

The Landmine Monitor is an international and NGO initiative looking into the compliance of states parties to the 1997 Convention on the Prohibition of the Use, Stockpile, Production, and Transfer of Antipersonnel Mines and on their Destruction better known as Mine Ban Treaty.

The Philippine Government is signatory and party to this Convention. It reportedly destroyed its entire stockpile of Claymore mines.

There were agreements in the past between the government and the CPP/NDF/NPA dealing with landmines, specifically the Comprehensive Agreement on Respect of Human Rights and International Humanitarian Law (see Part III, Art. 2.15; Part IV, Art. 4.4; Part II, Art. 4) which was signed last March 1998. However, the talks were suspended in February of 1999.

The Mine Ban Treaty prohibits the use of landmines. However, technically, it permits the use of landmines in a command detonated mode. Anti-tank and anti-vehicle mines are not prohibited under the treaty.

In addition, treaties like the Mine Ban Treaty only covers states but not the "Non-state Actors", these include are armed opposition groups challenging existing states.

Questions:

### **1. What is CPP/NDF/NPA's thoughts/position on the landmine issue?**

The CPP and NDFP support the goal of prohibiting the use, stockpiling, production and transfer of anti-personnel mines. Millions of indiscriminately laid, uncharted and hard-to-destroy landmines have imposed grave human and economic cost, especially on poor countries. Even long after the armed conflicts for which they had been employed had ended, these mines continue to cut off vast areas from agricultural and other productive use and cause thousands of casualties every year mostly among innocent civilians.

Part III, Art. 2.15 of the Comprehensive Agreement on Respect for Human Rights & International Humanitarian Law (CARHRIHL) of 1998 between the GRP and NDFP upholds the right of the people and their communities "not to be subjected to forced evacuations, food and other forms of economic blockades and indiscriminate bombings, shellings, strafing, gunfire and the use of landmines."

It must however be noted that while the 1997 Ottawa treaty to ban anti-personnel mines have gained wide international support, some of the leading manufacturers, merchants and users of anti-personnel mines like the US, Russia and China refuse to sign and accede to the treaty. Banning anti-personnel mines will simply be impossible without the accession of these powers.

Despite the protracted armed conflict in the Philippines, it is not among the countries affected by the mine crisis. Anti-personnel mines have never been the main cause of casualties among civilians and non-combatants, but rather the indiscriminate aerial and artillery bombardments by the AFP and the hunger, disease and deprivation among refugees who are mostly victims of forced mass evacuations that usually characterize the AFP's base denial and large-scale search and destroy operations.

### **2. There have been many reports in the past of the NPA's use of landmines in its operation (i.e. Col Manayao's ambush in Jones, Isabela), any comments?**

The mines used in Col. Manayao's ambush in Jones, Isabela were command-detonated anti-vehicle mines. They are not covered by the prohibition against anti-personnel mines.

**3. The way the NPA uses landmines, technically, in a command-detonated mode is not covered by the treaty, and likewise anti-vehicle mines. However, there are some aspects that need to be pursued like the case of "anti-vehicle" landmines used in ambushes but has antipersonnel effects. There were casualties in the past that succumbed due to injuries not of bullets but of the impact of the "anti-vehicle" mines set up. And it is on this**

**aspect that the Mine Ban Treaty could, technically, apply. Any comments? Do you differentiate an antipersonnel mine with an anti-vehicle mine?**

The Mine Ban Treaty prohibits anti-personnel mines because of the injuries—and usually excessive injuries—they indiscriminately inflict on combatants and non-combatants alike. Anti-personnel mines are thus considered contrary to humanitarian conduct of war.

Of course, when tanks, armored cars and other military vehicles are hit by anti-vehicle mines, personnel aboard the vehicles will most likely be affected. But it is not the intent of the 1997 Ottawa treaty to forbid whatever casualty from mines. Otherwise it would also have banned anti-vehicle mines.

**4. How are these landmines set up? (command detonated, trip wire or pressure triggered?)**

Landmines used in NPA ambushes are improvised, command-detonated mines .

**5. (if you confirm the NPA's use of landmines) How valuable are landmines in your operation? Please explain.**

The NPA is a poor man's army. We have no artillery except for a few mortars captured from the reactionary troops. We have no anti-tank and anti-armor weapons besides our improvised mines, designed for use against tanks, armored cars and other military vehicles.

