



SENATE

P.S. Res. No. 65

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Introduced by **SENATOR LEILA M. DE LIMA** *REVISED BY: J*

RESOLUTION

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE IMPLEMENTATION OF MEMORANDUM ORDER NO. 32, OTHERWISE KNOWN AS “OPLAN SAURON”, IN RELATION TO THE RECENT SPATE OF KILLINGS IN THE PROVINCE OF NEGROS ORIENTAL, IN PARTICULAR, AND OTHER AFFECTED AREAS**

1 WHEREAS, Article II, Section 4 of the Constitution states, in part, that “[t]he  
2 prime duty of the Government is to serve and protect the people”;

3 WHEREAS, Article II, Section 5 of the aforementioned also declares that  
4 “[t]he maintenance of peace and order, the protection of life, liberty, and property,  
5 and promotion of the general welfare are essential for the enjoyment by all the  
6 people of the blessings of democracy”;

7 WHEREAS, Memorandum Order (MO) No. 32, issued on 22 November 2018,  
8 directed the “immediate deployment of additional forces of the AFP and PNP” in the  
9 provinces of Samar, Negros Oriental, Negros Occidental and the Bicol Region in  
10 order to “suppress lawless violence and acts of terror” and “prevent such violence  
11 from spreading and elsewhere in the country”<sup>1</sup>;

12 WHEREAS, the island of Negros has become a veritable killing field as the  
13 reported deaths of numerous individuals consisting of peasant farmers, human rights  
14 activists, politicians, members of law enforcement, suspected rebels, and various  
15 civilians have dotted the pages of newspapers and other local media outlets since the  
16 issuance of MO 32;

<sup>1</sup> Office of the President of the Philippines (NA). *Memorandum order no. 32*. Retrieved from <https://www.officialgazette.gov.ph/downloads/2018/11nov/20181122-MO-32-RRD.pdf>

1       WHEREAS, from 27 to 29 December 2018, six (6) persons were killed and 26  
2 suspects arrested while 61 firearms, 12 explosives and hundreds of ammunition were  
3 seized during a three-day police operation under the Synchronized Enhanced  
4 Managing of Police Operations (SEMPO) in Negros Oriental against the proliferation  
5 of illegal and unregistered firearms. Killed after allegedly engaging law enforcers in a  
6 shootout were Reneboy Fat, Jaime Revilla, Dondon Isugan, Jun Cubul, Demetrio Fat  
7 of Guihulngan City and Constancio Languita of Sta. Catalina town<sup>2</sup>;

8       WHEREAS, perhaps the most infamous killing to date is the Canlaon  
9 massacre of 14 farmers by members of the local police on 30 March 2019. This  
10 incident, as with other instances of extrajudicial killings, drew widespread criticism  
11 and condemnation from various human rights groups and lawmakers<sup>3</sup>;

12       WHEREAS, according to witnesses and family members of the slain victims of  
13 the Canlaon massacre, the police executed the victims “*tokhang*” style during its pre-  
14 dawn raids drawing eerie parallels to the experiences of Metro Manila’s urban poor  
15 under the so-called “war on drugs” of the Duterte regime<sup>4</sup>;

16       WHEREAS, recently, in a little over a week from 18 to 27 July 2019, a total of  
17 20 people were reportedly killed in the province of Negros Oriental<sup>5</sup>;

18       WHEREAS, on 18 July 2019, it was reported that four (4) police officers were  
19 killed in an ambush by suspected members of the New People’s Army (NPA) rebel  
20 group. The victims were identified as PCpl. Relebert Beronio, Pat. Raffy Callao, Pat.  
21 Roel Cabellon, and Pat. Marquino de Leon<sup>6</sup>;

22       WHEREAS, on 23 July 2019, human rights lawyer Anthony Trinidad, was  
23 shot dead and his wife injured when they were ambushed by riding-in-tandem  
24 gunmen in Guihulngan City, Negros Oriental. They were on their way home from a

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<sup>2</sup> Partlow, M. J. *6 die as guns, explosives seized in NegOr police ops*. Retrieved from <https://www.pna.gov.ph/articles/1058014>. (4 January 2019).

<sup>3</sup> ABS-CBN News. *14 farmers massacred in Negros Oriental, lawmaker says*. Retrieved from <https://news.abs-cbn.com/news/03/30/19/14-farmers-massacred-in-negros-oriental-lawmaker-says>. (30 March 2019).

<sup>4</sup> ABS-CBN News. *Witnesses, kin relate 'tokhang' style executions in Negros Oriental killings*. Retrieved from <https://news.abs-cbn.com/news/03/31/19/witnesses-kin-relate-tokhang-style-executions-in-negros-oriental-killings>. (31 March 2019).

