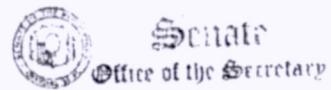


EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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SENATE

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COMMITTEE REPORT NO. 33

Submitted jointly by the Committees on Public Order and Dangerous Drugs; and Justice and Human Rights on JAN 21 2020;

RE: P.S. Res. No. 47, and P. S. Res. No. 65.

Recommending the adoption of the recommendations and their immediate implementation.

Sponsor: Senator Ronald "Bato" dela Rosa

MR. PRESIDENT:

The Senate Committees on Public Order and Dangerous Drugs; and Justice and Human Rights to which were referred **P. S. Res. No. 47**, introduced by Senator Risa Hontiveros, entitled:

"RESOLUTION

URGING THE SENATE COMMITTEES ON PUBLIC ORDER AND DANGEROUS DRUGS AND JUSTICE TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION ON THE SPATE OF KILLINGS THAT DEVASTATED THE ISLAND OF NEGROS AND THE CIRCUMSTANCES THAT ALLOWED FOR THE LAWLESS VIOLENCE THAT CLOAKED THE PROVINCE, WITH THE END IN VIEW OF ATTAINING JUSTICE FOR THE SLAIN VICTIMS AND CREATING POLICIES THAT WILL ADEQUATELY ADDRESS THE ROOT CAUSE OF THE CONFLICT IN THE PROVINCE"

and **P. S. Res. No. 65**, introduced by Senator Leila M. De Lima, entitled:

"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"

have considered them and have the honor to submit their report on their inquiry back to the Senate, recommending the adoption of the recommendations as contained in this Report and their immediate implementation.

Respectfully submitted:



SENATOR RICHARD J. GORDON
Committee on Justice and Human Rights;
Member, Committee on Public Order and
Dangerous Drugs

Chairpersons:



SENATOR RONALD "Bato" DELA ROSA
Committee on Public Order and Dangerous
Drugs

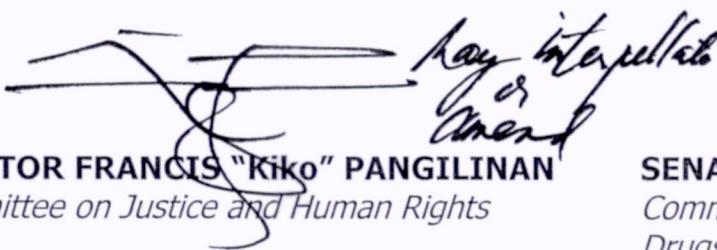
Vice Chairpersons:



SENATOR PANFILO M. LACSON
Committee on Public Order and Dangerous
Drugs; and Justice and Human Rights

SENATOR CHRISTOPHER LAWRENCE T. GO
Committee on Public Order and Dangerous Drugs

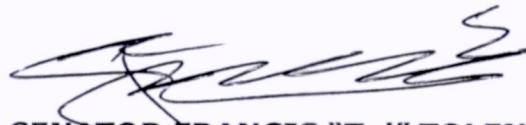
Members:



*May interpellate
or amend*

SENATOR FRANCIS "Kiko" PANGILINAN
Committee on Justice and Human Rights

SENATOR RAMON BONG REVILLA JR.
Committee on Public Order and Dangerous
Drugs



SENATOR FRANCIS "Tol" TOLENTINO
Committee on Public Order and Dangerous
Drugs



SENATOR SONNY ANGARA
Committee on Justice and Human Rights

Risa Hontiveros Lorente
SENATOR RISA HONTIVEROS
Committee on Public Order and Dangerous
Drugs

May interpellate / amend.

SENATOR MANUEL "LITO" M. LAPID
Committee on Justice and Human Rights


SENATOR AQUILINO "Koko" PIMENTEL III
Committee on Justice and Human Rights

SENATOR LEILA M. DE LIMA
Committee on Public Order and Dangerous Drugs; and Justice and Human Rights



SENATOR EMMANUEL "MANNY" D. PACQUIAO

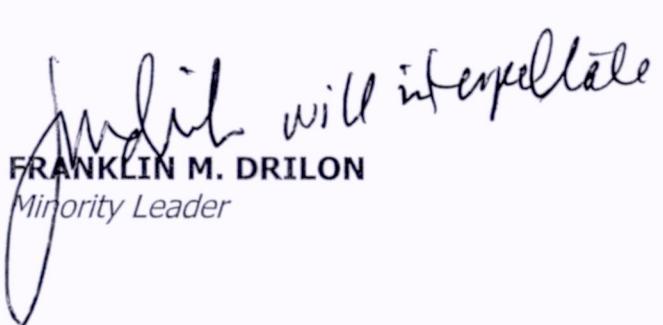
Committee on Public Order and Dangerous Drugs; and Justice and Human Rights



Ex Officio Members:

RALPH G. RECTO
President Pro Tempore


JUAN MIGUEL F. ZUBIRI
Majority Leader


FRANKLIN M. DRILON
Minority Leader

VICENTE C. SOTTO III
Senate President

Prefatory Statement:

It is a contradiction that is practically impossible to accept: Negros, the island that is the Philippines' main producer of sugar, is home to the sweetness of sugar; and yet, in more recent times, it has also become home to the bitterness of violence and death.