Depriving us of the use of these command-detonated mines will further favor the reactionary armed forces who already enjoy overwhelming advantage over the NPA in terms of number, arms and logistics, and which the US government trains and supplies.

**6. As far as we know, the NPA uses only improvised landmines, do they stockpile these landmines? How are they produced? Or are there other kinds/types of landmines in your possession?**

We do not stockpile these landmines. Our production method is very crude, manual and highly decentralized. Our supply of explosives and other materials is very limited and irregular. Thus these devices are produced for immediate use in operations.

Some of our units have confiscated Claymore mines from the reactionary troops.

**7. Are there reported injuries on your part in the preparation of these improvised landmines? What are the necessary precautions being considered so that landmines set up do not hurt civilians?**

Our explosives units are trained in the safe handling of explosives. So far, we have had no reported major accident during the production of these improvised landmines.

The NPA always goes out of its way to safeguard civilians. Because we use command-detonated landmines, care can always be taken to make sure that, from production to activation, no civilian will get hurt.

**8. Are there areas considered to be "mined areas"? if yes, do you keep some kind of map to mark where these landmines are planted?**

No part of our guerrilla base and zones can be considered "mined areas". Our guerrilla warfare is exceedingly fluid. We rely mainly on the support and mobilization of the masses and on flexible guerrilla tactics to defeat the enemy and defend ourselves. We need as much open area as possible for the maneuver of our guerrilla units. The rural masses also need as much free space as possible for their livelihood and other daily activities.

In contrast, reactionary troops have conducted base-denial operations like the “free-fire zones” in the 1970s, “hamlets, food blockades and population control” in the early 1980s and the massive “gradual constriction” and “clear, consolidate and hold” campaigns under Oplan Lambat-Bitag in the late 1980s and the 1990s.

In response to the forced mass evacuations, entire barrios and sitios in Northern Luzon, Eastern Visayas, Negros and Mindanao would choose to move deep into the forests instead of allowing themselves to be herded into refugee centers only to suffer from hunger and fascist abuses. To defend themselves against attacking reactionary troops, peasant communities often resort to the use of indigenous traps and some landmines aside from home-made shotguns and other native weapons. Bitter experience has taught them however not to lay too many traps and mines nor to close off large areas for too long because it is their productive activities which tend to suffer more—a telling consideration for peasants living hand-to-mouth even during the best of times.

### **9. Do you have any alternative means without using landmines?**

Anti-personnel mines covered by the anti-mine ban are not such significant offensive or defensive weapons of NPA units. Command-detonated mines, the type we use, are not covered by the ban. They prove to be valuable in preventing armored intrusions and attacks of enemy forces into NPA territories. Since we have no anti-armor weapons, we have to rely on such if we have to stop armored tanks and vehicles from entering or going through NPA territories. Most of the time, we can do with just the use of rifles and grenades. But these have no effective stopping power against armored tanks and vehicles.

The defensive needs of threatened peasant communities are a different question though. In the first place, they should not be subjected to forced mass evacuations, population control, food blockades, illegal arrests, arson, etc. Pushed to the wall, they are left with no choice but to use whatever weapon they can lay their hands on to resist the assaults of an oppressive force armed to the teeth with modern weapons.

### **10. What are your thoughts on the resumption of the peace talks?**

The provisions of the CARHRIHL—specially those regarding the rights of the People—should be strictly observed and upheld by both parties. Firm efforts must also be exerted to achieve significant breakthroughs regarding the solution of the basic socio-economic and political roots of the armed conflict in the country. The worsening economic and political crisis of the ruling system has already caused so much suffering and misery among the people.

But we can't be blind to the long record and unmistakable signs of intransigence on the part of the reactionaries. We are therefore determined to hold on to our arms and persist in revolutionary armed struggle for as long as necessary.

### **11. Are you willing to denounce the use of landmines, unilaterally? What context would this be possible?**

In the CARHRIHL we have already denounced the use of landmines against the people and their communities. Going further is simply impossible when the US, the lone superpower, refuses to stop stockpiling, using and providing their allies and dependents with far more powerful and far more sophisticated anti-personnel mines. Going further is not advisable for us for as long as threatened communities are forced to resort to the use of arms to defend themselves against overwhelmingly superior reactionary military forces and providing themselves with improvised weapons like home-made mines is one of the too few options available to them.