

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

SENATE  
OFFICE OF THE SECRETARY

9 DEC -7 P4 23

SENATE  
P.S. Resolution No. **1516**

RECEIVED BY



---

Introduced by **Senator Richard J. Gordon**

---

**A RESOLUTION**

**DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS TO INVESTIGATE THE DEPARTMENT OF NATIONAL DEFENSE (DND), ARMED FORCES OF THE PHILIPPINES (AFP), THE PHILIPPINE NATIONAL POLICE (PNP), THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT (DILG), AND OTHER GOVERNMENT AGENCIES FOR POSSIBLE MALFEASANCE, MISFEASANCE AND NON-FEASANCE OF THEIR DUTIES RESULTING IN AN ALLEGED GOVERNMENT-SANCTIONED DISTRIBUTION AND/OR PROLIFERATION OF HIGH-POWERED FIREARMS AND MILITARY ARMAMENTS AND THE PROLIFERATION OF PRIVATE ARMED GROUPS IN MAGUINDANAO THEREBY CAUSING A CULTURE OF VIOLENCE AND DISREGARD FOR THE RULE OF LAW**

WHEREAS, Section 28, Article II of the 1987 Philippine Constitution states that, "the State adopts and implements a policy of full disclosure of all its transactions involving public interest;"

WHEREAS, Section 13 (36) of the Rules of the Senate provides that: "the Committee on Accountability of Public Officers and Investigations. – Seventeen (17) members. All matters relating to including investigation of, malfeasance, misfeasance and nonfeasance in office by officers and employees of the government, its branches, agencies, subdivisions and instrumentalities; implementation of the provision of the Constitution on nepotism; and investigation of any matter of public interest on its own initiative or brought to its attention by any member of the Senate;"

WHEREAS, in the morning of 23 November 2009, a vehicle convoy carrying local political leaders including women members of the Mangudadatu clan, journalists and women lawyers, traveling along Barangay Salman, Arnpatuan town in Maguindanao province, were waylaid and all passengers attacked and brazenly shot, some even mutilated, shocking the whole nation and the rest of the world;

WHEREAS, the massacre involved at least 57 victims, including Vice-Mayor Bai Eden Mangudadatu of Mangudadatu town; Genalyn Tiamzon-Mangudadatu, wife of Buluan, Maguindanao Vice-Mayor Esmael Mangudadatu; Bai Farina Mangudadatu; human rights lawyers Concepcion Brizuela and Cynthia Oquendo; and 31 members of local and national media organizations;

WHEREAS, the violent incident has been tagged as politically motivated and election-related based on confirmed reports that the victims were en route to the Commission on Elections for the filing of the certificate of candidacies of the Mangudadatus for local executive positions in Maguindanao, possibly causing the ire of influential families who have maintained a political stronghold in the province;

WHEREAS, the dastardly act of violence even against 31 members of the media in the convoy, in perhaps the most gruesome case of political killings since the martial law years, has conferred the country the disgrace of being the most dangerous workplace in the world for journalists, displacing Iraq<sup>1</sup>;

WHEREAS, the massacre was committed brazenly by a hundred armed men, purportedly under the control of the Ampatuan clan, a rival political clan of the Mangudadatus;

WHEREAS, after a series of raids made by the Philippine National Police (PNP), raiding teams uncovered more than 260 boxes of ammunition of assorted calibers, 22 assault rifles, customized sniper rifles, handguns and various gun accessories that were buried in a vacant lot adjacent to the houses of Autonomous Region in Muslim Mindanao (ARMM) Gov. Zaldy Ampatuan and his father, former Maguindanao Gov. Andal Ampatuan Sr.;

WHEREAS, PNP Chief Director General Jesus Verzosa said that the number of firearms seized was enough to arm 1,000 troops, or a battalion of soldiers or policemen;

WHEREAS, the seized cache of high-powered firearms and ammunitions have been linked to the Maguindanao massacre, and most alarming is that some of the weapons and crates of ammunition uncovered bore "government arsenal" or the "Department of National Defense and Philippine National Police Camp Crame" markings as well as the name of its manufacturer, Arms Corp. of the Philippines, with the manufacture date stamped October 2008;

WHEREAS, Article X, Section 16 of the Constitution says, "The President shall exercise general supervision over autonomous regions to ensure that laws are faithfully executed;"

WHEREAS, ARMM is under the direct supervision of the President's alter-ego, the Secretary of the Department of Interior and Local Government;

WHEREAS, the presence of private armies in the Autonomous Region of Muslim Mindanao (ARMM) at the least shows failure of supervision from the national government and at most condonation and toleration on the part of the Chief Executive Officer:

WHEREAS, the Senate must respond to the compelling need to conduct a speedy and comprehensive investigation of the killings and the presence of private armies in ARMM to immediately bring the perpetrators to justice;

---

<sup>1</sup> See: The Manila Times. Manila Times Press Release on 25 November 2009 entitled: *Savage and Barbaric Politics*; Retrieved from <http://www.manilatimes.net/index.php/component/content/article/83-opinion-columnist/6657-savage-and-barbaric-politics>. Retrieved on 6 December 2009.

WHEREAS, the Senate must use its investigatory and oversight functions, in aid of legislation, in determining the origin of the weapons and ammunitions in the arsenals of the Ampatuan clan bearing government markings to ensure that officials guilty of misfeasance, malfeasance and nonfeasance are meted out with the appropriate criminal and administrative penalties and are made to account for the loss and/or illegal sale/disposition of such weapons and ammunitions;

WHEREAS, the government must intensify its efforts in gathering all loose firearms and dismantling of private armies not only in Maguindanao but also throughout the country to prevent incidence of violence replicating the Maguindanao massacre: NOW, THEREFORE, BE IT:

*RESOLVED AS IT IS HEREBY RESOLVED* that the Philippine Senate condemns in the strongest possible terms the 23 November 2009 mass killing of civilians in Ampatuan, Maguindanao, and extends its profound sympathies to the victims and calling on authorities to swiftly investigate and bring the perpetrators to justice;

*RESOLVED FURTHER*, that the Philippine Senate directs the Senate Committee on Accountability of Public Officers and Investigations to investigate the Department of National Defense (DND), Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), Department of Interior and Local Government (DILG) and other similar government agencies for possible malfeasance, misfeasance and non-feasance of their duties resulting to the alleged government-sanctioned distribution and/or proliferation of high-powered firearms and military armaments to private armed groups thereby causing a culture of violence and disregard for the rule of law.

*Adopted,*



**RICHARD J. GORDON**