Background:

Negros Occidental in Western Visayas (Region 6) is known as the Sugar bowl of the Philippines, sugar industry being the major source of economy. It is the fourth largest island in the Philippines, with a total land area of 7,965.21 square kilometres.¹

Located in Central Visayas, Negros Oriental in Region 7, is an agricultural province. The province has a land area of 5,385.53 square kilometers or 2,079.36 square miles.²

On May 29, 2015, Negros Island Region was created in order to "further accelerate the social and economic development of the cities and municipalities comprising the provinces of Negros Occidental and Negros Oriental and improve the delivery of public services in the aforementioned provinces."³

Citing lack of funds, President Rodrigo Duterte dissolved the Negros Island Region (NIR) created by the previous administration.⁴ Thus, through Executive Order 38 signed on August 7, 2017, Negros Occidental and Negros Oriental have reverted to Region VI and Region VII, respectively.

Based on the official poverty statistics from the Philippine Statistics Authority, as of first semester of 2018, the poverty incidence of Negros Oriental is 26.1%, while Negros Occidental registered at 18.5%.⁵

¹ <http://philgis.org/province-page/negros-occidental>, retrieved on November 3, 2019.

² <https://www.philatlas.com/visayas/r07/negros-oriental.html>, retrieved on November 13, 2019.

³ Fourth Whereas clause, Executive Order 183 "Creating A Negros Island Region and for Other Purposes", retrieved from: <https://www.officialgazette.gov.ph/2015/05/29/executive-order-no-183-s-2015/>, on November 21, 2019.

⁴ Ranada, Pia. "Duterte dissolves Negros Island Region," retrieved from: <https://www.rappler.com/nation/178175-duterte-dissolves-negros-island-region>, retrieved on November 13, 2019.

⁵ Table 10. "Clustering of Provinces based on the First Semester 2018 Poverty Incidence Among Families.", Philippine Statistics Authority, April 10, 2019. Retrieved from: www.psa.gov.ph/poverty-press-releases/nid/138411, retrieved on November 14, 2019.

Series of Killings:

To say that the period between October 2018 and July 2019 was bloody is a gross understatement. In that eight-month period, a series of killings and attempted killings took place in both provinces. No one was spared – men, women, and children suffered at the hands of lawless armed men.

On October 20, 2018, nine (9) farmers were shot dead and three (3) wounded in the hands of some forty (40) armed men in Barangay Bulanon, Sagay City.⁶

On November 6, 2018, human rights lawyer Benjamin Ramos, who was also assisting the farmers in the aftermath of the massacre, was shot dead.⁷

In response to these incidents and in order to prevent further lawless violence in Negros Island, Eastern Visayas, and Bicol, President Rodrigo Duterte issued **Memorandum Order No. 32** – "Reinforcing the Guidelines for the Armed Forces of the Philippines and the Philippine National Police in the Implementation of Measures to Suppress and Prevent Lawless Violence."⁸ The said Memorandum Order issued on 22 November 2018 recognizes that "a number of sporadic acts of violence have occurred recently in particular areas of the country, particularly in the Provinces of Samar, Negros Oriental, Negros Occidental, and the Bicol Region, which appear to have been committed by lawless groups".⁹

Thus, under Section 1 of the same Memorandum Order, "The salient provisions of MO 3 are herein reinforced and reiterated. Further, the Department of National Defense (DND) and the Department of the Interior and Local Government (DILG) shall coordinate the immediate deployment of additional forces of the AFP and the PNP to suppress lawless violence and acts of terror in the Provinces of Samar, Negros Oriental, Negros Occidental, and the Bicol Region, and prevent such violence from spreading and escalating elsewhere in the country."

On December 27, 2018, the Simultaneous Enhanced Managing of Police Operations (SEMPO) was launched, which included the Philippine National Police's

⁶ Guadalquiver, Nanette. "Police probes landowners, donees in Sagay 9 massacre," retrieved from: <https://www.pna.gov.ph/articles/1053497>, retrieved on September 23, 2019.

⁷ Espina, Marchel. "'Mabinay 6' lawyer shot dead in Negros Occidental," retrieved from: <https://www.rappler.com/nation/216091-human-rights-lawyer-benjamin-ramos-shot-dead-november-6-2018>, retrieved on September 23, 2019.

⁸ Adel, Rosette. "AFP: Memorandum Order No. 32 no prelude to nationwide martial law," retrieved from: <https://www.philstar.com/headlines/2018/11/25/1871608/afp-memorandum-order-no-32-no-prelude-nationwide-martial-law#2M1QPh1AeiwZoUWI.99>, retrieved on September 23, 2019.

⁹ Third Whereas Clause, Memorandum Order 32

(PNP) Regional Mobile Safety Battalion along with the 94th Infantry Battalion of the Philippine Army (IBPA), 62nd IBPA, and 303rd Infantry Brigade.¹⁰

The dreadful episodes of carnage and violence however, continued to hound the terrorized Negros Islands.

During these simultaneous police operations, six (6) persons were killed while thirty-one (31) were arrested.¹¹ Included among those killed were *habal-habal* driver Reneboy Fat, Demetrio Fat, Jaime Revilla, Dondon Isugan, Jun Cubul of Guihulngan City, and Constancio Languita of Sta. Catalina town. The ones who were killed and many of those who were arrested were members of the Kilusang Magbubukid ng Pilipinas (KMP) and Pinagkaisang Samahan ng mga Tsuper at Operators Nationwide (PISTON).

