



**BOARD OF INQUIRY**

**The  
Mamasapano  
Report**

**March 2015**

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## EXECUTIVE SUMMARY

On January 25, 2015, sixty-seven (67) Filipinos died in Mamasapano, Maguindanao as a result of an encounter triggered by Operation Plan (Oplan) Exodus.

The goal of Oplan Exodus was to neutralize high value targets (HVTs) who were international terrorists—i.e., Zhulkifli Bin Hir/Zulkifli Abhir (Marwan); Ahmad Akmad Batabol Usman (Usman); and Amin Baco (Jihad).

Forty-four (44) members of the Special Action Force (SAF)—considered as the elite unit of the Philippine National Police (PNP) against terrorism and internal security threats—lost their lives in Mamasapano, while sixteen (16) other SAF members sustained severe injuries.

The tragic incident in Mamasapano raised several questions. How could a group of elite forces be massacred? Who was responsible for their deaths? What caused the tragic encounter in Mamasapano? Who were the hostile forces encountered by the SAF troops?

The Board of Inquiry (BOI) was created by the Philippine National Police (PNP) primarily to investigate the facts and circumstances surrounding the Mamasapano encounter, to establish facts regarding Oplan Exodus, to determine possible lapses in the planning and execution of Oplan Exodus, and to provide recommendations in order to address such possible lapses.

The methodology used by the BOI in preparing this Report is described in Chapter 1.

The BOI notes that information obtained from certain key personalities were limited. For instance, the BOI failed to secure an interview with the President Benigno Aquino III, suspended Chief PNP (CPNP) Alan Purisima, Chief-of-Staff AFP (CSAFP) General Gregorio Catapang, and Lieutenant General Rustico Guerrero. All concerned officers of the Armed Forces of the Philippines (AFP) refused to be interviewed by the BOI despite repeated requests.

The BOI did not have access to other crucial information such as contents of Short Messaging System (SMS) or text messages, and logs of calls and SMS. BOI's requests for the submission of cellular phones for forensic examination were also denied by CSAFP Catapang, Guerrero, suspended CPNP Purisima and AFP officers. However, the sworn statement of suspended CPNP Purisima



included a transcript of his SMS exchanges with the President on January 25, 2015.

Despite the foregoing limitations, the BOI succeeded in conducting several interviews, obtaining various types of evidence, processing and reviewing hundreds of documents, and conducting ocular inspection in Mamasapano to produce this Report.

Based on the records, Oplan Exodus was approved by the President and implemented by suspended CPNP Purisima and the Director of SAF (Napeñas) Getulio Napeñas, to the exclusion of the Officer-in-Charge of the Philippine National Police (OIC PNP) Leonardo Espina, who is the concurrent Deputy CPNP for Operations.-

On December 16, 2014, the OIC-PNP issued Special Order No. 9851 which directed suspended CPNP Purisima and other suspended PNP officers, to "cease and desist from performing the duties and functions of their respective offices during the pendency of [their respective cases filed by the Ombudsman] until its termination."

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Napeñas and suspended CPNP Purisima ignored the established PNP Chain of Command by excluding OIC-PNP Espina in the planning and execution of Oplan Exodus. Napeñas and suspended CPNP also failed to inform the Secretary of the Interior and Local Government (SILG) Mar Roxas about Oplan Exodus, and made no prior coordination with the AFP. Based on the records, SILG and OIC-PNP were informed of Oplan Exodus only in the morning of January 25, 2015 when such operation was already being executed. OIC-PNP was first informed about Oplan Exodus through a phone call by suspended CPNP Purisima at 05:50 a.m. on January 25, 2015. SILG learned about the operation when he got an SMS from Police Director Charles Calima Jr. at 07:43 a.m. on January 25, 2015.

The participation of the suspended CPNP in Oplan Exodus was carried out with the knowledge of the President. Records revealed instances when the suspended CPNP met with the President and Napeñas to discuss Oplan Exodus; and communicated with the President via SMS messages regarding the execution of Oplan Exodus on January 25, 2015.

Records also show that suspended CPNP Purisima failed to deliver his assurances to coordinate with the AFP. At a crucial stage of the crisis, the suspended CPNP Purisima provided inaccurate information from an unofficial source, which further jeopardized the situation of the 55<sup>th</sup> SAC and 84<sup>th</sup> Seaborne in Mamasapano.

There are indications that Napeñas may not have considered differing opinions raised by his subordinate commanders. The mission planning appears

to have been done by a group of officers and not by a planning team, with inputs heavily influenced by Napeñas. Subordinate commanders expressed that Napeñas had unrealistic planning assumptions such as the swift delivery of artillery fire and the immediate facilitation of ceasefire.

Napeñas chose to employ a "way-in/way-out, by foot and night-only" infiltration and exfiltration Concept of Operation (CONOPS) for Oplan Exodus. During an interview with BOI, Napeñas admitted that he expected casualty of around ten (10) SAF Commandos to accomplish the mission.

Napeñas also admitted that key variables for the success of Oplan Exodus, such as the coordination with the Sixth Infantry Division (6ID), and with the Coordinating Committee on the Cessation of Hostilities (CCCH) and Ad Hoc Joint Action Group (AHJAG) were not thoroughly considered in the mission planning. The established protocols and Standard Operating Procedures (SOPs) of the AFP, CCCH and AHJAG in providing reinforcement and effecting ceasefire were not sufficiently discussed.

Napeñas proposed to the President the adoption of the "Time-On-Target" (TOT) concept of coordination for Oplan Exodus. Application of the TOT concept restricted disclosure of information to a limited number of persons until the target is engaged. It appears that Napeñas' primary consideration for adopting the TOT concept was operational security (OPSEC) to reduce the risk of having Oplan Exodus compromised.

The records show that when the President gave instructions to CPNP Purisima and Napeñas to coordinate with the AFP, Napeñas raised his concern that the AFP might be compromised due to intermarriages of some AFP personnel with the local people. He cited previous SAF operations against the same HVTs that were coordinated with the AFP. Suspended CPNP Purisima and Mendez shared the qualms of Napeñas.

When Napeñas proposed to the President the adoption of the TOT concept for Oplan Exodus, the President remained silent.

Police Superintendent Raymund Train of the 84<sup>th</sup> SAC (one of the survivors from the Mamasapano encounter) attested that, in case of heavy enemy fire, the first planned mitigating action for Oplan Exodus was indirect artillery fire support from the AFP. The second planned mitigating action was the commissioning of the peace process mechanisms to facilitate ceasefire.

However, Napeñas failed to consider the consequences of the TOT concept vis-a-vis the required mitigating actions. He appeared to have relied heavily on the verbal commitment of the suspended CPNP Purisima to arrange for the needed AFP support. Coordination with the 6ID and CCCH and AHJAG

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was planned to be made at TOT, that was, upon engagement of the target. There was no plan for close air support.

With respect to the peace process mechanisms as mitigating actions in Oplan Exodus, the required coordination to trigger such mechanisms (such as a ceasefire) were not followed.

Prior communication with Brigadier General Carlito Galvez could have informed Napeñas that, in past experiences, a ceasefire could only be achieved after at least six (6) hours of negotiation.

By the time the AFP was informed about Oplan Exodus, a hostile encounter between the SAF Commandos and various armed groups in Mamasapano had already ensued.

Considering that the CONOPS adopted the way-in/way-out-in/way- that the CONOPS adopted heavy support from other SAF Commandos to secure the withdrawal route of the Main Effort (Seaborne). The plan was for the 84<sup>th</sup> Seaborne to link-up with 55<sup>th</sup> SAC and progressively with 4SAB units along the withdrawal route.

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The delay in the movement of the Seaborne affected the movement of the 4SAB and other reserve forces. When the containment and reserve forces arrived at the Vehicle Drop-off Point (VDOP), the situation in the area of operation was already hostile. Heavy sound of gunfire were heard coming from the location of the 55<sup>th</sup> SAC. The troops immediately disembarked, organized themselves and rushed to their designed waypoints (WP). Midway between WP8 and WP9, the reinforcing troops came under heavy enemy fire. The exfiltration route became dominated by hostile forces. The Ground Commander at the Advance Command Post (ACP) was not able to maneuver the troops to break enemy lines and force their way to reinforce the 55<sup>th</sup> SAC Commandos near WP12. Ineffective communication system further exacerbated the situation.

During the site survey in Mamasapano on February 24, 2015, the BOI took note of the unfavorable terrain faced by the reinforcing troops. The wide terrain between their location and that of the 55<sup>th</sup> SAC was literally flat without adequate cover and concealment. Tactical maneuvers, such as the "*Bounding Overwatch*" technique, would have been difficult and may result to more casualties. According to the platoon leaders, enemy fires were coming from all directions which prevented them from maneuvering and reinforcing 55<sup>th</sup> SAC.

In a joint interview with BOI, Mayor Ampatuan of Mamasapano and the Barangay Chairman and Officials of Tukanalipao in Mamasapano claimed that in the past, armed elements would readily withdraw from the encounter site

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whenever white phosphorous rounds were delivered by the Field Artillery Battery of the 6ID PA.

In an interview with BOI, Napeñas claimed that the 6ID immediately provided artillery fire support when one of its infantry company was harassed by armed elements sometime in late November or early December 2014.

However, during the execution of Oplan Exodus, three (3) white phosphorous rounds were delivered late in the afternoon and not earlier in the morning when such rounds could have mattered most to the 84<sup>th</sup> Seaborne and the 55<sup>th</sup> SAC.

SAF coordinated and requested for indirect artillery fire support from the 1st Mechanized Brigade as early as 07:30 a.m. The Brigade Commander of the 1st Mech Brigade, Colonel Gener Del Rosario sought clearance for artillery fire from the 6ID Commander, Major General Edmundo Pangilinan. However, of the three recommendations given by Col. Del Rosario, only the dispatches of infantry support and mechanized support were approved by MGEN Pangilinan. The request for indirect artillery fire was put on hold since, according to Pangilinan, they still lacked details as mandated by their protocol.

Based on the records, MGEN Pangilinan took it upon himself to withhold artillery fire support in consideration of the peace process and artillery fire protocols. However, pursuant to AAR, PA SOP No. 4, that decision could have been made by a Brigade Commander like Col. del Rosario.

The primary objective of Oplan Exodus to get the HVTs was not fully completed. Two of its targets, Jihad and Usman, were able to escape and remain at-large.

Three hundred ninety-two (392) SAF Commandos were mobilized for Oplan Exodus. Forty-four (44) SAF members lost their lives in carrying out this mission.

In discovering the facts that lead to such deaths, this Report stresses the importance of command responsibility: "A commander is responsible for what his unit does or fails to do."

#### Findings:

##### 1. Chain of Command

The Chain of Command in the PNP was violated. The President, the suspended CPNP Purisima and the former Director SAF Napeñas kept the information to themselves and deliberately failed to inform the OIC PNP and the



SILG. The Chain of Command should be observed in running mission operations.

