

Thirteenth Congress of the)
Republic of the Philippines)
Second Regular Session)

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SENATE

RECEIVED BY:

P.S. Res. No. 318

Introduced by Senator Aquilino Q. Pimentel, Jr.

RESOLUTION

AUTHORIZING THE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS TO INVESTIGATE, IN AID OF LEGISLATION, THE SEIZURE BY COMBINED OPERATIVES OF THE ARMED FORCES OF ELECTION PARAPHERNALIA SUPPORTIVE OF THE ELECTORAL PROTEST OF FORMER SENATOR LOREN LEGARDA IN THE PRESIDENTIAL ELECTORAL TRIBUNAL

WHEREAS, operatives from the Intelligence Service of the Armed Forces of the Philippines conducted a raid on August 17, 2005 on the house in San Mateo, Rizal rented by Mr. Segundo Tabayoyong, a documents analyst of former Senator Loren Legarda in her electoral protest against Vice President Noli de Castro now pending before the Presidential Electoral Tribunal in regard to the vice-presidential elections on May 11, 2004;


WHEREAS, the search of the house rented by Mr. Tabayoyong, and the seizure of the election paraphernalia being used as evidences in the election protest of Loren Legarda and the personal effects therein of Mr. Tabayoyong were undertaken without a warrant;


WHEREAS, the DILG Secretary Angelo T. Reyes, to whom the seized election paraphernalia have been turned over by the raiding team, has publicly refused to return the seized election paraphernalia to Senator Legarda and/or Mr. Tabayoyong;

WHEREAS, the seized election paraphernalia are vital evidence of Senator Legarda in her electoral protest;

RESOLVED, AS IT IS HEREBY RESOLVED BY THE SENATE, THAT THE COMMITTEE ON PUBLIC ORDER AND ILLEGAL DRUGS, AS IT IS HEREBY, AUTHORIZED TO CONDUCT AN INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING THE SEARCH AND SEIZURE OF ELECTION PARAPHERNALIA THAT CONSTITUTE VITAL EVIDENCE IN THE ELECTORAL PROTEST OF FORMER SENATOR LOREN LEGARDA, WITH THE VIEW OF CRAFTING LEGISLATION TO ENHANCE THE PROTECTION OF THE CONSTITUTIONAL RIGHTS OF PERSONS AGAINST UNREASONABLE SEARCHES AND SEIZURES, AND REMEDIAL LEGISLATION AS REGARDS THE RIGHTS OF POLITICAL PARTIES AND THEIR MEMBERS TO ELECTION PARAPHERNALIA VITAL AND NECESSARY FOR ELECTORAL PROTESTS AND TO PIN-POINT RESPONSIBILITY FOR THE BLATANT ACTUAL ABUSE OF THE CONSTITUTIONAL RIGHTS OF MR TABAYOYONG AND THE THREATENED ABUSE OF OUR PEOPLE'S CONSTITUTIONAL RIGHTS.

ADOPTED, _____.


AQUILINO Q. PIMENTEL, JR.
SENATOR

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