March 30, 2019 saw the birth of Oplan Sauron, which was a second version of SEMPO, implemented in Negros Oriental.¹² On the day of Oplan Sauron's launching, fourteen (14) farmers were killed. There was a total of fifty-one (51) assorted firearms and explosives reportedly confiscated.¹³

On July 18, 2019 four (4) policemen were killed after they were ambushed in Barangay Mabato in the town of Ayungon.¹⁴ According to Police Brigadier General Debold Sinas, then Director of the Police Regional Office in Central Visayas (PRO-7) based in Cebu City, the fatalities were the following: Corporal Relebert Beronio, Patrolman Raffy Callao, Patrolman Ruel Cabellon, and Patrolman Marquino de Leon.

On July 23, 2019, Anthony Trinidad, a lawyer who was identified as one who represented "political prisoners in Negros", and his wife were shot multiple times by armed men who were riding-in-tandem.¹⁵

¹⁰ Gallarde, Choy. "6 killed, 13 arrested, 21 neutralized," retrieved from: <https://negroschronicle.com/6-killed-13-arrested-21-neutralized/>, retrieved on September 23, 2019.

¹¹ Partlow, Mary Judaline. "6 die as guns, explosives seized in NegOr police ops," retrieved from: <https://www.pna.gov.ph/articles/1058014>, retrieved on September 24, 2019.

¹² Pateres, Camille. "In Negros Oriental: 14 'rebels' dead," retrieved from: <https://www.philstar.com/the-freeman/cebu-news/2019/03/31/1906104/negros-oriental-14-rebels-dead>, retrieved on September 25, 2019.

¹³ The confiscated firearms and explosives consisted of eight rifle grenades, two grenades, nine .45-caliber pistols; 25 .38-caliber revolvers; one .357-caliber revolver; four shotguns, and four homemade rifles/pistols.)

¹⁴ Espina, Marchel. "4 policemen killed in Negros Oriental ambush," retrieved from: <https://www.rappler.com/nation/235740-policemen-killed-ambush-negros-oriental-july-2019>, retrieved on September 25, 2019.

¹⁵ Macasero, Ryan. "Lawyer killed in Negros Oriental ambush," retrieved from: <https://www.rappler.com/nation/236207-lawyer-anthony-trinidad-killed-negros-oriental-ambush-july-2019>, retrieved on September 25, 2019.

On July 25, 2019, the Science High School Principal of Guihulngan, Arthur Bayawa, and his sister, Ardale, an official of the local Department of Education office, were attacked and killed in their sleep, in the comfort of their own home at Barangay Hibaiyo, Guihulngan City.¹⁶

In a different barangay, Barangay Poblacion, it seemed as if the same nightmare of death and violence were being replayed. Merely forty-five minutes after the deaths of the Bayawas, Barangay Buenavista chief Romeo Alipan was shot by more than twenty (20) armed suspects. He was brought to the hospital but was declared dead on arrival.¹⁷

Raklin Asturias, resident of Barangay Maloh in Siaton, was shot dead by motorcycle-riding suspects.¹⁸

In the town of Ayungon, Reden Eleuterio was also killed by armed men. And in Santa Catalina, Marlon Ocampo was shot dead, along with his 1-year old son. His wife and his other child were wounded but they survived.¹⁹

On July 27, 2019, a former mayor of Ayungon, Edsel Enardecido, and his cousin, Leonardo, were shot by unidentified men. These men stormed their houses in Barangay Tampocon 1 at about 2:30a.m.

At past midnight of the same day, Canlaon City Councilor Ramon Jalandoni and chairman of Barangay Panubigan Ernesto Posadas were also shot dead when unidentified gunmen invaded their houses. What was remarkable about their case was that the assailants left messages on the walls of the houses of Posadas and Jalandoni, and the messages read: "Mabuhay ang NPA" and "Traidor sa NPA."²⁰

Call for Investigations:

In view of this appalling spate of killings, Senators Risa Hontiveros and Leila de Lima filed PS Resolutions No. 47 and 65, respectively. Both resolutions called for the

¹⁶ ABS-CBN News. "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>, retrieved on September 26, 2019.

¹⁷ Ibid.

¹⁸ Bayoran, Gilbert. "Negros DepEd exec, principal shot dead," retrieved from: <https://www.philstar.com/nation/2019/07/26/1937823/negros-deped-exec-principal-shot-dead>, retrieved on September 26, 2019.

¹⁹ Burgos, Nestor Jr. "4 shot dead in 3 separate incidents in Negros Oriental," retrieved from: <https://newsinfo.inquirer.net/1146605/4-shot-dead-in-3-separate-incidents-in-negros-oriental>, retrieved on September 26, 2019.

²⁰ Bayoran, Gilbert. "Ex-mayor, 3 others killed in Negros shooting spree," retrieved from: <https://www.philstar.com/nation/2019/07/28/1938425/ex-mayor-3-others-killed-negros-shooting-spree>, retrieved on September 26, 2019.

unearthing of truth. As a response to this call, the Committee on Public Order and Dangerous Drugs, to which the said resolutions were referred, took immediate action. A hearing was held on August 27, 2019.

Committee's Action:

The Committee on Public Order and Dangerous Drugs, joint with the Committee on Justice and Human Rights, conducted a Public Hearing on the above-mentioned resolutions, more specifically to investigate the series of killings in Negros Island. The central aim of the hearing was to arrive at a clearer picture and firmer grasp of the nature and background of the violence being perpetrated in the island. Further, the hearing also intended to review existing laws pertinent to the issue, as well as to come up with proposals for legislation, if any, that are more responsive and applicable to the needs of the country today.

