

FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

7 JUL 25 2016

SENATE
P.S. Resolution No. 40

RECEIVED BY: Jim

Introduced by **Senator Richard J. Gordon**

**RESOLUTION DIRECTING THE CONDUCT OF AN INVESTIGATION,
IN AID OF LEGISLATION, INTO THE CONTINUING INCIDENTS
OF EXTRAJUDICIAL KILLINGS, ENFORCED DISAPPEARANCES AND OTHER HUMAN
RIGHTS ABUSES**

WHEREAS, Article II Section 11 of the Constitution states that: "The State values the dignity of every human person and guarantees full respect for human rights";

WHEREAS, Article III, Section 1 of the Constitution further states that: "No person shall be deprived of life, liberty or property, without due process of law," and identifies specific human rights, among them freedom of speech and political belief, the rights to political association and peaceful assembly, and rights of persons under custodial investigation;

WHEREAS, Article 9 of the Universal Declaration of Human Rights (UDHR), which the Philippines has ratified, states that: "No one shall be subjected to arbitrary arrest, detention or exile";

WHEREAS, our will as a nation to bring life to these lofty declarations are tested as we are confronted by occurrences of extrajudicial killings, enforced disappearances and other human rights abuses, the number of whose victims continues to rise;

WHEREAS, since 2001, 863 civilian victims of human rights abuses have been recorded by KARAPATAN, an umbrella organization of human rights activists, of which 411 belong to different political organizations and 196 have been victims of enforced disappearances;

WHEREAS, the victims represent a broad spectrum of society — youth activists, religious clergy, farmers, workers, indigenous peoples, lawyers, judges, members of progressive groups, among others;

WHEREAS, the occurrence of these human rights abuses is especially alarming because of the impunity and frequency with which they have been perpetrated, with killings often executed in public view and in areas where the military and police are present, leading to accusations of military involvement in them;

WHEREAS, the problem has become a cause for international concern, prompting the conduct of an investigation by the United Nations Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions Prof. Philip Alston in March 2007, where he found the armed forces to be "in denial" over allegations of their involvement and failing in their efforts to curb the killings and abuses and find the perpetrators, in stark contrast to its constitutionally-mandated duty to "protect the people";

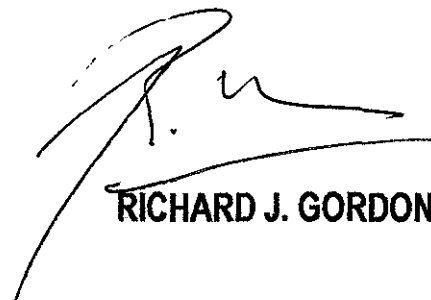
WHEREAS, in the past, this representation had called for this chamber to rise and call for swift action against the killings of our judges and journalists, to not allow lawless elements to take our nation down the path of anarchy, and to wage an unwavering and continuing fight against these criminal elements;

WHEREAS, no less than the highest court of the land, the Supreme Court, has taken a proactive stance against the problem by convening an unprecedented summit seeking to find solutions to these extrajudicial killings, enforced disappearances and human rights abuses, which the Court has called "an affront to the judicial system";

WHEREAS, these human rights abuses must be abated to negate the accusation that the government supports a policy of curtailment of human rights not only of progressive and militant activists but of all our citizens, and to institute policies that enable our people to protect themselves: Now, therefore, be it,

Resolved by the Senate, as it is hereby resolved, To conduct an inquiry, in aid of legislation, into these incidents of extrajudicial killings, enforced disappearances and other human rights abuses.

Adopted,



RICHARD J. GORDON