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## Who is considered a combatant?

When the NPA arrested Gen. Victor Obillo and Capt. Eduardo Montealto, GRP and AFP officials insisted that they were "non-combatants" and are not legitimate targets of the armed conflict. Thus, they claimed, the arrests violated international rules of war. In this regard, the GRP stubbornly maintains that the two officers are not prisoners of war, are instead kidnap victims and that the GRP will not negotiate with the NDFP for their release.

These two stances of the GRP/AFP contradict each other: On the one hand, they demand that the NPA follow international rules of war, in particular, to strictly differentiate between combatants and non-combatants. On the other hand, they continue to refuse to recognize the NPA's status as a co-belligerent in a civil war and insist on branding the revolutionary movement as an internal police problem, an "insurgency" not covered by rules of war.

Obillo and Montealto are in fact, combatants.

As stated in Protocol 1, "members of the armed forces of a Party to a conflict (other than medical personnel and chaplains...) are combatants, that is to say, they have the right to participate directly in hostilities".

Thus, it is outright disinformation when Orlando Mercado, Secretary of the Department of National Defense and other high-ranking officers of the AFP, claim that Obillo and Montealto, officers of the 55th ECB, are not combatants and are involved merely in the construction of roads and bridges, as if they were no different from the personnel of the Department of Public Works and Highways.

In the AFP's structure, the ECB is a combat support unit; it is an armed unit whose responsibility is focused on building the required infrastructure for military operations and objectives. Aside from the ECB, the Philippine Army's other combat support units include Signal (radio communications) and PALAB (Philippine Army Light Armor Brigade). These units are a direct and significant part of combat operations, unlike service support units (e.g. medical personnel and chaplains).

Obillo and Montealto, who were both armed with .45 pistols when apprehended, are combatants and are legitimate targets of the NPA's armed actions.

[From: <http://www.philippinerevolution.net/cgi-bin/ab/text.pl?issue=199901-02;lang=eng;article=06>  
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