Among the attendees of the said hearing²¹ were the former Regional Director for Police Regional Office 7, now National Capital Region Police Office (NCRPO) Chief, P/BGen. Debold M. Sinas, Governor Roel R. Degamo of Negros Oriental, Mayor Jose Chubasco Cardenas of Canlaon City, Mayor Carlo Jorge Reyes of Guihulngan City, and Mr. Elsid Salimbagat, Chairman of Peace and Order for the Municipality of Ayungon. One of the survivors from the July 18 attack, Police Chief Master Sargent Humphrey Teves, was also present. Also present in the hearing were Librando and Remely Beronio, the bereaved relatives of Corporal Relebert Beronio, and Juditha and Windelyn Callao, relatives of the late Patrolman Raffy Callao.

Issues

This legislative inquiry is centered on exploring possible administrative and legislative measures to address the state of stark lawlessness and violence in Negros Occidental and Negros Oriental. With the killings that have become rampant in both provinces, it is imperative to look into the following issues:

1. What are the factors that led to the increasing cases of insurgency-related killings in Negros Occidental and Negros Oriental?
2. What are the counter-insurgency actions done by the National and local governments to address the rampant killings?
3. Who are behind the series of senseless bloodsheds in both provinces in the Negros Islands that has sown fear and panic among the populace?
4. What are specific remedies that the local and national Governments should undertake in order to stop the cycle of violence and death in Negros Islands, and restore law and order in the area?

²¹ The list of attendees is based on the TSN from the August 27 Hearing, pp. 2-3.

5. How do we adequately address the root cause of internal conflict in Negros Occidental and Negros Oriental?

Discussion:

I. Insurgency-related killings:

The law and order situation in Negros Occidental and Negros Oriental has always been turbulent, as history of these two provinces will show. Through the years, horrifying stories of blatant and unabated killings ripped terror among the constituents. And the consistent sources of the unrest could be traced in the dismal poverty situation and the exacerbating insurgency problem, and the correlation between these two factors.

Why is this so? How could Negros Islands, rich in natural and man-made bounties, be the cradle of insurgency?

The Rich/Poor Divide

The extensive disparity between the opulent and the destitute residents in these two Negros provinces creates the atmosphere of restlessness and discontent among its people. Sugarcane landowners are becoming richer, while the workers continue to struggle in their everyday battle to earn a decent living to feed their families. This evident social inequality breeds aggression and resistance among the working class, thereby igniting their rebellious mindset and principles, and cultivating a fertile breeding ground for rebellion.

This dismal socio-economic reality has been plaguing Negros Islands for decades. In a work that dates back to the year 1986, author William Branigin writes²²:

"Malnutrition is not the only problem on this sugar-producing island. Widespread poverty, a depression in the world sugar market, years of exploitation of sugar workers by feudalistic plantation owners, the activities of political warlords and a radicalized Roman Catholic Church have made the island of Negros a cauldron of revolutionary agitation."

It is a situation that has worked to the advantage of the Communist Party of the Philippines and its armed wing, the New People's Army, which reportedly have grown faster on Negros in the past few years than on any other island in their nationwide rebellion."

²² Branigin William "Poverty on Negros Islands Breeding Filipino Rebels", 21 September 1986, retrieved from <https://www.washingtonpost.com/archive/politics/1986/09/21/poverty-on-negros-island-breeding-filipino-rebels/2ebf1306-3422-4945-b439-18a7952fc055/> retrieved on 14 October 2019.

Negros Islands: Terrain and Topography

Another contributory factor to the deteriorating insurgency problem is the Islands' natural terrain and topography.

Negros Oriental and Negros Occidental are, by nature, separated by a chain of rugged mountains, which served as the protective mantle to the insurgents. Acting as the sturdy shield against the prying eyes of the Government military and police forces, members of the New Peoples' Army seek shelter in this natural terrain which acts as their buffer zone. Their revolutionary training and armed struggles are obscured by the canopy of modern-day jungle forests where only the brave dare to trek.

Continuing Struggle:

As the people struggled to survive in their daily living, the insurgents took the opportunity to win the hearts of the masses by encouraging them to support their revolutionary battle. The landless sugar plantation workers continued to till the soil with their sweat and blood, while the sugar plantation owners continued to reap boundless economic gains, at the expense of the rights and interests of their workers. The concept of "social justice" just became more nebulous, with the social equilibrium heavily tilting towards the landed few. Thus, the extreme heat of social unrest reached its boiling point, ready to explode anytime, while the helpless young generation waited in futile surrender to a bleak tomorrow.

Year after year, the people of Negros have fought the battles of survival, and of internal conflicts that have resulted to further deterioration of their lives.

With crushed spirits and starving stomachs, people raised arms and resorted to taking the law into their own hands. They desperately wanted the nearest way out of extreme poverty and lawlessness. And to them, the only alternative mode in sight was through the revolutionary way of life. People then became more aggressive in finding solutions to their problems. They became more frantic to provide the needs of the communities, but with blatant disregard to the basic tenets of equality and fairness. In the end, sporadic violence and even death became a way life.

II. Counter-Insurgency Action:

In 2016, President Rodrigo Roa Duterte issued Proclamation No. 55 that declared "a state of national emergency on account of lawless violence, and hereby command the Armed Forces of the Philippines and the Philippine National Police to undertake such measures as may be permitted by the Constitution and existing laws to suppress any and all forms of lawless violence in Mindanao and to prevent such lawless violence from spreading and escalating elsewhere in the Philippines, with due

regard to the fundamental civil and political rights of our citizens.”²³ (underscoring supplied).

