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Introduced by Sen. M. A. Madrigal

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON PEACE, UNIFICATION, AND RECONCILIATION TO INVESTIGATE, IN AID OF LEGISLATION, THE SERIOUS IMPLICATIONS OF THE BRUTAL ABDUCTION AND MURDER OF 20-YEAR OLD REBELYN PITAO, DAUGHTER OF NPA COMMANDER LEONCIO PITAO, ON THE PEACE PROCESS BETWEEN THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES AND THE CPP-NPA-NDF, WITH THE END IN VIEW OF RECOMMENDING MEASURES FOR THE IMMEDIATE RESUMPTION OF THE PEACE TALKS

WHEREAS Rebelyn Pitao, 20, a grade school teacher in Toril, Davao City and the daughter of Leoncio Pitao, also known as New People's Army (NPA) Commander Parago, was forcibly taken by armed men on her way home on 4 March 2009;

WHEREAS her body was found floating in a ditch in Purok 5, Barangay San Isidro, Carmen, Davao del Norte less than 24 hours after her reported abduction;

WHEREAS according to the autopsy report released by the Davao City police, Rebelyn Pitao was stabbed five times using an ice pick thereby causing fatal injuries to her lungs and liver;

WHEREAS her body bore torture marks as well as lacerations in the genitalia indicating that she was raped and brutally tortured before she was killed;

WHEREAS the Pitao family and human rights groups blame the military for the brutal killing, a view buttressed as well by general perception that it is only the military which has the motive, capacity, and track record to carry out what is obviously an act of reprisal directed against a top-ranking rebel leader in Mindanao;

WHEREAS the Pitaos, in particular, point to the 10th Infantry Division as being behind the abduction and killing as evidenced by the statements of its commanding officer, Major General Jogy Leo Fojas, that the military would get Commander Parago by the end of 2008 "by hook or by crook";

WHEREAS Leoncio Pitao's other children have reported that military agents have been continuously stalking them;

WHEREAS in June 2008, the brother of Leoncio Pitao, Danilo, was abducted and killed in Tagum City by suspected military forces;

WHEREAS the murder of Rebelyn Pitao – whose only fault was being her father's daughter – brings to a new and dangerous high point the trend of extrajudicial killings and enforced disappearances that has been roundly condemned yet has continued unabated under the Macapagal-Arroyo administration;

WHEREAS the murder only reinforces the report of the U.N. Special Rapporteur, Philip Alston, that systemic killings targeting the Left occur as a matter of policy under the present dispensation due to the government's counterinsurgency strategy that leads security forces to presume and treat any suspected member of the Left as legitimate targets;

WHEREAS the Geneva Convention on the Protection of Civilian Persons in Time of War states that, "Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, color, religion or faith, sex, birth or wealth, or any other similar criteria" (Article 3);

WHEREAS Part IV, Article 3 of the Comprehensive Agreement on Human Rights and International Humanitarian Law (CAHRIHL) between the Government of the Republic of the Philippines (GRP) and the National Democratic Front of the Philippines (NDFP) states that civilians or those taking no active part in the hostilities shall be protected against "violence to life and person, particularly killing or causing injury, being subjected to physical or mental torture, mutilation, corporal punishment, cruel or degrading treatment and all acts of violence and reprisals, including hostage-taking, and acts against the physical well-being, dignity, political convictions and other human rights";

WHEREAS NPA Commander Leoncio Pitao issued a statement on 9 March 2009 that the NPA would not retaliate against the families of soldiers in retribution for the murder of his daughter and that they would continue to abide by the rules of war and international humanitarian law;

WHEREAS following the murder of Rebelyn Pitao, Luis Jalandoni, chair of the NDFP peace panel, stated that the continuing human rights violations against the people and NDFP consultants have rendered "peace talks with the Arroyo regime untenable";

WHEREAS the killing of Rebelyn Pitao may derail announced plans of the Office of the Presidential Adviser on the Peace Process to revive stalled talks with the NDFP peace panel within the month;

THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to direct the Senate Committee on Peace, Unification, and Reconciliation to investigate, in aid of legislation, the serious implications of the brutal abduction and murder of 20-year old Rebelyn Pitao, daughter of NPA Commander Leoncio Pitao, on the peace process between the Government of the Republic of the Philippines and the CPP-NPA-NDF, with the end in view of recommending measures for the immediate resumption of the peace talks.

Adopted,


M. A. MADRIGAL