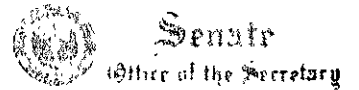


SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



15 FEB -2 P3:19

SENATE

P. S. Resolution No. 1146

RECEIVED BY: *Ji*

Introduced by SENATOR LOREN LEGARDA

RESOLUTION

COMMENDING THE BRAVERY AND HEROISM OF THE PHILIPPINE NATIONAL POLICE SPECIAL ACTION FORCE (PNP-SAF) OPERATIVES WHO WERE KILLED AND WOUNDED IN MAMASAPANO, MAGUINDANAO AND DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INVESTIGATION, IN AID OF LEGISLATION, TO DETERMINE POSSIBLE LAPSES IN THE PLANNING AND IMPLEMENTATION OF THE SAID OPERATION AS WELL AS OTHER CONTRIBUTING FACTORS THAT LED TO ITS UNFAVORABLE OUTCOME

WHEREAS, the Preamble of the 1987 Constitution provides that We, the sovereign Filipino people, imploring the aid of Almighty God, ordain and promulgate this Constitution in order to establish a Government that shall secure to ourselves and our posterity, the blessings of democracy under the rule of law and a regime of truth, justice, freedom, love, equality, and peace;

WHEREAS, Section 2, Article II of the 1987 Constitution provides that the Philippines renounces war as an instrument of national policy, adopts the generally accepted principles of international law as part of the law of the land and adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations;

WHEREAS, Section 5, Article II of the 1987 Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy;

WHEREAS, on 25 January 2015, operatives of the elite Philippine National Police Special Action Force (PNP-SAF) embarked on an operation in Mamasapano, Maguindanao, to arrest alleged Malaysian bomb maker Zulkifli bin Hir alias "Marwan" and Basit Usman, both notorious international terrorists believed to be associated with Jemaah Islamiyah;

WHEREAS, during the conduct of the said operation, the PNP-SAF operatives were reportedly fired upon and engaged in a firefight with fighters believed to be members of the Moro Islamic Liberation Front (MILF) and Bangsamoro Islamic Freedom Fighters (BIFF);

WHEREAS, authorities claimed that "Marwan" was killed in the encounter as he resisted arrest, while Abdul Basit Usman was able to escape and elude arrest;

WHEREAS, despite being overwhelmingly outnumbered and outpositioned, the men of the PNP-SAF gallantly fought to their last bullet, upholding their mandate as PNP officers;

WHEREAS, forty-four (44) PNP-SAF members were killed in action and around twelve (12) were injured during the violent encounter;

WHEREAS, it has been reported that at least seven (7) civilians were killed after being caught in the crossfire between the PNP-SAF operatives and members of the MILF and BIFF;

WHEREAS, the Mamasapano encounter cast serious doubts among lawmakers and the public on the real intent and sincerity in pursuing the recently negotiated peace agreement with the Government of the Philippines;

WHEREAS, there is a need to conduct an immediate, impartial, and exhaustive investigation into the killing of the forty-four (44) members of our PNP-SAF in Mamasapano, Maguindanao;

WHEREAS, the unanswered questions on the MILF's participation during the encounter and the "real score" on the planning and handling of the PNP-SAF operation are not only threatening to seriously derail the attainment of lasting peace in Mindanao, but also threatens the stability of the present administration and the Republic as a whole;

WHEREAS, immediate action on the above concerns would prevent serious erosion of interest among our legislators and Filipino people in pursuing to its fruition, the peace agreement with the MILF, as well as attain justice for the families and loved ones of the "Fallen 44" and their injured comrades.

NOW, THEREFORE BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to recognize and commend the Philippine National Police Special Action Force (PNP-SAF) operatives involved in the Mamasapano encounter, for their bravery and heroism in upholding their duties as members of the Philippine National Police and directing the appropriate Senate committee to conduct an investigation, in aid of legislation, to determine possible lapses in the planning and implementation of the said operation, as well as other contributing factors that led to its unfavorable outcome.

Adopted,


LOREN LEGARDA
Senator *mb*