In order to expeditiously implement the President’s directive to the Armed Forces of the Philippines and the Philippine National Police to suppress lawless violence, Memorandum Order No. 3, Series of 2016 was issued²⁴. Under Section 1 thereof, “The Department of National Defense (DND) and the Department of Interior and Local Government (DILG) shall coordinate the immediate deployment of additional forces of the AFP and the PNP to suppress lawless violence and acts of terror in Mindanao and prevent such violence from spreading and escalating elsewhere in the country. x x x” (underscoring supplied).

With the prevalence of senseless violence and slayings in Negros Islands in the recent months, Memorandum Order No. 32²⁵ was issued where “the immediate deployment of additional forces of the AFP and PNP to suppress lawless violence and acts of terror in the provinces of Samar, Negros Oriental, Negros Occidental, and the Bicol Region x x x”²⁶ was mandated.

By virtue of Memorandum Order 32, the Simultaneous Enhanced Managing of Police Operations (SEMPPO), and subsequently, Oplan Sauron, which involve massive police operations, supported with army troops, in various areas in Negros Islands. The main purpose of these operations is to crackdown illegal activities undertaken by lawless groups and individuals.

For its part, the local governments of Negros Occidental and Negros Oriental, in close coordination with the National Government, have doubled their efforts to put an end to senseless killings and hostilities in their respective areas of jurisdiction.

Their best defense: good governance, and abled support from the military and the police.

According to Governor Roel R. Degamo of Negros Oriental, his administration pushed for good programs and livelihood projects for his constituents, and provided basic services to the people. In fact, in 2014, two years after he assumed office, and

²³ Proclamation No. 55, “Declaring A State of National Emergency on Account of Lawless Violence in Mindanao”, signed by President Rodrigo R. Duterte on 4 September 2016.

²⁴Memorandum Order No. 3, Series of 2016, “Providing Guidelines for the Armed Forces of the Philippines and the Philippine National Police in the Implementations of Measures to Suppress and Prevent Lawless Violence.” Signed on 7 September 2016, by Executive Secretary Salvador C. Medialdea, by order of the President.

²⁵ Memorandum Order 32, “Reinforcing the Guidelines for the Armed Forces of the Philippines and the Philippine National Police in the Implementation of Measures to Suppress and Prevent Lawless Violence, signed on 22 November 2018, by Executive Secretary Salvador C. Medialdea, by order of the President.

²⁶ Section 1, Memorandum Order 32, Series of 2016.

with the presence of the 11th Infantry Battalion, Governor Degamo was able to declare Negros Oriental as conflict-manageable and development-ready.²⁷

However, this state of bliss was short-lived. When the war in Mindanao broke out, the 11th IB was pulled out of Negros Oriental. The pulling-out of the IB only became an opening for the NPA to strike again. And even though, according to Governor Degamo's estimation, the NPA is a bigger problem for Negros Occidental than for Negros Oriental, Negros Oriental's mountainous terrain makes it an easy hideaway for rebels.

In response to the growing violence in his province, they likewise organized ELCAC, or the End of Local Communities Armed Conflict, in order to manage internal struggle.²⁸

The implementation of Oplan Sauron has done much to ease the problem of peace and security in the area. This has somehow alleviated the fear among the members of the communities as they go about their daily living. Admittedly, however, the wave of slayings has not been eliminated completely.

Likewise, special investigators from the Commission on Human Rights were deployed to help assess the situation, and in recommending concrete actions to identify the culprits and bring justice to the hapless victims and their grieving families.

III. Brains Behind the Killings

One vital piece of information that was revealed during the committee investigation is the presence of an alleged anti-communist group called Kawsa Guihulnganon Batok Komunista o KAGUBAK, which reportedly has a "hit list" that targets "alleged NPA sympathizers."²⁹ On the said list are 15 names. It was discovered during the hearing that 5 of the 15 persons named therein have already been killed. But the answer as to who killed them, and the reason behind the killing remains to be a mystery even up now.

On the same list, and at the lower side thereof, appears another set of 10 names, and, according to the list, "*kini ang mga inosenteng sibilyan nga humana gihukman sa ilang hinanib nga grupo sa NPA nga walay igong basihan ug gipamatay nila*",³⁰ which means that these are names of innocent civilians who were judged by the NPAs, and were killed without any basis at all.

²⁷ TSN, August 27, 2019, p.15, 10:17A.M.

²⁸ TSN, August 27, 2019, p. 18, 10:27A.M.

²⁹ TSN, August 27, 2019, page 71, 11:37 A.M.

³⁰ TSN, August 27, 2019, page 81, 11:47 A.M.

According to P/LTC Bonifacio Tecson³¹, Chief of Police (COP), PNP, Guihulngan City, as early as February 2018, the persons named in the alleged "hit list" came to their police station one by one in order to seek protection from the police. Almost all of them denied being supporters of the NPAs. Unfortunately, despite their appeal for help, five of them have been killed, allegedly because of their support for the NPAs.

In the course of the committee investigation, a representative of the Commission on Human Rights (CHR), Mr. Jesus Cañete³², Special Investigator, CHR Region VII likewise testified that there is an existing list of 37 names allegedly coming from 11 barangays from both Negros Occidental and Negros Oriental. Out of these 37 names, there is already one identified fatality, Barangay Captain Alipan. When pressed for details as to the source of this list, Mr. Cañete said that this came from the Alipan family who, however, refused to reveal where it came from. Nevertheless, Mr. Cañete said the list shows that it is from a certain "Vigilante Negros / Anti-Com."

