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REPUBLIC OF THE PHILIPPINES  
*First Regular Session*



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SENATE  
P.S.R. No. 676

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Introduced by Senator Aquilino "Koko" Pimentel III

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**A RESOLUTION  
DIRECTING THE APPROPRIATE SENATE COMMITTEE  
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,  
ON THE KILLINGS OF ATTY. ISAGANI GARCIA, NOEL D.  
ARCHIVAL, PROSECUTOR ISAAN SAWADJAAN, ASSISTANT  
PROSECUTOR SAIPAL ALAWI, SR., AND OTHER SLAIN  
LAWYERS WITH THE END IN VIEW OF ENACTING  
MEASURES TO SECURE THE SAFETY AND WELFARE OF THE  
MEMBERS OF THE PHILIPPINE BAR**

**WHEREAS**, *Article II, Section 5* of the 1987 Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

**WHEREAS**, *Article II, Section 11* of the 1987 Constitution provides that the State values the dignity of every human person and guarantees full respect for human rights;

**WHEREAS**, *paragraph 16(a)* of the *Basic Principles on the Role of Lawyers, Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders* (the "Basic Principles") provides that governments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference;

**WHEREAS**, *paragraph 17* of the *Basic Principles* provides that where the security of lawyers is threatened as a result of discharging their functions, they shall be adequately safeguarded by the authorities;

**WHEREAS**, according to the foundation *Lawyers for Lawyers*, at least twenty-three (23) lawyers were killed from 2001 to 2009;<sup>1</sup>

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<sup>1</sup> Asian Human Rights Commission. Retrieved from: <http://www.>

**WHEREAS**, from August 4, 2010 to November 14, 2012, the following lawyers were reported by the Philippine Daily Inquirer to have been murdered or assassinated:

1. Prosecutor Macadatar Marsangca, Iligan City;
2. Judge Reynaldo Lacasandile, Tagudin, Ilocos Sur;
3. Judge Fredelito Pingao, Currimao, Ilocos Norte;
4. Atty. Archer Baldwin Martinez, Dumaguete City;
5. Atty. Manolo Zerna, Tanjay City, Negros Oriental;
6. Atty. Xerxes Balios Camacho, Northern Samar;
7. Atty. Nicomedes Romagos, Cataingan, Masbate;
8. Atty. Lazaro Gayo, Agoo, La Union; and
9. Atty. Sulpicio Landicho, Tanauan City, Batangas.

**WHEREAS**, at the time Atty. Roan I. Libarios was the Integrated Bar of the Philippines (IBP) President in 2012, he manifested that at least two hundred (200) lawyers and judges have been shot in cold blood in the last ten years;<sup>2</sup>

**WHEREAS**, on January 21, 2013, Atty. Jovian Atias and his client, Dr. Rene Rafols, were killed by Mr. John Pope, who opened fire inside the Metropolitan Trial Court in Cities, Branch 6, in Cebu City;

**WHEREAS**, on May 18, 2013, in Olongapo City, Atty. Ian Vela Cruz was shot thrice - once in the head - by an unnamed gunman, who thereafter was reportedly seen boarding a motorcycle that was driven by an unidentified accomplice;

**WHEREAS**, on February 19, 2014, Atty. Noel Archival and a member of his staff were killed in an ambush while returning to Cebu City from a robbery case hearing he attended in Dumaguete City. They suffered multiple gunshot wounds and the car carrying them had thirty-one (31) bullet holes. His family and colleagues believe that the ruthless killing was perpetrated on account of his profession as a practicing lawyer;<sup>3</sup>

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Humanrights.asia/news/forwarded-news/AHRC-FPR-015-2014; retrieved on: May 19, 2014.

<sup>2</sup> Philippine Daily Inquirer. Retrieved from: <http://opinion.inquirer.net/45373/lawyers-judges-are-being-killed-too>; retrieved on: May 19, 2014.

<sup>3</sup> National Union of People's Lawyers. Retrieved from: <http://www.nupl.net/who-is-safe-out-there/>

**WHEREAS**, on March 4, 2014, Prosecutor Isaan Sawadjaan and his brother were gunned down while laying their sister to rest at a local cemetery in Indanan, Sulu. The National Union of People Lawyers believes that Prosecutor Sawadjaan's death was most likely carried out in connection with the exercise of his profession;<sup>4</sup>

**WHEREAS**, recently, on May 14, 2014, Atty. Isagani Garcia was shot by gunmen on board a motorcycle at around 8:28 p.m. in Bagay Road, San Gabriel, Tuguegarao City;

**WHEREAS**, on May 19, 2014, in Marawi City, unnamed assailants fired bullets on the car driven by 64-year-old Assistant Prosecutor Saipal Alawi, Sr.;

**WHEREAS**, lawyers are exposed to daily conflicts especially between the high and mighty and the poor and oppressed. However, it should be understood that a lawyer's peaceful yet passionate advocacy for fundamental changes is all in a day's work;<sup>5</sup>

**WHEREAS**, with the spike of extrajudicial killings against members of the bar, it is necessary for the Philippine government to enact measures for the personal and professional safety of lawyers in the Philippines and to effectively prevent and punish attacks on their independence and safety;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE PHILIPPINE SENATE THAT THE APPROPRIATE SENATE COMMITTEE BE DIRECTED TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE KILLINGS OF ATTYS. ISAGANI GARCIA, NOEL D. ARCHIVAL, PROSECUTOR ISAAN SAWADJAAN, ASSISTANT PROSECUTOR SAIPAL ALAWI, SR., AND OTHER SLAIN LAWYERS WITH THE END IN VIEW OF ENACTING MEASURES TO SECURE THE SAFETY AND WELFARE OF THE MEMBERS OF THE PHILIPPINE BAR.**

*Adopted,*

  
AQUILINO "KOKO" PIMENTEL III

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<sup>4</sup> Id.

<sup>5</sup> Id.