For instance, the Manual for PNP Fundamental Doctrine<sup>1</sup>, requires the Commander to discharge his responsibilities through a Chain of Command. Such Manual provides that it is "only in urgent situations when intermediate commanders may be bypassed. In such instances, intermediate commanders should be notified of the context of the order as soon as possible by both the commander issuing the order and the commander receiving it."

With respect to Oplan Exodus, the Chain of Command in the PNP should have been: OIC, CPNP PDDG Espina (as senior commander) to Napeñas (as intermediate commander). PDG Purisima could not legally form part of the Chain of Command by reason of his suspension.

## 2. Command Responsibility

The principle of Command Responsibility demands that a commander is responsible for all that his unit does or fails to do. Command Responsibility cannot be delegated or passed-on to other officers. Under the Manual for PNP Fundamental Doctrine, Command Responsibility "can never be delegated otherwise it would constitute an abdication of his role as a commander. He alone answers for the success or failure of his command in all circumstances."

Based on the records, Napeñas admitted that he had command responsibility with respect to Oplan Exodus.

## 3. Coordination

The TOT coordination concept, which limits the disclosure of information to only a few personnel, is applicable only to ordinary police operations. This concept however does not conform to the established and acceptable operational concepts and protocols of the PNP. Even AFP commanders asserted that the TOT concept is alien to the Armed Forces and runs counter to their established SOPs. Without coordination, following the AFP definition, support to operating units such as artillery or close air support is not possible since these entails preparations.

## 4. Operation Plan

Oplan Exodus was not approved by the OIC-PNP. Napeñas dominated the mission planning, disregarding inputs from his subordinate commanders on how the operation will be conducted. The concept of the *way-in/way-out, by foot*,

<sup>1</sup> PNPM-D-01213 DHRDD October 2013 Revised Edition

and night-only infiltration and exfiltration in an enemy controlled community with unrealistic assumptions was a high-risk type of operation.

#### 5. Execution

Oplan Exodus can never be executed effectively because it was defective from the very beginning. Troop movement was mismanaged, troops failed to occupy their positions, there was lack of effective communication among the operating troops, command and control was ineffective and foremost, there was no coordination with the AFP forces and peace mechanism entities (CCCH and AHJAG).

#### 6. Command and Control

Command and control is critical to a coordinated and collaborative response to the Mamasapano incident. In Oplan Exodus, the SAF's TCP and ACP were plagued by failures of command and control from the very start especially in the aspect of communication. As Oplan Exodus unfolded, mobile communication devices was used as a primary mode of communication. However, these devices fell short of what were needed to relay real-time information and coordination of activities to and from the chain of command.

Radio Operators were assigned at the TCP one each for 84<sup>th</sup> Seaborne and 55<sup>th</sup> SAC. However, 55<sup>th</sup> SAC and 84<sup>th</sup> Seaborne lost contact during the crucial moments of executing Oplan Exodus. They had to rely on distinctive gunfire to approximate each other's location. Radio net diagram was provided but failed when radio equipment bogged down.

#### 7. Logistics

Some of the ordnance for M203 were defective. Although there were sufficient rounds of ammunition for each operating troop, the overwhelming strength of the enemy caused the troops to run out of ammunition. The common Motorola handheld radios failed when submerged in water because these were not designed for military-type of operations. The battery life was short because of wear and tear.

#### 8. AFP Response

Artillery fire support was factored in as one of the mitigating actions of the SAF. However, such support was not delivered when needed. In consideration of the peace process, AFP did not deliver the artillery fire support under the consideration of the peace process, and on the absence of compliance with the



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required protocol. AFP demanded prior coordination to enable them to react and deliver the requested support. Nonetheless, the AFP sent infantry and mechanized units to reinforce the SAF. White phosphorus artillery rounds were fired late in the afternoon. However, by then, all of the 55<sup>th</sup> SAC lay dead except for one who was able to escape.

Local PNP units were not fully utilized to reinforce the SAF. The reinforcement from the local and Regional PNP units were not seriously factored-in during the mission planning process.

#### 9. Peace Process Mechanisms

Officials of the CCCH and AHJAG, when tapped by AFP, did their best to reinstate the ceasefire between the SAF and MILF combatants. The participation of other armed groups such as the Bangsamoro Islamic Freedom Fighters (BIFF), private armed groups (PAGs), and other armed civilians in the firefight delayed the ceasefire.

#### 10. United States (US) Involvement

The U.S. was involved in the intelligence operations and medical evacuations. No US personnel/troops were involved in the actual combat operation. The US supported the operation by providing technical support to enhance monitoring of the troops on the ground.

They were also involved in the identification of Marwan through DNA analysis.



#### 11. Post-Mission Actions

The report submitted by the PNP Crime Laboratory shows that around four (4) SAF commandos with fatal gunshot wounds (GSWs) to the head and at the mid-portion of the trunk were deathblows delivered by shooting at close-range. In other words, not all the forty-four (44) fatalities died during the actual firefight, but were literally executed at close-range by the enemy.

A total of 16 SAF firearms and one (1) cellphone were returned by the MILF. It was observed that some parts of the returned firearms had been replaced.

#### CONCLUSIONS:

Based on the foregoing, the following conclusions were drawn:

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1. The President gave the go-signal and allowed the execution of Oplan Exodus after the concept of operations (CONOPS) was presented to him by Director of Special Action Force (SAF) Police Director Getulio Napeñas.
  2. The President allowed the participation of the suspended Chief Philippine National Police (CPNP) Police Director General Alan Purisima in the planning and execution of the Oplan Exodus despite the suspension order of the Ombudsman.
  3. The President exercised his prerogative to deal directly with Napeñas instead of Officer-in-Charge of the PNP (OIC-PNP) Police Deputy Director General Leonardo Espina. While the President has the prerogative to deal directly with any of his subordinates, the act of dealing with Napeñas instead of OIC-PNP Espina bypassed the established PNP Chain of Command. Under the Manual for PNP Fundamental Doctrine<sup>2</sup>, the Chain of Command runs upward and downward. Such Manual requires the commander to discharge his responsibilities through a Chain of Command.
  4. The suspended CPNP Purisima violated the preventive suspension order issued by the Ombudsman when he participated in the planning and execution of Oplan Exodus. He also violated the Special Order No. 9851 dated December 16, 2014 issued by OIC-PNP Espina, directing him and other suspended PNP officers to "cease and desist from performing the duties and functions of their respective offices during the pendency of the case until its termination."
  5. In the same meeting where the President instructed Napeñas and suspended CPNP Purisima to coordinate with the Armed Forces of the Philippines (AFP)<sup>3</sup>, PDG Purisima thereafter said to Napeñas: "*Ako na ang bahala kay Catapang.*" The PNP Ethical Doctrine Manual cites, "Word of Honor – PNP members' word is their bond. They stand by and commit to it." The statement of Purisima may be construed as an assurance of providing the coordination instructed by the President.
  6. Suspended CPNP Purisima provided inaccurate information to the President about the actual situation on the ground when he sent text messages to the President stating that SAF Commandos were pulling out<sup>4</sup>, and that they were supported by mechanized and artillery support.<sup>5</sup>

<sup>2</sup> PNPM-D-01213 DHRDD October 2013 Revised Edition

<sup>3</sup> Based on the affidavit of Napeñas, on January 09, 2015, the President stated in the presence of suspended CPNP and AD, IG Mendez that "*Yung coordination with AFP na, wag kalimutan.*"

<sup>4</sup> PDG Purisima to President Aquino (7:36 AM, January 25, 2015): "*Sir accordingly, when the nearest target from the line of approach is M1 and when they hit the primary target, the other*



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7. Despite his knowledge of the suspension order issued by the Ombudsman, Napeñas followed the instructions of suspended CPNP Purisima not to inform OIC-PNP and the Secretary of the Interior and Local Government (SILG) Mar Roxas about Oplan Exodus. This violated the PNP Chain of Command.
8. Napeñas failed to effectively supervise, control and direct personnel, which resulted in heavy casualties of the SAF Commandos. Under the Manual on Fundamental Doctrines, Command Responsibility means that a commander is responsible for effectively supervising, controlling, and directing his personnel. Under the same doctrine, a commander is responsible for what his unit does or fails to do.
9. Napeñas followed his Time-on-Target (TOT) coordination concept despite the directive of the President to coordinate with the AFP prior to the operation.
10. The TOT coordination concept adopted by the SAF does not conform with the established and acceptable operational concepts and protocols of the PNP.
11. The protocols of the established peace process mechanisms, through the Coordinating Committee on the Cessation of Hostilities (CCCH) and Ad Hoc Joint Action Group (AHJAG), were not observed during the planning and execution of Oplan Exodus.
12. The mission planning of Oplan Exodus was defective due to: (1) poor analysis of the area of operation; (2) unrealistic assumptions; (3) poor intelligence estimate; (4) absence of abort criteria; (5) lack of flexibility in its CONOPS; (6) inappropriate application of TOT; and (7) absence of prior coordination with the AFP and AHJAG.
13. The following factors affected the execution of CONOPS: (1) mismanaged movement plan from staging area to Vehicle-Drop-Off Point (VDOP); (2) failure to occupy the designated way points; (3) ineffective communication system among the operating troops; (4) unfamiliarity with the terrain in the area of operation; (5) non-adherence to operational/tactical Standard

house where basit usman was located with other elements reacted and fired at the troopers. There were about 15 to twenty armed elements. It was about 430 am and it was decided that they pull out after gathering pictures and other evidences. They were not able to reach the secondary targets sir."

<sup>5</sup> PDG Purisima to President Aquino (no specific time, January 25, 2015): "They are presently in contact with reinforcing elements from biff. The containment forces are the ones in contact right now. They are supported by mechanized and artillery support. Sir".

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Operating Procedures (SOPs); (6) lack of situational awareness among commanders; and (6) breakdown in the command and control.

14. Artillery support from 6<sup>th</sup> Infantry Division of the Philippine Army (6ID-PA) was not delivered when needed most because Major General Edmundo Panglinan, Division Commander of 6ID, considered the on-going peace process and protocols in the use of artillery.
15. The lack of situational awareness, limited cover and concealment, ineffective communication, and sustained enemy fire prevented the 1st Special Action Battalion (1SAB) and 4SAB containment forces from reinforcing the beleaguered 55<sup>th</sup> Special Action Company (SAC) troops.
16. CCCH and AHJAG undertook all efforts to reinstate the ceasefire. "Pintakasi" and the loose command and control of the MILF leaders over their field forces contributed to the difficulty in reinstating the ceasefire.
17. Some of the radios of the SAF Commandos were unreliable because these were not designed for military-type tactical operations. The batteries had poor power-retention capability due to wear-and-tear. Furthermore, SAF radios were not compatible with AFP radios for interoperability.
18. There was a breakdown of command and control at all levels due to ineffective and unreliable communication among and between the operating units.
19. There are indications that 55th SAC was not able to secure its perimeter, conduct reconnaissance, occupy vantage positions and establish observation posts.
20. Several rounds of ammunition of M203 grenade launchers were defective.
21. The United States involvement was limited to intelligence sharing and medical evacuation. Only SAF Commandos were involved in the actual combat operation of Oplan Exodus.
22. Autopsy reports indicate that four (4) SAF Commandos were shot at close-range while they were still alive. Records also indicate the possibility that some SAF Commandos were stripped-off their protective vests prior to being shot at close-range.

