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S E N A T E

SECRETARY:

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INTRODUCED BY SENATOR VILLAR

RESOLUTION
URGING THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND OTHER
APPROPRIATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF
LEGISLATION, ON THE REAL SITUATION OF THE DISAPPEARANCE OF
UNIVERSITY OF THE PHILIPPINES (UP) STUDENTS AND OTHER MISSING PERSONS
BELIEVED TO BE ABDUCTED AND AN UPDATE ON THE STATUS OF THE SAME
WITH THE INTENTION OF BREATHING LIFE AND GIVING MEANING TO THE
HUMAN RIGHTS PROVISIONS OF THE PHILIPPINE CONSTITUTION

Whereas, Section 11 Article II of the 1987 Constitution states that, “The State values the dignity of every human person and guarantees full respect for human rights”;

Whereas, human rights are basic rights and freedoms that all people are entitled to regardless of nationality, sex, national or ethnic origin, race, religion, language, or other status¹;

Whereas, five years ago, University of the Philippines (UP) students Karen Empeño and Sherlyn Cadapan were reported missing;

Whereas, a certain Manuel Merino was also allegedly abducted along with the UP students when he tried to prevent the latter from being taken away by their abductors;

Whereas, these students and Mr. Merino were allegedly abducted by military agents in Hagonoy, Bulacan on June 26, 2006;

Whereas, one of those allegedly abducted, tortured and detained for eighteen (18) months by the military was Raymond Manalo, who was able to escape the military camp;

Whereas, according to Mr. Manalo, he saw how the soldiers raped and tortured the UP students in camp²;

Whereas, another torture survivor, Oscar Leuterio, testified that when he was detained by the military³, he saw two women fitting the descriptions of the abducted UP students as well as Mr. Merino³;

¹ “Amnesty Basic Definition of Human Rights,” by Amnesty International

² “SC: Military Officials liable for abduction of UP students,” by Ronalyn V. Olea

³ *Ibid.*

Whereas, on the basis of these testimonies, the Supreme Court recently promulgated their decision in the case Secretary of National Defense vs. Manalo, ordering the Armed Forces of the Philippines (AFP) to release the abducted persons⁴;

Whereas, the military continues to aver that they don't have the missing persons and that there is no one to release⁵;


Whereas, according to the Universal Declaration of Human Rights adopted by the General Assembly of the United Nations, "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment," and "everyone has an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law"⁶;

Whereas, the Philippines being a signatory to the Universal Declaration of Human Rights should adhere and carry out its principles;

Whereas, the State, consistent with its policy on human rights and its adherence to the Universal Declaration of Human Rights, must remain faithful to its tenets and guiding principles by providing for a resolution to this protracted case giving closure to the victims' families and relatives as well as to prevent any future violations or transgression of human rights;

NOW THEREFORE BE IT RESOLVED, as it is hereby resolved, to urge the Committee on Justice and Human Rights and other appropriate committees to conduct an inquiry, in aid of legislation, on the real situation of the disappearance of University of the Philippines (UP) students and other missing persons believed to be abducted and an update on the status of the same with the intention of breathing life and giving meaning to the Human Rights provisions of the Philippine Constitution.

Adopted,


MANNY VILLAR
Senator

⁴ "SC: Military Officials liable for abduction of UP students," by Ronalyn V. Olea

⁵ "Army: We don't have missing students," by Alexis Romero, Philippine Star, June 22, 2011

⁶ <http://www.un.org/en/documents/udhr/index.shtml>