francisco and 60 other elements of the 34th IBPA led by a certain Lt. Latonio | | |
| Summary Account of Incident | | |
| March 2-4, 2010 | | |
| Sitio Salvacion, Brgy. San Nicholas, San Jose de Buan, Samar | | |
| Marksu was fishing with his father Bertino when military elements approached them. Bertino was asked whether he knew of any NPA camp. He answered in the negative. He was also asked about the whereabouts of certain men. | | |
| During the questioning, the soldiers led Marksu a short distance away from his father. Thereafter, Bertino was blindfolded, tied to a tree, mauled and tortured. | | |
| When the beating stopped, father and son were brought to their hut. The soldiers entered and conducted a search inside. | | |
| Afterwards, the captives were brought to the mountains. They were held captive for two nights and were forced to accompany the soldiers during military operations for two days. They were released on the third day of their captivity. | | |

81. CASE NO. G-2623

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Mary Grace VILLANISO | 15 | F |
| Christina ARANCES | 15 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, including Children (Accosted while in their work-huts in the farm) | | |
| Use of Children (Falsely accused and photographed as NPA medic; Forced to sign papers, the contents of which were not explained to them) | | |

| |
|--|
| Torture (Mental and emotional to force admission as NPA) Illegal Arrest/Illegal Detention |
| Alleged Perpetrators |
| Around 60 Composite elements of 25th IBPA and Scout Rangers led by Lt. Col. Gilbert Saret and a certain 1Lt. Soreño |
| Summary Account of Incident |
| <p>March 7-10, 2010</p> <p>Sitio Kalabirahan, Brgy. Upper Ulip, Monkayo, Compostela Valley</p> <p>On the morning of March 7, two separate groups of farmers/laborers (mostly Lumads) were accosted by soldiers and subsequently detained based on false charges.</p> <p>Mary Grace was with the first group at the Kalabirahan Logging Area, together with her parents and other relatives. They were preparing their lunch at around 12:00 nn when some 30 fully-armed soldiers arrived. The soldiers asked for food and the farmers gave them some.</p> <p>The soldiers went on to spend the night at the Villaniso's hut in Kalabirahan. The following day, the soldiers said that they will accompany the farmers to their homes. However, instead of heading to their residence, they were forced to hike along with the soldiers.</p> <p>During the hike, they met another group of soldiers with some civilians. Mary Grace noticed that her cousin Christina and other relatives were among the civilians in the other group.</p> <p>The previous day, Christina was inside a hut in their farm in Kalabirahan, together with other family members. As they were preparing to go home at around 3:00 p.m., about 30 fully-armed soldiers arrived and ordered them to come out of the hut. Once they were outside, some soldiers entered the hut and started to ransack it.</p> <p>Two soldiers interrogated Christina and accused her of being an NPA. They said that she should surrender her firearm. She denied their accusation and said that if she was indeed an NPA, they would have found firearms inside the hut but the soldiers found nothing.</p> <p>One of the soldiers said that they knew Christina was an NPA medic. They threatened that if she refused to admit it, they would all be buried. A soldier cocked his long firearm and Christina started to cry. She was forced to admit that she was an NPA although it was not true because she feared that they would all get killed. While Christina was being interrogated, her other companions were also being tortured and questioned. The soldiers spent the night in the hut and the next day, Christina and the others were brought to the military detachment in Brgy. Upper Ulip.</p> <p>It was while they were on their way to Brgy. Ulip when the two groups met in a crossing. All the victims were brought to the military detachment. Shortly after they arrived in Brgy. Ulip, they were transferred to the 25th IBPA barracks in Monkayo.</p> <p>When they reached Monkayo, the victims were placed in separate rooms, intensely interrogated and underwent mental and physical torture.</p> <p>Soldiers again interrogated Christina. They took a picture of her while holding a piece of paper on which was written "CHRISTINA NPA". She was made to write her name on a piece of paper with writings which she did not understand and which were not explained to her.</p> <p>Mary Grace was also questioned by the soldiers. She was likewise accused of being a medic of the NPA. She was made to write her name on a piece of paper with writings she did not understand. They also took a picture of her while holding a piece of paper on which was written "MARY GRACE MEDICAL".</p> |

They were all detained in the military camp for two days. On March 10, the soldiers brought the victims to the Monkayo Police Station and they were charged with various common crimes. The police took pictures of Christina and Mary Grace while holding a piece of plywood with writings on it, and then they were hurled inside a detention cell. Mary Grace's fingerprints were also taken by the police. The victims were subsequently released when the prosecutor junked the military's complaint. Mary Grace and Christina were turned over to the Municipal Social Welfare and Development (MSWD) before they were released to their families.

82. CASE NO. G-2621

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Arnel TULAMBING | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted and accused as NPA) Torture (Forced to admit membership in the NPA/forced to affix thumbmark on a paper which he did not understand) Illegal Arrest/Illegal Detention Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| 10 Elements of 57th IBPA | | |
| Summary Account of Incident | | |
| <p>March 15, 2010</p> <p>Sitio New Bulatukan, Brgy. Balugan, Makilala, North Cotabato</p> <p>Arnel, a rubber plantation worker and his friends were walking towards his boss' house when they heard a bomb exploded followed by a massive burst of gunfire. Because of fear, they took cover and hid.</p> <p>Military elements arrived later at the community to hunt the persons involved in the bombing. When they spotted Arnel, they nabbed him, and accused him of having taken part in bombing their camp earlier. The soldiers, who smelled of alcohol, said that Arnel's shirt had the same orange color as that which was worn by one of the men who was seen running after the bombing.</p> <p>Arnel was brought to the barracks where he was tortured and forced to admit membership in the NPA. The soldiers placed a crowbar at Arnel's neck, pulling it to suffocate him. He was blindfolded and his hands and feet were tied. Later, he was brought to the rear of the barracks near a canal and the soldiers threatened to kill him and dump his body there. A piece of cloth was stuffed inside his mouth while he was being forced to speak.</p> <p>Arnel was forced to make a bogus confession when a soldier pointed a knife at his neck. He was forced to affix his thumbmark on papers containing writings which he did not understand because he could not read. He was later brought to the Makilala-PNP Jail.</p> <p>The following day, he was turned over to the custody of the Department of Social Welfare and Development (DSWD). Before he was released to his family, a dialogue between the police, DSWD and Arnel's relatives was held. The DSWD threatened Arnel that if he runs away, his mother would be jailed in his place.</p> | | |

83. CASE NO. G-2669

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Angelito CAINDOC | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family, including a Child (Barged into the house and arrested everyone in it)</p> <p>Use of School for Military Purposes (As interrogation site and processing center of those arrested)</p> <p>Use of a Child (Physically abused)</p> <p>Violation of Domicile</p> <p>Illegal Arrest/Illegal Detention</p> <p>Threat/Harassment/Intimidation</p> | | |
| Alleged Perpetrators | | |
| Elements of 19th IBPA | | |
| Summary Account of Incident | | |
| <p>May 19, 2010</p> <p>Antipolo Elementary School, Brgy. Antipolo, Albuera, Leyte</p> <p>Angelito was at home with his family when a group of soldiers barged into their house. The soldiers were looking for Anito Caindoc who was then sleeping inside. The soldiers accused Anito of being an NPA commander.</p> <p>All those in the house including Angelito were forcibly taken to another house. Angelito cried after one of the soldiers pressed his boots against the boy's chest.</p> <p>They were subsequently brought to the Antipolo Elementary School along with others from their barangay who were also arrested by the military. Some were interrogated and others were photographed while holding a placard bearing their names.</p> | | |

84. CASE NO. G-2732 and G-2924

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Noel BAEZ | 17 | M |
| Edrian BAEZ | 16 | M |
| Jolina BAEZ | 14 | F |
| Erlindo BAEZ Jr. | 11 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on a Civilian Family (Suspected as NPA supporter for not attending meetings called by the military)</p> <p>Use of Children (Siblings of suspected NPA turned into objects of attack in various ways)</p> <p>Recruitment (Coerced children to join CAFGU)</p> <p>Torture/Maiming (Severely mauled by soldiers which affected the mental well-being of child)</p> | | |

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|--|
| Threat/Harassment/Intimidation Violation of Domicile |
| Alleged Perpetrators |
| Elements of 740th Combat Group, Philippine Air Force led by Lt. Col. Arnel Villareal and 59th IBPA, CAFGU |
| Summary Account of Incident |
| <p>May- October 2010</p> <p>Sitio Calabasahan, Brgy. Quipot, San Juan, Batangas; Laiya Beach Resort, San Juan, Batangas</p> <p>During the May 2010 elections, a group of military elements arrived in the community to carry out so-called election watch. They encamped at a civilian resident's rest house that is approximately ten (10) meters away from Quipot Calabasahan Elementary School and in the midst of the community.</p> <p>The military regularly called for meetings with the residents. Because they were busy making a living, Erlindo Baez Sr. and his family were not able to attend the meetings. They were thus tagged by the soldiers as NPA supporters.</p> <p>The soldiers tried to get close to the youth of the community by placing a videoke machine in their "barracks" and sponsoring drinking sprees. The soldiers reportedly encouraged the youth to join the CAFGU, promising outings and trips to the mall once they enlist.</p> <p>On June 3, 2010, Erlindo's son Ronilo was arrested during an encounter between the military and the NPA in Taysan, Batangas. After Ronilo's arrest the military harassment on the Baez family intensified.</p> <p>On the evening of June 18, after coming from the farm, the Baez family found about 20 soldiers waiting for them inside their house. The soldiers tried to convince Erlindo and Anna Baez to allow their son Noel to join the CAFGU. They said that after six months, Noel would be a full pledged soldier and graduate. The spouses turned down the offer because their son was still a minor and they were concerned about his safety.</p> <p>Since then, Noel noticed that the soldiers started treating him differently. On August 8, the soldiers were angered when he passed near the camp because they claim that he allegedly failed to "show courtesy". They detained him and forced him to eat burnt rice. His mother Anna got worried and started looking for him. She found him in the camp in front of a drunken soldier who threatened to slap the burnt rice on Noel's face. Angered by what she saw, Anna brought her son home and prohibited him from going near the camp again. However, since Noel was courting a girl who lived near the camp, he often went to the vicinity to visit the girl.</p> <p>In a sworn statement executed on August 19, Noel stated that he was being forced by a certain Sgt. Rivera to join a training to become a CAFGU. He also stated that the soldiers kept asking him questions about things he did not understand or know anything about. He executed the statement because he was getting scared of the repeated invitations and interrogations by the military.</p> <p>On August 28, during one of the swimming outings sponsored by the soldiers, Noel was mauled by three drunken soldiers. He was repeatedly slapped on both ears, kicked, and punched on the chest and stomach. He was also threatened that if he tells his parents, he would be killed and thrown into the ocean. The soldiers took turns beating him up until he was rescued by his friend Marcel and three members of the Bantay Bayan (Community Watchers). They heard the commotion and Marcel pleaded with the soldiers to let Noel go.</p> |

After the mauling, Noel complained of stomach and chest pains. He also had difficulty hearing. Two days after, the Bantay Bayan informed his parents about what happened. A soldier saw Noel's father talking to the Bantay Bayan. The next day, his mother received a threatening text message stating: "Be careful, you are being watched".

After several days, the family started noticing changes in Noel's behavior. Sometimes, he would cry or shout, or he would laugh or talk by himself. They consulted a psychiatrist when his condition worsened. As of the filing of the complaint to the JMC, Noel was still undergoing treatment and observation at the National Mental Health Center.

Aside from Noel, the other Baez children experienced harassment from the soldiers. Whenever their teenage daughter Jolina would pass by, the soldiers winked at her. Their sons Edrian and Erlindo Jr. were frequently ordered by the soldiers to go to their camp after school and were subjected to interrogation. Erlindo Jr. was asked about several names which were unfamiliar to him. When he said that he did not know those people, he was called a liar. The soldiers said that Erlindo Jr.'s family was a bunch of liars. The soldiers also looked for Edrian in school and when they couldn't find him, they announced to the other students that Edrian was the brother of an NPA.