#### RECOMMENDATIONS:

Based on this Report's findings and conclusions, the Board of Inquiry (BOI) recommends the following:

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1. Where the facts of this Report indicate possible violations of existing laws and regulations, appropriate government agencies should pursue the investigation of the Mamasapano Incident to determine the criminal and/or administrative liabilities of relevant government officials, the MILF and other individuals.
2. The AFP and the PNP, in coordination with OPAPP, should immediately review, clarify and strengthen the Joint AFP/PNP Operational Guidelines for Ad Hoc Joint Action Group especially in the area of coordination during Law Enforcement Operations (LEO) against HVTs.
3. The AFP and the PNP should jointly review related provisions of their respective written manuals and protocols to synchronize, reconcile and institutionalize inter-operability not only between these two agencies but also with other relevant government agencies. The National Crisis Management Core Manual (NCMC Manual) could be one of the essential references.
4. Crisis management simulation exercises (similar to fire and earthquake drills) should be regularly conducted among key players including local government units particularly in conflict prone areas.
5. The PNP should formally create and institutionalize a permanent office to orchestrate and synchronize institutional responses to various situations such as the peace process in Mindanao and other related situations. The understaffed and ad hoc arrangement provided by the existing PNP Focal Team on the Peace Process (FTPP) and the recent designation of a senior police official in AHJAG are examples of usual short-term solutions which do not appear to be sufficient.
6. The PNP should review its Police Operational Procedures to cover operations similar to Oplan Exodus and to clarify coordination issues.
7. The PNP should craft its own Mission Planning Manual and institutionalize its application in PNP law enforcement operations.
8. The capabilities of SAF and other PNP Maneuver Units for Move, Shoot, Protect, Communicate and Close Air Support (CAS) should be enhanced.
9. The PNP should review its supply management system to ensure operational readiness of munitions and ordnance.
10. Cross-training between the PNP and the AFP pertaining to management and execution of military-type tactical operations should be institutionalized.





11. The PNP should immediately grant 1 rank promotion to all surviving members of the 84th Seaborne and PO2 Lalan for their heroism and gallantry in action, posthumous promotion to the fallen 44 SAF commandos, and should give appropriate recognition to all other participating elements.

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## CHAPTER I The PNP Board of Inquiry

### A. CREATION AND ORGANIZATION

The Board of Inquiry (BOI or Board) was created by the Philippine National Police (PNP) to investigate the facts and circumstances surrounding the encounters in Mamasapano, Maguindanao on January 25, 2015. Collectively referred to as the "Mamasapano Incident", this resulted in a large number of deaths and injuries, including forty-four (44) Special Action Force (SAF) Commandos, five (5) local residents, and, according to the Moro Islamic Liberation Front (MILF) leadership, about eighteen (18) of their members.

Police Deputy Director General Leonardo Espina, the Officer-in-Charge of the PNP (OIC-PNP), acting on the directive issued on January 26, 2015 by the Department of Interior and Local Government Secretary (SILG), and National Police Commission (NAPOLCOM) Chairman Mar Roxas, activated a three-man fact-finding and investigative body composed of star-ranked PNP officers, namely: Police Director Benjamin Magalong as Chairman, and Police Director Catalino Rodriguez and Police Chief Superintendent John Sosilo as members.

The BOI then organized a select group of senior and middle-grade PNP officers, who are knowledgeable in SAF and PNP operations, into an Operational Audit Team (OAT). Specifically tasked to support the Board in its fact-finding investigation, the OAT is comprised of Police Senior Superintendent Robert Po as the Team Leader, and Police Senior Superintendent Ronald Dela Rosa, Police Senior Superintendent Cesar Hawthorne Binag, Police Senior Superintendent Benigno Durana and Police Chief Inspector David Joy Duarte as members.

The BOI was vested with the authority to direct any officer, office or unit of the PNP to provide the necessary personnel and documentary support. It could also invite and coordinate with resource persons from the Armed Forces of the Philippines (AFP), the Coordinating Committee on the Cessation of Hostilities (CCCH), Ad Hoc Joint Action Group (AHJAG), and other government and non-government entities to pursue its tasks.

### B. OBJECTIVES

The BOI was tasked to accomplish the following objectives:

1. Establish the facts regarding Operation Plan (Oplan) Exodus. In particular:

- provide a detailed narrative of the operation based on facts collated from various parties, offices, units and organizations involved;
- determine possible strategic, operational and tactical lapses committed during the planning and execution of the operation; and
- provide recommendations in order to address such possible lapses.

2. Review the efficiency, effectiveness and responsiveness of the peace mechanisms of both the Government of the Philippines and the MILF in relation to the Mamasapano Incident.

### C. FRAMEWORK AND METHODOLOGY

#### 1. Conceptual Framework

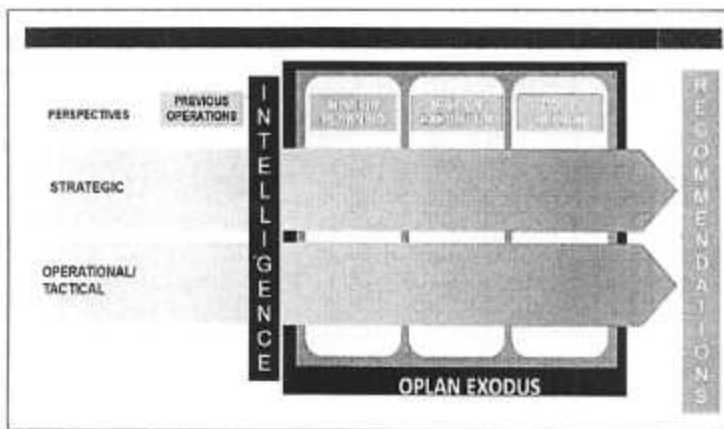


Figure 1. Conceptual Framework

The BOI designed this Conceptual Framework as a guide in preparing "The Mamasapano Report". The framework covers the strategic and operational/tactical perspectives. The three (3) phases of Oplan Exodus, specifically the mission planning, mission execution, and post-mission actions were examined through these perspectives.

The framework was meant to capture the whole spectrum of events starting from the previous operations up to the conclusion of Oplan Exodus.

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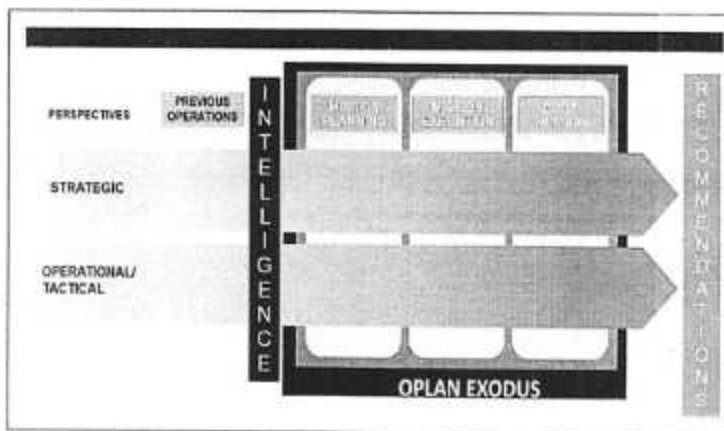


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The conclusions and recommendations of this report were developed using this framework.

2. Operational Framework

Issues	Policy/Standard	Actions	Consequences	Recommendations
Chain of Command				
Command Responsibility				
Coordination				
Operation Plan Exodus Execution				
Command and Control				
Logistics				
AFP and PNP Responses				
U.S. Involvement				
Efforts of the Peace Process Mechanisms				
Autopsy Report				

Table 1. Operational Framework

The Operational Framework examined eleven (11) issues that were derived from the Conceptual Framework. These issues were evaluated against the planned actions and actual outcomes. Any and all lapses were established based on the deviation from the generally-accepted standards and policies.

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3. Methodology on Data Collection

a. Primary Data Collection

a.1. Sworn Statements/Subscribed Affidavits

The BOI was supported by the Special Investigation Team of the Criminal Investigation and Detection Group (CIDG), which is composed of forty-six (46) investigators from the Major Crimes Investigation Unit (MCIU), and the Central, Southern, Eastern and Western Mindanao CIDG offices. They secured the affidavits of PNP and AFP officers and personnel who directly participated in, and provided support to, Oplan Exodus. Moreover, the Board took the sworn statements of key personalities of the MILF and CCCH as well as personnel of the Police Regional Office of the Autonomous Region of the Muslim Mindanao.



Office, Unit or Organization	Number of Affiants
Philippine National Police	346
Armed Forces of the Philippines	14
Coordinating Committee on the Cessation of Hostilities	4
Others	3
<b>TOTAL</b>	<b>367</b>

Table 2. Recapitulation of Sworn Statements Obtained by and Submitted to the BOI

a.2. Interviews

Just a few hours after SILG Roxas and OIC-PNP Espina announced the activation of the BOI on January 26, 2015, the BOI Chairman immediately initiated the fact-finding investigation by requesting for an extensive and detailed briefing on Oplan Exodus from Police Director Getulio Napeñas, the then Director of SAF (DSAF). During the said briefing held at SAF's temporary billeting area in Puerto Azul Pension House, Cotabato City, informal dialogues with DSAF, his Deputy and staff officers, and the surviving

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members of the 84<sup>th</sup> (Seaborne) and 55<sup>th</sup> Special Action Companies (SACs) were also undertaken.

Thereafter, the BOI identified a total of forty-two (42) individuals who had key decision-making roles in Oplan Exodus. The order of their participation in the spectrum of mission planning, execution and accomplishment was the basis of the Board in scheduling the sequence of the formal interviews. Participation was stratified according to strategic, operational and tactical levels.

Among the high-ranking PNP officers who were interviewed were: OIC-PNP Espina, Police Senior Superintendent Fernando Mendez of the PNP Intelligence Group (IG), and Napeñas who, in particular, provided extensive information relating to Oplan Exodus.

On the operational level, the BOI conferred with Police Chief Superintendent Noli Taliño, the Deputy Director of SAF.

On the tactical level, the interviewees were composed of the SAF's Battalion Commanders, Company Commanders of the Main Effort and Support Effort units, team members of the ground units, and personnel assigned at the Tactical Command Post.

On the side of the AFP, the BOI interviewed Lieutenant General Rustico Guerrero of the Western Mindanao Command; Major General Edmundo Pangilinan, the Commander of the 6<sup>th</sup> Infantry Division of the Philippine Army; Brigadier General Carlito Galvez of the Government of the Republic of the Philippines (GRP)-CCCH; Colonel Gener Del Rosario, the Brigade Commander of the 1<sup>st</sup> Mechanized Infantry Brigade; Colonel Melquiades Feliciano, the Brigade Commander of the 601<sup>st</sup> Infantry Brigade; Lieutenant Colonel Romeo Bautista, the Battalion Commander of the 45<sup>th</sup> Infantry Battalion, and other AFP officers and Non-Commissioned Officers.

