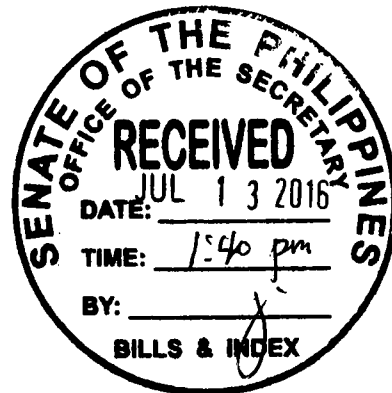


SEVENTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



SENATE

P. S. RES. NO. 9

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**Introduced by SENATOR LEILA M. DE LIMA**

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**RESOLUTION  
DIRECTING THE SENATE COMMITTEE ON JUSTICE  
AND HUMAN RIGHTS TO INVESTIGATE, IN AID OF  
LEGISLATION,  
THE RECENT RAMPANT EXTRAJUDICIAL KILLINGS AND  
SUMMARY EXECUTIONS OF SUSPECTED CRIMINALS, TO  
STRENGTHEN THE MECHANISMS OF ACCOUNTABILITY OF LAW  
ENFORCERS, AND TO INSTITUTE CORRECTIVE LEGISLATIVE  
MEASURES TO ENSURE FULL RESPECT FOR BASIC HUMAN RIGHTS,  
ESPECIALLY THE RIGHT TO LIFE**

*WHEREAS*, various media reports show an alarming incidence and pattern of summary killings carried out by law enforcement agents on suspected criminals. This is on top of an equally growing number of extrajudicial killings perpetrated by vigilante groups. For just 13 days from the presidential inauguration on 30 June up to 12 July 2016, a newspaper of national circulation reported that the death toll of extrajudicial and summary killings had already reached 136. A television outfit meanwhile broadcast the body count from 10 May up to 12 July 2016 to be at 339. And there is no indication that the statistics will go down anytime soon.

*WHEREAS*, complaints of summary killing were filed with relevant government agencies, including the one submitted on 7 July 2016 to the Commission on Human Rights (CHR) in its office at the National Capital Region by the wife of a slain suspect who was already in the custody of the police in Pasay City. As for vigilante killings, news reports abound of corpses dumped in different areas of our country the most prominent of which was in Cubao, Quezon City along EDSA, one of the busiest points in Metro Manila. The victim's body found in front of Edsa Grand Central Terminal in the morning of 11 July 2016 bore a handwritten note saying "*Huwag ako tularan, snatcher ako! Salot sa Edsa.*"

*WHEREAS*, extrajudicial killings by vigilantes were being justified in the mass media on the ground of expediency coupled with the lowest regard for the so-called "dregs of society" and "scums of the earth." As for the summary killings done in the performance of police work, authorities offer a common explanation whereby the executions were supposedly conducted in pursuit of legitimate law enforcement. Either the police found themselves in a firefight with the suspects, or if there was an arrest, the suspect tried to wrest away the arresting officer's gun. But, we know all too well of the several instances of police run-outs, and the number of shortcuts taken by law enforcers in the guise of legitimate self-defense or defense of others. The use of force, it appears in a lot of cases, fails to comply with the legal criteria of absolute necessity and proportionality.

*WHEREAS*, regardless of the question of whether those killed were in fact criminals, precisely because there was no opportunity for them to be prosecuted before a court of law, the fight against crime is apparently becoming a looming state-sanctioned cover for a policy of summary executions and extrajudicial killings of any and all suspected criminals. Extrajudicial or summary killing is homicide. Carried out premeditatedly and in conspiracy with other public authorities, it becomes mass murder, which, if left unabated and unchecked, can escalate into a crime against humanity under international law.

*WHEREAS*, the right to life is the most fundamental and basic of human rights. It is the foundation from which all other human rights are built upon. It therefore deserves our greatest respect. Acknowledging the "inherent dignity" and the "equal and inalienable rights of all members of the human family," the UN Declaration of Human Rights proclaims that "everyone has the right to life, liberty and security of person." The right to life is further entrenched in such global instruments as the International Covenant on Civil and Political Rights (ICCPR). In one article of the ICCPR, it is declared boldly that "every human being has the inherent right to life. This right shall be protected by law." Another provision states that "no one shall be arbitrarily deprived of his life." Echoing this guarantee, no less than the 1987 Philippine Constitution in its first article of the Bill of Rights commands that "no person shall be deprived of life ... without due process of law."

*WHEREAS*, given the appalling rate of extrajudicial killings and summary executions, and in view of the apparent violations of the guarantees and safeguards that uphold and enhance the most basic right to life, it is urgent to look into the factual and legal issues related to these killings; to check the possible abuses of the exercise of authority by the concerned law enforcement units; to reinforce our legal regime to address the phenomenon of vigilantism and summary killings; to enhance legal mechanisms of accountability of state and non-state actors; to strengthen the roles and responsibilities of relevant government agencies, especially the CHR, that are mandated to investigate cases of extrajudicial killings and summary executions that are perpetrated and/or tolerated by public officers; and to institute additional

legislative measures that uphold and enrich the right to life, while at the same time contributing significantly and meaningfully to the government's fight against criminality and illegal drugs.

***NOW THEREFORE, BE IT RESOLVED***, as it is hereby resolved, to direct the Senate Committee on Justice and Human Rights, to investigate, in aid of legislation, the series of recent killings which were done extrajudicially or summarily on suspected criminals, to reinforce our legal regime to address the phenomenon of vigilantism and summary killings; to enhance legal mechanisms of accountability of state and non-state actors; to strengthen the roles and responsibilities of relevant government agencies, especially the CHR, that are mandated to investigate cases of extrajudicial killings and summary executions that are perpetrated and/or tolerated by public officers; and to institute legislative measures to ensure that fundamental rights, especially the right to life, are respected by authorities.

  
LEILA M. DE LIMA