85. CASE NO. G-2739

| Name of Victim | Age | Gender |
|--|-----|--------|
| Louie GUTTIEREZ | 17 | M |
| "Blackboy" ABANILLA | 16 | M |
| Arnold LEYZA | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Recruitment (Coerced children to join CAFGU) | | |
| Endangering Civilians (Setting up a military detachment very near a school and right across a basketball court where children play) | | |
| Alleged Perpetrators | | |
| Elements of 740th Combat Group Philippine Air Force (PAF) headed by Lt. Col. Arnel Villareal and elements of 59th IBPA, CAFGU | | |
| Summary Account of Incident | | |
| June 13, 2010 | | |
| Sitio Calabasahan, Brgy. Quipot, San Juan, Batangas | | |
| Elements of the Air Force set up a military detachment very near Calabasahan Elementary School, and right across a basketball court. | | |
| The airmen-soldiers used the detachment as base to entice children into joining the CAFGU. Among those recruited was "Blackboy" who was assigned to the community. The others were: Arnold who was told that he could start undergoing training when he reaches the age of 17; and Louie who reportedly agreed to join and was already preparing his papers. | | |

86. CASE NO. G-2740

| Name of Victim | Age | Gender |
|--|-----|--------|
| Edrian BAEZ | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Accused as NPA and having taken part in an encounter) Coercion (Being forced to join CAFGU and inform on his uncles and others) Threat/Harassment/Intimidation</p> | | |
| Alleged Perpetrators | | |
| <p>Sgt. Anthony Casapao and Sgt. Areta of the 740th Combat Group PAF headed by Lt. Col. Arnel Villareal</p> | | |
| Summary Account of Incident | | |
| <p>June 13 and July 7, 2010 Sitio Calabasahan, Brgy. Quipot, San Juan, Batangas</p> <p>On June 13, 2010 Edrian, a fourth year high school student, was at the basketball court when he was approached by Sgt. Casapao and offered a scholarship if he would become a soldier. Edrian declined saying that he was afraid of gunfights. The soldier still tried to convince him and invited him to join the CAFGU so that he can be trained early. He was enticed with the benefits of joining but he remained firm in declining the invitation.</p> <p>Failing to convince the boy, Sgt. Casapao started questioning Edrian about some uncles whom he has not seen for a long time. He was told not to become like his uncles without any explanation.</p> <p>On July 7, 2010, Edrian was told by neighbors that he was being summoned to the military camp. Fearful for his safety, his grandfather refused to let him go. However, while on an errand for his grandmother, Sgt. Areta intercepted him. He was brought to the camp and was interrogated.</p> <p>The soldier mentioned names and Edrian was being forced to admit knowing them. When Edrian denied knowing the names mentioned, Sgt. Areta told him to stop feigning ignorance. He assured Edrian that he would not get angry if Edrian tells the "truth". Sgt. Areta went on to accuse Edrian of being an NPA. He kept coercing Edrian to confess since some members of the community have allegedly reported on Edrian. Edrian denied the accusation and asked Sgt. Areta to let him face whoever reported him so he can prove that he was innocent. Sgt. Areta threatened Edrian, saying that even if he and the other soldiers would be removed from the community, the next set of soldiers would be fiercer and would make Edrian's life more difficult, and that they would also continue pestering him until they get a confession from him.</p> <p>While the interrogation was going on, one of Edrian's relatives passed by and saw what was happening. The relative informed his grandparents and his grandmother went to the camp to fetch him. But before letting Edrian go, Sgt. Areta warned Edrian not to tell his parents or anyone else about what happened.</p> <p>After the incident, Edrian learned that the soldiers were spreading rumors that he was allegedly involved in an "encounter" between the military and the NPA in a neighboring barangay.</p> <p>It was reported that the soldiers continued to interrogate Edrian, asking him the same questions whenever they see him.</p> | | |

87. CASE NO. G-2913 and G-2916

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| Ruel HALILI | 17 | M |
| A certain Rachel | 16 | F |
| Unnamed children and minors of Brgy. Tubahan | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Occupation of Day Care Center and Barangay Hall for Military Purposes Use of Children (Falsely accused of being affiliated with the NPA) Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of 740th Combat Group PAF headed by Lt. Col. Arnel Villareal and Sgt. Bautista | | |
| Summary Account of Incident | | |
| <p>August 20, 2010</p> <p>Brgys. Tubahan and Calantas, Rosario, Batangas</p> <p>Ruel and a certain Rachel are volunteers of People Working for Peace (PWP), an inter-congregational alliance composed of church people, professionals and people's organizations. In coordination with the mayor of Rosario, Batangas, PWP organized a peace mission to Brgy. Tubahan.</p> <p>On the day of the activity, the PWP staff and volunteers paid a courtesy call on the mayor and the PNP. At the police station, Sgt. Bautista (the team leader of the Philippine Air Force based in Tubahan) told them that they would be escorted by soldiers "for their security".</p> <p>When they reached Brgy. Tubahan, the PWP team saw that the barangay hall was being used as a camp by the military. From the moment the team entered the area, they were closely followed by around 15 soldiers bearing long firearms.</p> <p>The soldiers interrogated Ruel, Rachel and the other volunteers. The soldiers accused them of being affiliated with the NPA. The soldiers even said that the medicines they brought were for the NPA. When the team tried talking to a barangay councilor, the soldiers kept on summoning the latter to interrupt the conversation. The councilor later refused to accept the medicines brought by the PWP despite the community's obvious need for the donation. In the end, the PWP was not able to conduct the peace mission. The soldiers however insisted that the PWP leave the medicines with them. Before the PWP staff and volunteers left, a soldier told them not to intervene because they (military) have their own program in the community.</p> <p>The PWP learned from the barangay councilor that an armed encounter between the military and the NPA occurred very recently in the next barangay (Calantas). The team was scheduled to go to Brgy. Calantas too.</p> <p>At 3:00 p.m., Lt. Col. Villareal arrived in Tubahan and the PWP team informed him of their intention to visit Brgy. Calantas. However, he prohibited them from going there on their own. He told them that they could only go to the Calantas Barangay Hall and they should be accompanied by soldiers because "hot pursuit operations" were still being conducted, following the encounter with the NPA.</p> <p>On their way to Brgy. Calantas, the soldiers kept on interrogating and taking photos of the volunteers, including Ruel and Rachel. The soldiers also accused the male PWP volunteers of being affiliated with the NPA.</p> | | |

The group reached Brgy. Calantas at about 3:30 p.m. and they saw that the military had also occupied the barangay hall and the day care center. The soldiers did not allow the PWP staff and volunteers to go around the community.

88. CASE NO. G-2863

| Name of Victim | Age | Gender |
|--|-----|--------|
| Mario LATIBAN | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Attack on Civilians, including a Child (Accosted and accused as NPA)</p> <p>Use of a Child (Used as guide/shield in military operations; forced to sign a paper without explaining its contents)</p> <p>Forced Labor (Used as porter to carry an injured soldier and a big log for use of the soldiers)</p> <p>Threat/Harassment/Intimidation</p> <p>Illegal Arrest/Illegal Detention</p> | | |
| Alleged Perpetrators | | |
| 32 elements of 67th IBPA led by a certain 1Lt. Talban and 2Lt. Rollete | | |
| Summary Account of Incident | | |
| <p>August 24-29 2010</p> <p>Quarry Sopa, Sitio Butigan, Brgy. San Jose, Boston, Davao Oriental</p> <p>On August 24, 2010, while Mario and his cousins Mawag Latiban, Joy Latiban and Jessie Boy Cotic were hunting frogs, about 32 military elements arrived and pointed their guns at the victims. The soldiers asked them if they saw NPA in the area and if they were themselves members of the NPA. They answered that they were civilians. The soldiers brought all of them to a nearby military post where they spent the night.</p> <p>The following day, the soldiers asked them where their other companion was. The four of them were forced to guide the soldiers to the location of Michael Cotic. Once they found Michael, they were separated into two groups. Mario, Joy and Jessie were placed in the custody of 16 soldiers while Mawag and Michael were in the custody of 16 other soldiers. The two groups hiked separately for two days until they met again in the morning of August 28, 2010.</p> <p>At around 3:00 p.m. of the same day, the soldiers met the NPA along the way and an encounter ensued. The captives dropped to the ground as the firefight went on. Mario jumped to a lower ground and hid behind a tree. The commanding officer warned the other soldiers not to hit Mario because he was one of their guides in the military operation. Mario got so scared that he cried and developed chills. After about an hour and 15 minutes, the firefight ended and they resumed their hike towards the military detachment in Brgy. Sta. Fe. During the hike, Mario and the other four captives were alternately made to carry one of the soldiers wounded in the encounter.</p> <p>When they reached Sta. Fe, the captives were made to transport a big log to another location within the camp. They were made to sit on the log as the soldiers interrogated them. They were commanded to take off their shirts and the soldiers scrutinized their bodies to look for tell tale signs about their work.</p> | | |

On the morning of August 29, the captives were again interrogated. They were being forced to admit membership with the NPA. The soldiers said that they would be released immediately if they would cooperate.

After obtaining personal information from the victims, the soldiers forced them to sign a piece of paper without explaining its contents. They were released thereafter.

89. CASE NO. G-3042

| Name of Victim | Age | Gender |
|---|-----|--------|
| Laravelle P. MANIMOG | 9 | F |
| Hannabelle P. MANIMOG | 8 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family, including Children (Barged into their house and arrested father) | | |
| Use of Children (Intimidated to inform on gun allegedly owned by father) | | |
| Violation of Domicile | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Around 10 elements of 3rd Special Forces Battalion under 1003rd Infantry Brigade led by a certain Lt. Dagdag under Brigade Commander Col. Domingo Tutaan Jr.; Jing-jing Quismondo, rebel returnee | | |
| Summary Account of Incident | | |
| September 6, 2010 | | |
| Sitio Ricop, Purok 8, Brgy. Jaguimitan, Monkayo, Compostela Valley | | |
| Around 10 men in military uniform arrived at the Manimog residence while Laravelle and Hannabelle were preparing for school and their parents (Percival and Perlita) were having coffee in the kitchen. | | |
| Armed with high-powered guns, seven of the men remained outside and encircled the house while three others barged inside. | | |
| The soldiers asked for their names. After Percival stated his full name, he was handcuffed in front of his family. | | |
| Lt. Dagdag asked the children if they saw their father's weapon but the girls were too shocked to answer. One of the soldiers proceeded to search the house and found nothing. | | |

90. CASE NO. G-2935

| Name of Victim | Age | Gender |
|--------------------|-----|--------|
| Rosa Jane JUANITEZ | 12 | F |
| Raffy JUANITEZ | 10 | M |
| Regine JUANITEZ | 5 | F |
| Ricky JUANITEZ | 2 | M |

**NDFP Declaration and Program of Action
for the Rights, Protection and Welfare of Children**

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|--|
| Type of Violation/s (In Relation to the Children Victims) |
| Attack on a Civilian Family, including Children (Barged into house looking for mother) Use of Children (Interrogated on mother's whereabouts) Violation of Domicile Threat/Harassment/Intimidation |
| Alleged Perpetrators |
| Elements of 71st IBPA |
| Summary Account of Incident |
| September 18, 2010 Purok Santol, Brgy. Magangit, Maco, Compostela Valley Regine was at home with her uncle Joel and her three siblings when two armed military elements entered their house without asking permission. Regine's mother Rosa was then in Tagum City selling fruits and vegetables. One of the soldiers went to the kitchen and asked Regine where her mother was. The child did not respond because she was scared. The other soldier turned to her uncle and interrogated him about Rosa whom they alleged to have joined the NPA. The soldiers went to the living room and seeing Rosa's photograph hanging on the wall, they asked Joel to confirm that it was Rosa. One of the soldiers took pictures of Joel and the premises of the house. Before leaving with two other uniformed men who were manning the gate, the soldiers ordered Joel to tell Rosa that she should go to the barangay hall. |

91. CASE NO. G-3001

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| Shiela Ann LORENO | 14 | F |
| Michelle LORENO | 11 | F |
| Mary Joy LORENO | Not Specified | F |
| Miah LORENO | Not Specified | F |
| Donna LORENO | Not Specified | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on a Civilian Family, including Children (Barged into house and threatened family) Use of Children (Used as guide/shield in military operations; offered P50.00 to inform on the NPA) Sexual Harassment and Threat (Threatened to be courted; the experience traumatised child affecting her mental well-being) Violation of Domicile Forcible Evacuation/Displacement | | |
| Alleged Perpetrators | | |
| Nine Elements of Charlie Coy and CAFGU under 61st IBPA led by a certain Opeña | | |

Summary Account of Incident

January 5, 2011

Binulosan Grande, Calinog, Iloilo

Five soldiers and four CAFGUs approached the house of the Loreno family. The CAFGUs stood a short distance away while the soldiers positioned themselves near the door.