### a.3. Site Survey

From February 23 to 26, 2015, the BOI, with the OAT, visited Barangay Tukanalipao, Mamasapano, Maguindanao, and the predetermined target waypoints and locations of the other SACs during the execution of Oplan Exodus. The objective was to evaluate how the terrain affected the operation. The primary data gathered from the site survey were used to reconstruct the series of events in the Mamasapano incident.

## **b. Secondary Data Collection**

Secondary sources include documents that were created or produced during the mission planning process, and those that were eventually requested by, and submitted to, the BOI. These include, but are not limited to, the OAT Report; feedback to and from the families of the demised and injured SAF Commandos through the Quality Assurance Service to Victims' Desk of CIDG; Transcripts of Stenographic Notes (TSN) of the respective Joint Committee of the Senate and the House of Representatives; copy of Short Messaging Service (SMS) messages derived by the Anti-Cybercrime Group (ACG) of the PNP through digital forensic of submitted cellular phones and SIM cards; digital photographs of SMS messages taken by CIDG investigators with the expressed consent of the cellular phone subscriber or owner; lists of SMS messages submitted to the BOI by key individuals; news clippings and video footages; related literatures and manuals; Oplans and tactical maps; and other official documents.

Among others, the memoranda and letters sent out by the BOI were requests for After Operation's Reports from the concerned PNP offices and AFP units; copy of Oplans Wolverine and Exodus, and other pertinent documents from SAF; turn-over of cellular phones and SIM cards by key personalities; forensic digital examination of cellphones and SIM cards by the ACG; copy of the TSN of the Congressional Hearings; copy of Warrants of Arrest of Marwan, Usman and Baco; verification of the personal firearms of SAF Commandos by the Firearms and Explosives Office; forensic examination results of the SAF firearms returned by the MILF to the PNP and AFP by Crime Laboratory Group; and the turnover of Geographical Positioning System devices used by SAF Commandos in the execution phase of Oplan Exodus.

The Board also issued letters requesting for assistance in locating and setting-up interviews with individuals who uploaded the viral video that featured the shooting-to-death of a SAF Commando. Lastly, letters were also sent out to media outlets for transcripts of interviews, and video footages of interviews and appearances of specific individuals particularly those that were published on different media platforms or aired on national and local televisions, respectively.

As a matter of security, the requested documents and information, in soft and hard copies, including all drafts, notes and other data used and produced by the BOI were classified as 'SECRET'.

All personnel involved in the fact-finding investigation underwent a process to secure the appropriate security clearance from the Directorate for Intelligence of the PNP and were required to sign a Non-Disclosure Agreement.



These Document Security policies were strictly implemented by BOI Chairman Magalong, through the Acting Chief of the Intelligence Division (ID) of CIDG, who was designated as the Security Officer of the BOI, and Team ID.

#### D. LIMITATIONS OF THE REPORT

In general, the one-month window to prepare an all-inclusive report on the Mamasapano Incident was a tight timeline considering the volume of documents, and the large number of data and statements that had to be gathered and reviewed by the BOI.

Due to time and/or opportunity constraints, and despite efforts exerted to address the same, The Mamasapano Report failed to include direct inputs from certain key personalities. In particular, the Board failed to secure an interview with the President and Commander-in-Chief. SILG Roxas submitted his affidavit with an attachment containing his SMS exchanges with the President, OIC-PNP Espina and Napeñas. Attempts to interview Police Director General (PDG) Alan Purisima likewise did not materialize. In lieu of an interview, he submitted a sworn statement and a document containing an enumeration of his SMS exchanges with the President, AFP Chief of Staff AFP (CSAFP) General Gregorio Catapang, Guerrero and Napeñas.

Despite the BOI's efforts, it was also unable to secure interviews with key officials of the AFP including CSAFP Catapang and Guerrero. In lieu of an interview, Guerrero submitted a sworn statement.

The BOI did not have access to other crucial information such as call and SMS message logs, and the text content of the SMS messages sent and received by majority of the key personalities before, during and after the execution of Oplan Exodus.

The Board requested key personalities to submit their cellular phones for digital forensic examination by the ACG. CSAFP Catapang and Guerrero refused to submit their cellular phones to the BOI. Suspended CPNP Purisima also refused to turn-over his cellular phone to the BOI.

PDG Purisima's sworn statement included, as an attachment, a transcript of his SMS exchanges with the President on January 25, 2015. The BOI noted that such transcript did not consistently indicate the time when the SMS messages were sent and/or received by PDG Purisima or the President. Out of a total eleven (11) SMS messages exchanged between them, only five (5) messages indicated



the time of transmission or receipt. The BOI also observed that there appears to be an unusually long gap or an absence of SMS exchange between PDG Purisima and the President after 11:38 a.m. and before 06:20 p.m. The BOI could not determine on the basis of the submitted transcript if the eleven (11) messages enumerated therein were the only SMS exchanges between PDG Purisima and the President on January 25, 2015. The BOI could also not determine on the basis of PDG Purisima's transcript whether the absence of SMS exchange between him and the President after 11:38 a.m. and before 06:20 p.m. indicates an absence of communication between the two (2) individuals during that period, or whether PDG Purisima did not include in the transcript their SMS exchanges for that period.

The Board likewise lacked access to the specific details of the activities of the President on January 25, 2015 in Zamboanga City that could have shed light on events prior to, during and after the operation.

Lastly, part of the objectives of the BOI's visit to Mamasapano, Maguindanao was to interview MILF commanders and combatants, as well as MILF personalities who also sit as members of the CCCH and AHJAG. However, all of them declined the Board's request. Security concerns in Mamasapano also prevented the BOI and OAT from inspecting all the areas covered by Oplan Exodus.

Despite these limitations, the BOI processed and reviewed voluminous documents relating to the Mamasapano Incident to produce an exhaustive and thorough analysis of such incident as discussed in this Report.



## CHAPTER II FACTS OF THE CASE

### A. BACKGROUND

#### The Milieu

The Special Action Force (SAF), considered as the elite unit of the Philippine National Police (PNP) against terrorism and internal security threats, discreetly mobilized on January 24, 2015 a total of three hundred ninety-two (392) Commandos for a high-risk law enforcement operation (LEO) dubbed as Operation Plan (Oplan) Exodus.

The principal objective was to neutralize high value targets (HVTs) Zhulkifli Bin Hir/Zulkifli Abhir, a terrorist leader of the Jema'ah Islamiyah (JI) who uses aliases such as Marwan, Ebs, Ibs, Musa, Ahmad and Nods to maintain a certain degree of anonymity; Ahmad Akmad Batabol Usman alias Abdul Basit Usman, the head of the Special Operations Group (SOG) of the Bangsamoro Islamic Freedom Fighters (BIFF); and Amin Baco alias Jihad, a Malaysian JI member and expert improvised explosive device (IED) bomb-maker.

By late afternoon of January 25, 2015, the lifeless bodies of forty-four (44) SAF Commandos of the Main Effort (ME) were scattered in the cornfields, marshlands, parched soil, and riverbanks of Mamasapano, Maguindanao. At that time, thirty (30) others continued to fight for their lives, while under heavy enemy fire. Two hundred ninety-seven (297) more, who comprised the bulk of the Support Effort (SE), scampered to save their fellow SAF Commandos. The remaining twenty-one (21), most of whom are senior SAF officers, including its head or Director, monitored the situation, re-planned, issued directives, and called for support.

After the Mamasapano incident, SAF produced a DNA sample in a plastic bag supposedly belonging to HVT Marwan, and digital pictures intended for documentation.

All these happened while most of the other 100 million Filipinos, here and abroad, heard Mass, dined with their loved ones, watched movies, strolled in the park, labored for their paycheck, and just that, enjoyed their carefree Sunday.

## The High Value Targets

Marwan, Usman and Baco specialize in manufacturing and detonating IEDs by remote control, such as ordinary cellular phones. These bombs may appear to be crude in its façade, especially so when dilapidated and rusting mortar, artillery, and recoilless rifle rounds are used as the main charge. Nonetheless, when detonated in mostly public places and conveyances, these IEDs produce the same alarming impact, not just to the victims and witnesses, but to the general populace, as well.

Marwan, in particular, had been under the radar of local and international law enforcement agencies and security forces since he co-authored the bombing of the tourist district of Kuta in the Indonesian island of Bali on October 12, 2002.

Two hundred two (202) innocent individuals, mostly tourists, were killed while two hundred nine (209) others were seriously wounded in the attack. Among those who perished were eighty-eight (88) Australians, thirty-eight (38) Indonesians, twenty-seven (27) Britons, seven (7) Americans, six (6) Swedes, six (6) Germans, and nationals from seventeen (17) other countries. This explains the international outrage that ensued.

From the terrorist's perspective worldwide, on the other hand, this Malaysian national and US-trained engineer is considered as a living martyr and a revered Jihadist. Shortly after the Bali bombing, he sought refuge in Southern Philippines.

Thereafter, a Warrant of Arrest was issued based on a criminal case tried before the U.S. District Court, North District of California under CR 07-00501-02-JF. A US\$5 Million bounty was offered by the U.S. State Department's Reward for Justice Program against Marwan.

According to the U.S. Federal Bureau of Investigation (FBI) website, Marwan is wanted for "providing material support to terrorists, conspiracy to provide material support to terrorists, contributing goods and services to a specially-designated global terrorist and making false statements."

But instead of cowering in fear, Marwan relentlessly pursued and propagated Islamic extremism in Mindanao; which only bolstered further his persona as a dyed-in-the-wool terrorist.

Aside from conducting an undetermined number of training sessions, he also directly participated in at least ten (10) bombing incidents from April 2002 to July 2013 in Mindanao that resulted in a total death count of forty-six (46) and wounding of two hundred seven (207) others.

Marwan also lectured on, and supervised practical drills in, the manufacture and deployment of IEDs in an undetermined number of training sessions. These were believed to be financed by foreign benefactors and catered to the members of his "host" organizations.

Warrants of arrest for multiple murder and multiple frustrated murder were issued by the local courts, one of which was under Criminal Case 552-2007. Eventually, the Department of National Defense and Department of Interior and Local Government (DILG) allotted PhP 7.4 Million as reward for his apprehension.

Usman's criminal history and terrorism records were equally lethal compared to Marwan's. He first gained notoriety when he operated in Central and Southern Mindanao as a suspended member of the 105<sup>th</sup> Moro Islamic Liberation Front (MILF) Base Command (BC) SOG.

Usman is now the Head of the BIFF's SOG. He figured in at least five (5) bombing incidents from April 2002 to January 2008. His specific terrorism playgrounds were the cities of General Santos, Tacurong and Cotabato. His extremism left seventeen (17) dead and sixty-two (62) severely maimed civilians.

