

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'16 AUG -8 P3:01

SENATE

P.S. Res. No. 86

RECORDED BY: *[Signature]*

INTRODUCED BY SEN. ANA THERESIA "RISA" HONTIVEROS BARAQUEL

**A RESOLUTION EXPRESSING THE SENSE OF THE SENATE THAT
THE CRIMES OF THE FORMER PRESIDENT FERDINAND MARCOS TO THE
REPUBLIC, AND THE HUMAN RIGHTS VIOLATIONS COMMITTED UNDER HIS
REGIME, RENDER HIM UNFIT TO BE BURIED AT THE LIBINGAN NG MGA
BAYANI**

WHEREAS, the Libingan ng mga Bayani (hereafter, Libingan) is the designated resting place for Filipino soldiers, war veterans, and citizens considered as heroes and martyrs;

WHEREAS, given the long history of the Filipino people with tyranny and oppression, the Libingan has been created to honor the memory of our brave countrymen who fought for freedom and liberties even in the face of superior force, so that the present generation may remember and emulate their legacy;

WHEREAS, President Rodrigo Duterte has declared his intention to allow former President Ferdinand Marcos to be buried at the Libingan in fulfillment of a promise made during the campaign to the Marcos family;

WHEREAS, while according to Armed Forces of the Philippines (AFP) Regulation *The Allocation of Cemetery Plots at the LNMB* issued on 9 April 1986, former Presidents may be buried at the Libingan, an exception was provided for those "who were dishonorably separated, reverted or discharged from the service, and those who were convicted of an offense involving moral turpitude (emphasis supplied)";

WHEREAS, in the case of *Hilao v. Estate of Marcos* (In re Estate of Marcos Human Rights Litigation, 910 F. Supp. 1460), the jury found the estate of defendant Ferdinand Marcos liable to 10,059 plaintiffs for the acts of torture, summary execution, and disappearance;

WHEREAS, testimonies of the plaintiffs revealed that during the Martial Law period, of which former President was the architect, human rights violations included, but were not limited to: beatings while blindfolded, the "telephone", where a detainees ears were clapped simultaneously, insertion of bullets between the fingers of the detainee and squeezing the hand, the "wet submarine" where the detainee's head was submerged in a toilet bowl full of excrement, the "water cure" where a cloth was placed over the detainee's mouth and nose, and water poured over it producing a drowning sensation, the "dry submarine" where a plastic bag was placed over the detainee's head producing suffocation, use of a detainee's hands for putting out lighted cigarettes, use of flat-irons on the soles of a detainee's feet, forcing a detainee while wet and naked to sit before an air conditioner often while sitting on a block of ice, injection of a clear substance into the body a detainee believed to be truth serum, stripping, sexually molesting and raping female detainees; one male plaintiff testified he was threatened with rape, electric shock where one

electrode is attached to the genitals of males or the breast of females and another electrode to some other part of the body, usually a finger, and electrical energy produced from a military field telephone is sent through the body, Russian roulette, and solitary confinement while handcuffed or tied to a bed;

WHEREAS, this conviction should suffice to disqualify former President Marcos from being remembered in history as a hero, and from lying beside those who have demonstrated extraordinary heroism and valor in the service of the country;

WHEREAS, allowing the former President to be buried at the Libingan will only cause further divisiveness, and will reopen old wounds, especially as the country is also in the process of providing reparations to Martial Law victims;

WHEREAS, President Duterte cannot end the rule of oligarchs in the country by honoring the very man who created a crony oligarchy during Martial Law;

NOW THEREFORE BE IT,

RESOLVED AS IT IS HEREBY RESOLVED, to express the sense that former President Marcos should not be allowed to be buried at the Libingan ng mga Bayani, given findings of crimes involving moral turpitude as well as the human rights violations that occurred during his administration.

Montiveros Baraquel
SEN. ANA THERESIA "RISA" HONTIVEROS BARAQUEL

Judith
Ban Aquino

R. T. T.

Paladino

[Signature]