


THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)

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SENATE
P. S. R. No. 557

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE REPORTED RECOVERY OF IMPROVISED
ANTI-PERSONNEL LANDMINES AND BOMB-MAKING MATERIALS LEFT BY
COMMUNIST INSURGENTS IN MARBON, TALACOGON, AGUSAN DEL SUR

WHEREAS, according to a news article published in the *Manila Bulletin* on 29 August 2006, the 29th Infantry Battalion allegedly recovered materials for explosives left by rebels belonging to the New People's Army (NPA);

WHEREAS, the troops reportedly seized plastic containers containing bomb chemicals, improvised anti-tank and anti-personnel landmines, blasting caps, some 30 meters of firing wires, power supplies, and other materials for bomb making;

WHEREAS, the recovery of the bomb materials allegedly came as a result of the "hot pursuit" operations conducted by soldiers of the 29th Infantry Battalion led by Col. Amador Tabuga;

WHEREAS, Brig. Gen Ricardo A. David Jr., commanding general of the Army's 402nd Infantry (Stingers) Brigade, reportedly said that the bomb materials would have inflicted severe casualties if they were not found by the government troops;

WHEREAS, the Philippines is a signatory to the 1997 Mine Ban Treaty, which commits member states to put an end to the suffering and casualties caused by anti-personnel landmines;

WHEREAS, the treaty defines anti-personnel mines as "a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons";

WHEREAS, while "non-state actors" such as the NPA may not become State Parties of the Mine Ban Treaty, they are nevertheless bound by international humanitarian law, which provides that in any armed conflict, the right of the parties to the conflict to choose methods or means of warfare is not unlimited; international humanitarian law prohibits the use of weapons of a nature to cause superfluous injury or unnecessary suffering and weapons which are inherently indiscriminate and whose use violates "the public conscience";

WHEREAS, there is a need to review the anti-communist insurgency efforts of the government, especially in the face of information that rebels have allegedly started using anti-personnel landmines; now be it

RESOLVED, that the proper Senate committee shall conduct an inquiry, in aid of legislation, on the reported recovery of improvised anti-personnel landmines and bomb-making materials left by communist insurgents in Marbon, Talacogon, Agusan del Sur.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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