Annabelle Loreno was preparing food and her daughters were eating when the two soldiers suddenly appeared at their door. The soldiers pointed their rifles at the victims and ordered them not to move or they would be shot.

Shiela Ann was seated by the door and when she turned to look, she saw that the barrel of the rifle was right next to her head. She panicked and hit her head against a wall. Her four younger sisters wailed in fright, hugging each other close.

A soldier asked them where the NPA were. Anabelle said that there were no NPA in her house. The soldier told her that he came to court her daughter. The soldier also asked her how to get to the other side of the Alibunan river where some NPA were allegedly located. She offered to guide the soldiers but they asked Shiela Ann and Michelle to guide them instead. The two girls were then about to go back to school, having come home only for lunch break. They left together with the soldiers without eating.

One of the soldiers offered Michelle P50 in exchange for information on the whereabouts of the NPA. Michelle did not accept the money. The soldier then let her and Shiela Ann go.

Upon returning to school, Shiela Ann had become very pale. Michelle, on the other hand, suffered a terrible headache after taking an examination. She was advised by a teacher to go home but she opted to stay as she had no one to walk home with. She later vomited blood on the way home.

The incident caused Shiela Ann to suffer an "anxiety reaction". Later that night, she woke from a nightmare, crying out that the soldiers were going to shoot her family. She soon started exhibiting odd and violent behavior. Once, she beat her younger sister Miah, tied her hands with twine and wrapped her with a mat. At another time, she placed Miah inside a sack and attempted to throw her out the window. She would threaten to kill her sisters whenever she got mad at them. Also, she would burst into laughter for no apparent reason.

The Loreno family were forced not to return to their house for fear that the soldiers might return and cause Shiela Ann's condition to worsen.

92. CASE NO. G-3005

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Rodrigo AGUJAYAN | 17 | M |
| Christian COBITAN | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted while working; suspected as NPA supporters; interrogated on whereabouts of NPA) | | |
| Threat/Harassment/Intimidation (Photographed and threatened to be abducted) | | |
| Divestment of Property (Seized farming tool - bolo) | | |
| Alleged Perpetrators | | |
| Elements of 14th IBPA under the command of a certain Lt. Tibayan | | |

| Summary Account of Incident |
|---|
| <p>February 10, 2011</p> <p>Brgy. Huknan, Giporlos, Eastern Samar</p> <p>Rodrigo, Christian and another companion were gathering copra when military elements passed by. The soldiers stopped and started interrogating the victims whom they suspected of being NPA supporters.</p> <p>The three were asked about the location of the NPA. When they said that they had no knowledge of the NPA's whereabouts, the soldiers accused them of lying.</p> <p>Before leaving, the soldiers seized the victims' bolo and took pictures of them. They were threatened not to tell anyone about the incident or they would be abducted.</p> |

93. CASE NO. G-2998 and G-3064

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Jimboy SAYA | 10 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Accosted on his way home; told to hold a rifle and photographed as alleged NPA)</p> <p>Threat/Harassment/Intimidation (Threatened with bodily harm)</p> | | |
| Alleged Perpetrators | | |
| Three elements of 73rd IBPA led by a certain Sgt. Roldan | | |
| Summary Account of Incident | | |
| <p>March 16, 2011</p> <p>Sitio Dlumay, Brgy. Upper Suyan, Malapatan, Sarangani</p> <p>On his way home from the B'laan Literacy School and Learning Center (BLSLC), Jimboy, a B'laan, passed by three soldiers who were having a drinking spree in front of a house. The soldiers called Jimboy and took his picture twice. Then, they forced him to hold a rifle.</p> <p>Jimboy shook with fear as he did what he was told to do. The soldiers again took a picture of him holding the rifle.</p> <p>One of them held a needle and thread and threatened to sew Jimboy's navel with it. Jimboy hurriedly went home and told his parents about the incident. He has since been afraid to go out of their house.</p> | | |

94. CASE NO. G-3088

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Rayan ALMOCERA | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Accosted while feeding animals and interrogated on whereabouts of NPA)</p> <p>Violation of Domicile</p> <p>Threat/Harassment/Intimidation</p> | | |

| |
|--|
| Alleged Perpetrators |
| Three elements of CAFGU, 9th IBPA |
| Summary Account of Incident |
| May 4, 2011 Brgy. Campana, Uson, Masbate Rayan was feeding the pigs when three CAFGU members passed by his house. They approached Rayan with their guns pointed at him. They ordered him to go inside the house. At gunpoint they ordered him to raise his arms sideways and repeatedly questioned him if he had seen any NPA and if he knew their whereabouts. Rayan was not able to reply because of fear. |

Appendix E-2

Additional Complaints Filed with the JMC Against the GRP/GPH for HR & IHL Violations Involving Children and Minors

Based on Complaints Filed with the Joint Monitoring Committee (JMC)

(Note: These incidents were not submitted to the UNICEF-Philippines.)

Prepared by the NDFP-JS as of 23 December 2011)

1. CASE NO. G-277

| Name of Victim | Age | Gender |
|--|-----|--------|
| Michael ESCOBER | 16 | M |
| Alvin HUBILLA | 15 | M |
| Mark Anthony HULAR | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Threat/Harassment/Intimidation | | |
| Violation of Domicile | | |
| Illegal Search and Seizure | | |
| Torture (Beaten to admit membership in the NPA) | | |
| Illegal Arrest/Illegal Detention | | |
| Divestment of Properties | | |
| Use of Children (Accosted, falsely accused and tortured to inform on the NPA) | | |
| Alleged Perpetrators | | |
| Elements of 21st IBPA led by S/Sgt. Romeo Tampuhan | | |
| Summary Account of Incident | | |
| February 15, 2003 | | |
| Brgy. Marinas, Sorsogon | | |
| <p>Alvin Hubilla's friends Mark Anthony Hular, Michael Escobar, Roderick Hagos, and Renan Janer came over on the night of February 14, 2003 to watch movies. At around 5:00 a.m. the next day, Alvin woke up and started playing video games. Moments later, he heard someone knocking at the door. When he and his cousin Nicanor Lagsit Jr. opened it, they saw soldiers outside, one of whom was pointing a long firearm at them. The soldier ordered the victims to go out, then he forcibly entered the house and searched it. Meanwhile, at the garage, the other perpetrators ordered the victims to lay face-down. After a while, the soldier, finding nothing, emerged from the house.</p> <p>Another soldier went inside the house. When he came out, he was holding a box, which he alleged to contain NPA's belongings. Inside the box were two bags, one containing some of</p> | | |

Alvin's and Nicanor's clothes. The soldiers then mauled the victims, forcing them to admit that they were NPA members. The soldiers further accused the victims of being involved in an NPA raid earlier in Gubat, Sorsogon.

A concerned neighbor came over and told the soldiers that the victims were civilians. Later, Barangay Captain Lucia Estrema pleaded with the soldiers to stop the beatings. Both were threatened by the soldiers and told not to get involved. Later, the victims were taken to Gubat police station and detained under the watch of several CAFGUs.

On February 16, 2003, the victims were booked and fingerprinted at Camp Escudero. Later that day, they were taken to Balogo PNP where they were investigated. Among the evidence presented to the investigator were the clothes confiscated earlier and Alvin's cellphone.

The victims were jailed in BJMP Sorsogon City on charges of qualified murder.

2. CASE NO. G-326

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Ma. Angela FULGAR | 14 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Civilians, Including Children (Indiscriminate firing of guns at a civilian house) | | |
| Use of Child (Falsely accused as NPA; photographed with bags and documents that were supposedly left behind by the NPA, and publicly displayed as alleged child soldier) | | |
| Illegal Arrest/Illegal Detention | | |
| Threat/Harassment/Intimidation (during interrogation) | | |
| Alleged Perpetrators | | |
| Elements of the Philippine Army and CAFGU based in Brgy. Luneta, Barcelona, Sorsogon | | |
| Summary Account of Incident | | |
| February 9, 2003 | | |
| Brgy. San Antonio, Barcelona, Sorsogon | | |
| Early morning on February 9, an NPA unit was in front of the house of Mercy Fulgar when soldiers arrived and started firing at the unit. The NPA ran towards the back of the house. Mercy and her children, who were then inside their bedroom, fearfully ducked for cover. After the shooting, the soldiers ordered residents/victims to come out of the house. The soldiers then grabbed Mercy's daughter Angela, accusing her of being an NPA. | | |
| Angela was brought to the military detachment in Brgy. Luneta, Barcelona. She was interrogated, forcing her to admit that she was an NPA "amazona." The victim denied the accusation, stating that she was a civilian and a student at Barcelona High School. The soldiers took photographs of her with the bags and documents that the NPA supposedly left behind. | | |
| Later that afternoon, the soldiers returned to Barangay San Antonio with Angela and gathered the residents in a meeting. Despite pleas from her family, Angela was again brought to the detachment. | | |
| Local officials interceded for the release of Angela, who was later taken to the PNP for "disposition." At around 9:00 p.m., Angela was released to the custody of Barcelona SB Kagawad Larry Fortades. | | |

3. CASE NO. G-414

| Name of Victim | Age | Gender |
|---|-----|--------|
| Regie SAPOT | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted with his uncle while watching over their work animal; questioned on his knowledge and whereabouts of the NPA) | | |
| Use of Minor in Military Operations as Guide or Shield (Even ordered to carry a shotgun) | | |
| Threat/Harassment/Intimidation (during interrogation) | | |
| Illegal Detention | | |
| Alleged Perpetrators | | |
| Elements of 46th IBPA and 1st SRBn, with one identified as Richard Bascot | | |
| Summary Account of Incident | | |
| <p>April 9, 2005</p> <p>Brgy. Owac, Bilar, Bohol</p> <p>Regie Sapot and his uncle Rosito Dapar were watching over their carabao in a mud pit when 30 uniformed soldiers came down from the hill towards them. The soldiers frisked the two and separated them from each other. They asked Rosito for his cedula and interrogated him about an NPA encampment on top of the hill. When he denied having knowledge of it, one of the soldiers warned him that he will "go missing."</p> <p>A soldier held Regie by the neck while the other soldiers questioned him about the NPAs' whereabouts. He was also being forced to go with the soldiers in their combat operations. When Regie denied any knowledge about the NPAs, the soldiers threatened to shoot him and said that there was already a grave waiting for him.</p> <p>Regie was taken uphill by some of the soldiers. He was ordered to carry a shotgun. Later, they were joined by the other soldiers and Rosito. They went down the hill with the victims and proceeded to the house of Regie's grandfather, Ignacio Saldom. While there, a soldier ordered Regie to harvest coconuts for them. However, Ignacio begged the soldiers to spare Regie as he might fall from the tree.</p> <p>The soldiers stayed for a while outside Ignacio's house before leaving.</p> | | |

4. CASE NO. G-756

| Name of Victim | Age | Gender |
|--|-----|--------|
| Jeffrey MAGTO | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted with other civilians and interrogated on whereabouts of NPA camp) | | |
| Use of Minor in Military Operations as Guide | | |
| Physical Abuse (Hitting - flicking - the ears) | | |
| Alleged Perpetrators | | |
| Elements of 58th IBPA | | |

| Summary Account of Incident |
|---|
| <p>April 4, 2005</p> <p>Sitio Magkahunaw, Brgy. Buhisan, San Agustin, Surigao del Sur</p> <p>At around 10:00 a.m., unidentified elements of the 58th IB PA conducted a patrol operation at Sitio Magkahunaw. They interrogated residents about the presence of NPAs in the vicinity. They also forced a certain Kotan, Byangking and Jeffrey Magto to guide them on their way to a detachment in Barangay Buhisan. While walking, some of the soldiers took turns hitting Jeffrey's ear.</p> <p>At around 6:00 p.m., the victims were ordered to go home upon arriving at the detachment.</p> |