Baco, the third target of Oplan Exodus, is also wanted by the U.S. State Department and the Government of the Philippines (GPH) for various bombing and kidnapping activities. He is identified as one of the kidnapers of Tun Wee Jie and Tun Wee Wei, tourists from Lahad Datu, Sabah, Malaysia in November 14, 2012. Baco was also involved in the foiled kidnapping of Chinese trader, Ting Ting Yeong, in Iligan City on May 05, 2013.



#### The Mamasapano Encounter

Oplan Exodus culminated in a firefight between the 84<sup>th</sup> Special Action Company (SAC), otherwise known as Seaborne, and the BIFF members assigned to protect Marwan, Usman and Baco at a riverside hut situated along the border of Barangays Pimbalkan and Pedsandawan of Mamasapano, Maguindanao at around 04:30 a.m. of January 25, 2015.

Marwan was killed on the spot while Usman and Baco managed to escape. Unbeknownst to the Seaborne, and to other SACs that were not at the initial encounter site, this exchange of gunfire triggered what was locally referred to as *pintakasi* – a conglomeration of just about any armed malefactor, immaterial of group affiliation, and united by religion, blood ties and the singular goal of annihilating a common enemy, usually an outsider or intruder.

On their way out of the encounter site, the 38-men Seaborne was engaged by armed men, later identified to be not just from the BIFF but also from the MILF

and other private armed groups (PAGs) – collectively referred to as "Hostiles" in this report – in Barangay Tukananipao and two (2) other adjacent barangays.

Within the same area of Barangay Tukananipao were thirty-six (36) SAF Commandos of the 55th SAC. While they were traipsing the rugged trail behind the Seaborne, they were engaged with another group of Hostiles. They were pinned down in the vast cornfields with no escape route or cover to retreat into. Hours passed and the indiscriminate enemy sniper and mortar fire left thirty-five (35) lost lives and a lone survivor.

Notably, this was the first armed engagement between Government and MILF forces since the 2011 incident in Al Barka, Basilan.

The Armed Forces of the Philippines (AFP) mobilized infantry and mechanized reinforcements, including troops from the 45<sup>th</sup> Infantry Battalion (IB) and the elite 62<sup>nd</sup> Division Reconnaissance Company (DRC); and armored vehicles of the 1<sup>st</sup> Mechanized Infantry Brigade (MIB), to link-up with and extricate the beleaguered SAF Commandos in the encounter sites.

As rounds of white phosphorus artillery were launched at 5:48 p.m. of January 25, 2015, Hostiles scampered off toward different directions easing the movements of the AFP contingent.

At 06:00 p.m., the 12-hour firefight finally ceased.

#### Calls for Ceasefire

In the course of the firefight, efforts to halt the crisis and effect ceasefire were made. Upon notice of the ongoing firefight involving the troops of SAF and the Hostiles in Barangay Tukananipao, and noting that no prior coordination was made by the SAF with them, the Coordinating Committee on the Cessation of Hostilities (CCCH) of both the GPH and the MILF immediately undertook steps to end the fighting and prevent further escalation of the violence. The CCCH formed a 'Joint Ceasefire Crisis Team' (JCCT) together with the International Monitoring Team (IMT) with the objectives of enforcing a ceasefire; separating the contending forces; and evacuating the casualties and fatalities.

#### The Fallout

The aftermath of the engagement between the SAF Commandos and the Hostiles left several casualties. Forty-four (44) SAF Commandos died in the clash while sixteen (16) others sustained severe injuries. On the MILF's end, it was reported that eighteen (18) were killed and fourteen (14) others were wounded. An

unreported number of BIFF men were likewise killed. The Mamasapano community also incurred five (5) dead and three (3) maimed local residents.

## B. OPLAN EXODUS

### The 'Genesis' of Oplan Exodus

For years, SAF had planned and executed missions to arrest Marwan.

A long-time member of the elite force, Police Director Getulio Napeñas, the Director of SAF (DSAF), said that the ordeal had already exhausted him, having spent many years in pursuit of the elusive terrorist. Police Superintendent Raymund Train, one of the officials of the SAF who played a key role in executing Oplan Exodus, has also been involved in the hunt for years.

Oplan Pitag, launched in December 2010, was one of earliest LEOs designed to arrest Marwan, who was then sighted in Parang, Sulu. Napeñas was then the Deputy Director of SAF while Train was the Company Commander or the Commanding Officer (CO) of the Assault Force. It was the first time the latter operated against Marwan. Both reported that the operation yielded negative result because the HVT escaped hours before they arrived.

Two (2) years later, the SAF launched another police operation against the elusive JI terrorist, this time dubbed as Oplan Smartbomb. The area of operation was at Butig, Lanao del Sur.

The plan was executed but failed because Marwan was again able to elude the arrest. Despite the failure to apprehend their target, SAF Commandos recovered crucial documents, IEDs, and a caliber-50 machine gun.

These setbacks further motivated SAF to persist. In December 2012, it implemented Oplan Wolverine. But the mission was immediately aborted because some AFP Commanders, according to the Napeñas and Train, were hesitant to support the operation. The reason given was that it might jeopardize the preparatory phase of the peace process with the MILF, particularly the creation of the Bangsamoro Transition Commission as mandated by Executive Order 120, which the President signed early that month.

In the last two (2) years, SAF attempted six (6) times to arrest Marwan and Usman, whose locations were reported in Marawi and then in Maguindanao in early 2014.

In April 2013, SAF launched Oplan Cyclops in Marawi, Lanao del Sur which was similarly unsuccessful in arresting Marwan and Usman. A month later, it implemented Oplan Cyclops 2. During its execution, the Reconnaissance Company of SAF was compromised, forcing them to abort the operation altogether.

In 2014, another four (4) Oplans were crafted and implemented. In two (2) missions, the SAF requested and received the support of the AFP; it went on its own on the other two (2).

The first foiled attempt was in April 2014, when SAF launched Oplan Wolverine 2 in Barangay Libutan, Mamasapano, Maguindanao. The mission was called-off after the 1<sup>st</sup> MIB withdrew its commitment to provide armored vehicles to support the SAF Commandos.

By the end of May 2014, SAF Commandos were deployed with AFP troops under Oplan Wolverine 3. However, the mission was again aborted after the operating personnel detected the presence of a group of heavily armed malefactors at their drop-off point in the target area.

On June 30, 2014, the 6<sup>th</sup> Infantry Division (6ID) and 1<sup>st</sup> MIB initiated their own operation against Marwan and Usman in the same target areas as the previous SAF operations. This, and the fact that SAF was not even given prior notice, raised a sense of distrust especially on the part of Napeñas.

According to Napeñas, the aborted missions in the past caused uncertainties and suspicion, so much so, that he decided against informing or working with the AFP in the succeeding operations against HVTs. He speculated that sensitive intelligence and operational information were deliberately leaked whenever "big operations" against HVTs like Marwan and Usman were conducted. Napeñas lamented that "[t]he subjects are being coddled by the MILF, whose members have a lot of contacts in the AFP."

#### From Oplan Terminator to Oplan Exodus

Despite the failed missions, the SAF continued to monitor and pursue the HVTs. In August 2014, then Regional Director of the Police Regional Office of the Autonomous Region of Muslim Mindanao, Police Chief Superintendent Noel Delos Reyes submitted to Napeñas the grid coordinates of the possible new location of Marwan and Usman in Barangay Pedsandawan, Mamasapano, Maguindanao. They also started intelligence-collection in the battlefield, knowing that their operation would be risky due to the difficult terrain and the reported presence of thousands of MILF and BIFF members.



One Sunday night in early November 2014, Napeñas received a call from the already suspended CPNP PDG Purisima, who directed him to work with the PNP Intelligence Group regarding the developments in the search for Marwan and Usman.

Soon after, Oplan Terminator was conceptualized. Napeñas, together with senior officials<sup>1</sup> of the SAF, presented a briefing of the plan to PDG Purisima at the 'White House' in Camp Crame, Quezon City. After which, the the CPNP criticized the group by saying, "*Nawawalan na nang bilib sa inyo si Presidente.*" He further stressed that he would take care of the AFP. These remarks were attested to by Train and Police Superintendent Michael Mangahis.

Just the same, PDG Purisima approved the plan and told them, "Go, but I have to tell the President about this."

Oplan Terminator was launched on November 29, 2014, but it was aborted en route to the target after the local boats the SAF rented and utilized, capsized.

The failed mission was personally communicated to PDG Purisima, who then reported it to the President while they were at the firing range in Malacañang Park, sometime in the first week of December 2014. Apparently disappointed with the outcome of the mission, SAF officials recalled what the President told them: "Haste makes waste. You did not do your homework."

Refusing to be discouraged, SAF initiated Oplan Terminator 2 in the second week of December 2014, using rubber boats this time. However, the mission was called-off again after a firefight erupted between the Assault Force of SAF and a heavily armed group that they encountered along the river while on their way to the target in Barangay Tukanalipao, Mamasapano, Maguindanao.

Yet again, on December 18, 2014, Train presented a re-structured mission plan to key officers of SAF in Camp Bagong Diwa, Taguig City. Napeñas and his Deputy, Police Chief Superintendent Noli Taliño, were present in the meeting. The result of the discussions laid the basis for devising a new operational plan – Oplan Exodus.

The AFP also learned about the planned operation in Central Mindanao after PDG Purisima raised the subject during a casual conversation with the Chief of Staff of the Armed Forces of the Philippines (CSAFP) General Gregorio Catapang.

<sup>1</sup>These senior officers include Napeñas, Talino, Mendez, Dela Rosa, Mangahis, Train, Marasigan and Collado

On the same day that Train was presenting the re-structured plan in Camp Bagong Diwa, top PNP and military officials were briefed about the operations against the two (2) HVTs at Camp Aguinaldo, Quezon City.

The meeting involved PDG Purisima and Napeñas. During this conference, CSAFP Catapang said that he had signified support to the mission and gave guidance to Lieutenant General Rustico Guererro, Area Commander of the AFP Western Mindanao Command, and Major General Edmundo Pangilinan, Division Commander of 6ID, to support the LEO somewhere in Mamasapano, Maguindanao.

The said military and police officials agreed to meet in Zamboanga City to conceptualize a plan. However, their meeting did not materialize because Police Senior Superintendent Fernando Mendez, the Acting Director of the PNP Intelligence Group (IG) who was supposed to present the intelligence packet, did not arrive.

On December 27, 2014, Mangahis - the Battalion Commander of the 3<sup>rd</sup> SAB - convened a conference with his counterparts in the 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup> and Rapid Deployment Battalions; and the CO of the 84th SAC or Seaborne at the SAF Headquarters in Bicutan, as directed by Napeñas. He presented Oplan Exodus and announced the designation of Police Superintendent Hendrix Mangaldan as the Ground Commander of the operation.

As CO of 4th SAB, Mangaldan has jurisdiction over the area of operation. However, with respect to Oplan Exodus, Mangaldan was only directed to supervise the Blocking and Containment forces, and thus had no control over the Seaborne and 55th SAC.

