

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session



HOUSE RESOLUTION NO. 392

Introduced by **Kabataan Party-list Representative SARAH JANE I. ELAGO**

RESOLUTION

TO CALL FOR JUSTICE FOR THE VICTIMS AND TO URGE THE HOUSE COMMITTEE ON HUMAN RIGHTS TO INVESTIGATE, IN AID OF LEGISLATION, THE SPATE OF ENFORCED DISAPPEARANCES IN THE COUNTRY

WHEREAS, it is stated in Section 11 of Article II of the 1987 Constitution that the State shall value the dignity of every human person and guarantees full respect for human rights;

WHEREAS, in Section 1 of Article III of the 1987 Constitution, "[N]o person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws," and Section 18 of the same article provides that no person shall be detained [more so, tortured or enforcedly disappeared] solely by reason of his political beliefs and aspirations;

WHEREAS, a human rights non-governmental organization in the Philippines, KARAPATAN (Alliance for the Advancement of People's Rights), has systematically recorded almost all of the violations of civil and political rights under the Rodrigo Duterte Government from July 2016 to March 2019 and has gathered a total of ten (10) instances of enforced disappearances;

WHEREAS, "enforced or involuntary disappearance" is a technical and less horrifying description to abductions, kidnapping or arrest, often accompanied by violence or the threat of violence during and/or after the fact, that was endured by these victims and their families;

WHEREAS, according to KARAPATAN, the succeeding numbers are the victims of these enforced disappearances during the term of President Duterte by sector: one (1) government employee, four (4) indigenous peoples, seven (7) peasants, and a Moro;

WHEREAS, upon the establishment of the UN Commission on Human Rights in 1980, the Working Group on Enforced or Involuntary Disappearances has said to have received over 57,000 cases attributed to government forces from 108 countries, and 786 of those "desaparecidos" were reported in the Philippines--131 have been found alive, including 19 in detention, and 30 found dead;

WHEREAS, that leaves 625 cases from 1975 to 2012 out-standing in the records of the Working Group as of 2018;

WHEREAS, the Working Group's definition of enforced disappearance includes three elements: "deprivation of liberty against the will of the person; involvement of government officials, at least by acquiescence; and refusal to acknowledge the deprivation of liberty or concealment of the fate or whereabouts of the disappeared person;"

WHEREAS, the case of two UP students, Karen Empeño and Sherlyn Cadapan, almost 13 years ago, illustrates this. They were taken by soldiers from a house in Bulacan in June 2006 and then tortured and sexually abused, according to court records in the trial of former major general Jovito Palparan Jr. The ex-general was convicted of kidnapping and illegally detaining the two women and was sentenced to up to 40 years in prison, along with two subordinates;

WHEREAS, Luisa Dominado, who had already suffered a total of seven years in detention during the Marcos dictatorship, was waylaid by gunmen in April 2007 in Oton, Iloilo province. She and her companion, Nilo Arado, have not been heard from since;

WHEREAS, two weeks later, farmer-activist Jonas Burgos, a son of the late press freedom icon Jose Burgos Jr., was abducted from a mall in Quezon City by armed men later identified as soldiers. He remains missing as of this writing;

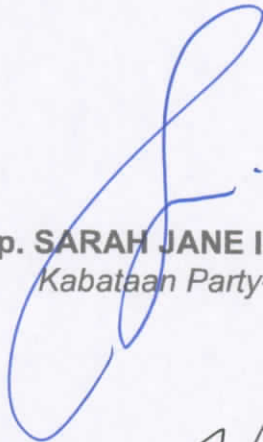
WHEREAS, the five desaparecidos are among the 625 remaining cases in the Working Group's list. But now, the Duterte administration wants to "delist" such cases from the records of the Working Group, despite the fact that the victims' fates remain unknown to this day;

WHEREAS, while the Commission on Human Rights welcomed the government's rare engagement with an international human rights body, Commissioner Karen Dumpit said

the 625 cannot be delisted so quickly. Each of the victims' families has to be consulted to agree on a resolution of the case of their missing loved ones. And "even if they delist a certain case, it does not mean that the enforced disappearance did not happen. The delisting is just a process, it does not erase the violation that occurred;"

NOW THEREFORE, BE IT RESOLVED that the members of the House of Representatives are urged to call for justice for the victims and to urge the House Committee on Human Rights to investigate, in aid of legislation, the spate enforced disappearances in the country.

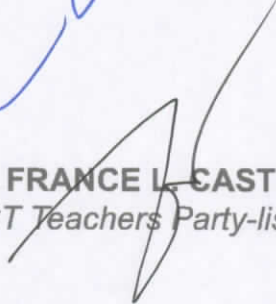
Adopted,



Rep. **SARAH JANE I. ELAGO**
Kabataan Party-list



Rep. **CARLOS ISAGANI T. ZARATE**
Bayan Muna Party-list



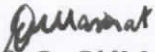
Rep. **FRANCE L. CASTRO**
ACT Teachers Party-list



Rep. **FERDINAND GAITE**
Bayan Muna Party-list



Rep. **ARLENE D. BROSAS**
Gabriela Women's Party



Rep. **EUFEMIA C. CULLAMAT**
Bayan Muna Party-list