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SENATE

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P. S. RES. NO. 435

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

RESOLUTION

DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO LOOK INTO THE EFFORTS OF LOCAL GOVERNMENT UNITS AND THE PHILIPPINE NATIONAL POLICE TOWARDS THE IMPLEMENTATION OF AN IDENTIFICATION SYSTEM SPECIFIC FOR MUSLIM FILIPINOS, WITH THE END IN VIEW OF ENSURING EQUAL PROTECTION OF THE LAW IS UPHELD AND PROMOTED

WHEREAS, Article II Section 11 of the Constitution provides that “(t)he State values the dignity of every human person and guarantees full respect for human rights”;

WHEREAS, Article III, Section 5 of the same states that “(n)o law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights”;

WHEREAS, Article 18 of the Universal Declaration of Human Rights states that “(e)veryone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

WHEREAS, Part II, Article 2(1) of the International Covenant on Civil and Political Rights provides that “(e)ach State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”;

WHEREAS, on 4 July 2017, Rappler reported that Philippine National Police (PNP) Chief Superintendent Aaron Aquino, Police Regional Office 3 director, said an identification (ID) system for Muslims may help authorities and Muslim community

leaders identify and weed out undesirable individuals and terrorists in the provinces of Pampanga, Bataan, Bulacan, Tarlac, Nueva Ecija and Aurora¹;

WHEREAS, in the same report, Chief Superintendent Aquino was quoted saying that the ID system for Muslims in Paniqui town has been working very well – the identification cards bearing the signatures of police and local government officials²;

WHEREAS, on 7 July 2017, MindaNews reported PNP Chief Dela Rosa saying the move of Central Luzon police officials is part of the documentation process of barangays hosting evacuees from this country's lone Islamic City, with emphasis that the project is locally initiated and not PNP mandated³;

WHEREAS, on 8 July 2017, ABS-CBN News reported that Autonomous Region in Muslim Mindanao Regional Governor Mujiv Hataman said he believes the policy clearly discriminates against the believers of Islam and could set a dangerous precedent, also ignite anger among young Muslims who are the primary target for recruitment of extremist groups⁴;

WHEREAS, the United Nations Human Rights Council (UNHRC), in its 35th session, "(r)eaaffirms that terrorism and violent extremism cannot and should not be associated with any religion, nationality, civilization or ethnic group"⁶;

WHEREAS, UNHRC further "(u)rge[s] States to ensure that measures taken to counter terrorism and violent extremism conducive to terrorism are not discriminatory, and not to resort to profiling based on stereotypes founded on ethnic, racial or religious grounds or any other ground of discrimination prohibited by international law"⁷;

WHEREAS, United Nations Security Council Resolution (UNSCR) 2178 recognizes that "terrorism will not be defeated by military force, law enforcement measures, and intelligence operations alone" and underlines the "need to address the conditions conducive to the spread of terrorism"⁸;

WHEREAS, UNSCR 2178 further "(e)ncourages Member States to engage relevant local communities and non-governmental actors in developing strategies to counter the violent extremist narrative that can incite terrorist acts, address the conditions conducive to the spread of violent extremism, which can be conducive to

¹ Rappler. Central Luzon authorities mull over ID system for Muslims.

<http://www.rappler.com/nation/174673-central-luzon-proposal-id-system-muslims>

² *Ibid.*

³ MindaNews. 7 July 2017. PNP chief: proposed ID card for Muslims "locally initiated, not mandated by PNP leadership". <http://www.mindanews.com/top-stories/2017/07/pnp-chief-proposed-id-card-for-muslims-locally-initiated-not-mandated-by-pnp-leadership/>

⁴ ABS-CBN News. 8 July 2017. ARMM 'alarmed' over Tarlac town's Muslim ID system.

<http://news.abs-cbn.com/news/07/08/17/armm-alarmed-over-tarlac-towns-muslim-id-system>

⁶ United Nations Human Rights Council. 35th Session, 6-23 June 2017.

http://ap.ohchr.org/Documents/E/HRC/d_res_dec/A_HRC_35_L.27.docx

⁷ *Ibid.*

⁸ United Nations Security Council Resolution 2178. 24 September 2014.

http://www.un.org/en/sc/ctc/docs/2015/SCR%202178_2014_EN.pdf

terrorism, including by empowering youth, families, women, religious, cultural and education leaders, and all other concerned groups of civil society and adopt tailored approaches to countering recruitment to this kind of violent extremism and promoting social inclusion and cohesion”⁹;

WHEREAS, implementing an ID system that singles out Islamic faithfuls promotes discrimination towards our Muslim brothers and sisters;

WHEREAS, while the presence of terrorist groups in the Philippines posits a threat to national security, policies emanating from such situation should not be used as justification to jeopardize equal protection of laws, which the Constitution affords all citizens;

WHEREAS, it is the duty of government to stand critical of selective measures that can set a precedent for the deterrence of freedom of movement and exercise of faith, and instead promote conflict-sensitive and peace promoting mechanisms that encourage mutual respect;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, to look into the efforts of local government units and the Philippine National Police towards the implementation of an identification system specific for Muslim Filipinos, with the end in view of ensuring equal protection of the law is upheld and promoted.

Adopted,


LEILA M. DE LIMA

⁹ *Ibid.*