

SENATE

P.S. RES. NO. 1561

9 FEB -2 4:00 PM

Introduced by **SENATOR PIA S. CAYETANO**

**A RESOLUTION
DIRECTING THE SENATE COMMITTEE ON NATIONAL DEFENSE AND
SECURITY TO INQUIRE, IN AID OF LEGISLATION, ON THE MASS ARREST
OF 43 HEALTH WORKERS IN MORONG, RIZAL**

WHEREAS, the Bill of Rights in our Constitution guarantees a person's right to liberty and protects the privacy and sanctity of the person, his house and other possessions against arbitrary intrusions by State officers, which can only be taken away under very exceptional circumstances;

WHEREAS, in Section 2, Article III of our Constitution, it states that: "The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable, and no search warrant or warrant of arrest shall issue except upon probable cause to be determined personally by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched and the persons or things to be seized."

WHEREAS, on 6 February 2010, 43 people, including two doctors, a nurse and a midwife, all health workers were arrested in the farm of Dr. Melecia Velmonte in Bgy. Maybangcal, Morong, Rizal while they were taking part in a health-training seminar;

WHEREAS, the seminar, which was organized by the Council for Health and Development (CHD) and the Community Medicine Development Foundation (CMDF), was aimed at facilitating the exchange of knowledge and skills of health professionals and community health workers to develop their capacities in providing health care services to the poorest of the poor;

WHEREAS, unofficial reports state that at 6:15 am on the same day, around 300 heavily armed elements of the military and police forced their way into their location and at gunpoint, forced the caretaker to open the gates;

WHEREAS, this was done without a valid warrant of arrest and only on the authority of a defective search warrant, thus abridging their Constitutional right against unreasonable searches and seizures;

WHEREAS, reports say that the health workers were ordered to line up at the garage, handcuffed and frisked, with all of their personal belongings taken;

WHEREAS, they were also questioned and photographed, and their interrogations were taken videos of by the military;

WHEREAS, the males were then blindfolded with old shirts brought in by the soldiers and secured with packaging tape;

WHEREAS, when they were already handcuffed, it was only then that Police Superintendent Marion P. Balonglong showed a search warrant for a certain Mario Condes of Bgy. Maybangan, Morong, Rizal, charged with illegal possession of firearms;

WHEREAS, the health workers were forced into the military trucks and were brought to Camp Capinpin in Tanay, Rizal, headquarters of the 202nd Infantry Brigade of Philippine Army;

WHEREAS, according to witnesses, the military conducted the search of the compound's premises only after all of the victims, as well as the residents, were already outside the buildings and without issuing the receipt of the inventory of the evidence taken;

WHEREAS, the military declared that they were members of the New People's Army because of the explosives supposedly found inside the compound such as C4 explosives, a pistol with seven bullets, 3 grenades (one allegedly found under a pillow), and improvised landmines;

WHEREAS, Lt. Celeste Frank Sayson, chief of the Public Affairs Office of the Army's 2nd Infantry Division was cited in the newspapers to have said that the 43 health workers cannot be presented because it might spoil the ongoing investigation and that they have evidence to support their connection to the underground (movement);

WHEREAS, Sayson also quoted Maj. Gen. Jorge Segovia, commander of the Army's 2nd ID in that they are 101 percent sure (they are members of the New People's Army);

WHEREAS, among those health workers who took part in the seminar and are now believed to be in military custody are Dr. Merry-Mia Clamor, Dr. Alex Montes, nurse Gary Liberal, midwife Teresa Quinawayan, and community health workers Lydia Obera, Reynaldo Macabenta, Angela Doloricon, Delia Ocasla, Janice Javier, Franco Remoroso, Ailene Monasteryo, Pearl Irene Martinez and Elen Carandang;

WHEREAS, there is a need to inquire into the abuse of discretion and abuse of authority made by the police and the military when they arbitrarily searched the Velmonte compound under the authority of the defective search warrant and arrested the health workers without a valid warrant of arrest;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Committee on National Defense and Security to inquire, in aid of legislation, on the mass arrest of 43 health workers in Morong, Rizal.

Adopted,


PIA S. CAYETANO
Senator