Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

19th Congress
First Regular Session

House Bill No. **4324**

HOUSE OF REPRESENTATIVES
E-Filed
RECEIVED
DATE September 1, 2022
TIME 10:14 am
BY Reli
BILLS AND INDEX SERVICE

INTRODUCED BY REPRESENTATIVE CARDEMA
DUTERTE YOUTH PARTY-LIST

AN ACT
TO OUTLAW THE COMMUNIST PARTY OF THE PHILIPPINES, NEW PEOPLE'S ARMY, NATIONAL DEMOCRATIC FRONT (CPP-NPA-NDF) AND ALL ORGANIZATIONS SUPPORTING THEM IN THEIR RECRUITMENT, OPERATIONS, FINANCIAL TRANSACTIONS, AND FOR OTHER PURPOSES

The repeal of the Anti-Subversion Law was a mistake. Its removal allowed the terrorist activities of the Communist Party of the Philippines - New People's Army (CPP-NPA) to continue using the National Democratic Front (NDF) and other civilian organizations as Fronts in recruiting for, operating, and financing their terrorist activities. In the past 50 years, around 50,000 Filipinos have been killed, mostly government troops and civilians and continues today, our government and private sector equipment or vehicles burned monthly, our soldiers or policemen killed weekly, and extorting money from our small entrepreneurs and poor Filipinos in the countryside always. Section 4, Article II of the 1987 Constitution states that "The prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State.."

Looking back at history, Republic Act No. 1700 or the Anti-Subversion Act of 1957 was enacted under President Carlos P. Garcia, which outlawed the Communist Party of the Philippines (CPP) and New People's Army (NPA). The law was carried by President Diosdado Macapagal, was improved by President Ferdinand Marcos, and surprisingly, was revived even by President Corazon Aquino. Even though most of the military and police establishments were being modified by President Aquino, they realized the need for such government measure and stated this on Executive Order 167 series of 1987 when she revived the Anti-Subversion Act:

"**Whereas, the repeal of the above-mentioned Decree, would leave a vacuum in the sense that membership in subversive organizations like the Communist Party of the Philippines would no longer be punishable, thereby posing a grave danger to the stability and existence of the Government; and Whereas, considering the foregoing premises, it is imperative to revive Republic Act 1700 (Anti-Subversion Law)**"

After reviving it in 1987, it was repealed by former AFP Chief of Staff and then President Fidel V. Ramos in 1992 not because the government did not like it but as a token, an act of offering peace to the Communists together with his other peace agreements that time with Muslim separatist groups. The desired outcome for its repeal was not realized. From 1992 until now, the anti-subversion law was not revived and the CPP-NPA-

NDF used this vacuum as opportunity to continue their terrorist acts now, shielding themselves from security forces using different organizations as Fronts for their recruitment, operations, and financial transactions.

The Government had exerted every effort to effect reconciliation but the CPP-NPA-NDF together with organizations aiding them have intensified their recruitment, operations, financial transactions, ambuscades, raids, killings, extortions, other terrorist activities, and have continuously used black propaganda to portray our government and our government troops, in local & foreign media, as evil, whoever President leads it.

Under the strong leadership now of President Ferdinand R. Marcos, Jr, the time has come to finally end the terrorist activities of the CPP-NPA-NDF and of all organizations aiding and supporting their terrorist acts.

For the defense of our Republic and protection of the Filipino Youth from being recruited as terrorist fighters, it is imperative that we provide this strong legal measure to support our Government, our Government Troops, and the millions of peace-loving Filipinos in securing our society from the said terrorist activities.

Under President Aquino, the 1987 Philippine Constitution was created in October 12, 1986 and was ratified by the Filipino People in February 2, 1987. Clearly there is no violation of the said current Constitution, no freedom or right trampled upon when the very same President ordered the revival of the Anti-Subversion Act on May 5, 1987 through her Executive Order 167 and on July 25, 1987 through her Executive Order 276.