5. CASE NO. G-763

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Rex M. ESCAUSO | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Forced to inform on the NPA and their camp)</p> <p>Torture (Kicked in the stomach; head was wrapped with cellophane)</p> | | |
| Alleged Perpetrators | | |
| More or less 20 elements of the 58th IBPA | | |
| Summary Account of Incident | | |
| <p>April 30, 2005</p> <p>Sitio Gimbayon, Brgy. San Isidro, Marihatag, Surigao del Sur</p> <p>Rex Escauso was on his way to Sitio Gimbayon to pick up abaca when he met more or less 20 soldiers. One of them approached Rex and kicked him in the stomach. His head was also wrapped with cellophane while he was being interrogated about the NPA and the location of their camp.</p> | | |

6. CASE NO. G-774

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Junior ALAMEDA | 8 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Falsely accused of being an NPA member; forced to fetch water for the soldiers)</p> <p>Threat/Harassment/Intimidation</p> <p>Torture (Forced to watch the torture of his father)</p> | | |
| Alleged Perpetrators | | |
| Six uniformed military elements with no name patches | | |

Summary Account of Incident

April 30, 2005

Crossing Tagtuog, San Isidro, Marihatag, Surigao del Sur

Joel Alameda, his wife Arlyn and son Junior were on their way to the farm when they met six uniformed military elements. The soldiers aimed their rifles at Joel and commanded Arlyn to drop to the ground. They ordered Joel to jump over the cliff but when the latter refused, they poked him with their rifles, pushing harder as they batted his head. When Joel complained, the perpetrators accused him of being an NPA. They asked him to come with them upland but the latter again refused. The perpetrators ordered Joel to fetch some water then continued to beat him up with their rifles. They also took his farm tool and slammed it against his head. Thereafter, they ordered Junior to fetch water and accused him of being a "young NPA."

7. CASE NO. G-1029

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Unnamed son of Alex MANGBURANG | 4 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Forced to falsely inform on their parents as allegedly in possession of firearms) | | |
| <i>Note: Per factsheet, the child was questioned in the context of the counter-insurgency operations against the NPA.</i> | | |
| Alleged Perpetrators | | |
| Combined elements of 74th and 76th IBPA led by Lt. Mark Anthony Rube | | |
| Summary Account of Incident | | |
| November 3, 2004 | | |
| Sitio Sinuotan, Brgy. Lavidas, Gen. Luna, Quezon | | |
| Combined elements of 74th and 76th IBPA started to conduct military operations on October 29, 2004 in the towns of Lopez, Macalelon and General Luna. | | |
| On November 3, 2004, soldiers were passing by Sitio Sinuotan when they saw Alex Mangburang's four-year old son playing on the street. They asked the child if his father kept a gun. When he answered yes, they immediately went to Alex. The soldiers tortured Alex when the latter denied that he was a member of the NPA. | | |

8. CASE NO. G-1113

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Monique RANTUGAN | 4 | F |
| Aga RANTUGAN | 2 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack against Civilians, including Children (Strafing a civilian house with gunfire) | | |
| Use of a Child (Interrogated to extract information on the occupants of her house) | | |
| Frustrated Killing | | |

| |
|--|
| Alleged Perpetrators |
| Elements of 23rd IBPA, Sgt. Salazar and other elements of the 59th IBPA under Task Force Makiling led by Col. Efrén Orbon |
| Summary Account of Incident |
| <p>August 22, 2002</p> <p>Sitio Lagyo, Brgy. Puray, Montalban, Rizal</p> <p>At around 1:00 p.m., Monique Rantugan was asked by her grandmother to buy some eggs, cigarettes and sugar from a nearby store. On her way there, she met soldiers who interrogated her about the persons inside her house because they suspected that NPAs were staying there. The soldiers told Monique to go back home, all the while surveying her house with binoculars. Inside the house with Monique were her brother Aga, their mother Eden, their aunt Degara Carlos and other relatives.</p> <p>Moments later, the soldiers fired at the house, hitting Degara and Eden. Degara's nephew (Arnold) went to seek help from other relatives but soldiers intercepted him at Sitio Ilas. They forced him to act as guide on their way back to the scene of the shooting.</p> <p>By 4:00 p.m., Torres, Degara's husband, arrived and found his house in disarray, Degara dead and Eden wounded. He and some concerned individuals started to carry Degara and Eden downtown when, upon reaching Sitio Ilas, they were again intercepted by soldiers. They did not provide Eden with any medical attention.</p> <p>The next day, a helicopter arrived and took the wounded Eden and Degara's body. Arnold, his brother Rosendo and Pindon Ipala were also taken and brought to a military camp in Brgy. San Isidro where they were interrogated and tortured.</p> |

9. CASE NO. G-1222

| | | |
|--|------------|---------------|
| Name of Victim | Age | Gender |
| Marissa BENTULAN | 15 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Forced to falsely inform on their parents' membership in activist/progressive organizations) | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Lt. Roel Cotillon of the AFP and Brgy. Captain Dadalu | | |
| Summary Account of Incident | | |
| <p>March 6, 2007</p> <p>Phase 3, Area D, Lupang Pangako, Payatas, Quezon City</p> <p>Military elements went to the house of Marissa Bentulan, looking for her mother Lydia. They interrogated Marissa about her mother – her whereabouts, relationship with her children, activities and affiliation. She answered that she did not know what her mother's organization was, except the fact that people go to her when they have problems especially with regard to housing. The soldiers then told the victim that her mother had actually asked them to come that day for a meeting. Marissa said, however, that her mother did not tell her about any meeting. The soldiers lingered at the house for quite some time. Before leaving, they told the victim that they would just come back.</p> <p>Lydia is a member of the progressive women's organization GABRIELA.</p> | | |

10. CASE NO. G-1227

| Name of Victim | Age | Gender |
|--|-----------|---------------|
| Unnamed children of Brgys. Lianga, San Agustin, Tago and San Miguel | Ages 7-10 | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Threat/Harassment/Intimidation</p> <p>Use of Public Places (schools, community centers) and Private Residences for Military Purposes and/or Endangerment of Civilians</p> <p>Use of Children (Forced to falsely inform on their family's alleged membership or involvement with the NPA)</p> <p>Forced Recruitment/Conscription of Children</p> <p>Forcible Evacuation/Displacement</p> <p>Hamletting</p> | | |
| Alleged Perpetrators | | |
| 100 elements of 58th IBPA, under Lt. Col. Mendoza, Maj. Intal, Capt. Oson, Lt. Roger Fortunato, Lt. Jacinto and elements of 401st Brigade under Col. Jose Viscarra Brigade CO | | |
| Summary Account of Incident | | |
| <p>November 5, 10, 12, 13, 2007</p> <p>Brgys. Lianga, San Agustin, Tago and San Miguel, Surigao del Sur</p> <p>In October 2007, combined elements of the 58th IBPA and 401st Brigade began conducting massive military operations in several lumad communities in Surigao del Sur.</p> <p>Midnight of November 5, 2007, military elements arrived at Simowao. They roused the teachers of Simowao Tribal School from sleep to ask for sleeping accommodations. In the morning of the same date, they interrogated pupils between 7 to 10 years old if they have seen men with guns and if they have siblings who have joined the NPA. The soldiers also listed the names of the said pupils.</p> <p>Dawn of November 10, 2007, a group of soldiers slept at the Simowao Tribal Filipino Community School without permission from the community. They later interrogated the teachers about their compensation as well as the benefactors of the school. They rested at the school the whole day.</p> <p>The next day, another group of soldiers went to the nearby community of Emerald and stayed either in civilian residences or in tents that they mounted within the vicinity. They thus began monitoring the activities of residents, asking for their names, their IDs or cedula and checking their personal belongings.</p> <p>In the morning of November 12, 2007, military checkpoints were set up. Teachers of the Alternative Learning Center for Agricultural Development (ALCADEV) were interrogated while children were frequently questioned about their family's involvement with the NPA.</p> <p>The soldiers again interrogated the teachers and school children the following day, warning the latter that they would be harmed if the military were attacked. At Manluy-a, about 100 soldiers in full battle gear stayed at the houses of residents, schools and surrounding areas. Around four to ten soldiers were stationed in every residence.</p> <p>On November 15, group of soldiers arrived at Kabuluhan. They forced their entry to the Lumad Community School by destroying the lock at the teachers' cottage. They encamped in the said building and recruited some out-of-school youth to become military assets.</p> | | |

In separate incidents, armored personnel carrier (APC) trucks and howitzer cannons were seen passing by the communities. The residents' movements were also strictly monitored and hampered. Two residents were also forced to act as guides during military operations.

Hundreds of families evacuated from various communities, abandoning their farms and livelihood out of fear. On November 17, 2007, the soldiers gathered the evacuees in an assembly and ordered them not to go back to their farmlands.

By November 21, 2007, eight lumad communities had sought refuge in the gym of Diatagon, Linga. On November 25, 2007, at gunpoint, soldiers searched the farms and harvested the farm products of some residents who had not yet evacuated in Anahao Daan, Tago.

The militarization affected a total of 707 children and 499 families.

11. CASE NO. G-1230

| Name of Victim | Age | Gender |
|---|-----|--------|
| Maryel B. BOTILLA | 8 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Forced to falsely inform on their parents' alleged membership in the NPA) | | |
| Abduction | | |
| Illegal Detention (Given by the DSWD to the care of someone other than the child's relatives) | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of 78th IBPA | | |
| Summary Account of Incident | | |
| October 16, 2007 | | |
| Mag-alwa Elementary School, Mag-alwa, Cebu City | | |
| Maryel was on her way home from her classes when soldiers picked her up and brought her to their detachment. She was subjected to interrogation about the whereabouts of her parents whom the military accused of being rebels. | | |
| The girl got scared and cried during the questioning. She was left traumatized by the experience. | | |
| Prior to her abduction, Maryel was under the care of relatives. A fact finding team found that the military attempted to cover up their action by declaring Maryel as an abandoned child. | | |

12. CASE NO. G-1286

| Name of Victim | Age | Gender |
|--|-----|--------|
| Bobby ARCEGA | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Forced to admit membership in the NPA) | | |
| Illegal Arrest/Illegal Detention | | |

**NDFP Declaration and Program of Action
for the Rights, Protection and Welfare of Children**

| |
|---|
| Use of Minor in Military Operations as Guide and/or Shield Torture Threat/Harassment/Intimidation |
| Alleged Perpetrators |
| Elements of 42nd IBPA |
| Summary Account of Incident |
| June 10, 2002 Brgy. Sta. Teresa, Baa, Camarines Sur Bobby was in the house of a barangay kagawad when soldiers arrived and illegally arrested him. The soldiers brought him along on the way to another barangay. He was later brought to the army headquarters. He was suspected of being an NPA and was subjected to torture and interrogation. He was detained there until he was able to escape on June 27, 2002. |

13. CASE NO. G-1295

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Romulo AVILES, Jr. | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Minor in Military Operations as Guide and/or Shield Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of 31st IBPA under Col. Gupana | | |
| Summary Account of Incident | | |
| July 29, 2003 Brgy. Aldezar, Sipocot, Camarines Sur Romulo and a barangay tanod named Noel were brought along by soldiers while conducting a military operation in Sitio Balagbag. As they were going around the sitio, they overheard the soldiers talking about killing them so that they would not make any noise about what happened. | | |