Napeñas, Taliño, Mangahis, and other SAF officials controlled the whole operation from the TCP.

On December 27, 2014, Napeñas called a meeting with the COs of two (2) SABs and ISTAR, and five (5) other key officers of SAF. They discussed the whereabouts of the HVTs, who were all monitored to be in Mamasapano, Maguindanao.

A series of mission planning sessions ensued; interrupted only by quick breaks on Christmas Day and on New Year's Eve.

Prior to the actual execution, the different SAF units spent two (2) weeks preparing and practicing maneuvers. Numerous factors were carefully considered, including the reliability of information regarding the HVTs; and the capabilities of the security detail of the targets and enemy reinforcements. To a large extent, the

terrain and natural obstacles in the area were configured. Other concerns such as the possible fields-of-fire; the locations of friendly forces, the MILF, BIFF, and PAGs; the contingency plans; and other tactical and operational security factors were addressed during the mission planning sessions.

On January 18, 2015, Police Senior Superintendent Richard Dela Rosa, the Chief of Force Intelligence and Investigation Division (FIID) or F2 of SAF, Mangahis and Police Superintendent Abraham Abayari, the CO of the RDB went to Zamboanga City. The specific task of the group is to review the movement and assault plans of the Seaborne and the 55th SAC - the designated ME for Oplan Exodus.

Two (2) days later, the ME headed for prearranged safe houses in General Santos City. The final briefing for Napeñas, and his Command Group and senior Staff Officers were held thereafter.

Oplan Exodus called for the deployment of the Seaborne as the Main Effort 1, and the 55th SAC as Main Effort 2/Support Effort (SE) 1. There are six (6) other combat groups - the 41<sup>st</sup>, 42<sup>nd</sup>, 43<sup>rd</sup> with two V-150 Commando vehicles, the 44<sup>th</sup> and 45<sup>th</sup> SACs, and the 4th and 1st SABs. It also had a timetable that detailed a specific timetable - from the time the different SAF units travel by land to their respective drop-off points until the execution of particular tasks.

The intent was for the Seaborne to move from its staging area at Suralla, Sultan Kudarat; proceed to their designated Vehicle Drop-Off Point (VDOP); and then surreptitiously infiltrate the HVTs' location. With a three-hour interval, the 55th SAC had to be at Waypoint 19. On the other hand, the 4<sup>th</sup> SAB had to be transported from Malalag, Davao del Sur to VDOP, hike to the designated Waypoints of each SAC, and reach same only after the Seaborne has hit its target area. All troop movements had to be cleared by Napeñas and the Overall Commander.

### C. BRIEFINGS AT MALACANANG

In his affidavit, Napeñas said the Mission Planning Group went back to work on Oplan Exodus on December 23, 2014.

On January 09, 2015, Napeñas recalled that he accompanied PDG Purisima and Mendez to Bahay Pangarap in Malacanang for a "mission update and the new concept of operations", which was presented to the President.

"We named this operation as "Oplan Exodus'," Napeñas said in a testimony at the Senate. Under Oplan Exodus, coordination with the AFP will be "time-on-target" or TOT, to avoid compromising the operations.

When President Aquino was briefed about Oplan Exodus, he reminded the top police officials to coordinate with the AFP. "*Yung coordination with AFP ha, huwag kalimutan,*" the President was quoted as telling the top cops, according to Napeñas, account.

During the meeting on January 09, 2015, Napeñas expressed his concerns<sup>2</sup> that the operation might be compromised again. Both Mendez and PDG Purisima shared Napeñas' qualms about the order to involve the AFP in the operation. To this, the President asked, "*Wala na ba talaga kayong tiwala sa AFP?*" None of the police officers answered the President's query.

The President sat in silence, then directed the police officers to beef up the operatives who will be deployed for the high-profile and dangerous mission.

"*Magdagdag kayo ng tao,*" Napeñas quoted the President as saying. At the end of the meeting, Mendez and Napeñas left the room, while PDG Purisima remained with the President.

When PDG Purisima caught up with them after the meeting, the suspended PNP chief told Napeñas: "*Huwag mo munang sabihan iyong dalawa, sakana pag nandun na. Ako ang bahala kay Catapang.*"

Napeñas understood that statement to mean that PDG Purisima referred to SILG Mar Roxas and Officer-in-Charge of the PNP, Police Deputy Director General Leonardo Espina. The SAF Commander relied on PDG Purisima's statements that the latter will be coordinating with the AFP regarding the high-profile police operations.

Prior to that January 09 meeting, Napeñas also recalled another briefing they had with President Aquino regarding the developments of Oplan Terminator, which was launched on November 29, 2014.

Oplan Terminator was aborted en route to the target after the local boats utilized by the troops capsized. Based on Napeñas' testimony, it was PDG Purisima that reported to President Aquino that Oplan Terminator was aborted,

<sup>2</sup> Based on the Sworn Statement of Napeñas, he told the President, "With all due respect Sir, compromised po ang AFP. Planning and preparation stages during big operations are compromised."



while the two were at the firing range in Malacañang Park sometime in the first week of December 2014.

Apparently disappointed with the outcome of the mission, SAF officials recalled what President Aquino later told them: "*Haste makes waste, you did not do your homework.*"

After the first week of December 2014, the President was kept abreast of the developments about the arrest Marwan and Usman.

The President was fully aware of the execution of Oplan Exodus from the onset. On March 09, 2015, he publicly acknowledged that he approved the operation during a press briefing in Malacañang. He stated, "*kung alam ko na ganito ang gagawin niya [Napeñas] from the start, ay hinindian ko ho itong misyon na ito*" and "*Kung alam ko ho 'yung parte ng planong 'yon, palagay ko ho hindi na natin in-approve.*"

#### D. THE DEATH OF A TERRORIST

All missions to extricate the elusive international terrorist were futile until the execution of Oplan Exodus.

During his debriefing, Train—the team leader of the Main Effort—said that he and his men arrived at their drop off point at 10:10 p.m. of January 24, 2015. They passed through unfamiliar terrain, a muddy river, a vast cornfield in the territory shared by the BIFF and the MILF.

Train said that about 02:30 a.m., they reached the last riverbank which they needed to traverse. Knowing it would be daylight soon, Train decided that the first group to cross the river should not wait for others and should execute the mission straightway. Thirteen (13) Commandos were the first to cross the other side of the river.

Train infiltrated the enemies' lair about 400 meters from the river. They reached Marwan's hut, with the help of a guide, at about 4:00 a.m.

The team was initially roused with IEDs, triggered outside Marwan's hut, prompting an exchange of gunfire between the SAF and Marwan. Marwan, who was awakened by the presence of the Commandos outside his hut, first turned off his lights before firing against the SAF men.



The firefight lasted for about 15 minutes. The Seaborne fatally shot Marwan in the chest, causing his death.

Upon confirmation that they got the first target, Police Senior Inspector Gednat Tabdi severed the right index finger of Marwan for DNA analysis and took some pictures Marwan. Usman, the second target of the operations, along with two other malefactors managed to escape.

After the brief firefight, Train said he and his team went out of the encounter area believing that the initial burst of gunfire had awakened the enemies. True enough, as the team went out of the enemy's lair, they were eventually met with gunfire from armed men. Initially, Train recalled that he and his men tried not to engage the enemies to avoid compromising their location but they were forced to return fire in self-defense.

According to Train, the sniper fire came from all directions, along with waves of mortar attacks and automatic gunfire.

At around noon, Train said he and most of his men were hit almost every minute as they ran for cover. Three of the SAF men were dragged by their comrades as they escape enemy fire. They requested for indirect fire support at around 11:00 a.m.

Seaborne, in an attempt to link-up with 55th SAC, headed to the northeast side direction of Mamasapano but they were not able to move quickly. They exercised maximum fire discipline to conserve ammunition and prevent enemies from finding their location.

At past 1:00 p.m., some of the 24 Commandos were pinned down by the enemy fire as most literally hugged the ground in a bid to dodge from the bullets.

Under the hail of bullets, Train said he called Napeñas for reinforcements and artillery fire but received none despite assurances that the reinforcements were on its way.

The firing continued throughout the afternoon until they saw the launch of white phosphorous from their area. It was already almost 6:00 p.m. Train said he told his men that they needed to wait for nightfall to pre-plan for their escape.

It was already almost midnight when Train and his men were rescued by a special team that was sent to ensure that the survivors were safe and brought to a safe place. They were airlifted at about 07:30 a.m. the next day.

Tabdi was among the members of the 84<sup>th</sup> Seaborne who was killed during the heavy firefight.

## E. THE MAMASAPANO ENCOUNTER

### Seaborne's Plight

Following the death of Marwan, the Seaborne made its exit from the target area under fire and rushed toward the route they used during the infiltration. Upon hearing that 55<sup>th</sup> SAC was engaged, the Seaborne was determined to reinforce them. Halted by an amassing troop of armed hostiles in a nearby encampment, the Seaborne was pushed to engage in a fire fight. At this point, they exercised maximum fire discipline, taunting them to engage enemies only if they had clear target. They managed to overrun the encampment at past 08:00 a.m.

They moved to the south west determined to link up with the 55SAC. Along the way, they were assaulted with rifle and mortar fire. Train thought his comrades were all dead following a mortar fire which hit two-meter away from the group of Senior Police Officer 4 Bill Fernando Jumalon. To his surprise, no one incurred injury at this time, enabling them to pull back and regroup from their previous location. As they maneuvered, Reniedo got hit by a sniper fire on the vest and by a splinter in his left arm. Reniedo was the second casualty of the group.

By 11:00 a.m., Train received an SMS message to cease fire from Police Senior Inspector Lyndon Espe, officer of the TCP. Enemy fire stopped for an hour only, then in the next few minutes, massive volume of fire and mortar rounds resumed from different directions. At around noon time, Train pleaded for reinforcement from the TCP. Train, at this point, decided to reroute and head east where there was less enemy fire. While maneuvering, they tactically moved using "bounding overwatch" technique where one team was moving while the other team was laying cover fire.

The Seaborne, separated by groups in a 300-meter stretch of cornfields, dodged bullets by crawling across the marshland. After crossing the open field, Train recounted that a bottle of IV fluid quenched the thirst of over ten (10) men. Enjoying the last drops of the fluid while drinking, he even forgot for a while that he was being fired at and exposed to enemy fire. Meanwhile, Assistant Team Leader of Team 4, Lover Inocencio, was hit on both legs while moving.

By past noon, Train and his group reached a remote nipa hut covered by trees and rice paddies. While the group found refuge in the lone hut that served as their "safe haven," another group of Seaborne, led by Tabdi, moved ahead. At the moment, the troop regained energy after feeding on sugarcane and young corn. Train even remembered a wounded comrade, Police Officer 3 Virgel Villanueva,

who talked about his growing kid. Train assured him that they would all survive the ordeal and be reunited with their families. Villanueva was later shot on the head and died at the hospital. He was remembered fighting for his life amid serious injuries.

