

15 SEP -7 P5:43

SENATE  
P.S. Res 1572

RECEIVED BY: WV

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Introduced by Senator Poe

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**RESOLUTION**

**URGING THE APPROPRIATE COMMITTEE/S TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE VERACITY OF THE REPORTED HARASSMENT, KILLINGS, FORCED EVACUATIONS AND DISPOSSESSION OF ANCESTRAL LANDS, AMONG OTHERS, IN THE COMMUNITIES AND TRIBAL SCHOOLS IN THE LUMAD AREAS IN MINDANAO, WITH THE END GOALS OF IMMEDIATELY PUTTING AN END TO IT, METING OUT THE APPROPRIATE SANCTIONS TO THOSE LIABLE AND FORMULATING LEGISLATIVE MEASURES PROTECTING, FURTHERING AND IMPROVING THE WELFARE AND WELL-BEING OF VARIOUS INDIGENOUS PEOPLES AND TRIBES IN THE PHILIPPINES**

**WHEREAS**, Section 3 of Article II of the 1987 Constitution provides that “civilian authority is, at all times, supreme over the military” and that “the Armed Forces of the Philippines is the protector of the people and the State.” Likewise, Section 4 of the Constitution states that “the prime duty of the Government is to serve and protect the people;”

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

**WHEREAS**, the above-cited provisions in the Constitution are once again tested as seriously alarming events that led to alleged harassment, killings, forced evacuations and dispossession of ancestral lands, among others, in the communities and tribal schools in the Lumad areas in the Caraga region in Mindanao have been reported and exposed;<sup>1</sup>

**WHEREAS**, exponentially increasing the gravity of the above-mentioned allegations are the reports that the 36<sup>th</sup> Infantry Battalion of the Philippine Army and Special Forces are behind and/or with a certain “Magahat/Bagani paramilitary forces” in carrying out activities that led to the above-enumerated events;<sup>2</sup>

**WHEREAS**, several groups<sup>3</sup> working for the protection and improvement of the lives of our indigenous peoples reported and/or alleged the following:

- **9 August 2015** - Tribal Filipino Program of Surigao del Sur (TRIFPSS) “parateachers” were held at gunpoint, one of them is five (5) months pregnant, when members of the paramilitary Magahat/Bagani Forces harassed residents of

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<sup>1</sup> According to various groups such as the “Tambuli tu Kalinaw, Bugduka tu Anyadan” – Save Our Schools (SOS) Caraga Network Campaign; Tribal Filipino Program of Surigao del Sur (TRIFPSS); Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV); and Katribu Kalipunan ng Katutubong Mamamayan ng Pilipinas.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

Sitio Nalindog, Brgy. Bolhoon, Surigao del Sur – this resulted to the immediate forcible evacuation of almost nine hundred (900) Lumad and peasant settlers from nine (9) communities;<sup>4</sup>

- **28 August 2015** – armed paramilitary Magahat/Bagani Forces went on a rampage and killed Crisanto and Ellie Tabogol in their home – an additional three hundred thirty two (332) families were forcibly evacuated after the incident;<sup>5</sup>
- **30 August 2015** – a composite group with thirty (30) elements from the 36<sup>th</sup> Infantry Batallion and Special Forces of the Philippine Army, along with the paramilitary Magahat/Bagani Forces, occupied several areas including the school grounds of TRIFPSS and Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV) – said armed men threatened civilians to evacuate, otherwise, their community will be massacred;<sup>6</sup>
- **31 August 2015** – the Han-ayan Community Cooperative Store was burned by members of the paramilitary group prompting residents, school staff, students and guests to go to the adjacent community. Moreover, ALCADEV Executive Director Emerito Samarca was detained in the school grounds – it was the last time that he was seen alive;<sup>7</sup>
- **1 September 2015** - paramilitary Magahat/Bagani Forces open fired at Bello Sinzo and Dionel Campos (Chairperson of the inter-municipal MAPASU Lumad-Manobo organization in Surigao del Sur) as community members were forced out of their homes and gathered outside the community center. The dead body of Emerito Samarca was found in one of the classrooms of ALCADEV;<sup>8</sup>

**WHEREAS**, the above allegations and/or reports deserve serious investigation and rectification lest we allow the mockery of the provisions of our Constitution;

**THEREFORE, BE IT RESOLVED**, as it is hereby resolved by the Philippine Senate, to urge the appropriate Committee/s to conduct an inquiry, in aid of legislation, into the veracity of the reported harassment, killings, forced evacuations and dispossession of ancestral lands, among others, in the communities and tribal schools in the Lumad areas in Mindanao, with the end goals of immediately putting an end to it, meting out the appropriate sanctions to those liable and formulating legislative measures protecting, furthering and improving the welfare and well-being of various indigenous peoples and tribes in the Philippines.

Adopted,

  
GRACE POE

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<sup>4</sup> *Ibid.*

<sup>5</sup> *Ibid.*

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> *Ibid.*