

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

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SENATE

RECEIVED

P.S. Res. No. 1038

Introduced by Sen. Antonio "Sonny" F. Trillanes IV

RESOLUTION

DIRECTING THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND OTHER APPROPRIATE SENATE COMMITTEES TO INQUIRE, LOOK INTO AND INVESTIGATE IN AID OF LEGISLATION, THE ARREST AND DETENTION OF SIX (6) RETIRED ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND ONE (1) FOREIGNER CARRIED OUT BY THE PRESIDENTIAL ANTI-ORGANIZED CRIME COMMISSION (PAOCC), HEADED BY EXECUTIVE DIRECTOR MARIANO JOSE "BONG" VILLAFUERTE III, AT THE CLARK EAGLE FIRING RANGE AT THE CLARK ECONOMIC ZONE IN PAMPANGA LAST 23 APRIL 2009, THURSDAY, PURPORTEDLY IN RELATION WITH AN ALLEGED DESTABILIZATION PLOT AGAINST THE GOVERNMENT, WHICH ACTION REPORTEDLY HAS BEEN RESORTED TO ONLY FOR THE SOLE AND EXCLUSIVE PURPOSE OF HARASSING AND FORCING THE OWNER/S OF THE CLARK EAGLE FIRING RANGE TO ASSIGN AND/OR GIVE-UP THE PREMISES OF SAID FACILITY IN FAVOR OF THE SON OF A HIGH-RANKING ADMINISTRATION OFFICIAL

WHEREAS, on April 23, 2009, Thursday, six (6) retired enlisted personnel of the Armed Forces of the Philippines and one New Zealander named ANTHONY JOSEPH NEWMAN were arrested at the Clark Eagle Firing Range at the Clark Freeport Zone, Pampanga, by the Presidential Anti-Organized Crime Commission (PAOCC), headed by its Executive Director MARIANO JOSE "BONG" VILLAFUERTE III;

WHEREAS, despite the fact that Anthony Joseph Newman, an instructor and retired security officer who reportedly owns the Clark Eagle Firing Range, was arrested with the retired soldiers, he has not been charged and has in fact been turned-over to the Bureau of Immigration "for deportation" and is currently detained and held incommunicado at the maximum security detention center at Camp Bagong Diwa in Bicutan;

WHEREAS, at present, it is the Progressive Force Concepts Incorporated – a private security firm – which operates the Clark Eagle Firing Range and trains personnel for employment as VIP security in the country and abroad;

WHEREAS, before their arrest, the six (6) afore-mentioned former enlisted personnel of the AFP were being trained by Newman and Steven Curtis Rossiter, a former member of the

Australian Special Forces, for employment as VIP private security contractors for deployment abroad, particularly in Iraq or Afghanistan;

WHEREAS, the six (6) former enlisted personnel of the AFP were in fact "*honorably discharged*" from the AFP and, from all appearances, are simple retired former soldiers merely looking for gainful employment abroad to be able to support the needs of their families;

WHEREAS, the PAOCC alleged instead that the six (6) former enlisted AFP personnel were being trained in relation to a destabilization plot against the Arroyo administration and purportedly to in order to "*liberate*" former officers of the AFP currently being detained at PNP Custodial Center at Camp Crame, Quezon City, including BGEN. DANILO LIM and the undersigned;

WHEREAS, the said enlisted personnel were charged on 23 April 2009, Thursday, by the PAOCC and the Bureau of Immigration (BI) with alleged violation of the Human Security (Anti-Terror) Act, but were released immediately the following day upon the orders of the HON. JUDGE MARIA ANGELICA QUIAMBAO, Presiding Judge of the Regional Trial Court of Angeles City – Branch 59, for insufficiency of evidence to warrant their continued detention;

WHEREAS, the AFP Spokesman, Lt. Col. Ernesto Torres Jr., in an interview with reporters at Camp Aguinaldo, has clearly and unequivocally declared that the arrest is not in any way connected with any destabilization plot against the government, adding that "*there is no destabilization plot and there is no indication that there is*". In the said interview, Lt. Col. Torres likewise articulated and expressed his doubt that the subject former enlisted personnel of the AFP actually belonged to the "*Magdalo Group*". This position was reiterated by Lt. Col. Torres in a statement to the media released yesterday, Tuesday, 28 April 2009;

WHEREAS, according to reliable sources, this nefarious ploy is actually being staged solely and exclusively for the purpose of harassing and compelling Mr. Newman and/or Progressive Force Concepts, Inc., to give-up and/or surrender the premises of Clark Eagle Firing Range in favor of the son of a high-ranking administration official;

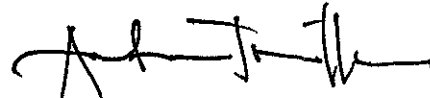
WHEREAS, this apparent illicit resort to strong-arm tactics and this misuse and abuse of state resources as well as the resort to deception of the media and the public to advance private and/or personal business interests must be exposed and condemned under the strongest terms possible and must not go unpunished;

WHEREAS, likewise, the act of the erring officials of implicating innocent former soldiers who are merely trying to obtain gainful employment abroad and of charging them under the Human Security (Anti-Terror) Act must also likewise be strongly condemned and deplored and the appropriate remedial legislative measures must be enacted to ensure that the same will not be repeated in the future.

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, to direct the Committee on Justice and Human Rights and other appropriate Senate committees to inquire, look into, and investigate in aid of legislation, the arrest and detention of the six (6) retired enlisted personnel of the Armed Forces of the Philippines and one (1) foreigner carried out by the Presidential Anti-Organized Crime Commission (PAOCC), headed by Executive Director

MARIANO JOSE "BONG" VILLAFUERTE III, at the Clark Eagle Firing Range at the Clark Economic Zone in Pampanga, last 23 April 2009, Thursday, purportedly in relation to a destabilization plot against the government, which action reportedly has been resorted to only for the sole and exclusive purpose of harassing and forcing the owner/s of the Clark Eagle Firing Range to assign and/or give-up the premises of the said facility in favor of the son of a high-ranking administration official.

ADOPTED,

A handwritten signature in black ink, appearing to read 'Antonio F. Trillanes IV', written in a cursive style.

ANTONIO "SONNY" F. TRILLANES IV
Senator