Around past 02:00 p.m., Train and five (5) others headed toward the position of the other team who was pinned down in the slope near the river. At this point, the hostiles were in line formation at the other side of the river shooting indiscriminately. They were under heavy rifle and mortar fire at this hour. The team, pinned down by hostiles familiar with the terrain, returned fire. From time to time, Train would hear groans and cries from his wounded men. He recounted screams of "I love you, mommy," "I love you, baby," and "I love Seabome," from his comrades in the hours that followed. At one point, he even thought Tabdi, who was beside him at the front line of defense, was loading ammunition. It was with great grief that he found him dead from a head shot. The Commandos were already bidding goodbyes and entrusting their families with each other. They all resigned to their fate that it would probably be their last stand.

PSI Rix Villareal recalled how the Seabome team that stayed near the hut survived the attack. He was unconscious for thirty (30) seconds when he was hit by a bullet in the head. When he regained consciousness, he fought back despite his wound. By late afternoon, he ordered Jumalon to throw hand grenades towards the enemies' location. They held their position until the enemy stopped approaching.

He again directed Jumalon to send their Grid Coordinate to the ACP and to Train as they slowly crawled back and linked with another team from their left side. At this juncture, they held ground until nightfall.

The Commandos could have fought their way out but they did not want to leave the thirteen (13) wounded and nine dead bodies behind. Train recalled a comrade begging him, "Huwag niyo kaming iwan, Sir." They never did.

The ordeal lasted until around 5:48 p.m. when the rounds of white phosphorus were delivered and Hostiles ceased from assaulting them. The Seabome went on to link up with elements of 42SAC and the DRC at 11:30 p.m., January 25, 2016.

Train stated, "I cried when I saw the bodies being dragged like pigs. But I want to account for all my men. That was the least we can do for their families - to bring their loved ones back."



### The 55th SAC and The 'Pintakasi'

About 1.8 kilometers from the location of the Seaborne were members of the 55th SAC. The troop was composed of four teams with 38 personnel.

At the time the Seaborne reached the target area around 4:00 a.m., the 55th SAC was on its way to waypoint 12. Consequently, the troops were able to cross three (3) rivers and a bridge made of bamboo and wood along the way.

When their troops reached the area of waypoints 11 and 12 at about 4:00 a.m., they heard bursts of fire coming from the target area that prompted their teams to stop and position themselves in the cornfield. At that point, a man saw the troops and, to keep him silent and to secure their presence, the troops held him tightly. The officers decided that they should return to the other side of the bridge to block resistance coming from the community and for the troops to withdraw easily, if needed.

When they were about to cross the bridge, a man shouted at them, prompting them to go back to their original position and establish defensive position.

Eventually, they noticed armed men moving towards them. They observed that the enemy forces were growing in number. The 55th SAC immediately informed the Tactical Command Post (TCP) of their situation. Napeñas overheard the information from the radio and directed PO3 Llyod Tano Ensoy, the radio operator, to broadcast: "*Pag na-identify na kalaban at may dalang baril, 'wag ng palapitin at i-engage na.*"

The armed men started firing at them.

Around 5:30 a.m., they were already caught in a firefight with the Hostiles, who peppered them with heavy gun fire, mortars, rocket-propelled grenade, and M203 grenades from different directions. By 7:00 a.m., PO2 Christopher Lalan overheard his officers requesting reinforcement/artillery support from the command post. Napeñas ordered the troops to use maximum firepower and "bumutas" (cut through the enemy lines) in order to extricate.

### Communication with the President

By the time the firefight set off, PDG Purisima initiated coordination between and among Napeñas, Guerrero, his MILF contact, and the President. This signified the suspended CPNP's influence over Oplan Exodus, which was admitted by the

President himself when asked during a press briefing in Malacanang. In the President's words, "tinutulungan ako ni General Purisima."

PDG Purisima informed the President of the encounter between SAF Commandos and Hostiles at 05:45 a.m. He said, "Sir good Morning. For info Saf elements implemented opfan against high value targets. As of now sir result indicate that Marwan was killed and one Saf trooper wounded. The body of Marwan was left behind but pictures were taken. The troopers are now withdrawal phase and progress report to follow."

The President responded at 7:36 a.m., "Why was it left behind? The other two targets?" Purisima then explained<sup>3</sup> that when the Seaborne hit the primary target, the other house catering Basit Usman and about fifteen (15) to twenty (20) armed men fired at the Commandos. They decided to pull out at 4:30 a.m. with the gathered evidences. However, they were not able to reach the secondary targets.

The President further clarified, "If I remember correctly, 160 Saf troopers were directly involved in this operation plus provisions for other Pnp and afp units to assist. The terrain is flat and clear as opposed to upland forested or jungle terrain. Why could they not contain and/or overwhelm the 15-20 member opposing force? Are they still in contact with the two other targets? If not, and the opposing force has escaped, are we now back to square one?"

At this time, PDG Purisima appeased the President on his response, "They are presently in contact with reinforcing elements from biff. The containment forces are the ones in contact right now. They are supported by mechanized and artillery support, Sir." He further added, "The local target Basit and his group were the first group that were engaged by main effort group."

The messages confused the President who briefly responded, "review your earlier and latest texts. They differ as to which was engaged first."

At around 07:57 a.m. January 25 2015, PDG Purisima sent a text message to Guerrero stating, "Bok text sa akin ng dir saf...Sir location of SAF troops GC 68006 65717 and 6823465956. Nasa paligid ng first GC ang mga kalaban & tuloy pa rin heavy firefighth. Napindown tropa sa first GC at meron mga casualties sila. Baka puede artillery support sa AFP". Guerrero replied at around 8:03 am "Meron ng coordination sa ground tank and artillery support are made available." Guerrero

<sup>3</sup> Purisima to PNOY: "Sir accordingly, when the nearest target from the line of approach is M1 and when they hit the primary target, the other house where basit usman was located with other elements reacted and fired at the troopers. There were about 15 to twenty armed elements. It was about 430 am and it was decided that they pull out after gathering pictures and other evidences. They were not able to reach the secondary targets sir."

was prompt on his response<sup>4</sup> that there was already coordination on the ground and that tank and artillery support were made available.

At around 09:45 a.m., PDG Purisima texted Napeñas *"nagbigay ng directive order MILF central comm., wiang MILF pwde lumapit sa ongoing PNP opns in Mamasapano Sir, yong nagresist mga tao ni mohamadali tambato and basit usman wd wanted politician Sir, mahina pwersa nla, mabuti nag advise ka kasi mem MILF gusto magsali pina pull out sila ngaun."* He added, *"Txt ng contact ko sa milf."* PDG Purisima further informed Napeñas about the MILF activity when he texted at 11:19 a.m., *"I asked our contact where will they withdraw direction. His reply...Going to marsh area Sir, merin ibng tropa, nakaharang sa daanan nla, ingatan ng tropa mga arm groups ng roque politicians s baba banda ng Mamasapano, more or less 100 armado nakaposition."*

OIC-PNP Espina, who was kept off the loop, received information about the escalating number of casualties on the ground around 01:30 p.m. He clarified this with Napeñas: *"Relayed to rusty. Bakit may balitang 11 na ang patay sa SAF?"* Almost instantly, Napeñas replied, *"Sir, di confirm yan, ang report tao nila wounded meron pero wala pa patay Sir."*

#### Coordination with the PNP Command Group and Quad Staff

At 04:38 a.m., Napeñas sent simultaneous text messages to OIC-PNP Espina; Police Deputy Director General Marcelo Garbo Jr. PNP Chief Directorial Staff; Police Director Charles Calima, PNP Director for Intelligence; Police Director Ricardo Marquez, PNP Director for Operations; and Police Director Danilo Constantino, PNP Director for Police Community Relations. The full text message stated:

*"FOR: OIC-PNP FROM DSAF: update re opns against HVTs. Based on the report of the ME, JI @ Marwan was neutralized but the body was left behind due to heavy volume of fire and 1 wounded SAF trooper. The containment blocking force was engage 2 kms east of Tukanalipao GC 6800665717. There was heavy firefight & SAF troops suffered casualties. Extraction is on-going & support from the AFP was requested."*

#### First Notice of Oplan Exodus to OIC-PNP

At 05:50 a.m. on January 25, 2015, OIC-PNP Espina received a call from suspended CPNP Purisima informing him about the operations. As per the latter,

<sup>4</sup> Guerrero's response to suspended CPNP at 8:03 a.m.: *"Meron ng coordination sa ground tank and artillery support are made available."*

"Bok, nakuha na si Marwan," to which OIC-PNP Espina replied, "Ganon ba? Magaling."

At about the same time, OIC-PNP Espina noticed a past text message from Napeñas at 04:38 a.m. telling him of the same information. He then communicated with Napeñas to congratulate him and ask for updates. Napeñas asked for AFP's assistance on the extraction of SAF troops since, according to Napeñas, the containment forces were already engaged. OIC-PNP Espina stated that he would coordinate with Guerrero about the matter. He then sent a message to Napeñas saying, "*tawagan mo na ngayon si rusty for details. Nakausap ko na.*" Espina then forwarded the number of Guerrero to Napeñas.

#### **First Notice of Oplan Exodus to SILG**

At 07:43 a.m. on January 25, 2015, Calima—who received the above-quoted message from Napeñas—informed SILG Roxas of the same. Calima forwarded such text message to SILG Roxas, who claimed no knowledge about the operation until that morning. SILG Roxas responded to Calima, "*Noted re SAF Operation. Going to Zambo now. Please get more details re SAF Operation.*"

SILG Roxas then informed the President at 08:09 a.m. of the message he received and added that he was getting more details about it. The President replied, "*Thank you.*" SILG Roxas and OIC-PNP maintained constant updates about Oplan Exodus from thereon.

#### **F. CALLS FOR REINFORCEMENTS**

AFP forces claimed that they already mobilized actions to respond to the firefights at around 06:30 a.m. Alpha Company of the 45<sup>th</sup> Infantry Brigade deployed a fire team at Meta Bridge, one (1) CAA squad at the round ball of Poblacion Shariff Aguak, and an Officer-led squad at Sitio Bagong, Barangay Timbangan, Shariff Aguak, Maguindanao.

For the first time, at around 06:40 a.m., Mangahis called Colonel Gener Del Rosario, Brigade Commander of the 1st MIB, to inform him that SAF troops were engaged in Mamasapano. Del Rosario raised questions on who authorized them to conduct the operation in that area and if they had sought clearance from the Headquarters 6ID. With no response from Mangahis, Del Rosario required him to report to 1<sup>st</sup> Mechanized Brigade Headquarters at the old Provincial Capitol Compound in Shariff Aguak to give a briefing of the situation in the area of their operation and the location of the SAF troops.

Ten minutes after speaking to Mangahis, Del Rosario sent an SMS to Pangilinan: "Sir, tumawag just now SAF Supt Mangahis, opn officer nila. May mga wounded daw sa SE2 units in Barangay Tuka, hindi maka extricate. They need help sa extraction. I told him to report to BdeHqs so we can device extraction plan ASAP sir." Pangilinan replied to this SMS: "keep me posted."

