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SENATE

P. S. Res. No. 1336



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Introduced by Senator Biazon

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**RESOLUTION**

**DIRECTING THE SENATE COMMITTEE ON NATIONAL DEFENSE AND SECURITY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED ARMS SMUGGLING AT THE PORT OF MARIVELES, BATAAN ON 20 AUGUST 2009**

*Whereas*, on 20 August 2009, a joint team composed of personnel from the Mariveles Bureau of Customs Office, Coast Guard Station Bataan and Mariveles local PNP conducted a board and search inspection of the M/V CAPTAIN UFUK, a single screw 1967-built Panamanian registered 2,451-ton general cargo vessel, that arrived at the anchorage area in the Port of Mariveles, Bataan;

*Whereas*, during the course of inspection, the joint team found five (5) wooden crates and fifteen (15) empty wooden crates in one of the two cargo holds of the vessel with the former containing 50 pieces of GALIL SS1-V1 Caliber 5.56 assault rifles with markings "Made in Indonesia," 120 empty rifle magazines, and 45 bayonets that can be fitted into the GALIL rifles;

*Whereas*, upon verification, it was disclosed that the vessel's last port of call was in Jakarta, Indonesia and that the officials of the vessel could not produce the required supporting documents to cover and validate the existence, destination and disposition of the said firearms and accessories considering the absence and lack of importation permit, declaration of ship's cargo, and notice of arrival filed with the local port and customs authorities;

*Whereas*, the discovery of the undocumented firearms and accessories is further aggravated by the questionable circumstances surrounding the documentation of the history of the vessel and its crew such as, but not limited, to its previous ownerships, manning and operations;

*Whereas*, more disturbing is the information that a 103-gross ton yacht, later identified as M/Y MOU MON TAI, was allegedly seen near the M/V CAPTAIN UFUK prior to the boarding of the latter by the joint team leading to a strong inference of the former's involvement in the incident, especially considering the discovery of 15 empty wooden crates similar to the five wooden crates which contained the 50 firearms and its accessories;

*Whereas*, the Bureau of Customs had already issued a Warrant of Seizure and Detention over these firearms and accessories and the matter is currently under investigation with the view to establishing the culpability of the persons involved in this attempt to illegally bring firearms into the country;

*Whereas*, as per reports, the Republic of Indonesia is currently conducting a parallel inquiry to determine whether this incident has a connection with the insidious activities of terrorist groups in the said country;

*Whereas*, this incident is not a mere common crime of arms smuggling but needs a deeper inquiry because of its national security implications based on the following circumstances:

- a. The manner in which the firearms were brought into the country was shrouded with secrecy and under dubious conditions.
- b. The number, nature and caliber of the firearms lead to the inference that they may be used for more sinister purposes other than that of selling it for a profit.
- c. The last port of call of the vessel was in a place where the Jemaah Islamiyah, a terrorist organization with links to the Abu Sayaff and Al Queda, has been active and this group could be the source of the firearms for use of terrorist groups in our country.
- d. If this is only the top of the arms-smuggling iceberg, it will have an adverse effect on the country's drive against the proliferation of firearms.
- e. It shows that our boundaries are indeed porous and that the mandated agencies are hard pressed in guarding and providing protection to our national territory.
- f. The seeming inability of the appropriate government agencies to fully control and regulate the movement of vessels and watercrafts to preclude their being utilized for illegal purposes.

*Now Therefore, Be It Resolved, As It Is Hereby Resolved, By The Senate, To Direct The Senate Committee On National Defense And Security To Conduct An Inquiry, In Aid Of Legislation, On The Alleged Arms Smuggling At The Port Of Mariveles, Bataan On 20 August 2009.*

Adopted,

  
**RODOLFO G. BIAZON**  
Senator