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SENATE
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RECEIVED BY: 

INTRODUCED BY SENATOR LACSON

RESOLUTION

DIRECTING THE COMMITTEE ON NATIONAL DEFENSE AND SECURITY TO INQUIRE, IN AID OF LEGISLATION, ON THE REPORTED ESCAPE OF FOUR SOLDIERS BELONGING TO THE MAGDALO GROUP, WITH THE END IN VIEW OF DETERMINING THE CIRCUMSTANCES LEADING TO THEIR ESCAPE, THE CULPABILITY OF THE ARMED FORCES OF THE PHILIPPINES AS WELL AS ITS IMPACT TO NATIONAL SECURITY IN LIGHT OF THE PRESENT PRECARIOUS POLITICAL CONDITION THE COUNTRY IS UNDERGOING

Whereas, it has been reported that at about 9 PM of January 17, 2006 four soldiers belonging to the Magdalo Group escaped from their military prison in Fort Bonifacio;

Whereas, according to newspaper reports, the four junior officers were able to escape by piling up chairs inside their detention cell and subsequently sneaking out of their holding room windows;

Whereas, the absence of the four junior officers was determined only after an accounting of all the prisoners was made for the night;

Whereas, the Armed Forces of the Philippines (AFP) identified the said soldiers as Capt. Patricio Gumindang, Capt. Nathaniel Rabonsa, Lt. Danny Sarmiento and Lt. Lawrence San Juan;

Whereas, the said soldiers were involved in the short-lived Oakwood Mutiny in July 2003 where they together with about 300 other soldiers accused top brass of the military of corruption and President Magapal Arroyo of abetting it;

Whereas, last December 14, 2005, Marine Captain Nicanor Faeldon, another member of the Magdalo Group also escaped after attending the hearing of his coup d'etat case at the Makati Regional Court;

Whereas, the escaped occurred after Army Chief Gen. Hermogenes Esperon exercising his authority as the designated custodian of the soldiers attempted to transfer them to another confinement area despite the absence of a court order and the objections of the soldiers' lead counsel;

Whereas, the move of Gen. Esperon of transferring to another detention room these officers was allegedly precipitated by reports of the possible escape of some key officers of the Magdalo Group;

Whereas, in view of the said report, the AFP should have tightened its security to avert the possible escape of these officers but apparently, the same was not done as the four junior officers was able to escape unnoticed;

Whereas, due to this, doubts are again raised as to the vulnerability and capability of the Armed Forces of the Philippines in maintaining its role as the protector of the people and the state in light of their seeming inutility when it is caught with its pants down in this alleged escape of these four junior officers;

Whereas, the lead counsel of the Magdalo Group, Atty. Ruel Pulido, in a news conference expresses doubt as to the veracity of the alleged escape of four of his clients and was even asking the AFP hierarchy if indeed there was such an escape;

Whereas, as a result of this, the President has ordered the Philippine Army to exert all effort to recapture the fugitive officers, to conduct an investigation on the circumstances behind the escape and take disciplinary actions against officials found to be liable;

Whereas, there is a need to investigate this matter in view of the seeming inutility of the Armed Forces of the Philippines in protecting and securing these idealistic junior officers whose action on July 2003 was triggered by an honest, though naïve, desire for change. Now, therefore,

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct as it hereby directs, the Committee on National Defense and Security, to inquire, in aid of legislation, into the reported escape of these four Magdalo officers, for the purpose of determining the circumstances and culpability of the AFP in their escape despite the heavy security it provides to the said junior officers with the end in view of enacting remedial measure that will impose additional obligation and burden on the officers in-charge of securing the custody of detained persons to avert a repetition of this act to the detriment of our national security.

Adopted,


PANFILO M. LACSON
Senator