

THIRTEENTH CONGRESS  
First Regular Session

HOUSE RESOLUTION NO. 404

INTRODUCED BY REPRESENTATIVES RAFAEL V. MARIANO,  
CRISPIN B. BELTRAN, SATUR C. OCAMPO, LIZA LARGOZA-MAZA, JOEL G.  
VIRADOR and TEODORO A. CASIÑO

RESOLUTION

DIRECTING THE COMMITTEE ON LABOR AND EMPLOYMENT TO CONDUCT AN URGENT INQUIRY, IN AID OF LEGISLATION, ON THE PROPRIETY AND LEGALITY OF DEPUTIZING THE ARMED FORCES OF THE PHILIPPINES IN ASSISTING THE PHILIPPINE NATIONAL POLICE-REGION III AND THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) REPRESENTATIVE IN THE FULL ENFORCEMENT OF ASSUMPTION OF JURISDICTION ORDER OF THE DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE) IN CENTRAL AZUCARERA DE TARLAC IN HACIENDA LUISITA, TARLAC CITY

**WHEREAS**, on October 25, 2004, the Central Azucarera de Tarlac Labor Union (CATLU), a certified bargaining agent of the 768 rank and file employees in Central Azucarera de Tarlac (CAT) filed a Notice of Strike (NOS) against the company on the ground of bargaining deadlock;

**WHEREAS**, on November 6, 2004, the union staged a strike at Gate 2 of the company to air their demand for increase in wages; 2-month gratuity pay for the workers in CAT; and implementation of a just and reasonable Collective Bargaining Agreement (CBA). They were joined by the farmworkers in Hacienda Luisita, Inc. (HLI), belonging to United Luisita Workers Union (ULWU), who staged a picket at Gate 1 of the company to air their demand for reinstatement of farmworker-beneficiaries who have been retrenched from HLI; moratorium on retrenchment of farmworker-beneficiaries; immediate support to the families of those who have been retrenched; recognition of farmworker-beneficiaries' rights to own land; stoppage of land use conversion and militarization; and termination of stock distribution option in the hacienda;

**WHEREAS**, on November 10, 2004, the Secretary of the Department of Labor and Employment (DOLE) issued an Order docketed as OS-AJ- 038-04, NCMB-RBIII-TAR-NS-10-005-04 assuming jurisdiction over the labor dispute at Central Azucarera de Tarlac (CAT) and as consequence any form of concerted action, whether actual or intended, is prohibited;

**WHEREAS**, on November 15, 2004, the Secretary of the Department of Labor and Employment (DOLE) issued an order deputizing the Armed Forces of the Philippines-Northern Luzon Command to assist the Regional Director of the Philippine National Police-Region III and the DOLE representative in the full enforcement of its Assumption of Jurisdiction Order dated November 10, 2004;

**WHEREAS**, on November 15, 2004 at around 10:00 AM, members of the Philippine National Police Central Luzon Command (PNP-CLCOM) and members of the Armed Forces of the Philippines-Northern Luzon Command by virtue of the aforesaid orders violently dispersed the picket line of the CATLU and ULWU;

**WHEREAS**, on November 16, 2004, at around 3:00 PM, members of the Philippine National Police Central Luzon Command (PNP-CLCOM) and members of the Armed Forces of the Philippines-Northern Luzon Command by virtue of the aforesaid orders, again violently dispersed the picket line of the CATLU and ULWU;


**WHEREAS**, as a result of the violent dispersal on November 16, 2004, seven (7) persons died namely: Segundo David, Jr. of Brgy. Cut-cut; Jhaivie Basilio of Brgy. Mapalacsiao; Jesus Laza of Brgy. Parang; Jessie Valdez of Brgy. Balete; Juancho Sanchez of Brgy. Balete; Adriano Caballero, Jr. of Brgy. Balete; and Jaime Pastidio of Brgy. Motrico, one hundred seventy-eight (178) sustained wounds and one hundred eleven (111) were unjustifiably arrested and detained in Camp Macabulos. However, there are still reports of other unaccounted dead at the CAT;

**WHEREAS**, according to **KARAPATAN**, an Alliance for the Advancement of People's Rights, when an independent fact-finding mission was conducted in Hacienda Luisita on November 17, 2004, their group was able to meet 11 truckloads of Philippine Army in full battle gear and two (2) Armored Personnel Carriers (APCs) headed by Col. Romeo Reyes of Armed Forces of the Philippines-Northern Luzon Command along the way to Hacienda Luisita. The aforesaid official mentioned that they have been in the hacienda at around 2:00 PM of November 16, 2004 and he has with him 271 personnel. He also mentioned that their presence in the hacienda is due to an order to assist the PNP; and

**WHEREAS**, the Congress should look into the propriety and legality of deputizing Armed Forces of the Philippines in enforcing or assisting to enforce orders for the same are often used as justification for harassment of innocent civilians and rampant violation of human rights.

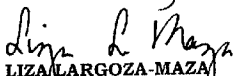
**NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED**, that the House of Representatives Committee on Labor and Employment conduct an urgent inquiry, in aid of legislation, on the propriety and legality of deputizing Armed Forces of the Philippines in assisting the Philippine National Police-Region III and the Department of Labor and Employment (DOLE) representative in the full enforcement of Assumption of Jurisdiction Order of the Department of Labor and Employment in Central Azucarera de Tarlac in Hacienda Luisita, Tarlac City.


Adopted,

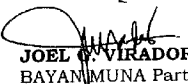
  
**RAFAEL V. MARIANO**  
ANAKPAWIS Party-list

  
**CRISPIN B. BELTRAN**  
ANAKPAWIS Party-list

  
**SATUR C. OCAMPO**  
BAYAN MUNA Party

  
**LIZA LARGOZA-MAZA**  
GABRIELA Women's Party-list

  
**TEODORO A. CASINO**  
BAYAN MUNA Party-list

  
**JOEL VIRADOR**  
BAYAN MUNA Party-list