14. CASE NO. G-1367

| Name of Victim | Age | Gender |
|---|--------------------|--------------------|
| "Joe BERNALDEZ" and four other unnamed children | 3 Not Specified | M Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Forced to falsely inform on their parents' alleged involvement with the NPA; photographed child holding a rifle) | | |

| |
|---|
| Alleged Perpetrators |
| Eight elements of 39th IBPA under M/Sgt. Garcias |
| Summary Account of Incident |
| <p>June 15, 2006</p> <p>Sitio Malusing, Brgy. Zone 1, Sta. Cruz, Davao del Sur</p> <p>Joe's mother "Gene" was the chairwoman of a farmer's association and she was being suspected of being an NPA supporter. Soldiers went to her home and invited her to go to their camp to talk with their commanding officer.</p> <p>While "Gene" was talking to three soldiers, she did not notice that Joe also went out. The other soldiers who were in the vicinity called Joe and four other children.</p> <p>One of the soldiers played music using his cellphone and the children started dancing. As they tried to amuse the children, a soldier started asking Joe who his mother was and where they lived. Joe said that his mother was Gene and he pointed to their house.</p> <p>A soldier also asked "Joe" if his mother had a gun, to which the child replied in the negative. The soldier went on to say that when he grows up, "Joe" will also hold firearms. The soldier even made the boy carry the armalite by hanging the strap around his neck. Before leaving, they took a picture of "Joe" holding the armalite using a cellphone camera.</p> |

15. CASE NO. G-1711

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Edwin SAN JUAN | 14 | M |
| Rodel DELA CRUZ | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Minors in Military Operations as Guide and/or Shield | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of Charlie Company, Philippine Army | | |
| Summary Account of Incident | | |
| <p>April 23, 2001</p> <p>Brgy. Calaburnay, Paracale, Camarines Norte</p> <p>At around 4:00 p.m., Edwin and Rodel were walking home from school when their path was blocked by soldiers. The men commanded the boys to go with them to Brgy. Calaburnay. Edwin and Rodel had no choice but to accompany the soldiers. When they arrived at their destination, the soldiers suddenly fired their guns.</p> <p>Apparently, they went to Brgy. Calaburnay to conduct a military operation. The boys got scared and dropped to the ground while the exchange of gunfire went on. They heard seven loud explosions in the course of the 30-minute gunfight.</p> <p>When the gunfire stopped, they ran to the house of a certain Nana Pitang. Edwin and Rodel were only able to go home at 6:00 in the evening.</p> | | |

16. CASE NO. G-1785

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Ronel COMBO | 14 | M |
| Robert COMBO | 10 | M |
| A certain Pinoy | 8 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Forced to inform on/Extracting information about NPAs) | | |
| Threat/Harassment/Intimidation | | |
| Torture (Punched repeatedly in the stomach while undergoing interrogation) | | |
| Alleged Perpetrators | | |
| Unidentified elements of the Philippine Army | | |
| Summary Account of Incident | | |
| November 30, 2001 | | |
| San Pascual, Casiguran, Sorsogon | | |
| <p>Robert and his cousin Pinoy were playing near their house when soldiers passed by. The soldiers approached and asked them where the NPA camp was located. The children said that they did not know. The soldiers shouted and told them to reveal where the NPA camp was. The children got scared, embraced each other and cried. At that point, Ronel arrived carrying a sack of coconuts. When the soldiers saw Ronel, they dragged him towards the house. The two younger children were told to go inside the house while the soldiers proceeded to interrogate Ronel. They forced him to tell them the location of the NPA camp. Everytime he said that he did not know, the soldiers punched him in the stomach. Ronel also got scared and cried.</p> <p>Rommel, the elder brother of Ronel and Robert, who was then working at their neighbor's house, heard his brothers crying and immediately went to them. He was surprised when the soldiers pointed a gun at him. The soldiers, upon seeing his greasy hands, declared that the dirt was from the grease of handling a gun. Rommel told them he came from picking coconuts for copra but the soldiers refused to believe him. Before leaving, the soldiers threatened the children and said that "When we come back, we will burn your house".</p> | | |

17. CASE NO. G-1853

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Melan BONI (grade IV pupil) | Not Specified | Not Specified |
| Two unnamed children of Juanito Bron | Not Specified | Not Specified |
| Unnamed children of Presencia Boni | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Minors in Military Operations as Shield (Taking cover very near civilian houses to avoid being fired at by the NPA) | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of 22nd IBPA | | |

| Summary Account of Incident |
|--|
| <p>February 24-25, 2003</p> <p>Sitio Tuquian, Tastas, Ligao City, Albay</p> <p>Based on accounts of the residents, they were used as human shields by the military. The soldiers positioned themselves very near the victims' houses as they engaged in a firefight with the NPAs.</p> <p>Presencia Boni said that the soldiers fired their guns while directly in front of her house. She immediately took her children and ran for cover to avoid getting hit by bullets.</p> <p>Melan was inside their house while the firefight was taking place. The soldiers positioned themselves very near Melan's house and it felt like the shots were being fired from within their own backyard. Melan was left traumatized by the experience.</p> <p>Juanito Bron's two children were home alone when the firefight ensued. A concerned neighbor came for the children and ushered them to a safer place.</p> |

18. CASE NO. G-2318

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Jessie GABANE | 17 | M |
| Joey DACLES | 15 | M |
| Marvin ELLANTOS | 14 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of Children (Forced to inform on/Extracting information about NPAs; ordered to fetch water and pick coconut from trees)</p> <p>Threat/Harassment/Intimidation</p> | | |
| Alleged Perpetrators | | |
| Elements of the 34th IBPA under Lt. Col. Pida | | |
| Summary Account of Incident | | |
| <p>November 2006</p> <p>Brgy. Bay-ang, San Jorge, Samar</p> <p>Marvin and his mother Elenita were at the koprahan together with Jessie, Joey and another man, when soldiers passed by. The soldiers stopped and ordered them to fetch water and climb coconut trees to pick coconuts.</p> <p>After eating, the soldiers brought Joey to a grassy area. Elenita saw them talking to him and when he came back, he said that he was forced to tell them that he saw NPAs pass by. He told the others that they should just do the same when asked.</p> <p>Because of fear, they were all forced to say that they saw NPAs pass by. They were made to stand side by side and instructed to raise their hands as if they were taking an oath. The soldiers took pictures of them in that position before leaving.</p> <p>Later in the same month, some soldiers went to their community and knocked on every door. When they reached Elenita and Marvin's house, the soldiers said "Bay, open up, it's us, your comrades." Elenita refused to open the door and the soldiers banged on it until she was finally forced to open it. She immediately showed them her cedula after she opened the door.</p> | | |

19. CASE NO. G-2319

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Gino DE LA CRUZ | 12 | M |
| Lino DE LA CRUZ | 10 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Forced to inform on/Extracting information about NPAs) Torture (Manhandled while under interrogation) Illegal Detention Use of Minors in Military Operations as Guide Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| 25 elements of 63rd IBPA | | |
| Summary Account of Incident | | |
| <p>July 7, 2008</p> <p>Brgy. Carolina, Matuguinao, Samar</p> <p>Coming from the farm at around 7:00 a.m., brothers Gino and Lino De La Cruz met about 25 soldiers who were going to the direction of Brgy. Balod. They were interrogated about the NPAs. When they were unable to give any answers, their ears and hands were flicked. Later, the soldiers took the victims with them in their operations.</p> <p>At around 2:00 p.m., the soldiers went to the residence of the victims' aunt Elveria De La Cruz. They ransacked the house and took some of Elveria's clothes and bolo knives.</p> <p>By 5:00 p.m., the soldiers and the victims passed by the falls in Brgy. Hikbuan. The soldiers commanded Lino to jump into the water. Gino told the soldiers that they should be the ones to jump instead. Angered, the soldiers again flicked the victims' ears and hands.</p> <p>After a while, the victims were released but they were threatened that if the NPAs attack the soldiers along the way, they will come back to kill the two of them.</p> | | |

20. CASE NO. G-2661

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Michelle ADELANTAR | 16 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Forced/Fake Surrender) Illegal Arrest/Illegal Detention Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of 34th IBPA with Lt. Latonio, Lt. Ocampo and a certain Angel de los Angeles | | |

Summary Account of Incident

February 3-6, 2010

Brgy. San Nicholas, San Jose de Buan, Samar

At around 12:00 noon on February 3, 2010, Michelle was ordered by her older sister Remedios to go to their farm to grind some corn. Remedios got worried when Michelle failed to return to their house.

Remedios went to the farm but Michelle was no longer there. She noticed that there were military boot tracks on the ground and found Michelle's cedula torn to pieces and scattered on the ground. She picked up the pieces and followed the boot tracks, which led her to Sitio Salvacion, Brgy. San Nicolas. At around 3:00 p.m., a resident of Sitio Salvacion who had just come from the 34th IB Headquarters told Remedios that he saw Michelle there.

On February 5, Remedios, her husband, the barangay captain and five barangay councilors went to the Municipal Hall of San Jose de Buan. When they arrived there at around 10:00 a.m., the Municipal Health Officer (Dr. dela Cruz) told Remedios that a certain Lt. Serbinas called her office and said that they had a girl in their custody.

Remedios and her group (accompanied by Dr. dela Cruz and Ms. Ana Cabacang, a Social Worker from the DSWD) went to the Mayor's Office to ask for assistance.

Mayor Mila Rebato told them that they will go to the camp to fetch Michelle. However, when they arrived at the camp, only Mayor Mila, Dr. dela Cruz, and Ms. Cabacang were allowed to enter. Remedios and the barangay officials were made to wait outside. As they were standing by the gate, it started to rain and Remedios saw Michelle run out of a makeshift hut inside the camp and fetch her clothes from the clothesline.

When Michelle saw Remedios, she immediately ran towards her older sister. Some soldiers followed Michelle to the gate.

When asked why they were detaining Michelle despite not having a warrant, the soldiers insisted that Michelle voluntarily went with them. The girl immediately refuted their claim.

She said that she was forced to go with them and that she nearly passed out due to fear when the men said that they would shoot her if she refused.

A certain Lt. Latonio then ordered Michelle to go back inside the camp. He also told Remedios that Michelle would stay with them and they will send her to school.

Remedios could not bear the thought of her sister spending another night at the camp and she wanted to get Michelle out immediately. The social worker (Ms. Cabacang) told Remedios that it would be better if Michelle could stay at a house within the Poblacion instead of her own home because they need to bring the girl to the DSWD in Tacloban.

Remedios asked the Vice Mayor for help and the latter agreed to let Michelle stay at his house before being transferred to the DSWD.

At around 8:00 a.m. on February 6, Michelle was released from the camp and brought to the Vice Mayor's house. Upon her arrival, she told Remedios that before leaving the camp, the military wanted her to sign a document which was supposed to be her "release papers". She refused to sign it because the document stated that she was a "voluntary surrenderee".

On February 10, Michelle was brought to the DSWD Home for Girls in Tacloban. She continued to be detained there as of the date of filing of this complaint.

