

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FOURTEENTH CONGRESS
First Regular Session

HOUSE RESOLUTION No. 294



Introduced by
Gabriela Women's Party Representatives
Luzviminda C. Ilagan and Liza Largoza-Maza, Bayan Muna Representatives
Satur C. Ocampo and Teodoro A. Casiño, and AnakPawis Rep. Crispin B.
Beltran

A RESOLUTION
URGING THE HOUSE COMMITTEE ON HUMAN RIGHTS TO CONDUCT AN
IMMEDIATE CONGRESSIONAL INVESTIGATION ON THE CASE OF EIGHT
(8) CHILDREN ALLEGEDLY TORTURED PSYCHOLOGICALLY IN SULU
PERPETRATED BY ELEMENTS OF TASK FORCE COMET, 104TH ARMY
BRIGADE AND JOINT SPECIAL OPERATION FORCE IN INDANAN, SULU
AND RECOMMEND MEASURES THEREOF

WHEREAS, Article 1, Section 2, Declaration of Policy of Republic Act 7610, otherwise known as "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act" states that, " It is the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination, and other conditions prejudicial to their development; provide sanctions for their commission and carry out program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination;"

WHEREAS, It is also the policy of the State to protect and rehabilitate children gravely threatened or endangered by circumstances which affect or will affect their survival and normal development and over which they have no control;

WHEREAS, Republic Act 9262, otherwise known as "Anti-Violence Against Women and their Children Act of 2005," further uphold the rights of women and children as Section 2, Declaration of Policy of the Act states that, " The state values the dignity of women and children and guarantees full respect of human rights. The state also recognizes the need to protect the family and its members particularly women and children, from violence and threats to their personal security and safety;"

WHEREAS, The Philippine Daily Inquirer (PDI) August 27, 2007 issue reported that on August 19, 2007, eight (8) children aged 4 to 16 years old from Indanan, Sulu were allegedly psychologically tortured;

WHEREAS, based on the report, Bai Racma Imam, secretary of the Department of Social Welfare and Development in the Autonomous Region in Muslim Mindanao (DSWD-ARMM), received reports about the alleged arrest of the children and their being subjected to psychological torture;

WHEREAS, all eight children and six other adults were brought to Camp Teodulo Bautista, main base of Task Force Comet, 104th Army Brigade and Joint Special Operations Force in the capital town of Jolo;

WHEREAS, on September 5-7, 2007, a fact-finding mission was conducted by concerned government agencies and non-government organizations to investigate and gather data relative to the case. The team was composed of representatives from government agencies, Commission on Human Rights (CHR), Department of Social Welfare and Development (DSWD), Department of Health (DOH), Office of Presidential Affairs on Peace Process (OPAPP), representatives from various non-government organization and children's rights advocates Children's Rehabilitation Center (CRC), and local NGO, BALAY;

WHEREAS, the team was able to talk with one of the adults who were also arrested along with the 8 minors and was able to get facts that were not reported in the PDI article. Along with the 8 minors are a 19 year-old and a 23 year old young women;

WHEREAS, according to the 19 year old young woman, at about 2:00 AM, she was awoken by a loud noise from an approaching chopper. She ignored the noise since it is usual for them to hear noises at dawn. Few minutes later, 4 marines, carrying M16 riffles, barged into their house. The marines allegedly raided their house and beat her father, accusing him as a certain Omar Patek, an Abu Sayyaf leader;

WHEREAS, when all of the members of their household were brought outside, she learned that three more houses were also being raided by the armed men and one of their neighbor, like her father, is allegedly accused as Abu Sulayman;

WHEREAS, they were brought to Camp Teodulo Bautista at around 2:00 p.m. According to the young woman, she saw 5 U.S soldiers roaming around the camp. They were interrogated by Filipino soldiers, forcing them to speak of what they knew about their father's activities. The soldiers allegedly threatened them that they would be killed if they did not cooperate with the military;

WHEREAS, the 19 year old woman, saw the children aged 4-16 heavily interrogated by the soldiers;

WHEREAS, the PDI report confirmed the woman's statement by quoting one of the victims that a jungle knife was pointed at their necks, including those of the 6- and 4-year-old children. The soldiers were wearing bonnet masks. The children were asked where the guns of their fathers were, and were told to dig their own graves;

WHEREAS, according to the young woman, she and the 23 years old, were sexually harassed. One of the soldiers frequently followed her to the restroom but luckily, one of the children also accompanied her every time she needed to go to the comfort room;

WHEREAS, after long hours of interrogations, they were freed the following day at 5:00 p.m. Their fathers, who were accused of being members of Abu Sayyaf and were badly beaten, were freed at 11:00 p.m. the same day;

WHEREAS, after the release of the children and women, they were taken into custody by Mr. Temojen Tulawie of the Consortium of Bangsamoro Civil Society (CBCC) and turned over to Gov. Abdusakur Tan a day after the arrest;

WHEREAS, according to the report, Maj. Gen. Reuben Rafael of Task Force Comet and Brig. Gen. Ruperto Pabustan, Joint Special Operations Force (JSOF) commander denied the allegations. However, Rafael confirmed that there were arrests during the implementation of a gun ban in the province, but that those arrested were only interrogated and released later;

WHEREAS, during the budget hearing of the Dept. of Social Welfare and Development, Rep. Luzviminda C. Ilagan of Gabriela Women's Party, asked Secretary Cabral of the status of the case and the custody of the children;

WHEREAS, Sec. Cabral replied that the children are undergoing therapy in Sulu, but that the department does not have any updates on the case;

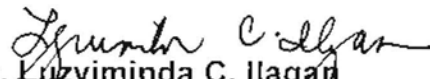
WHEREAS, based on the statement of the victims interviewed during the fact finding mission, there was no therapy or any services extended by the DSWD-ARMM to the victims;

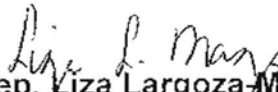
WHEREAS, if the alleged reports were true, the military committed not just human rights violations but child abuse as well;

WHEREAS, it is the duty of the state, which includes its military elements, to protect the rights and welfare of all of its citizens, especially women and children, from all forms of abuse and violence;

THEREFORE BE IT RESOLVED, AS IT IS HEREBY RESOLVED that the House Committee on Human Rights conduct an immediate Congressional investigation on the case of eight (8) children allegedly tortured psychologically in Sulu perpetrated by elements of Task Force Comet, 104th Army Brigade and Joint Special Operation Force in Indanan, Sulu and recommend measures thereof.

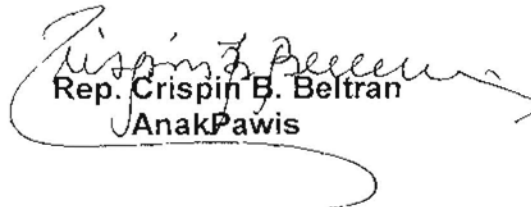
Adopted,


Rep. Luzviminda C. Ilagan
Gabriela Women's Party


Rep. Liza Largoza-Maza
Gabriela Women's Party


Rep. Satur C. Ocampo
BAYAN MUNA

Rep. Teodoro A. Casiño
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Rep. Crispin B. Beltran
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