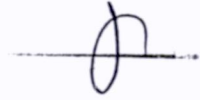


SEVENTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
First Regular Session }

'17 MAY 29 P2:30

SENATE
P.S. Resolution No. 388



INTRODUCED BY *Senators Sotto, Pimentel, Roa, Angara, Binay, Ejercito, Gatchalian, Gordon, Honasan, Lacson, Legarda, Parquiao, Villanueva, Villar, Zubiri*

RESOLUTION
EXPRESSING THE SENSE OF THE SENATE, SUPPORTING *TAG*
PROCLAMATION NO. 216 DATED MAY 23, 2017, ENTITLED
"DECLARING A STATE OF MARTIAL LAW AND SUSPENDING THE
PRIVILEGE OF THE WRIT OF HABEAS CORPUS IN THE WHOLE OF
MINDANAO" AND FINDING NO CAUSE TO REVOKE THE SAME

WHEREAS, the 1987 Philippine Constitution, Article VII Section 18 provides that:

"...In case of invasion or rebellion, when the public safety requires it, he (President) may, for a period not exceeding sixty days, suspend the privilege of the writ of habeas corpus or place the Philippines or any part thereof under martial law...";

WHEREAS, on May 25, 2017, the Office of the President submitted to the Senate its report on the factual and legal basis of the proclamation of Martial Law for Mindanao;

WHEREAS, part of the reason for the declaration was the series of violent acts committed by the Maute terrorist group, such as the attack on the military outpost in Butig, Lanao Del Sur in February 2016. The said attack resulted in the killing and wounding of several soldiers and the mass jailbreak in Marawi City in August 2016 which freed the arrested comrades of the terrorist group and other detainees;

WHEREAS, on May 23, 2017, the same Maute terrorist group has taken over a hospital in Marawi City, Lanao Del Sur and established several check points within the city. They have also burned down certain government and private facilities and inflicted casualties on the part of the

Government forces. They started flying the flag of the Islamic State of Iraq and Syria (ISIS) in several areas;

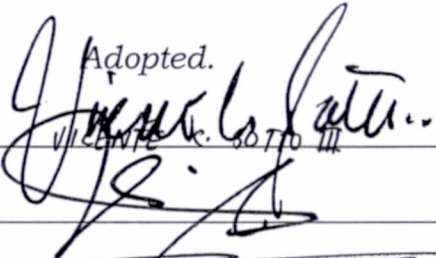
WHEREAS, Article 134 of the Revised Penal Code provides that:

“The crime of rebellion or insurrection is committed by rising publicly and taking arms against the Government for the purpose of removing from the allegiance to said Government or its laws, the territory of the Philippine Islands or any part thereof, of any body of land, naval or other armed forces, depriving the Chief Executive or the Legislature, wholly or partially, of any of their powers or prerogatives.”;

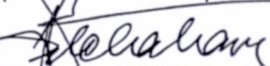
WHEREAS, based on the immediately cited Revised Penal Code provision, the acts committed by the Maute group are an open attempt to remove from the allegiance to the Philippine Government the part of Mindanao and deprive the Chief Executive of its powers and prerogatives to enforce laws of the land and to maintain public order and safety in Mindanao, hence constitutes the crime of rebellion.

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, by way of the sense of the Senate, that the Senate finds the issuance of Proclamation No. 216 to be satisfactory, constitutional and in accordance with the law. The Senate hereby supports fully Proclamation No. 216 and finds no compelling reason to revoke the same.

Adopted.



Manny Pacquiao



MIGS ZUBIRI

