

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

HOUSE RESOLUTION NO. 393



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

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### RESOLUTION

**TO CONDEMN AND TO URGE THE HOUSE COMMITTEE ON HUMAN RIGHTS TO INVESTIGATE, IN AID OF LEGISLATION, THE SPATE OF ATTACKS AND KILLINGS OF THE YOUTH, ESPECIALLY MINORS, UNDER OPLAN TOKHANG, MARTIAL LAW IN MINDANAO, MEMORANDUM NO. 32, AND OTHERS**

**WHEREAS**, in accordance with Article II Section 13 of the 1987 constitution states "The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs. Therefore, it is the responsibility of the state to protect its youth against array of violence and terror;

**WHEREAS**, in accordance with Article II Section 5 of the 1987 constitution states "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" therefore the state shall assure its citizens a peaceful and a safe society;

**WHEREAS**, the Philippines is a signatory on the 1989 United Nation Convention on the Rights of Child;

**WHEREAS**, in accordance with the United Nation Convention on the Rights of the Child Article 3 Section 1 states "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration;"

**WHEREAS**, in accordance of the United Nation Convention on the Rights of Child Article 19 Section 1 state " States Parties shall take all appropriate legislative,

administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child". Therefore, it is the responsibility of the state to conduct an inquiry and legislative measure against any form of violence that are affecting the youth;

**WHEREAS**, according to the research conducted by Human Rights Watch International, there are more than 12,000 individuals allegedly killed during the police operation and drug related activities including Youth and Children;

**WHEREAS**, the said killings are clear manifestation that the government failed to protect the lives of its citizens during a police operation. There are several parties affected including the youth and children. War on drugs is a failed policy because there are higher percentage being killed when it comes to police operation;

**WHEREAS**, the youth who are powerless and innocent are now being targeted or affected by these operations due to the negligent and whimsical action of the police force;

**WHEREAS**, a negligence is a crime under Revised Penal Code Book 1, Article 3 therefore those policemen who failed to do their task in protecting other parties including youth and children are subjected to legal action;

**WHEREAS**, there are 5 reported victims whom age is below 10 namely: Kadil an infant from Maguindanao Althea Barbon (4) from Negros Oriental, Danica May Garcia (5) from Pangasinan, Francis Manosca (5) from Pasay City and Nino Batucan (7) from Cebu of were killed during a police operation. According to the reports, the police personnel were aggressively using force against their targets and these individuals were killed by stray bullets from the shots made by the police. This is negligent on the part of the Philippine National Police (PNP) and failure of the war on drugs in pursuing a peaceful drug operation;

**WHEREAS**, the killing of Kian Lloyd Delos Santos, Reynaldo De Guzman, Joshua Cumilang and Hideyoshi Kawata are ostensibly due to the abuse of the police force. There are existing evidence suggesting that the policemen were involved in their killings. A CCTV shows that Kian Lloyd Delos Santos was dragged and killed by police personnel. While Reynaldo De Guzman and Joshua Cumilang were purportedly tortured by Policemen before beating them to their death based on the account of several eyewitnesses;

**WHEREAS**, the killing of Kristen Joy Sailog, Erica Fernandez, Jayross Brondial and three residents from Caloocan namely Sonny Espinosa, Angelito Soriano, Jonel Segovia are perpetuated by the violence stem from the Drug of War. Fernandez was killed along with her Boyfriend by a masked man who is supposedly looking after Fernandez boyfriend. While Espinosa, Soriano and Segovia were killed by a group of vigilantes in a house allegedly storing narcotics after failing to find another alleged drug user. Brondial is a victim of mistaken identity while Sailog a victim of stray bullets;

**WHEREAS**, under Martial Law in Mindanao, 19-year old Grade 7 Lumad student Obello Bay-ao, enrolled under *Salugpongan Tu Tano Igkanogon-Community Learning Center Inc.*, was killed by members of the Citizen's Armed Forces Geographical Unit (CAFGU) and the paramilitary group ALAMARA. He is one of the many documented casualties of the Lumad struggle in Mindanao of whom have long been vulnerable from state-enforced attacks;

**WHEREAS**, under Memorandum No. 32 which ordered armed state forces to "suppress lawless violence" in Bicol, Samar, and Negros has killed over 88 individuals since its implementation last November 2018. One notable casualty was a one-year-old boy;

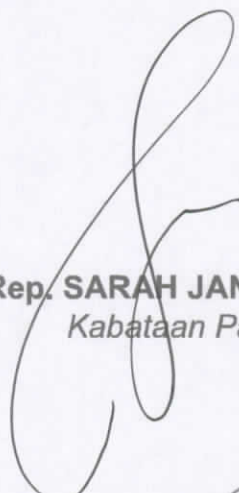
**WHEREAS**, since the armed state forces are allegedly involved in killings and with their failure to protect the youth and children, the state must consider a legislative inquiry to identify any failure in executing the law and strengthened justice system for the protection of youth and children;

**WHEREAS**, the War on Drugs, Martial Law in Mindanao, and Memorandum No. 32 has failed to address the basic needs of the people and has only further harmed their lives, threaten their future, and killed them in cold-blood;

**WHEREAS**, the youth and children, being the most vulnerable sectors in our country, have been at the bitter end of the various campaigns and policies launched under the current administration. As a nation, it is alarming that these attacks have become systematic and continue to threaten the sanctity of life and liberty in the country;

**NOW THEREFORE, BE IT RESOLVED** that the members of the House of Representatives are urged to condemn and to urge the House Committee on Human Rights to Investigate, in aid of legislation, the spate of attacks and killings of the youth, especially minors, under Oplan Tokhang, Martial Law in Mindanao, Memorandum No. 32, and others.

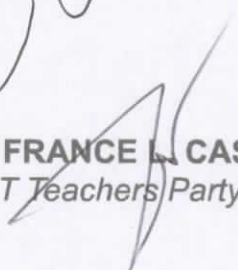
Adopted,



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



Rep. CARLOS SAGANI 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  
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