<sup>5</sup> Espina, M. P. *Councilor, ex-mayor, 3 others killed in Negros Oriental*. Retrieved from <https://www.rappler.com/nation/236432-councilor-ex-mayor-killed-negros-oriental-shootings-july-2019>. (27 July 2019).

<sup>6</sup> Delfin, N., Perez, A., Perez, A. *4 pulis patay sa pananambang sa Negros Oriental*. <https://news.abs-cbn.com/news/07/18/19/4-pulis-patay-sa-pananambang-sa-negros-oriental>. (18 July 2019).



1 court hearing when two (2) gunmen aboard a motorcycle drove by his vehicle and  
2 shot him and wife Novie Marie multiple times<sup>7</sup>;

3 WHEREAS, human rights group Karapatan and the National Union of  
4 People's Lawyers have condemned the killing of Trinidad and have noted that he was  
5 red-tagged and said he was on a hit-list prior being gunned down<sup>8</sup>;

6 WHEREAS, at around 4:30 p.m. on 24 July 2019, four suspected NPA hitmen  
7 assassinated Wenly Alegre, a former NPA commander and his companion, Felimino  
8 Janayan, outside a cockfight arena in Arellano St., Bgy. Poblacion, Zamboanguita  
9 municipality. The gunmen attacked the victims who were on a motorcycle and were  
10 heard shouting, "*Mabuhay ang NPA!*" as they fled the scene<sup>9</sup>;

11 WHEREAS, on 25 July 2019, a school principal, his sibling, and a barangay  
12 chairman were killed in two (2) separate incidents inside their homes in the city of  
13 Guihulngan, Negros Oriental<sup>10</sup>;

14 WHEREAS, according to reports, unidentified gunmen repeatedly shot school  
15 principal Arthur Bayawa, and his sister Ardale, inside their home in Barangay  
16 Hibaiyo at around 1:00 a.m. Less than an hour later, armed men also stormed the  
17 house of Barangay Buenavista Chairman Romeo Alipan, and shot him several  
18 times<sup>11</sup>;

19 WHEREAS, around 5:10 p.m. on the same day, driver Reden Eleuterio was  
20 shot dead by unidentified gunmen in Brgy. Tampocon II in Ayungon municipality.  
21 The victim was driving a motorcycle when repeatedly shot by the suspects for  
22 unknown reasons. The victim died on the spot<sup>12</sup>;

23 WHEREAS, also on the same day, in Siaton, a motorcycle-riding assailant  
24 killed Raklin Astorias, who was also aboard his own motorcycle<sup>13</sup>;

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<sup>7</sup> Macasero, R. *Lawyer killed in Negros Oriental ambush*. Retrieved from <https://www.rappler.com/nation/236207-lawyer-anthony-trinidad-killed-negros-oriental-ambush-july-2019>. (24 July 2019).

<sup>8</sup> Cabico, G. K. *Groups condemn killing of red-tagged human rights lawyer*. Retrieved from <https://www.philstar.com/headlines/2019/07/25/1937762/groups-condemn-killing-red-tagged-human-rights-lawyer>. (25 July 2019).

<sup>9</sup> Journal Online. *NPA rebels rampage in Negros Oriental — PNP*. Retrieved from <https://journal.com.ph/news/provincial/npa-rebels-rampage-negros-oriental-pnp>. (26 July 2019).

<sup>10</sup> Go, M. *School principal, 2 others killed as spate of violence grips Negros city*. Retrieved from <https://news.abs-cbn.com/news/07/25/19/school-principal-2-others-killed-as-spate-of-violence-grips-negros-city>. (25 July 2019).

<sup>11</sup> *Ibid.*

<sup>12</sup> Journal Online. *NPA rebels rampage in Negros Oriental — PNP*. Retrieved from <https://journal.com.ph/news/provincial/npa-rebels-rampage-negros-oriental-pnp>. (26 July 2019).

<sup>13</sup> GMA News. *15 people, including 1-yr-old baby, dead in separate killings in Negros Oriental*. Retrieved from <https://www.gmanetwork.com/news/news/nation/702528/15-people-including-1-yr-old-baby-dead-in-separate-killings-in-negros-oriental/story/>. (26 July 2019).