Is this a case of private armies or local communities taking arms against the NPA members and sympathizers? Or is it a case of NPAs staging war against their own members? These questions, albeit polarizing, must be asked. Their answers must be pursued. Despite the fact that asking them evokes discomfort, it is necessary to raise them – the goal, after all, is the truth, and not simply convenient assumptions.

Human rights situation:

One important angle that must not be ignored but should likewise be pursued in the on-going investigations is the possible abuses that might have been committed by the members of the military and the police in implementing "all necessary measures to suppress any and all forms of lawless violence"³³ in the affected provinces.

The labyrinth of serial killings, as well as of terrifying violence continues. While the investigations of the AFP, PNP and CHR are being conducted, the people of Negros Islands meanwhile are still caught in the web of hostilities. What accompanies these hostilities is the uncertainty of when these man-made catastrophes will finally be put to an end.

Ironically, it appears that it is in the quest for justice, social equality and economic reforms that the cycle of violence is created. It is fueled by the deep sense of vengeance and hatred. The series of killings seems to follow a crooked pattern. Unarmed civilians, peasants, human rights defenders, church workers, and even members of the police force who go after insurgents are likewise targeted and are

³¹ TSN, August 27, 2019, pages 78 to 79, 11:47 A.M.

³² TSN August 27, 2019, page 96, 12:07 P.M.

³³ First Whereas Clause, Memorandum Order 32, invoking Proclamation No. 55 (series of 2016) that declared national emergency on account of lawless violence in Mindanao.

murdered. Added to this horrifying scenario is the allegation that the members of the Communist Party of the Philippines (CPP) themselves call on the NPAs to intensify its offensive against the military and the police in the midst of the killings of the civilians.

The CPP seems to believe the NPA is more than capable of defending itself against the government forces whom they think is out to get them. According to a news article, the CPP "...calls on NPA in Negros and across the country to intensify tactical offensives against units of the [Armed Forces of the Philippines], [Philippine National Police] and [Davao Death Squad] in order to punish those responsible for the killings of civilians."³⁴

Amidst the string of atrocities in Negros Islands, it must be noted that the military and the police on one end, and the members of the communist group on the other end, accuse each other of violating the human rights of the people.

According to a Human Rights Watch (HRW) dispatch on the situation on Negros, the islands' history of violence owes itself to long-standing issues of land rights, poverty and injustice.³⁵ In the midst of communist insurgents and government forces fighting, real peasants and farmers, with real land reform campaigns, suffer in the crossfire, according to HRW. The HRW also points out that "both sides have been implicated in countless human rights abuses."

Recommendations:

1. Deploy additional forces of the Armed Forces of the Philippines, and the Philippine National Police to secure the Provinces of Negros Oriental and Negros Occidental, and if possible, the neighboring provinces; and to augment local police in the said provinces, in order to better address the security needs of the people;
2. Deploy more Commission on Human Rights Investigating Officers in Negros Islands for the continuing investigation of complaints or allegations of violations of human rights and abuses committed against the local residents, the police or military; and if the facts and evidence warrant, file the appropriate cases against those liable, and be held accountable for human rights abuses;
3. Provide the necessary budget for the Commission on Human Rights to hire more Investigating Officers to be assigned in all the regions in the country in order to efficiently and expeditiously conduct investigations into reported cases of human rights violations;

³⁴ Romero, Alexis. "Negros Killings", August 5, 2019, retrieved from <https://www.philstar.com/happens/748>, retrieved on October 28, 2019.

³⁵ Ibid. July 31, 2019. Retrieved from <https://www.philstar.com/happens/748>, retrieved on October 25, 2019.

4. Enhance and strengthen the cooperation between the Commission on Human Rights and the Philippine National Police, not only in the conduct of investigations regarding the series of killings in Negros Island, but all cases of human rights violations all over the country;
5. For PNP-Internal Affairs Services to investigate complaints and gather evidence for possible filing of administrative and criminal liabilities against police personnel and units involved in Oplan Sauron who may have committed abuses or violations of laws and /or the Revised Police Operational Procedures;
6. For the Armed Forces of the Philippines to conduct internal investigations of implicated military personnel involved in Oplan Sauron for possible human rights abuses and/or violations of law, if any;
7. Identify the perpetrators of the killings of individuals named in the alleged KAGUBAK List and the alleged list of names in Vigilante Negros / Anti-Com, and file appropriate criminal charges against them;
8. Sustain and bolster on-going investigations in order to identify the people behind KAGUBAK, and Vigilante Negros / Anti-Com, and file the appropriate criminal charges against them;
9. Intensify anti-insurgency operations in identified rebel infested areas in Negros Islands, but with due regard to the protection of human rights, and observance of the established principles of due process of law;
10. Provide adequate socio-economic and psycho-social assistance to the families of individuals who were killed;
11. For the PNP and AFP to review, evaluate and report to the President the effectiveness of Oplan Sauron in the objective to suppress and end lawless violence in the Negros Island;
12. Give administrative and budgetary support to the full implementation of Executive Order 70 providing for a whole-of-Nation approach in defeating the Local Communist Terrorist Groups. Towards this end, support must likewise be extended to the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC); and
13. Pursue amendments to Republic Act 9372, otherwise known as The Human Security Act, by considering the series of killings or violence as acts of terrorism, with the end goal of creating public emergency, and/or that which undermines public safety.