Now under Philippine President Ferdinand R. Marcos, Jr., and as Representatives of the Filipino People here in the 19th Congress of the Philippines, we reiterate now the collective wisdom of the National Government under Philippine President Carlos P. Garcia, Philippine President Diosdado Macapagal, Philippine President Ferdinand Marcos, and Philippine President Corazon Aquino on the importance to outlaw the CPP-NPA-NDF and organizations supporting their recruitment, operations, and financial transactions, for the stability of the government, the security of the Republic, and for a better future for the millions of peace-loving Filipinos.

Si Vis Pacem, Para Bellum. If you want Peace, Prepare for War. If we want peace in this country, we must finally destroy the entire capability of the CPP-NPA-NDF to wage war against our government and people.

With this measure, we will not only destroy their ability to wage war, but will also give them a second chance to join our government and peace-loving society in this modern era. With our new Balik Loob Provision, we will allow them to surrender in a prescribed period of time, be given livelihood assistance and benefits by the Government, and with our new Peacemaker Provision, we will also give State pensions and security to those surrenderees who become State witnesses in identifying former comrades who have not yet surrendered.

With this measure, we envision an empowered Philippine Republic, stronger government troops, and a modern Filipino Society uniting towards peace, development, and towards our leadership in Southeast Asia.

For the Filipino Youth and future of this Republic.

REPRESENTATIVE DRIXIE MAE S. CARDEMA
DUTERTE YOUTH PARTY-LIST

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

19th Congress
First Regular Session

House Bill No. **4324**

INTRODUCED BY REPRESENTATIVE CARDEMA
DUTERTE YOUTH PARTY-LIST

AN ACT
TO OUTLAW THE COMMUNIST PARTY OF THE PHILIPPINES, NEW PEOPLE'S ARMY, NATIONAL DEMOCRATIC FRONT (CPP-NPA-NDF) AND ALL ORGANIZATIONS SUPPORTING THEM IN THEIR RECRUITMENT, OPERATIONS, FINANCIAL TRANSACTIONS, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. This Act Shall be known as the Anti-CPP-NPA-NDF Act of 2023;

SECTION 2. The Philippine Congress hereby declares the Communist Party of the Philippines, New People's Army, National Democratic Front (CPP-NPA-NDF) to be an organized conspiracy to overthrow the Government of the Republic of the Philippines. The CPP-NPA-NDF and all organizations supporting them in their recruitment, operations, or financial transactions are hereby declared illegal and outlawed;

SECTION 3. After the approval of this Act, upon promulgation of its Implementing Rules and Regulations (IRR), and after the prescribed period for the Balik Loob Provision of this Act, whoever knowingly, willfully, and by overt acts affiliates himself with, becomes or remains a member of the CPP-NPA-NDF or any organization as defined in section two hereof, whether committed within or outside the territorial jurisdiction of the Philippines, shall be punished by the penalty of Prision Mayor and shall be disqualified permanently from holding any public office, appointive or elective, and his property, real or personal shall be confiscated in favor of the Republic of the Philippines, in case of a second conviction, the principal penalty shall be Reclusion Temporal, and in all subsequent convictions the penalty of Reclusion Perpetua shall be imposed; and any alien convicted under this Act shall be deported after serving the sentence imposed upon him. Provided, that if such member is an officer/leader of the CPP-NPA-NDF or of any organization as defined in section 2 thereof, he shall be punished by Reclusion Perpetua with all the accessory penalties provided therefor in the Revised Penal Code;

SECTION 4. The following acts shall constitute prima facie evidence of membership in the CPP-NPA-NDF and in organizations supporting its recruitment, operations, and financial transactions:

