

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



'15 MAR 11 P3 52

SENATE

RECEIVED BY: *[Signature]*

P. S. Res. No. **1234**

Introduced by **Senator FRANCIS G. ESCUDERO**

RESOLUTION
DIRECTING THE SENATE COMMITTEES ON
ACCOUNTABILITY OF PUBLIC OFFICERS AND
INVESTIGATIONS (BLUE RIBBON), FINANCE, AND
NATIONAL DEFENSE AND SECURITY TO INVESTIGATE THE
ARMED FORCES OF THE PHILIPPINES' ALLEGED IRREGULAR
ACQUISITIONS OF MILITARY EQUIPMENT AND WEAPONS
SYSTEMS AS MANDATED BY THE AFP MODERNIZATION
ACT

WHEREAS, it is a constitutionally declared policy and principle of the State that the Armed Forces of the Philippines (AFP) as the protector of the people and the State has the primordial objective "to secure the sovereignty of the State and the integrity of the national territory."¹

WHEREAS, in consonance with and to enable this policy and principle, Republic Act (RA) No. 7898 was enacted into law on 23 February 1995 and later on amended by RA No. 10349 on 23 July 2012, collectively and otherwise known as the AFP Modernization Act.

WHEREAS, Section 4 of the AFP Modernization Act provides that the AFP Modernization Program shall consist of "capability, material and technology development" with the acquisition of "NEW equipment and weapons system" which shall be synchronized with the "phase-out of uneconomical and obsolete major equipment and weapons system in the AFP inventory" and the qualification that "no major equipment and weapons system shall be purchased if the same are not being used by the armed forces in the country of origin or used by the armed forces of at least two countries."²

WHEREAS, contrary to such constitutional and statutory mandates, the AFP has allegedly acquired obsolete, used and decommissioned military equipment and weapons systems which include, among others, armored personnel carriers and weapons platforms; the AFP has likewise supposedly procured such equipment and systems in violation of the procurement law, RA

¹ Section 3, Article II, Constitution.

² Section 4 (b), RA 7898 as amended by RA No. 10349.

No. 9184, by not subjecting the same to public bidding and committing 'splitting of contracts.'

WHEREAS, Congress allocated for the Revised AFP Modernization Program in 2012 the minimum sum of 75 billion pesos for the first five years, which amount is even treated as a separate and distinct fund from the regular appropriation of the Department of National Defense and the AFP.³

WHEREAS, these acts in contravention with the laws and the Constitution purportedly committed by the AFP strike at the very heart of the AFP Modernization Law which ultimately undermines the security of the Filipino people and integrity of the Philippine territory. Hence, this must not be countenanced!

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the Committees on Accountability of Public Officers and Investigations, Finance, and National Defense and Security investigate the acquisitions of the AFP under the AFP Modernization Act, which allegedly contravene the provisions of said law, with the end in view of enacting legislative measures to address the same.

Adopted,

A handwritten signature in black ink, appearing to be a stylized set of initials or a name, located on the right side of the page.

³ Section 4, RA No. 10349, amending Section 8, RA 7898.