

ATC Resolution No. 12 (2020)
Designating the Communist Party of the Philippines
and the New People's Army also known as Bagong
Hukbong Bayan (CPP/NPA) as Terrorist Organizations,
Associations, and/or Groups of Persons
Dated 09 December 2020

Anti-Terrorism Council

Resolution Number 12 (2020)

DESIGNATING THE COMMUNIST PARTY OF THE PHILIPPINES AND THE NEW PEOPLE'S ARMY ALSO KNOWN AS BAGONG HUKBONG BAYAN (CPP/NPA) AS TERRORIST ORGANIZATIONS, ASSOCIATIONS, AND/OR GROUPS OF PERSONS

WHEREAS, it is declared a policy of the State to protect life, liberty, and property from acts of terrorism, to condemn terrorism as inimical and dangerous to the national security of the country and to the welfare of the people, and to make terrorism a crime against the Filipino people, against humanity, and against the law of nations;

WHEREAS, Section 45 of the Republic Act No. 11479, or the 'Anti-Terrorism Act of 2020' (ATA), created the Anti-Terrorism Council (ATC) to implement the ATA and assume the responsibility for the proper and effective implementation of the policies of the country against terrorism;

WHEREAS, pursuant to paragraph 3 of Section 25 of the ATA, which states that "The ATC may designate an individual, groups of persons, organization, or association, whether domestic or foreign, upon a finding of probable cause that the individual, groups of persons, organization, or association commit, or attempt to commit, or conspire in the commission of the acts defined and penalized under Sections 4, 5, 6, 7, 8, 9, 10, 11 and 12 of" the ATA;

WHEREAS, on 21 February 2018, the National Prosecution Service (NPS) of the Department of Justice (DOJ) filed a petition before the Regional Trial Court,

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Branch 19, Manila, docketed as Case No. R-MNL-18-00925-CV, praying that the Communist Party of the Philippines and the New People's Army (CPP/NPA) be declared as terrorist and outlawed organizations, associations, and/or group of persons pursuant to Section 17 of Republic Act No. 9372, otherwise known as the Human Security Act of 2007;

WHEREAS, among the grounds relied upon in the petition is that the CPP and NPA were organized for the purpose of engaging in terrorism and, for almost half a century, have been and are still using acts of terror to sow and create a condition of widespread and extraordinary fear and panic among the populace in order to overthrow the duly constituted authorities and seize control of the Philippine Government through armed struggle;

WHEREAS, in the petition, the NPS, DOJ mentioned twelve (12) incidents which constitute terrorist acts of murder, kidnapping and arson to prove that the CPP/NPA continues to commit acts of terror to sow and create a condition of widespread and extraordinary fear and panic among the populace in order to coerce the Philippine Government to give in to its unlawful demand, i.e., for the CPP/NPA to overthrow the duly constituted authorities and seize control of the Philippine Government. Similar terrorist acts are continuously committed by the CPP/NPA in different parts of the country up to the present;

WHEREAS, filing of the said petition by the NPS, DOJ clearly established the existence of probable cause that the CPP/NPA committed, or attempted to commit, or conspired in the commission of the acts defined and penalized by the ATA;

WHEREAS, on 05 December 2017, President **Rodrigo Roa Duterte** issued Presidential Proclamation No. 374 declaring the Communist Party of the

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Philippines/New People's Army (CPP/NPA) as designated/identified terrorist organizations under Section 3 (e)(1) of Republic Act No. 10168, otherwise known as 'The Terrorism Financing Prevention and Suppression Act of 2012,' which states that among the designated persons are "any person or entity designated and/or identified as a terrorist, one who finances terrorism, or a terrorist organization or group under the applicable United Nations Security Council resolution or by another jurisdiction or supranational jurisdiction";

WHEREAS, on 09 August 2002, the United States of America designated the Communist Party of the Philippines/New People's Army (CPP/NPA) as a foreign terrorist organization (FTO) and to date continues to include the CPP/NPA in its list of FTO; and

WHEREAS, similar designations were made by the European Union since 28 October 2002 and reaffirmed on 13 January 2020; Australia since 28 October 2002 and was relisted on 18 November 2013; United Kingdom since 14 August 2002 and reaffirmed on 07 July 2020; and finally, New Zealand since 11 October 2010 which was renewed on 26 September 2019.

NOW, THEREFORE, the ATC, by virtue of the powers vested in us by Section 45 of ATA and pursuant to paragraph 3 of Section 25 of the ATA, finds probable cause that the CPP/NPA committed or conspired to commit the acts defined and penalized under Section 4 of the ATA and hereby designates the CPP/NPA as terrorist organizations, associations or groups of persons.

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APPROVED, this **9th day** of **December 2020** in the City of Manila.

(Sgd) SALVADOR C. MEDIALDEA
Executive Secretary
Chairperson, Anti-Terrorism Council

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I hereby approve Resolution No. 12 and affix my signature in accordance with the Protocol for the Signing of Anti-Terrorism Council Resolutions during the New Normal.

APPROVED, this **9th day** of **December 2020** in the City of Quezon.

(Sgd) HERMOGENES C. ESPERON, JR
National Security Adviser
Vice-Chairperson, Anti-Terrorism Council