1 WHEREAS, on 26 July 2019, a certain Marlon Ocampo and his one-year-old  
2 son were killed by suspected members of the NPA in the town of Santa Catalina. A  
3 letter supposedly written by an alleged NPA member obtained by authorities at the  
4 crime scene claimed that Ocampo was a military asset<sup>14</sup>;

5 WHEREAS, on the same day, a certain Fedirico Sabejon of Barangay 3 was  
6 shot dead by unidentified motorcycle-riding suspects. The victim was declared dead  
7 upon arrival at the hospital<sup>15</sup>;

8 WHEREAS, on 27 July 2019, a councilor and a village chief were gunned  
9 down in the municipality of Ayungon at around 12:14 a.m. About two hours later, a  
10 former mayor and his cousin were killed by unidentified men in their home in the  
11 city of Canlaon. Police identified the victims as Canlaon City Councilor Ramon  
12 Jalandoni and Ernesto Posadas, Panubigan village chief in Canlaon as well as Edsel  
13 Enardecido, a former mayor of Ayungon town, and his cousin, Leo<sup>16</sup>;

14 WHEREAS, on 23 July 2019, amidst these spate of killings, Philippine  
15 National Police (PNP) chief General Oscar Albayalde reasserted that the intensified  
16 campaign of the Armed Forces of the Philippines (AFP) and the PNP in Negros  
17 Oriental would continue to be implemented<sup>17</sup>;

18 WHEREAS, the provincial office of the PNP reported that the gunmen  
19 involved in several of the attacks identified themselves as members of NPA<sup>18</sup>;

20 WHEREAS, in a statement last 27 July 2019, the Communist Party of the  
21 Philippines (CPP) denied the guerrillas were involved in the attacks and blamed the  
22 military, police and paramilitary forces for the killings<sup>19</sup>;

23 WHEREAS, the State's intensified effort to quell the rebel threat has resulted  
24 to countless innocent victims being caught in the crosshairs of a brutal and bloody  
25 campaign and has fomented talks of the imposition of Martial Law in Negros<sup>20</sup>;

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<sup>14</sup> *Ibid.*

<sup>15</sup> Espina, M. P. *Councilor, ex-mayor, 3 others killed in Negros Oriental*. Retrieved from <https://www.rappler.com/nation/236432-councilor-ex-mayor-killed-negros-oriental-shootings-july-2019>. (27 July 2019).

<sup>16</sup> Santos, J. *Death toll from Negros Oriental shootings rises as ex-mayor, 3 others killed*. Retrieved from <https://www.gmanetwork.com/news/news/regions/702585/death-toll-from-negros-oriental-shootings-rises-as-ex-mayor-3-others-killed-report/story/>. (27 July 2019).

<sup>17</sup> Gallarde, J. *'Oplan Sauron' to continue in Negros Oriental*. Retrieved from <https://www.pna.gov.ph/articles/1075740>. (23 July 2019).

<sup>18</sup> Burgos, N. P., Jr., Gomez, C.P., Semilla, N. *13 killings in 5 days stoke martial law talk in Negros*. Retrieved from <https://newsinfo.inquirer.net/1147193/13-killings-in-5-days-stoke-martial-law-talk-in-negros>. (28 July 2019).

<sup>19</sup> *Ibid.*

<sup>20</sup> *Ibid.*



1 WHEREAS, the spate of killings perpetrated by state agents, rebel groups, or  
2 otherwise, tend to prove the inability of the Philippine government to discharge its  
3 basic duty to preserve and maintain peace and order, and to hold accountable the  
4 perpetrators of crimes and abuses. In effect, they have cultivated a culture of  
5 impunity and lawlessness across the country;

6 WHEREAS, the Geneva Convention, to which Philippines is a state-party,  
7 “prohibits making the civilian population or individual civilians the object of  
8 attack”<sup>21</sup>;

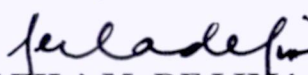
9 WHEREAS, the same convention requires States-Parties to initiate such steps  
10 as are necessary “to prevent violations of the [Geneva] Conventions” and, “where  
11 appropriate, to initiate disciplinary or penal action against violators thereof”<sup>22</sup>;

12 WHEREAS, measures must be taken to ensure respect for international  
13 humanitarian law. States have an obligation to teach its rules to their armed forces  
14 and the general public. They must prevent violations or punish them if these  
15 nevertheless occur;

16 WHEREAS, there is an urgent need to investigate this escalating trend and  
17 spate of killings, making it imperative for the government and law authorities and  
18 institutions to develop mechanisms which can hold these perpetrators accountable in  
19 order for justice and the rule of law to be restored and upheld throughout our lands;

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, as it is hereby  
21 Resolved, to direct the appropriate Senate Committee to conduct an inquiry, in aid of  
22 legislation, into the implementation of Memorandum Order No. 32, otherwise  
23 known as “Oplan Sauron”, in relation to the recent spate of killings in the province of  
24 Negros Oriental, in particular, and other affected areas, with the end view of  
25 determining its overall effectivity in the suppression of lawless violence and ensuring  
26 adherence and accountability of state law enforcers and peacekeepers to both  
27 international human rights standards and local operating guidelines and procedures  
28 during the conduct of their operations.

Adopted,

  
LEILA M. DE LIMA

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<sup>21</sup> Protocol Additional to the Geneva Convention of 1949, Part V, Section II, Article 85

<sup>22</sup> *Ibid*, Article 87