21. CASE NO. G-2805

| Name of Victim | Age | Gender |
|--|-----|--------|
| Ian CASTOR | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| <p>Use of a Child (Forced to falsely admit attending a meeting with the NPA)</p> <p>Torture</p> <p>Divestment of Properties</p> <p>Threat/Harassment/Intimidation</p> <p>Use of Minors in Military or Police Operations as Guide and/or as Shield</p> | | |
| Alleged Perpetrators | | |
| Elements of Task Force Panay - Philippine Army | | |
| Summary Account of Incident | | |
| <p>July 12, 2006</p> <p>Brgy. Masaroy, Calinog, Iloilo</p> <p>At around 9:00 a.m., Ian and his friend Jimmy were walking on their way to the latter's house when they met uniformed soldiers on the trail. The two had just come from Sitio Tina where they stayed for two days to get some corn and bananas.</p> <p>The soldiers (who wore uniforms without nameplates) stopped them and interrogated them regarding an alleged explosion in Sitio Tina. The soldiers accused them of attending a meeting with the NPA and alleged that Jimmy served as a "tutor" in the said meeting.</p> <p>During the questioning, Jimmy was punched on the chest, hit with a bamboo pole on the buttocks, and hit three times with a wooden branch on his forearm. Ian experienced worse indignities than Jimmy. The younger boy got terribly scared and feared that his family would worry once they learn of what happened to him.</p> <p>The soldiers took the corn gathered by Ian and Jimmy. The two were forced to eat the corn which the soldiers only partially cooked.</p> <p>The interrogation ended at around 5:30 p.m., after which Ian and Jimmy were forcibly brought by the soldiers to the house of Brgy. Captain Romeo Diaz in Brgy. Masaroy Proper. The soldiers also brought along a certain Loreto Duerme Jr. (who was tortured and interrogated at the same time as the two).</p> <p>Brgy. Capt. Diaz was not at home when they arrived so they proceeded to a neighboring barangay (Brgy. Garangan).</p> <p>They arrived at the house of Brgy. Captain Rene Casiple at around 6:00 p.m. They all ate and slept there for the night.</p> <p>The following morning, the group proceeded to Brgy. Maspasan.</p> <p>The soldiers left Ian, Jimmy and Loreto on the highway of Maspasan. They were warned not to tell anybody about what happened.</p> <p>Throughout their treks from one barangay to another, the three captives were made to walk in front of the formation to serve as human shields of the soldiers.</p> | | |

22. CASE NO. G-2825

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Jay CAMARIOSA | 17 | M |
| Joseph CANDOLE | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Forced to inform on/Extracting information about NPAs; ordered to bring a pail and cook for people) | | |
| Physical Assault/Injury | | |
| Torture (Punched on chest during interrogation) | | |
| Threat/Harassment/Intimidation | | |
| Alleged Perpetrators | | |
| Elements of Bravo Coy, 82nd IBPA led by Lt. Libongcogon; PFC Aldrin Legarde | | |
| Summary Account of Incident | | |
| December 10-13, 2009 | | |
| Brgy. Manampunay, Leon, Iloilo | | |
| On the morning of December 10, 2009, an encounter between the military and the NPA occurred. Joseph was ordered by a soldier to bring a pail from the site of the encounter to the barangay hall. When he arrived at the hall, another soldier grabbed him by the collar and punched him on the chest. | | |
| On December 13, 2009, Jay was walking together with his cousins Orlie and Jason when they passed by a group of soldiers along the road. The three had just come from the barangay hall where they helped cook for members of the media. | | |
| One of the soldiers asked Orlie if he knew that there was an NPA camp downhill. When he said no, he was punched on the chest. The soldier asked Jason the same question and when he said no, the soldier also punched him on the chest. Jay was also asked by the soldiers. When Jay denied any knowledge about the alleged NPA camp, he was punched on the chest and on the back. | | |

23. CASE NO. G-2961

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Ryan DAMIAN | 16 | M |
| Aldrin MATIAS | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Forced to inform on/Extracting information about NPAs) | | |
| Inhuman, Cruel or Degrading Treatment (Made to do push ups, dance and run up and down a hill) | | |
| Divestment of Properties (Confiscation of farm tool - bolo) | | |
| Alleged Perpetrators | | |
| Three elements of the Philippine Army | | |

| Summary Account of Incident |
|---|
| <p>May 22, 2009</p> <p>Brgy. Calabnigan, Libmanan, Camarines Sur</p> <p>Ryan and Aldrin just came from the farm when they passed by three uniformed soldiers at a rest house that was being used as military quarters.</p> <p>The soldiers summoned the two boys and asked them if they knew where the NPA camp was. When they said that they did not know, they were ordered to do 40 push-ups. The soldiers said that they would have to do push-ups until they revealed the location of the NPA camp.</p> <p>Once the boys finished the push-ups, the soldiers brought them to the top of the hill where they were made to dance for 15 minutes. The boys were then told that they had 10 seconds to go down the hill, and if they failed to reach the bottom at the count of ten, they would have to go back up again. The boys raced down and upon reaching the bottom, they were again made to dance.</p> <p>The soldiers made fun of the boys for about an hour. Before they were allowed to leave, the soldiers took Ryan's bolo so that they would have to come back for it.</p> |

24. CASE NO. G-3090

| Name of Victim | Age | Gender |
|---|------------|---------------|
| A certain Vargas | 10 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Forced to inform on /Extracting information about NPAs) | | |
| Use of Minors in Military or Police Operations as Guide and/or Shield | | |
| Alleged Perpetrators | | |
| Elements of 9th IBPA and participants of US-RP Balikatan Military Exercises including US Forces | | |
| Summary Account of Incident | | |
| <p>April 2009</p> <p>Sitio Lamon, Brgy. Baang, Mobo, Masbate</p> <p>Philippine Army soldiers arrived together with American soldiers to conduct Balikatan exercises in the community.</p> <p>While they were patrolling, they chanced upon a boy named Vargas near the river. They asked the boy if he saw some of their companions who were also armed. The boy said that he saw armed men near the house of a certain "Tata William Hate". The soldiers asked the boy to lead them to the house since the armed men were supposedly their companions.</p> <p>The boy led them to the place that he was talking about. The soldiers promptly surrounded the house and pointed their guns at it. However, they did not find the men that they were looking for.</p> <p>The soldiers got mad and sent the boy home. The soldiers however stayed at the house and slept there. Before leaving the following morning, they warned the owners not to let NPAs stay in their home or else the soldiers will shoot all its occupants.</p> | | |

25. CASE NO. G-3101

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| Michelle Ley BANAAG | 5 1/2 | F |
| Mika CANALES | 5 1/2 | F |
| Unnamed pupils (43) of Sowmel Elementary School | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Public Places (School) for Military Purposes and/or Endangerment of Civilians Use of Minors in Military or Police Operations as Guide and/or Shield | | |
| Alleged Perpetrators | | |
| Elements of the Armed Forces of the Philippines | | |
| Summary Account of Incident | | |
| <p>October 29-30, 2009</p> <p>Sitio Sampalok, Brgy. Umabang Exterior and Brgy. Sowmel, Mobo, Masbate</p> <p>At around 5:00 p.m. on October 29, 2009, armed soldiers in uniform arrived at the community. They proceeded to the Somwel Elementary School and spent the night there.</p> <p>Local residents were surprised and frightened when they heard a gunshot sometime between 9:00 p.m. and 10:00 p.m.</p> <p>The following morning, between 6:00 a.m. to 7:00 a.m., the soldiers went to the house of Brgy. Captain Sampaga, allegedly to investigate the gunshot heard the previous night.</p> <p>The barangay captain said he knew nothing since he was already asleep when the gunshot was heard.</p> <p>A soldier accused the barangay captain and the entire barangay of being "NPA protectors". He told the barangay captain that they will return once they find evidence against him.</p> <p>When the military learned that a big group of schoolchildren was going to Masbate for a field trip, they (the soldiers) walked with the teachers, children, and their parents.</p> <p>As they were walking, a bomb exploded. The soldiers suddenly grabbed some children to shield themselves. Other children ran out of panic. When the group reached the vehicle that would take them to Masbate, the military told them that the NPA was responsible for the bombing. However, the residents claim that no other armed group arrived at the community at that time except for the military.</p> | | |

Appendix E-3

Incidents of GRP/GPH Violations of HR & IHL Involving Children and Minors from News Reports and Statements of NPA Commands

Based on the NDFP-JS Reports to UNICEF-Philippines
for the Latter’s Periodic Global Horizontal Note

(Note: These incidents were not filed with
the Joint Monitoring Committee (JMC))

Prepared by the NDFP-JS on 10 January 2012

1.

| Name of Victim | Age | Gender |
|---|-----|--------|
| Job CASTRO (aka Juve LATIBAN, “Jomar”) | 17 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Recruitment of a Child (Recruited into CAFGU) | | |
| Use of a Child (Falsified birth certificate to cover up child recruitment) | | |
| Alleged Perpetrators | | |
| PFC Alvin Latiban & elements of 72nd IBPA, 10th IDPA | | |
| Summary Account of Incident | | |
| <p>19 June 2010</p> <p>Brgy. Upper Ulip, Monkayo, Compostela Valley</p> <p>In October 2008, Job Castro, then barely 16 years old, was recruited by PFC Alvin Latiban to join the CAFGU. Together with 18 other minors, Job underwent a 45-day training at a military camp in Mawab, Compostela Valley. In a ceremony held on 8 Dec 2008 in the 72nd IB camp in Tuburan, Compostela Valley, they were officially admitted as members of the CAFGU. They were also provided with bogus birth certificates. Job’s fake certificate stated that his surname was “Latiban” and he was born in 1990 and not 1992.</p> <p>On 19 June 2010, Job and his companion, Army Staff Sgt. Bienvenido Arguelles, were arrested in an NPA checkpoint.</p> <p>Job’s genuine birth certificate with the National Statistics Office (NSO) bears his real name – “Job Castro”, and his year of birth 1992 and not 1990. He only used Latiban, his natural father’s surname, when he joined the CAFGU. These facts were revealed by the grandfather of Job in an interview with ABS-CBN Southern Mindanao on 9 July and were confirmed by Castro himself in an interview with the Inquirer after his release by the NPA on 16 July 2010.</p> <p>Job was never considered a prisoner of war (POW) by the NPA and was turned over to his family (as soon as security considerations allowed) in accordance with international humanitarian law.</p> | | |

| Source and Date of Report |
|--|
| Philippine Revolution Web Central (PRWC), "Army Sgt. being held as POW; 17 year old CAFGU Proof that 10th ID AFP Recruits Minors for Combat Duty" Rigoberto Sanchez, Spokesperson, Merardo Arce Command, NPA Southern Mindanao, Regional Operational Command 1 July 2010 |
| ABS-CBN News.com, "NPA says Army in Compostela using 'child warriors'" 9 July 2010 |
| Inquirer.net, "NPA frees teen militia member" 18 July 2010 |
| PRWC, "NPA facilitates return to civilian status of minor recruited as combatant by AFP" Rigoberto Sanchez, Spokesperson, Merardo Arce Command, NPA Southern Mindanao, Regional Operational Command 16 July 2010 |

2.

| Name of Victim | Age | Gender |
|---|-----|--------|
| A certain "Amanda" | 17 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Falsely accused as NPA surrenderee; forced to publicly admit being an NPA surrenderee) | | |
| Rape/Sexual Abuse of a Child (Seduced to enter into a sexual relationship with one of her captors) | | |
| Illegal Arrest/Illegal Detention (in a military camp and DSWD) | | |
| Alleged Perpetrators | | |
| Elements of 84th IBPA | | |
| Summary Account of Incident | | |
| <p>"Amanda" was a domestic worker at Central Park Subdivision in Bangkal, Davao City. When she returned home to Brgy. Escandor, Baracatan Toril, Davao City in October 2010, she was arrested by the military. She was later presented to the public by the 10th ID as an alleged NPA would-be-recruit who surrendered to the AFP.</p> <p>However, in a press conference on 12 January 2011, "Amanda"s sister refuted the military's claim and stated that "Amanda" was never a member of the NPA. In fact, she was wooed by one of her captors and was prevailed upon to claim that she was a rebel who surrendered. Her experience had caused her to attempt suicide, having been coerced to enter into a relationship and then forced to admit to something that she was not.</p> <p>The military promised "Amanda" that she could continue with her schooling but this did not happen. She was not released to her family but was instead turned over to the DSWD.</p> <p>The Zenaida Beron Command (ZBC) condemned the 84th IB for victimizing "Amanda", luring her into a relationship with one of its soldiers which, under GRP/GPH laws constitute statutory rape; turning her into an "NPA child soldier" and publicly parading her as such; promising her support to continue with her education which did not materialize; and dumping her in DSWD instead of returning her to her family.</p> | | |

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| Source and Date of Report |
|--|
| Sun Star Network online, "Sister says girl is not an amazon" 12 January 2011 |
| PRWC, "ZBC-NPA to 10th ID-AFP's Aguilar: Shame on you for capitalizing on 'Amanda' in your black propaganda repertoire" Ka Sandawa, Spokesperson, Zenaida Beron Command, NPA Southern Mindanao 16 January 2011 |
| Bulatlat.com, "Salinlahi on GPH and NDFP Resumption of Peace Talks: In Time of Love Let's Talk About Peace for Our Children's Future" 21 February 2011 |

