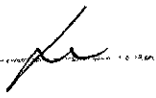


FOURTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
FIRST REGULAR SESSION }

7-11-3

RECEIVED BY: 

SENATE

P.S. RESOLUTION NO. 231

SENATOR FRANCIS N. PANGILINAN

**RESOLUTION CONDEMNING THE WARRANTLESS ARRESTS OF
MEMBERS OF THE MEDIA CARRIED OUT BY THE GOVERNMENT
DURING THE MANILA PENINSULA STAND OFF LAST 29 NOVEMBER 2007**

WHEREAS, the illegal arrests of the media personnel covering the Manila Peninsula standoff led by Senator Antonio Trillanes IV supported by the Magdalo soldiers last 29 November 2007 is a serious and direct attack on the right of the mass media/press to fulfill and perform its mandate and responsibility to report and/or inform the public of a critical event;

WHEREAS the arrests were direct interference into the constitutionally protected right of the mass media. Article III Section 4 of the 1987 Constitution states that: "No law shall be passed abridging the freedom of speech, of expression, or the press, or the right of the people peaceably to assemble and petition the government for redress of grievances";

WHEREAS, under the guise of standard operation and "need of identification", the military personnel rounded up the media including well-known media personalities including among others, Ms. Ces Drilon, Ms. Pinky Webb and Ms. Sandra Aguinaldo;

WHEREAS, the arrests were illegal, without any basis and were a clear violation of the freedom of the press to perform its mandate. By no stretch of imagination can the arrests of the media personnel be called as "standard procedure" as claimed by the military. Especially so when most of the media personnel were in fact known to the public/arresting officers, and have actually given proper identification as members of the media. The military personnel whether acting on their own behalf or through the instructions of their superiors, simply exceeded their rights and violated press freedom when they arrested media men;

WHEREAS, neither can the arrests of the media personnel be justified as "warrantless arrests" as authorized under Section 5, Rule 113 of the Rules of Court, to wit:

"A peace officer, or even private person, may effect an arrest without a warrant:

When the person to be arrested has committed, is actually committing, or is attempting to commit an offense in his presence.”

WHEREAS, the media personnel at the Manila Peninsula standoff were legally performing their job when they were arrested and was far from committing any crime that would have authorized their warrantless arrests;

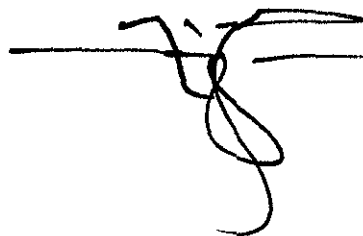
WHEREAS, the attack on the mass media personnel was not only an attack to them but also on the constitutionally recognized right of the people to information on matters of public concern. Section 7, Article III of the Constitution states in part:

“The right of the people to information on matters of public concern shall be recognized. xxx xxx xxx”

WHEREAS, mass media can be effective *only when it is free* and is unfettered. The performance of its duties and responsibilities must be without any undue interference. The arrests of the media personnel doing their job within the bounds of law during the Manila Peninsula siege must be condemned in the strongest terms as an unwelcome curtailment of the freedom of the press, as well as the right of the people to information;

RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate of the Philippines condemns the warrantless arrests of the members of the media during the Manila Peninsula stand off carried out by the Government.

Adopted.

A handwritten signature in black ink, consisting of a series of loops and a long vertical stroke, positioned below the text.