SENATE

19 JUL 30 P 6:27

P.S. Res. No. 47

INTRODUCED BY SENATOR RISA HONTIVEROS

A RESOLUTION URGING THE SENATE COMMITTEES ON PUBLIC ORDER AND DANGEROUS DRUGS AND JUSTICE TO CONDUCT AN INVESTIGATION IN AID OF LEGISLATION ON THE SPATE OF KILLINGS THAT DEVASTATED THE ISLAND OF NEGROS AND THE CIRCUMSTANCES THAT ALLOWED FOR THE LAWLESS VIOLENCE THAT CLOAKED THE PROVINCE, WITH THE END IN VIEW OF ATTAINING JUSTICE FOR THE SLAIN VICTIMS AND CREATING POLICIES THAT WILL ADEQUATELY ADDRESS THE ROOT CAUSE OF THE CONFLICT IN THE PROVINCE

WHEREAS, last July 23, 2019, lawyer Anthony Trinidad was gunned multiple times by unidentified men. The encounter left his wife, Nova Marie Trinidad, and an innocent bystander injured¹. His death marked the beginning of a bloody week in Negros Oriental, one that will be characterized by daily killings and torn families;

WHEREAS, on July 24, only a day after Atty. Trinidad's death, 3 people were executed in 2 separate killings²;

WHEREAS, the killing spree that ravaged Negros Oriental seemed to be unstoppable as it claimed more lives, sparing no one, not even 1-year old Marjon Ocampo, who died with his father last July 25 when their family was attacked by unidentified suspects³;

WHEREAS, last July 25, 6 more people were killed. Their names are: Arthur Bayawa and Ardale Bayawa⁴, shot dead by men while they were asleep; Romeo Alipan, who was shot dead when his house was invaded by 20 armed men; Reden Eleuterio⁵, who was shot by a riding-in-tandem while travelling; Raklin Astorias⁶, also shot to death; and Marlon Ocampo, the father of Marjon, who was killed when unidentified gunmen barged into their house and killed him and his son while injuring his wife and young daughter⁷;

WHEREAS, on July 26, Frederico Sabejon⁸ was killed in his own home by still unidentified gunmen;

WHEREAS, Last July 27, 4 more people were killed. Nestor Posadas⁹, Roman Jalandoni, Edsel Enardecido, and Leo Enardecido¹⁰, were all killed in the supposed safety of their own homes;

¹ <https://www.rappler.com/nation/236207-lawyer-anthony-trinidad-killed-negros-oriental-ambush-july-2019>

² <https://www.rappler.com/nation/236350-shooting-incidents-negros-oriental-july-18-25-2019>

³ <https://newsinfo.inquirer.net/1147121/oratio-imperata-ringing-of-bells-mark-urgency-of-church-plea-vs-negros-bloodshed>

⁴ <https://news.abs-cbn.com/news/07/25/19/school-principal-2-others-killed-as-spate-of-violence-grips-negros-city>

⁵ <https://www.rappler.com/nation/236350-shooting-incidents-negros-oriental-july-18-25-2019>

⁶ <https://cebdailynews.inquirer.net/247370/4-shot-dead-in-3-separate-incidents-in-negros-oriental>

⁷ <https://newsinfo.inquirer.net/1147121/oratio-imperata-ringing-of-bells-mark-urgency-of-church-plea-vs-negros-bloodshed>

⁸ <https://www.rappler.com/nation/236432-councilor-ex-mayor-killed-negros-oriental-shootings-july-2019>

⁹ <https://www.manilatimes.net/the-killing-machine-in-negros-oriental/591617/>

¹⁰ <https://www.rappler.com/nation/236432-councilor-ex-mayor-killed-negros-oriental-shootings-july-2019>

WHEREAS, last July 18, 4 of our policemen were in the process of meeting with an intel source when they were supposedly ambushed by 40 armed men and executed by a gunshot to the head¹¹. According to reports, the bodies of the policemen bore the evidence of torture, which included fractured ribs and hematoma;

WHEREAS, since January 20, 2017, the island of Negros has been the last resting place of 83 people who had been the victims of extrajudicial killings, which included 20 people killed in the name of Oplan Sauron, a legitimate police operation. Out of the 83, 34 were killed this year alone. Out of the 34 people executed in 2019, 16 were killed just last week;

WHEREAS, majority of the victims were civilians, farmers and union leaders wrongfully tagged as members of the New People's Army. Only 2 of those killed were confirmed as rebels¹²;

WHEREAS, the gunmen carried out the executions either at broad daylight, within spitting distance of police precincts, or in the homes of their victims. These murderers seem to fear nothing and no one: completely assured of their impunity, unconcerned by the consequences of the lawless violence that they instigated, and indifferent to the anguish they left behind that wreaked havoc on the bereaved families of their victims;

WHEREAS, the growing list of people killed by unidentified men in the region have prompted Malacañang to issue Memorandum Order No. 32¹³. The said memorandum allowed for the immediate deployment of additional forces of the AFP and the PNP to suppress lawless violence and acts of terror in the provinces of Samar, Negros Oriental, Negros Occidental, and the Bicol region;

WHEREAS, the Memorandum was also given additional weight when PNP Chief Oscar Albayalde ordered the deployment of 300 Special Action Force (SAF) troops to the region to augment existing efforts to bring justice to the slain victims¹⁴;

WHEREAS, two legitimate police operations have been conducted since the signing and issuance of Memorandum Order No. 32. The operation, dubbed as Oplan Sauron, is the fortified campaign of the PNP and the AFP against suspected NPA guerillas¹⁵;