3.

| Name of Victim | Age | Gender |
|--|------------|---------------|
| Joel SILVESTRE | 12 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Falsely accused as NPA courier and tax collector; taught to use a gun; paraded before media; photographed holding a high-powered firearm) | | |
| Abduction (Took a child from the house of his uncle in one town and brought to another; used as guide in military operations; and forced to falsely inform on alleged supporters of the NPA) | | |
| Illegal Detention (Given to DSWD who allowed him to be used for propaganda by the military) | | |
| Alleged Perpetrators | | |
| Elements of 34th IBPA, 8th IDPA led by 2Lt. Jelynne Unabia | | |
| Summary Account of Incident | | |
| <p>In a press release on 10 June 2009, 2Lt. Jelynne Unabia of the army's 34th IB, 8th ID, claimed that they negotiated for the surrender to the military of an alleged courier and tax collector of the NPA, 12-year old Joel Silvestre, on 6 June in Brgy. Rizal, Matuguinao, Western Samar. Joel was presented to the media as an NPA child soldier on 9 June. He was photographed being interviewed in a local radio station, holding an M-16 rifle much bigger than him beside a certain Ms. Luz Tacal, an officer of the provincial DSWD.</p> <p>In a press statement on 10 June 2009, Fr. Santiago Salas, Spokesperson of NDF-Eastern Visayas, condemned the 34th IB for abducting Joel and fabricating the story of him being a child soldier. Fr. Salas called for an investigation of the incident by human rights groups, recalling the well-known case of Edfu de la Cruz, another 12 year old boy whose family was massacred by the 43rd IB in Southern Leyte and who was abducted, tortured, illegally detained, taught how to dismantle an M-16 rifle and humiliated as a child soldier. Edfu was eventually released after strong public protest over the incident.</p> <p>On 8 July 2009, the Katungod-Sinirangan Bisayas, a local human rights group, issued a statement on its findings on the case of Joel. Katungod learned that Joel, an orphan, was abducted by soldiers of the 34th IB from his grandparents' house in Brgy. Montalban, Matuguinao, Western Samar, brought to Gandara, Western Samar, taught how to carry and use a gun, and made a guide in military operations. Peasants who were accosted, interrogated and mauled by the military as suspected supporters of the NPA in Brgy. Rizal, Matuguinao, on 5 June 2009, testified that the soldiers were guided by a small boy wearing a</p> | | |

ski mask and carrying a shotgun. The boy was pointing out to the military those whom he suspected were supporters of the NPA in the area. The peasants learned of the boy's name later after he was presented to the media.

Source and Date of Report

SamarNews.com, "Army rescue child NPA courier in Samar"
10 July 2009

PRWC, "NDF-EV slams AFP for old gimmick, calls for the immediate release of abducted 'child soldier';
Fr. Santiago Salas, Spokesperson NDF-Eastern Visayas
10 June 2009

SamarNews.com, "'Rescued' child soldier: Army's fabricated story"
8 July 2009

4.

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Unnamed boy | 13 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Forced to inform on villagers supporting the NPA) Torture/Physical Abuse (kicked a child for failing to give information on persons supporting the NPA) Use of School for Military Purposes | | |
| Alleged Perpetrators | | |
| Elements of 19th IBPA | | |
| Summary Account of Incident | | |
| On 19 May 2010 in Brgy. Antipolo, Albuera, Leyte, military elements summoned the peasants to the barangay school and harangued them for an hour for supporting the NPA. The peasants were also told to stop supporting Anakpawis partylist and some progressive senatorial candidates. A soldier kicked a 13- year old boy when he failed to name who in the village are feeding the NPA. | | |
| Source and Date of Report | | |
| PRWC, "Growing cases of peasant suppression" Ang Bayan June 7, 2010 issue | | |

5.

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Cristuto MENIOLA, JR. | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Accosted while riding a carabao; forced to drop to the ground) Physical Abuse (Manhandled) | | |

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| Threat/Harassment/Intimidation (Commanded to dismount at gunpoint) Forced Labor/Involuntary Servitude (Commanded to fetch water for the soldiers) |
| Alleged Perpetrators |
| Elements of 11th IBPA |
| Summary Account of Incident |
| On 22 May 2010 in Brgy. Carabalan, Himamaylan, Negros Occidental, Cristuto was riding a carabao when he was commanded to dismount at gunpoint by elements of the 11th IBPA. He was forced to drop to the ground and was mauled. The soldiers also commanded him to fetch water for them. Cristuto aired his experience on 29 May before a fact-finding mission conducted by the September 21 Movement-Southern Negros to look into reported violations of human rights in Himamaylan, Negros Occidental. |
| Source and Date of Report |
| Sun Star Network Online, "Human rights violations aired vs Army unit" June 3, 2010 PRWC, "Growing cases of peasant suppression" Ang Bayan June 7, 2010 issue |

6.

| Name of Victim | Age | Gender |
|---|------------|---------------|
| A certain Ronron | 15 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Portering, hired in carrying guns and ammunitions during police operations against suspected perpetrators of the Maguindanao massacre) | | |
| Alleged Perpetrators | | |
| A certain SPO1 Mama of PNP-Davao | | |
| Summary Account of Incident | | |
| December 2009 Davao City Ronron is a highschool dropout and the sixth of seven children. He lives in Davao City, sells bread in the morning and does odd jobs for neighbors to help his family. Sometime in December 2009, a certain SPO1 Mama, a friend of his father, offered him work and promised to pay him 300 pesos a day. Wanting to help his family, he accepted the offer even though he was not told what his actual work would be. Ronron was asked to report to the police unit two weeks after the 23 November 2009 Ampatuan massacre in Maguindanao. It turned out that his job was to carry guns and ammunitions for the police unit everytime it goes on assignment to pursue suspected perpetrators of the Maguindanao massacre. He has since been portering for the police earning much more than doing odd jobs in Davao City. He has gone with the police unit to Maguindanao at least twice. | | |

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|---|
| Source and Date of Report |
| Dateline Philippines, "Child labor in the battlefield", 26 July 2010 |

7.

| Name of Victim | Age | Gender |
|---|---------------|---------------|
| Roy PARASA ("Boy") | 17 | M |
| Eric "Jerry" Layal of Brgy. Malawanit, Magsaysay, Davao del Sur | 17 | M |
| Donita Rose "Donna" Barro of Dungan Pekong, Matanao, Davao del Sur | Not Specified | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Recruitment of a Child (trained by the military for intelligence work including stealing firearms) | | |
| Use of Children (Falsely accused of being NPA "child warriors" and paraded before the media) | | |
| Abduction | | |
| Torture (forced to admit being an NPA recruit) | | |
| Alleged Perpetrators | | |
| Elements of 39th IBPA, 10th IDPA | | |
| Summary Account of Incident | | |
| July 2010 Tagaytay, Magsaysay, Davao del Sur Roy was able to enter an NPA camp through the intercession of his uncle, Roger Parasa, who turned out to be an impostor and traitor. When they left the camp, Roy and his uncle took with them two high powered rifles. It was established later that Roy was tasked by the military to get inside the camp through his uncle in order to steal guns. Roy was subsequently presented to the media as an "NPA child soldier". A certain "Donna" was also repeatedly paraded in her town and before the media as an NPA child warrior. "Jerry" was abducted and tortured by soldiers into admitting being an NPA recruit. However, unlike Roy and "Donna", "Jerry" was able to escape his captors before he could be paraded before the media as an NPA "child soldier". In a statement, Dencio Madrigal, Commanding Officer of the Valentin Palamine Command in Far South Mindanao region, denied recruiting the three or any other minor into their ranks. Madrigal stated that the Valentin Palamine Command abides by the rules and policies of the NPA on the recruitment age into the NPA. He accused the 39th IB of deliberately using minors, the children of simple peasants, in its propaganda war against the revolutionary movement and of bringing irreparable harm to them. | | |

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| Source and Date of Report |
|--|
| PRWC, "The 39th IB trains and uses minors as action agents" Dencio Madrigal, Commanding Officer, Valentin Palamine Command, NPA Far South Mindanao 31 July 2010 Mindanews.com, "Child warrior not ours – NPA" 3 August 2010 |

8.

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Two unnamed children | 17 | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Accosted and interrogated on the whereabouts of the NPAs) Threat/Harassment/Intimidation (Photographed, threatened with abduction if incident will be reported) Divestment of Properties (Farm tools were taken) | | |
| Alleged Perpetrators | | |
| Elements of Bravo Company, 14th IBPA | | |
| Summary Account of Incident | | |
| In February 2011, the 14th Infantry Battalion, PA, conducted military operations in Giporlos, Eastern Samar. In Brgy. Huknan, Giporlos, the victims were on their way to get copra from their farm when a group of soldiers passed by. They were interrogated about the whereabouts of the NPA. Before the soldiers left, they took photographs of the victims, threatening them not to tell anyone about the incident especially the village officials, or else they will be abducted. They also took the victims' "sundang" (bolo). | | |
| Source and Date of Report | | |
| SamarNews.com, "14th Infantry Battalion violates rights of children in Eastern Samar" 7 March 2011 | | |

9.

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Four unnamed siblings | 4 to 12 | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Interrogated to reveal where they kept their purported firearms) Indiscriminate Gunfire (To sow terror and force the community to attend an anti-NPA meeting) Violation of Domicile (Forcibly entered the house) Threat/Harassment/Intimidation | | |

| |
|--|
| Alleged Perpetrators |
| Elements of the AFP |
| Summary Account of Incident |
| <p>On 4 March 2011 in Brgy. Carolina, Matuguinao, Samar, a platoon of armed soldiers entered the village and started to fire their guns indiscriminately for five minutes. They went around the community to round up the residents and force them to attend an anti-NPA meeting in the town center. They threw stones at the residents' houses to force them out and burned a house in an outlying part of the village.</p> <p>The victims were left at home after their father was compelled to attend the meeting. The soldiers forced their way into the house and interrogated the victims where they kept their firearms. The soldiers accused the victims of lying when they answered that there was no gun in the house.</p> |
| Source and Date of Report |
| <p>PRWC, "CPP calls on UN children's rep to look into children terrorized by the AFP in Samar" CPP Information Bureau 18 April 2011</p> |

10.

| | | |
|---|------------|---------------|
| Name of Victim | Age | Gender |
| A certain "Peryong" † | 16 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Recruitment of a Child (recruited to become a CAFGU member) | | |
| Alleged Perpetrators | | |
| Elements of 29th IBPA | | |
| Summary Account of Incident | | |
| <p>On 7 June 2011, the NPA ambushed a unit of the 29th IB while patrolling at Purok 5, San Isidro, Lianga, Surigao del Sur. Two died and one soldier was wounded. One of the dead was an armed CAFGU member who turned out to be a child.</p> <p>"Peryong" was the son of Pablito Espinosa, Jr. and Maricel Espinosa. He was born on 25 June 1994 and was only 16 when recruited and trained by the 29th IB to become a member of CAFGU and take part in military operations.</p> <p>Maria Malaya expressed sadness over the death of "Peryong" as one of the casualties in the ambush.</p> | | |
| Source and Date of Report | | |
| <p>PRWC, "Under-aged CAFGU also died in an NPA ambush in Surigao del Sur" Maria Malaya, Spokesperson, NDF-Northeastern Mindanao Region 20 June 2011</p> | | |

11.

