

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



Senate
Office of the Secretary

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SENATE

P. S. Resolution No. 1575

RECEIVED BY: LN

Introduced by SENATOR LOREN LEGARDA

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, INTO THE POSSIBLE CASE OF EXTRAJUDICIAL KILLING OF ALTERNATIVE LEARNING CENTER FOR AGRICULTURAL AND LIVELIHOOD DEVELOPMENT (ALCADEV) EXECUTIVE DIRECTOR EMERITO SAMARCA, MANOBO LUMAD LEADER DIONEL CAMPOS AND DATU JUVELLO SINZO, THAT TOOK PLACE ON SEPTEMBER 1, 2015 IN BARANGAY DIATAGON, LIANGA, SURIGAO DEL SUR, ALLEGEDLY PERPETRATED BY MEMBERS OF THE PHILIPPINE ARMY AND A LOCAL PARAMILITARY GROUP

WHEREAS, Article II 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, Section III of Article II of the 1987 Constitution states that "Civilian authority is, at all times, supreme over the military. The Armed Forces of the Philippines is the protector of the State. Its goal is to secure the sovereignty of the State and the integrity of the national territory";

WHEREAS, Article III of the 1987 Constitution states that "No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.";

WHEREAS, based on a report released by the human rights group Karapatan, in the early hours of 1 September 2015, Emerito Samarca, executive director of the Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV), Dionel Campos, the chairperson of Malahutayong Pakigbisog Alang sa Sumusunod (Persevering Struggle for the Next Generation or MAPASU) and Datu Juvello Sinzo, a chieftain of the Village of Kiwagan,

Barangay San Isidra, Lianga, Surigao del Sur were allegedly executed by members of the Philippine Army and elements of a certain paramilitary group;

WHEREAS, the Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV) is an alternative learning institution established in 2004 that aims to provide secondary education to indigent indigenous peoples living in Surigao del Norte, Surigao del Sur, Agusan del Norte and Agusan del Sur;

WHEREAS, Malahutayong Pakigbisog Alang sa Sumusunod (MAPASU) is a regional organization of indigenous peoples in the CARAGA region known for their strong opposition to the entry of mining companies in their communities;

WHEREAS, the Karapatan human rights group report alleges that on August 30, 2015, about 40 soldiers of the 36th Infantry Battalion of the Philippine Army (IBPA), the 75th IBPA, AFP 1st Special Forces, and known members of the paramilitary group – who call themselves Magahat-Bagani Force/Marcos Bocales group -- occupied the function hall and parts of the school grounds of the Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV) in Sitio Han-ayan, Barangay Diatagon, Lianga, Surigao del Sur; that on the same day and at a nearby area, Dionel Campos and Datu Juvello Sinzo were allegedly shot to death by members of the Magahat-Bagani Force; and that the ALCADEV staff discovered Samarca's dead body upon return to the school;

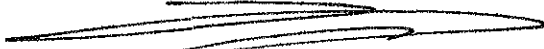
WHEREAS, according to Karapatan, the Magahat-Bagani Force was formerly known as the Marcos Bocales' Task Force Gatangan during the Arroyo administration's Oplan Bantay Laya and is being armed by the military to sow division and terror among the Manobo-Lumad;

WHEREAS, the Magahat-Bagani Force, allegedly following orders from the Philippine Army, was also believed to be responsible for the killing of Henry Alameda and Aldren Damaguit in 2014, among other alleged crimes and violations;

WHEREAS, the families and friends of the victims demand justice for the massacre of the three individuals and call for a solution to put to an end to unwarranted killings in Mindanao;

NOW, THEREFORE BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Senate of the Philippines, directing the appropriate Senate committee to conduct an investigation, in aid of legislation, into the possible case of extrajudicial killing of Alternative Learning Center for Agricultural and Livelihood Development (ALCADEV) executive director Emerito Samarca, Manobo Lumad leader Dionel Campos and Datu Juvello Sinzo, that took place on September 1, 2015 in barangay Diatagon, Lianga, Surigao del Sur, allegedly perpetrated by members of the Philippine Army and a local paramilitary group.

Adopted,



LOREN LEGARDA
Senator