WHEREAS, the first Oplan Sauron was scheduled from the 27th to the 29th of December 2018. This operation was carried out by policemen, members of the Philippine Air Force, and elements from the 94th Infantry Battalion; the operation also spelled the end of the lives of 6 farmers, which included Jesus Isugan¹⁶;

WHEREAS, on March 30, 2019, the second legitimate police operation called Oplan Sauron 2.0 was launched, this time resulting in the deaths of 14 people. The military operation, carried out by the 94th Infantry battalion of the Philippine Army, the PNP and SAF, conducted 37 search warrants against suspected NPA supporters¹⁷;

WHEREAS, a statement from the Leonardo Panaligan Command of the NPA condemned the killings of Oplan Suaron 2.0, stating that 8 of out of the 14 who were killed are farmers and are innocent civilians¹⁸. A chilling echo of the oft repeated phrase 'nanlaban', the 14 deaths were allegedly the result of the farmers 'fighting it out' with authorities;

¹¹ <https://www.rappler.com/nation/235806-negros-oriental-policemen-were-set-up-for-ambush>

¹² <https://news.mb.com.ph/2019/06/22/2-rebels-killed-in-negros-oriental-attack/>

¹³ <https://www.officialgazette.gov.ph/downloads/2018/11nov/20181122-MO-32-RRD.pdf>

¹⁴ <https://www.pna.gov.ph/articles/1076290>

¹⁵ <https://www.pna.gov.ph/articles/1075740>

¹⁶ <https://www.bulatlat.com/2019/07/27/negros-killings-a-war-against-unarmed-civilians-groups/>

¹⁷ <https://www.sunstar.com.ph/article/1799375>

¹⁸ ibid

WHEREAS, it appears that our police and some members of our uniformed personnel are killing innocent people based on questionable information. Farmers, peasant and union leaders, and heads of families are executed for reasons that could collapse the moment we examine them. Even in death, the innocent victims were given no semblance of dignity. This was evident in the way the police placed Jesus Isugan's body in a sack that was later on tossed by the road¹⁹;

WHEREAS, it is through this lens that the PNP should examine the effectiveness of their Oplan Sauron and whether they have successfully neutralized individuals or groups that were suspected of lawless violence and acts of terror. One could only hope that the police operations do not create the opposite effect where the very existence of increased police presence prove itself to be a threat and a challenge to the individuals and groups they aim to moderate and neutralize in the first place;

WHEREAS, the killings in the Negros region is an easy and chilling example of the violence against civilians that has flourished under the culture of impunity and lawless violence in the country. It is this that has made the Philippines the 4th most dangerous country in the world for civilians²⁰;

WHEREAS, the killing spree that affected the Negros region and Negros Oriental in particular is a microcosm of the culture of lawless violence in the country, one that has worsened in recent years. Deaths delivered by riding in tandems are not new but their increasing daring and brazenness is;

NOW THEREFORE, BE IT RESOLVED, to urge the Senate Committees on Public Order and Dangerous Drugs and Justice to conduct an investigation in aid of legislation on the spate of killings that devastated the island of Negros and the circumstances that allowed for the lawless violence that cloaked the province, with the end in view of attaining justice for the slain victims and creating policies that will adequately address the root cause of the conflict in the province.

Adopted,

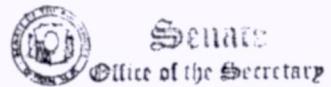
Risa Hontiveros
RISA HONTIVEROS

Senator

¹⁹ <https://www.bulatlat.com/2019/07/27/negros-killings-a-war-against-unarmed-civilians-groups/>

²⁰ <https://globalnation.inquirer.net/177866/us-based-data-group-ranks-ph-fourth-most-dangerous-place-in-the-world-for-civilians>

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



SENATE

P.S. Res. No. 65

'19 AUG -5 P1 :44

Introduced by SENATOR LEILA M. DE LIMA *[Signature]*

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”¹;

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;

¹ 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 town²;

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 lawmakers³;

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 regime⁴;

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 Oriental⁵;

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 Leon⁶;

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

² 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).

³ 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).

⁴ 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).

⁵ 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).

⁶ 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 times⁷;

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 down⁸;

6 WHEREAS, at around 4:30 p.m. on 24 July 2019, four suspected NPA hitmen
7 assassinated Weny 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 scene⁹;

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 Oriental¹⁰;

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 times¹¹;

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 spot¹²;

23 WHEREAS, also on the same day, in Siaton, a motorcycle-riding assailant
24 killed Raklin Astorias, who was also aboard his own motorcycle¹³;

⁷ 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).

⁸ 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).

⁹ 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).

¹⁰ 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).

¹¹ *Ibid.*

¹² 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).

¹³ 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 asset¹⁴;

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 hospital¹⁵;

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, Leo¹⁶;

14 WHEREAS, on 23 July 2019, amidst these spate of killings, Philippine
15 National Police (PNP) chief General Oscar Albayalde reassured that the intensified
16 campaign of the Armed Forces of the Philippines (AFP) and the PNP in Negros
17 Oriental would continue to be implemented¹⁷;

18 WHEREAS, the provincial office of the PNP reported that the gunmen
19 involved in several of the attacks identified themselves as members of NPA¹⁸;

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 killings¹⁹;

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 Negros²⁰;

¹⁴ *Ibid.*

¹⁵ 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).

¹⁶ 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).

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

¹⁸ 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).

¹⁹ *Ibid.*

²⁰ *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”²¹;

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”²²;

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 effectiveness 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

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

²² Ibid, Article 87