

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

EIGHTEENTH CONGRESS  
First Regular Session

HOUSE RESOLUTION No. 763



---

Introduced by  
BAYAN MUNA Representatives EUFEMIA C. CULLAMAT,  
CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITE

---

RESOLUTION

URGING THE HOUSE OF REPRESENTATIVES, THROUGH THE COMMITTEE  
ON HUMAN RIGHTS, TO CONDUCT AN INVESTIGATION, IN AID OF  
LEGISLATION, ON THE INDISCRIMINATE FIRING ON A LUMAD  
COMMUNITY BY SUSPECTED ELEMENTS OF THE 75<sup>TH</sup> IB, 36<sup>TH</sup> IB AND  
9<sup>TH</sup> SFC PHILIPPINE ARMY IN DIATAGON, LIANGA SURIGAO DEL SUR

**WHEREAS**, on February 21, 2020, three (3) Lumad residents of Sitio Emerald, Barangay Diatagon, Lianga, Surigao del Sur were injured by shrapnel after suspected elements of the 75<sup>th</sup> IB, 36<sup>th</sup> IB, and 9<sup>th</sup> SFC Philippine Army indiscriminately fired at the homes of Lumad residents including the home of farmer Naldo Calipay at around 1:00 PM. Calipay's child, a 5-year-old student of Lumad school Tribal Filipino Program of Surigao del Sur (TRIFPSS), was hit by a shrapnel on the arm while his two relatives, aged 19-years-old and 55-years-old, were hit by shrapnel on the arm, shoulder, back and leg;

**WHEREAS**, prior to the incident residents of Sitio Emerald report that the 75<sup>th</sup> IB set up camp behind the house of one resident on January 13, 2020;

**WHEREAS**, on February 21, 2020, at around 11:00 AM, residents heard explosions and gunshots fifty (50) meters from the center of the community in Sitio Simowao which was allegedly a firefight between the 75<sup>th</sup> IBPA and the New People's Army. The firefight lasted for one (1) hour;

**WHEREAS**, on the same day at around 1:17 PM, ten (10) soldiers in full battle gear surrounded the house of a resident in Sitio Emerald and opened fire. According to one of the residents who witnessed the incident, the shooting came from the direction of the military camp. One grenade fell on the house of Naldo Calipay which destroyed the roof of his house and caused the injuries of his child and two other relatives;

**WHEREAS**, after the indiscriminate firing, residents report that the military threatened to retaliate against the community if they would be attack by the NPA;

**WHEREAS**, in a statement, the 4<sup>th</sup> Infantry battalion claims that the injured victims were attacked by the NPA. However, according to the Malahutayong Pakigbisog Alang sa Sumusunod (MAPASU), the organisation of the Lumad in the area, the victims were pressured into signing a false account of the event;

**WHEREAS**, on February 29, 2019, 67 families from Sitio Emerald were forced to flee from their community out of fear for their lives as a result of the indiscriminate firing. They moved to a nearby community to secure their safety;

**WHEREAS**, community members have long been calling for the pulling out of the camps set up

1 by the 75<sup>th</sup> IB in their community. The Lumad leaders of the community have held dialogues with  
2 the military and the the local government to no avail;

3 **WHEREAS**, attacks against people’s organizations and human rights defenders have intensified  
4 since President Duterte issued Executive Order 70 which created the National Task Force to End  
5 Local Communist Armed Conflict (NTF-ELCAC). The national task force has since unveiled itself  
6 as a tool to silence any form of dissent from activists and people’s organizations by falsely tagging  
7 its members as armed combatants of terrorist groups. Despite the lifting of Martial Law in  
8 Mindanao, military encampment in communities and human rights violations still persist;

9 **WHEREAS**, it is imperative for members of Congress, as representatives of our people, to defend  
10 the rights of our people and check on excesses and violations committed against them. Laws and  
11 rules should serve the interest of our people, and should not be weaponized to suppress their rights  
12 and oppress them;

13  
14 **NOW THEREFORE BE IT RESOLVED**, that the House of Representatives, through the  
15 Committee on Human Rights, conduct an investigation, in aid of legislation, on the on the  
16 indiscriminate firing on a lumad community by suspected elements of the 75th IB, 36th IB and  
17 9th SFC in Diatagon, Lianga, Surigao del Sur.  
18

19  
20 *Approved,*  
21

22  
23  
24  
25   
26 **REP. EUFEMIA C. CULLAMAT**  
27 *Bayan Muna Partylist*

28  
29  
30  
31  
32   
33 **REP. CARLOS ISAGANI T. ZARATE**  
34 *Bayan Muna Partylist*

30  
31  
32   
33 **REP. FERDINAND R. GAITE**  
34 *Bayan Muna Partylist*