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SENATE  
P. S. Res No. 1573

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Introduced by Senator Maria Lourdes Nancy S. Binay

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### RESOLUTION

**DIRECTING THE PROPER SENATE COMMITTEES TO INVESTIGATE, IN AID OF LEGISLATION, THE REPORTED HUMAN RIGHTS VIOLATIONS AGAINST INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES (ICCs/IPs) IN MINDANAO PERPETRATED BY ELEMENTS OF THE ARMED FORCES OF THE PHILIPPINES AND PARAMILITARY GROUPS**

**WHEREAS**, the Constitution guarantees the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to life, to their ancestral domain, and to the equal enjoyment of the full measure of human rights and freedoms without distinction or discrimination;

**WHEREAS**, according to news reports, the Armed Forces of the Philippines (AFP), particularly elements of the 36th Infantry Battalion, the 75th Infantry Battalion, the Special Forces of the Philippine Army, and the paramilitary Magahat/Bagani Forces/Marcos Bocales Group, in the guise of counterinsurgency operations called Oplan Bayanihan, are perpetrating human rights violations against ICCs/IPs in Mindanao<sup>1</sup>;

**WHEREAS**, it is alleged that the spate of human rights violations, military operations on communities, and killings of community leaders are products of the President's Oplan Bayanihan, wherein the Philippine military is serving as an "investment defense force", or as a private military for large corporations<sup>2</sup>;

**WHEREAS**, it was reported that on September 1, 2015, Emerito Samarca, executive director of the Alternative Learning Center for Agriculture and Development, Inc. (ALCADEV) was killed by the military and government-backed indigenous paramilitary forces. His body was found lying in a pool of blood, with stab wounds on his neck, and his throat slit. Dionel Campos, chairperson of MAPASU (Persevering Struggle for Future Manobo Generations), and his cousin Aurelio "Bello" Sinzo were killed before the terrified community of Han-ayan, in Lianga town, Surigao del Sur<sup>3</sup>;

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<sup>1</sup> BusinessWorld Online, Lumads in Mindanao under attack, <http://www.bworldonline.com/content.php?section=Opinion&title=lumads-in-mindanao-under-attack&id=114802>.

<sup>2</sup> Ibid.

<sup>3</sup> Ibid.

**WHEREAS**, it was reported that 2 days before the murders, Magahat members were reported by witnesses to have burned down the school cooperative building. They also threatened to massacre the entire community if they would not leave the area. Military and paramilitary forces occupied the school and adjoining areas of the community<sup>4</sup>;

**WHEREAS**, it was reported that more than 300 families or 2000 individuals coming from the municipalities of San Miguel and Lianga have evacuated to Tandag City while scores more have sought sanctuary elsewhere<sup>5</sup>;

**WHEREAS**, in a statement by Save Our Schools Network published on Minda News website last September 5, 2015, apart from the recent killings of 3 indigenous leaders and supporters, the following attacks were committed against ICCs/IPs:

1. Since April of 2014 up to present, 25 Lumad schools and community schools were forced to halt operations for the entire month of June due to harassment by the AFP and sanctioned by the Department of Education (DepEd);
2. At least 84 cases of attacks on 57 community schools have displaced and disrupted the education of over 3, 000 Lumad children;
3. 2 minors were brutally killed by the elements of 3<sup>rd</sup> Company of the 1<sup>st</sup> Special Forces Battalion under ground commander Capt. Balatbat with Col. Nasser Lidasan as Battalion Commander on August 19, 2015 in Pangatukan town, Bukidnon province. They were part of 5 Manobo tribals strafed and killed on suspicion of being New People's Army (NPA) combatants;
4. The schooling of Lumad children under the Tribal Filipino Program of Surigao del Sur was disrupted when residents of Brgy. Siagao, San Miguel, Surigao del Sur were displaced. Brothers Ely and Crisanto Tabugol, residents of the said community, were killed by an armed group led by Hasmin and elements of the 36<sup>th</sup> IBPA;
5. A Lumad child was among 14 farmers in White Culaman, Kitaotao, Bukidnon who were illegally detained and arrested by elements of 8<sup>th</sup> IB and 23<sup>rd</sup> IB headed by Nicolas Rivera and an official named Tocmo. All were accused as members of the NPA in contrast to the fact that they are members of organizations Nagkahiusang Mag-uuma sa Barangay White Culaman ( NAMABAW) and Tinananon Kulamanon Lumadnong Panaghiusa sa Arakan (TIKULPA). The Army threatened to burn down the MISFI-run (Mindanao Interfaith Services Foundation Incorporated) school which offers 7<sup>th</sup> and 8<sup>th</sup> grade education in Sitio Dao, Bukidnon;
6. Ongoing mass evacuation of the Talaingod Manobo people in Davao City since April of this year due to intensified military operations and threats from the terrorist paramilitary group ALAMARA. Around 1, 000 individuals from San Fernando Bukidnon, Kapalong and Talaingod, Davao del Norte have sought sanctuary at UCCP Haran, Davao City. Learners from Salugpungan Ta Tanu Igkanugon Community Learning Center Inc (STTILCI) in Talaingod have been holding their classes at the refugee camp since the evacuation started. 3 soldiers of the 1003<sup>rd</sup> Infantry Brigade

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<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

raped a 14-year old Manobo grade 4 student of the Butay elementary school while conducting military operations in the area;

7. Last month, the Rural Missionaries of the Philippines-Northern Mindanao schools in Agusan del Sur and Bukidnon have earlier reported harassments and threats from suspected state forces in the form of anonymous text messages, private message via facebook, and surveillances. In March 18, 2014, an RMP-NMR school grounds in Binikalan, San Luis, Agusan del Sur was strafed by 26<sup>th</sup>IB troops disrupting the graduation practice of the school. In Sarangani province, administrators and faculty of the Center for Lumad Advocacy and Services (CLANS) which provides education to indigenous Blaan children have been filed with false criminal charges of serious illegal detention of evacuees and inciting to sedition<sup>6</sup>;

**WHEREAS**, it is imperative to inquire on the human rights violations committed against ICCs/IPs by the military and paramilitary groups to put an end to such abuses and practices under the pretense of counterinsurgency military operations;

**WHEREAS**, it is the duty of the Senate, by policy or by law, to protect and promote the rights of ICCs/IPs to life, to their ancestral domain, and to the equal enjoyment of the full measure of human rights and freedoms without distinction or discrimination;

**BE IT RESOLVED, AS IT IS HEREBY RESOLVED** to direct the proper Senate Committees to investigate, in aid of legislation, the reported human rights violations against Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) in Mindanao perpetrated by elements of the Armed Forces of the Philippines and paramilitary groups.

Adopted,



**MARIA LOURDES NANCY S. BINAY**

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<sup>6</sup> Minda News website, STATEMENT: Attacks on Mindanao Lumad schools and communities intensify as Aquino's military goes berserk for Oplan Bayanihan, <http://www.mindanews.com/statements/2015/09/05/statement-attacks-on-mindanao-lumad-schools-and-communities-intensify-as-aquinos-military-goes-berserk-for-oplan-bayanihan/>.