(a) Allowing himself to be listed as a member in any lists, records, correspondences, or documents of the organizations, in written, printed, or digital form;
(b) Subjecting himself to the discipline of such association or organization in any form whatsoever;
(c) Giving financial contribution to such association or organization dues, loans, or in any other forms;
(d) Executing orders, plans, directives of any kind of such association or organization;
(e) Acting as an agent, courier, messenger, correspondent, organizer, or in other capacity, on behalf of the association or organization;
(f) Conferring with officers or other members of such association in furtherance of any plan or enterprise thereof;
(g) Transmitting orders, directives, or plans of such association or organization orally, in writing, printed, or digital form, or by other means of signal or coded communication;
(h) Preparing documents, pamphlets, leaflets, books, or online posts & publications to promote the objectives and purposes of such association or organization;
(i) Mailing, whether physical or electronic, shipping, circulating, distributing, sending physically or through the use of electronic devices, telecommunications, digital or social media, and through internet any material or propaganda of any kind on behalf of such association or organization;
(j) Advising, counselling, or in other way giving instruction, information, suggestions, or recommendations to officers or members or to any other person to further the objectives of such association or organization;
(k) Participating in any way in the activities, planning, actions, objectives, or purposes of such association or organization;
(l) Recruiting among schools or communities, physical or online, for the CPP-NPA-NDF using a different organization name as a main excuse for not being weapon-carrying members of the CPP-NPA-NDF;

SECTION 5. No prosecution under this Act shall be made unless the provincial prosecutor or city prosecutor or any special attorney or prosecutor duly designated by the Government of the Republic of the Philippines, as the case may be, finds after due investigation of the facts that a prima facie case for violation of this Act exists against the accused in due form, and certifies under oath that he has conducted a proper preliminary investigation thereof, with notice, whenever it is possible to give the same, to the party concerned, who shall have the right to be represented by counsel, to testify, to have compulsory process for obtaining witnesses in his favor, and to cross-examine witnesses against him.

SECTION 6. Any person who knowingly furnishes false evidence in any action brought under this Act shall be punished by prision correccional.

SECTION 7. No person shall be convicted of any of the offenses penalized herein unless on the testimony of at least two witnesses to the same overt act or on confession of the accused in open court.

SECTION 8. Balik Loob Provision. For a period of only thirty days after the approval of this Act and promulgation of its Implementing Rules and Regulations (IRR), any person who is a member of the CPP-NPA-

NDF or organizations supporting them in their recruitment, operations, and financial transactions, who desires to renounce such membership, may do so in writing and under oath before their municipal/city mayor, provincial governor, or before the President of the Philippines. Such renunciation shall exempt him from the penal sanctions of this Act, moreover he shall be qualified for benefits and assistance under the Enhanced Comprehensive Local Integration Program (E-CLIP) of the Government of the Republic of the Philippines.

SECTION 9. Peacemaker Provision. Any member of the CPP-NPA-NDF or of organizations supporting them in their recruitment, operations, and financial transactions, who renounces their membership within 30 days after the approval of this Act and functions as state witnesses for the Government of the Republic of the Philippines in identifying remaining members of the said organizations shall be under the witness protection program of the Government of the Republic of the Philippines and shall be given a State pension/honorarium.

SECTION 10. Security Leaders Provision. Any personnel and officer of the Government of the Republic of the Philippines, whether uniformed or civilian, who actively participated in the passage and implementation of this national security-related Act, shall be accorded by the Government of the Republic of the Philippines with a security detail for a period of ten (10) years, to ensure his safety and security in advocating for this Act.

SECTION 11. Implementing Rules and Regulations (IRR). The Secretary of National Defense, Secretary of Interior and Local Government, Secretary of Justice, Secretary of Social Welfare & Development, Presidential Adviser on the Peace Process, National Security Adviser, and National Intelligence Coordinating Agency Director-General shall promulgate the implementing rules and regulations within thirty days after effectivity.

SECTION 12. Required Posting of this Act. Upon effectivity, this Act shall be posted in front of all the barangay halls, municipal halls, city halls, provincial capitols, gates of military and police camps, physically and also on their respective websites, in English and in their respective local dialects, for a period of one (1) year.

SECTION 13. Nothing in this Act shall be interpreted as a restriction on freedom of thought, of assembly, and of association for purposes not contrary to law as guaranteed by the Constitution.

SECTION 14. Separability Clause. If for any reason any part or provision of this Act is declared unconstitutional or invalid, the other parts hereof which are not affected shall remain in full force and effect;

SECTION 15. Repealing Clause. All laws, decrees, executive orders, rules or regulations or parts thereof, inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly;

SECTION 16. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of generation circulation.

Approved,