



ANG  
**Bayan**

PAHAYAGAN NG PARTIDO KOMUNISTA NG PILIPINAS  
PINAPATNUBAYAN NG  
MARXISMO-LENINISMO-MAOISMO

Special Issue

English Edition

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## ***From the Editors***

In commemoration of International Human Rights Day, *Ang Bayan* has come out with this advance release of its November-December 1999 issue. This issue aims to focus attention on children's rights in the context of the raging civil war in the Philippines.

In particular, we aim to belie the Estrada regime's pretensions to being pro-children and thereby junk its propaganda on the New People's Army's (NPA) supposed policy of recruiting child guerrillas in violation of international standards and rules of war.

This vacuous issue is being concocted by Estrada and his fascist commanders in a futile attempt to demolish the ever-expanding support of the Filipino people for the armed struggle and besmirch the rising prestige of the Party and the revolutionary

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## **On the NPA's Alleged Mass Recruitment of Child Guerrillas**

**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 semi-feudal 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. Young people 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.

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Along with this, the Party, 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 nonmilitary 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 respect for human rights were included in the first phase of the peace talks between the GRP and the NDFP and the Comprehensive Agreement (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 guerrillas.

Up to now, they have had nothing to show except 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 guerrillas and planting firearms as "evidence" on even 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, 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.

Facts prove that the NPA on the whole abides by international laws and rules of 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. **AB**

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

**Further politicize the children  
and youth for the revolution!**

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

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movement in the field of international diplomacy. It is a desperate move to cover up its sins against children, especially its targetting of children in its fascist war in the countryside.

To thoroughly belie the Estrada government's perverted propaganda, we are publishing this statement from the Military Commission of the Party Central Committee (dated August 30) that clarifies a long-standing policy of the Party and the NPA on the minimum age requirement for recruitment into the NPA. Likewise, to reinforce and further elaborate on this policy, the Executive Committee of the Party Central Committee (EC-CC) issued on October 15 a memorandum on the "Minimum Age Requirement for NPA Fighters" that we have also included in this issue. These also serve as reminders to all NPA units.

Due to their intense oppression, thousands of children and youth, especially the sons and daughters of the toiling masses, are enthusiastically lining up to become part of the revolutionary movement. As they suffer oppression, they quickly grasp that it is only the people and the revolutionary movement that can guarantee a bright future for children. They and their oppressed parents are the deep wellsprings of the Party, the people's army and the revolutionary mass organizations. **AB**

# On the minimum age requirement for the New People's Army fighters

**Executive Committee of the Central Committee  
15 October 1999**

## **Please be informed and guided by the following:**

1. Under International Humanitarian Law, specifically Article 77, para. 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 fifteen years but who have not attained the age of eighteen years (...) shall endeavor to give priority to those who are oldest."

Under Article 4, para. 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, para 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, para 3(c) of the same Protocol and are captured remain entitled to the special protection provided to children by Article 4, para 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 is not yet adopted and carries vague terms, such as "direct and indirect participation" and "hostilities".

So far, existing international humanitarian and human rights laws allow 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 recruiting 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, militia and other non-combat units and tasks.

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 for 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. **AB**

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