


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

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SENATE
P. S. R. No. 626

SECRETARY: 

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGATIONS FROM AMNESTY INTERNATIONAL THAT INDIGENOUS PEOPLE IN MINING COMMUNITIES IN SURIGAO DEL NORTE ARE AT RISK OF HUMAN RIGHTS VIOLATIONS DUE TO THE PHILIPPINE GOVERNMENT'S PLAN OF DEPLOYING CIVILIAN MILITIAS TO AUGMENT SECURITY AT PRIVATE MINING OPERATIONS AS A RESPONSE TO THE RECENT ATTACKS FROM FORCES FROM THE NEW PEOPLE'S ARMY

WHEREAS, the Constitution, Article 2, Section 11 states that "The State values the dignity of every human person and guarantees full respect for human rights";

WHEREAS, the Constitution, Article 18, Section 24 of the same states that "Private armies and other armed groups not recognized by duly constituted authority shall be dismantled. All paramilitary forces including Civilian Home Defense Forces not consistent with the citizen armed force established in this Constitution, shall be dissolved or, where appropriate, converted into the regular force";

WHEREAS, the Constitution, Article 2, Section 22 of the same states that "The State recognizes and promotes the rights of indigenous cultural communities within the framework of national unity and development";

WHEREAS, the Constitution, Article 2, Section 5 of the same states that "The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy";

WHEREAS, various news agencies reported last 15 October 2011 that Amnesty International (AI) in a statement asked the Philippine government to withdraw its plan of deploying civilian militias to augment security at private mining operations in Surigao del Norte, because the puts indigenous people in mining communities at risk of human rights violations;

WHEREAS, there were earlier reports that President Benigno S. Aquino III has approved the proposal to deploy private soldiers after forces from insurgent group New People's Army (NPA) attacked mining operations in Surigao del Norte;

WHEREAS, reports said that AI cited the Commission on Human Rights (CHR) report that such militias, including the Citizens' Armed Forces Geographical Units

(CAFGUs), have been responsible for arbitrary detention, torture, and killing of local community leaders;

WHEREAS, in its statement, AI said that the military cannot ensure proper discipline and accountability for the militias and paramilitary groups, creating an environment conducive to human rights violations;

WHEREAS, the AI alleged that President Aquino's decision to deploy CAFGU would complicate the problem because they claim that some CAFGU units called the Special CAFGU Active Auxiliary Units (SCAA) will be on the payroll of private mining firms to secure their interests while being equipped and managed by the military;

WHEREAS, the AI claims that while there will be CAFGUs that will be deployed under the military and some under the police, in addition to the 41 SCAA units of 100 personnel each trained by the military, an initial batch of 200 SCAA will begin work with two mining corporations, while additional SCAA units will be deployed upon the request of other mining firms;

WHEREAS, Congress, through meaningful legislation, should look into the claims of AI to make sure that no human rights violations will be committed in keeping peace and order in that mining community in Surigao del Norte;

WHEREAS, Congress should also look into AI's allegation of private mining companies enlisting the services of militias and paramilitary groups and putting them in their payroll, a practice that could be detrimental to the efforts of the Armed Forces of the Philippines and the Philippine National Police in maintaining peace and order;

WHEREAS, Congress should study the issue of militia and paramilitary groups in the country, and decide through legislation whether these groups should receive better training under the military, and include training on the observance of International Humanitarian Law; or to outlaw the formation, training, and deployment of militias and paramilitary groups, and increase the efforts of the country's armed forces to recruit and effectively train personnel so that the necessity for these armed groups would be eliminated;

WHEREFORE, be it hereby resolved by the Philippine Senate, to direct the proper Senate Committee to conduct an inquiry in aid of legislation on the allegations from Amnesty International that indigenous people in mining communities in Surigao Del Norte are at risk of human rights violations due to the Philippine Government's plan of deploying civilian militias to augment security at private mining operations as a response to the recent attacks from forces from the New People's Army.

Adopted,


MIRIAM DEFENSOR SANTIAGO

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