| Name of Victim | Age | Gender |
|---|------------|---------------|
| Leo OPENA | 15 | M |
| Ogie MARITANA | 12 | M |
| Jay-R OBNIALA | 12 | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (as guide and shield by soldiers in gathering firewood and going to the marketplace and transport terminal) | | |
| Attack on schools and churches (occupation of schools and church courtyards) | | |
| Alleged Perpetrators | | |
| Elements of 2nd IBPA led by Lt. Col. John V. Oberio and Col. Arthur P. Ang of the 901st Bde., Cpl. Pagarang, and Sgt. Marano | | |
| Summary Account of Incident | | |
| <p>In July 2011, the 2nd IBPA under Lt. Col. John Oberio and the 901st Brigade under Col. Arthur Ang launched full-scale military operations against 11 barangays in Guinobatan, Albay. The operations was dubbed "Community Peace and Development Operations". The troops occupied schools, church courtyards, barangay halls and other public places.</p> <p>The military conducted a house-to-house census of the communities, interrogated residents, took their pictures, required them to perform labor in building huts for the soldiers, ordered them to do rondas and guard duty around military outposts, restricted their movements and activities, and threatened and harassed them as NPA supporters.</p> <p>Children were not spared. In Brgy. Ongo, Ogie and Jay-R were forced to accompany a group of soldiers while gathering firewood. The soldiers also used them as guide on the way to the terminal of the habal-habal (motorcycle for hire).</p> <p>In Brgy. Balite, Leo was also used as a guide by the soldiers when they shopped at the marketplace.</p> | | |
| Source and Date of Report | | |
| <p>PRWC, "Mamamayang Albayanos, Sumisigaw ng hustiya dahil sa nagpapatuloy na abusong militar dulot ng Community Peace and Development Operation Team ng AFP (Albay residents cry for justice against continuing military abuses done by the Community Peace and Development Operation Team of the AFP)"</p> <p>Florante Orobia, Spokesperson, Santos Binamera Command, NPA-Albay</p> <p>23 August 2011</p> | | |

Appendix E-4

Incidents of GRP/GPH HR & IHL Violations Involving Children and Minors from Human Rights Watch Statements

Prepared by the NDFP-JS on 12 January 2012

1.

| Name of Victim | Age | Gender |
|---|---------------|--------|
| "Jerome" | Not Specified | M |
| "Marlon" | Not Specified | M |
| "Vincent" | Not Specified | M |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of Children (Falsely accused of being NPA members/publicly displayed as child soldiers; falsely accused of planting of bombs) | | |
| Illegal Arrest/Illegal Detention | | |
| GRP Allegation | | |
| <p>An ABS-CBN news article reported on 29 June 2011 that Col. Romeo Gan, commander of the Army's 401st Infantry Brigade, claimed that his troops captured three "child soldiers" after a firefight with the NPA in San Agustin, Surigao del Sur. According to the military, the three "child soldiers" were tasked to operate landmines.</p> <p>In the same news report, Major Gen. Victor Felix, the army's regional divisional commander, accused the NPA of violating the Geneva Conventions, while the commanding officer of the 4th Civil Military Operations, Major Eugenio Julio Osias IV, claimed that the NPA is getting desperate in its recruitment measures.</p> <p>On 4 July 2011, Malaya news reported that Philippine Army Spokesperson, Col. Antonio Parlade, questioned the silence of Karapatan and Human Rights Watch, specifically naming Roneo Clamor and Elaine Pearson, on the capture of the three NPA "child soldiers". According to the Malaya news report, Parlade stated that the three child warriors (two aged 10 and the third aged 12), substantiate military claims that the NPAs are constant violators of children's rights. Parlade also stated "This is serious evidence that the NPA continues to recruit children into the armed group, defying international standards against the recruitment and use of child combatants."</p> <p>A follow-up article by ABS-CBN News dated 30 June 2011 reported that according to the Municipal Social Welfare Development (MSWD), the "three minors were just caught in the middle of the firefight between the military and the rebels while collecting copra."</p> <p>NOTE: This incident was included by the NDFP-JS in its report to the UNICEF for the latter's Periodic Global Horizontal Notes.</p> | | |

Human Rights Watch Report and Statements of Concerned NPA Command and/or HR Organizations

In a statement on 1 July 2011, Maria Malaya, NDF Spokesperson for Northeastern Mindanao, denied the allegation of the military, calling the 401st Brigade a great fabricator and stating that Col. Gan and Major Osias grossly lied when they proclaimed to the media that the three children were NPA members.

She clarified that the children were with their father and a relative collecting copra in their farmland in Hanipaan, San Agustin, Surigao del Sur when the military came and arrested them.

On the other hand, Human Rights Watch (HRW) reported on 11 October 2011 that “the Municipal Social Welfare and Development (MSWD) officer in the area has since publicly declared that her department found no evidence that the children had been recruited by the NPA, and school records support their conclusion”.

HRW reported that the children were intimidated and assaulted into admitting planting a bomb.

The children were not only depicted as “child soldiers” in the media, but leaflets with their photographs were also distributed in their community.

After brief detention, the MSWD released the children to their parents.

Source/s

ABS-CBN News
“3 ‘NPA child soldiers’ captured in Surigao”
29 June 2011

Malaya.com
“Army questions HR groups’ silence on captured NPA child soldiers”
4 July 2011

NDFP Website
“Three children detained by Philippine military are civilians, not NPA members”
Maria Malaya, NDF Spokesperson, Northeastern Mindanao
1 July 2011

ABS-CBN News
“3 rescued minors, no NPA members – official”
30 June 2011

hrw.org
“Philippines: Army Falsely Tags Children as Rebels”
11 October 2011

2.

| Name of Victim | Age | Gender |
|-----------------------|------------|---------------|
| “Olay” | 16 | F |
| “Noynoy” | 14 | M |

| |
|--|
| Type of Violation/s (In Relation to the Children Victims) |
| Use of Children (Falsely accused of being child soldiers) Forced/Fake Surrender (Public display of alleged child soldiers) Forced Labor/Involuntary Servitude |
| GRP Allegation |
| In a press release by the Philippine News Agency (PIA) dated 28 July 2011, troops of the 20th Infantry (WE LEAD) Battalion (IB) of the AFP led by Lt. Col. Noel A. Vestuir turned over to the local office of the Department of Social Welfare (DSWD) in a public ceremony held at San Isidro Municipal Hall in Northern Samar, two siblings alleged to be child soldiers identified as “Noynoy”, 14 years old, and “Olay”, 16 years old. As part of the turnover ceremony, the Mayor of San Isidro, Conrado Avila, handed over P10,000 each to the alleged child soldiers. 2nd Lt. Kris Marie Bestes, acting civil military officer of the 20th IB, claimed that “Olay” and her brother “Nonoy” surrendered to the military on July 6 and July 11 respectively. |
| Human Rights Watch Report and Statements of Concerned NPA Command and/or HR Organizations |
| Upon verification, Human Rights Watch (HRW) was informed by the social welfare department that “there is no evidence that the children had ever been involved with the NPA.” “Olay had been living in Manila and returned home to Northern Samar only for the village fiesta.” Prior to being transferred to DSWD custody, “Olay was kept in the army camp doing laundry and other domestic chores for three weeks.” |
| Source/s |
| PIA Press Release “Military rescues 2 alleged NPA-recruited minors turns them over to DSWD” 28 July 2011 hrw.org “Philippines: Army Falsely Tags Children as Rebels” 11 October 2011 |

3.

| Name of Victim | Age | Gender |
|---|-----|--------|
| “Rose” | 17 | F |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Use of a Child (Falsely accused of being a child soldier/paraded as a child soldier) Illegal Detention | | |
| GRP Allegation | | |
| On 8 September 2010, soldiers from the army’s 84th Infantry Battalion took custody of Rose. In a ceremony covered by local TV media on 14 September, Lt. Col. Gabriel Viray, Commander of the 84th Infantry Battalion, turned over the custody of Rose to the DSWD. Lt. Col. Medel Aguilar of the 10th Infantry Division presented Rose to the media as a “would-be NPA recruit” who escaped. | | |

In a press release dated 15 September 2010, the 10th ID claimed that Rose was only 15 when the NPA started to give her lectures and trainings. She was promised by the NPA that the cyst below her neck would be treated. She was also taught how to handle firearms in preparation for her joining the NPA after her 18th birthday.

The 10th ID further claimed that Rose had always believed that the communist NPA are the true protectors of the poor. But this changed when the NPA “executed” her cousin, whom she described as a good person. Her brother was angered when she told him about her decision not to join the NPA. She ran away and sought the protection of the military after her brother allegedly threatened to hit her with a bottle.

Rose stayed in a center for girls run by the DSWD until 14 February 2011 beyond her 18th birthday.

Note: This incident was included by the NDFP-JS in its report to the UNICEF for the latter’s Periodic Global Horizontal Notes.

Human Rights Watch Report and Statements of Concerned NPA Command and/or HR Organizations

In a statement on 17 September 2010, Ka Sandawa, Spokesperson of NPA Southern Mindanao, Zenaida Beron Command, denied the allegation of the military that Rose was a “would be recruit” of the NPA who escaped. Ka Sandawa said that “the AFP’s grandstanding of turning over the 17-year old innocent minor to GRP civilian agencies is hypocritical in the light of the continuing violation of the military against minors”, citing the case of Grecil Buya, the capture of a CAFGU minor and the arming of Lumad minors to beef up military detachments.

On the other hand, Human Rights Watch reported on 11 October 2011 that Rose was a runaway who was declared an NPA child soldier by the military. Rose told HRW that she was never an NPA and provided school and employment information to support her contention. She said that she was compelled to do media interviews which disturbed, scared and confused her. “The military really made me feel like I was NPA.”

Source/s

10th Infantry Division, Philippine Army News and Features
“Rescued minor turned to DSWD”
15 September 2010

Philippine Revolution Web Central
“Children are fair game to 10th ID-AFP’s psywar theatrics”
Ka Sandawa
Spokesperson,
NPA Southern Mindanao, Zenaida Beron Command
17 September 2010

Philippine Revolution Web Central
“AFP violations hurting children’s rights under Aquino’s OBL extension”
Communist Party of the Philippines (CPP) Information Bureau
18 September 2011

hrw.org
“Philippines: Army Falsely Tags Children as Rebels”
10 October 2011

4.

| Name of Victim | Age | Gender |
|--|---------------|---------------|
| Unnamed pupils of Gueday Elementary School, Sadanga National High School and other schools | Not Specified | Not Specified |
| Type of Violation/s (In Relation to the Children Victims) | | |
| Attack on Schools (Occupation of Schools for military purposes endangering civilians) Use of Children (Ordered Students to run errands for the soldiers) | | |
| Threat/Harassment/Intimidation (Threatened to shoot child for not returning exact change) Disrespect for the Rights of Indigenous Peoples | | |
| GRP Allegation | | |
| A GRP/GPH military officer and local official conceded that the stationing of soldiers in schools is illegal under GRP/GPH laws since 1992. But the GRP/GPH military officer claimed that soldiers occupy schools with the consent of local officials to which the GRP/GPH agreed for practical reasons. | | |
| Human Rights Watch Report and Statements of Concerned NPA Command and/or HR Organizations | | |
| During field investigations in the Cordillera Autonomous Region, Human Rights Watch (HRW) discovered five cases of GRP/GPH military occupation of schools or parts of schools in violation of international humanitarian law. | | |
| In May 2010, GRP/GPH soldiers established a base at the Gueday Elementary School, Besao, Mountain Province. For three months, they occupied a building which was being used as a storage room by the school. | | |
| During their stay, the soldiers asked school children to buy them food and run other errands. "The school received a complaint from one parent that a soldier had allegedly threatened to shoot a child during a dispute over whether the child had returned the correct change after a food purchase. The military denied the incident to the school." | | |
| On the other hand, the Cordillera People's Alliance (CPA) claims that there were three children involved in the above cited incident. CPA adds that the occupation of schools and day care centers were carried out in six barangays since 24 January 2010 when troops were deployed in 22 barangays and 10 municipalities of Mountain Province as part of the GRP/GPH civil military operations. The soldiers even threatened the integrity of families by courting married women. They were also organizing a Barrio Intelligence Network and conducting surveillance of people's organizations that were opposed to destructive mining projects and other activities. | | |
| HRW also reported that as late as 18 November 2011 when their investigators visited the Sadanga National High School in Mountain Province, "soldiers from the 54th Infantry Battalion (IB) were using part of the school...(with) some soldiers encamped on school grounds...and a military vehicle parked in the school's courtyard." | | |
| Source/s | | |
| Human Rights Watch statement, "Philippines: Soldiers on the School Grounds" November 30, 2011 | | |
| Northern Dispatch Weekly "MP Demand AFP pull-out" July 26, 2010 | | |

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