### Request for Artillery Support

At 07:00 a.m., SAF and AFP key officers convened to discuss the ongoing engagement and the impending need for support. Mangahis, together with PO3 Joenoel Belmes, arrived at the 1<sup>st</sup> Mechanized Brigade Headquarters to attend an emergency conference and to brief Del Rosario and several other AFP officers regarding the operation and the ensuing firefight between SAF and MILF/BIFF. Taliño arrived and joined Mangahis in the briefing around 7:30 a.m.

According to Del Rosario, he asked Mangahis and Taliño about the exact location of engaged troops, the location of the most forward element and tail element, the location of the armed men assaulting the engaged troops. Del Rosario also asked if their engaged troops observed the presence of civilians in their area. Del Rosario claimed that "all of the questions [could] not be answered immediately at that time."

On the contrary, Belmes claimed that he plotted the location of the 55th SAC and showed it to Del Rosario. Upon plotting the coordinates of the location, the attendees in the meeting came up with two options: artillery/indirect fire or infantry or mechanized reinforcements.

Minutes after the conference, Del Rosario reported the plan to Pangilinan, as discussed during the emergency conference. He sent a message to Pangilinan: "Sir, Supt Mangahis updated me sa Opn nila. Two groups nila were still inside Barangay Tuka engaged in sporadic fires with lawless as of now. My plans are to 1) move Mech (with 8AVs) to control Hiway ng Mamasapano, 2) insert Mech and DRC to augment PNP at SAF extraction pt and to provide supporting fires sa pinned down SAF, 3) utilize 105 Artillery to disrupt lawless firing at SAF (pinned down as of now) abt 500m fr SAF position. Request guidance Sir."

According to Del Rosario, Pangilinan responded, "Okay. Good ang number 1 and number 2 plan but number 3 plan, about the artillery, is "hold" until we have complete details about the firefight."

Del Rosario's statement contradicted reports of Taliño and Mangahis. Taliño claimed that when he requested for artillery support, Del Rosario responded that Pangilinan did not approve because of "the ongoing peace process."

Del Rosario also told them that the use of artillery support could not be utilized because of civilian presence in the area. Taliño relayed the message to Napeñas who sent a text message to Del Rosario assuring him that there were no civilians in the area. Even so, no artillery support came.

Upon returning to the TCP, Taliño reported that Del Rosario signified that he will send six (6) armored vehicles with infantry support.

Based on Pangilinan's account, Del Rosario organized and dispatched Army forces from Shariff Aguak to Barangay Tukanalipao around 8:20 a.m., with the mission to secure the main supply route (MSR) and provide suppressive fire,<sup>5</sup> if warranted. Pangilinan also reported that a section of 62<sup>nd</sup> DRC was tasked to establish and secure the extrication point three hundred (300) meters northeast of the position of the above forces, which should be dedicated to reinforce and recover the 55th SAC in Barangay Tukanalipao.

#### Mobilizing Reinforcements

Mangahis rode with one (1) of the armored vehicles of the 23<sup>rd</sup> Mechanized Company to guide the Army troop reinforcing force. Taliño and other SAF troops, on the other hand, returned to PNP provincial office-Maguindanao Headquarters in Shariff Aguak.

Meanwhile, Colonel Romeo Bautista, Commander of 45<sup>th</sup> IB, deployed a squad as route security at RMG, Barangay Maitumalg and a section at Barangay Iganagampong. Bravo Coy, 45<sup>th</sup> IB also patrolled from its base in Barangay Nabundas towards SAF location in Tukanalipao.

At around 08:20 a.m., the six armored vehicles of the 1<sup>st</sup> Mechanized Brigade, together with Mangaldan, left its headquarters and arrived at the ACP around 09:00 in the morning. Immediately, Mangaldan gave a briefing to the troops and thereafter, they were deployed to join the 43<sup>rd</sup> SAC as advance security force. Four of the six (6) armored vehicles of the 1<sup>st</sup> Mechanized Brigade were deployed at the east end portion of the highway, where some 43<sup>rd</sup> SAC Commandos (with V150) were posted. From morning until noon, they were assaulted by an unknown armed group that they believed to have come from the direction of the 105<sup>th</sup> MILF Academy.

Minutes after the briefing from Mangaldan, one (1) section of the DRC and the 43<sup>rd</sup> SAC were escorted by the other two (2) armored vehicles, supposedly to

<sup>5</sup> One (1) Light Armor Platoon (4AVs), 23Mech Coy; One (1) Mech Sec (2AVs), 12 Mech Coy; One (1) Section, 62nd DRC; One (1) EOD Team.

link up with the 45<sup>th</sup> SAC and move towards 55<sup>th</sup> SAC for reinforcement. Unfortunately, the route to the 45<sup>th</sup> SAC was a marshland and the armored vehicles could not penetrate. As a consequence, the AVs were left behind and the troops continued to move until they reached the location of the 45<sup>th</sup> SAC. The AVs returned back to the highway.

At around 09:15 a.m., at the headquarters of the 1<sup>st</sup> Mechanized Brigade, operational measures were laid out. Pangilinan tasked Del Rosario to control the situation and to act as ground commander for the retrieval operation. On the other hand, Bautista deployed a section from Bravo Company of the 45<sup>th</sup> IB at Crossing Tuka, another section at Tuka Bridge, and one (1) other section to link-up with SAF Commandos at Barangay Tukanalipao proper.

At 10:00 a.m., Colonel Melquiades Feliciano, Brigade Commander of the 601 Bde, claimed that he issued a warning order for deployment to the 61<sup>st</sup> and 62<sup>nd</sup> DRCs, and also alerted all units of the brigade.

Meanwhile, the CCCH/IMT was committed to negotiate the peace process. Aboard three vehicles, the team proceeded to Barangay Kuloy, Shariff Aguak, Maguindanao around 09:00 a.m. to meet with Ustadz Zacaria Guma, Commander of the 105<sup>th</sup> BC, BIAF-MILF and Ustadz Wahid Tundok, Commander of the 118<sup>th</sup> BC, BIAF-MILF. They reached the house of Zacaria Guma by 11:00 a.m.

The meeting yielded encouraging results. Guma and the group agreed to call for a cessation of hostilities, and allowed the passage of the SAF from the encounter site to safe areas located in Tuka, Mamasapano. Meanwhile, Commander Wahid would encourage the withdrawal of 105<sup>th</sup> BC members from the encounter site.

### Insurgent Strongholds

On the ground, SAF troops were still caught under enemy fire. The 45<sup>th</sup>, 41<sup>st</sup>, and 42<sup>nd</sup> SACs were trying to move towards the location of the 55<sup>th</sup> SAC when heavy gunfire erupted that caused the delay of their movement. At around 10:30 a.m., a section each of the 43<sup>rd</sup> SAC and the 62<sup>nd</sup> DRC finally linked-up with the containment forces. They tried to move forward again but the area in between waypoints 9 and 10 was an open field, and the position of the enemy forces was fortified.

Guerrero said that at 10:54 a.m., two (2) Huey helicopters of the Tactical Operating Group 12 landed in Awang, Datu Odin Sinsuat, Maguindanao. However, the helicopters did not aid the reinforcement efforts. According to Pangilinan, the helicopters were not deployed because there was no request. Pangilinan also said that "Hueys are meant for MED EVAC."

While the support was yet to be fully set out, the insurgency of the Hostile groups were at stronghold. Del Rosario in a text message<sup>6</sup> to Pangilinan at 10:42 a.m. said: "Sir, unconfirmed reports ng assets natin sa Mamasapano. About 20 SAF ang wounded. KIA unconfirmed pa Sir."

Three (3) team leaders of the SAF overheard that the AFP's 62<sup>nd</sup> DRC was calling his unit asking for artillery support. According to sworn statements of witnesses<sup>7</sup>, the request of the team leader was turned down because "there was no prior coordination made by SAF....and the peace negotiator, International Monitoring Team, will be arriving."

Shortly thereafter, the 62<sup>nd</sup> DRC received instructions from their team leader to pull out from the engagement area and go back to the Tukanalipao highway. They followed the orders and reached the highway around 1:00 p.m.

#### Heightened Call for Alert

Around noontime, the armored vehicles and ACP personnel came under fire again, only this time, from another unidentified armed group. The V-150 vehicles and the armored vehicles engaged the enemy forces and successfully drove them away from the ACP area. Meanwhile, Seaborne Commandos continued its defensive position even when the enemy forces continued to pepper them with heavy fire and mortars.

Based on the letter report of Pangilinan, updates were made available on the whereabouts of engaged SAF troops by 11 a.m. through a text message sent by Del Rosario.<sup>8</sup>

At this time, no one had been evacuated. While the nearest SAF team already reached 700 meters deep in the encounter area, they were still assessing the open fields before they could link-up with pinned-down SAF troops.

<sup>6</sup>Del Rosario's full text message to Pangilinan at 10:42 a.m.: "Sir, unconfirmed reports ng assets natin sa Mamasapano. About 20 SAF ang wounded. KIA unconfirmed pa Sir."

<sup>7</sup>Supplemental Statements of Police Senior Inspector Arquiomedes Crosby Wesley, Police Senior Inspector Efrén Cogasi and Police Senior Inspector Janly Placido.

<sup>8</sup>The SMS exchanges between Del Rosario and Pangilinan at around 11:00 a.m. contained the following:

Del Rosario: "Sir, latest location ng pinned down SAF groups with wounded is at GC 68306550 (open area) abt 1.2 km nalang from the highway Mamasapano. Nearest SAF team reached 700m already (from highway). 62nd DRC with SAF buddy team at 300m (from highway). Sporadic fire can still be heard from northwest portion of SAF position (200m fr their loc). Progress report to follow."

Pangilinan: "So wala pa naevac?"

Del Rosario: "Negative pa evac as of now. Yun SAF at 700m is still assessing the open area before they proceed sa pinned down SAF teams."

10



Bautista called Mangaldan around 11:30 a.m. to get information on the required tactical support, but the latter had yet to determine their requirements from the AFP.

Meanwhile, MILF and BIFF forces attacked, subjecting Army and PNP troops with heavy fire back in the west of the main road in Barangay Tukanalipao, Mamasapano.

The command operations had taken a different course by 1:00 p.m. Brigadier General Manolito Orense, Assistant Division Commander of the 6ID and the concurrent Chairman of the Government Ad Hoc Joint Action Group (GPH AHJAG) later joined Pangilinan together with, Regional Director Danilo Estropia of NICA12 in Camp Siongco.

Past 01:00 p.m., Feliciano took over as Ground Commander following Pangilinan's order for him to lead the ground operations in Mamasapano. Pangilinan also instructed Bautista, 4IB Commander, to proceed to the encounter area to provide command and control to all the Army units deployed in the incident area. Bautista proceeded towards Barangay Tukanalipao and established ACP thereat.

#### AFP in Anticipation of Escalated Hostilities

Finally, at 02:20 p.m., Bautista already linked-up with SAF at Barangay Tukanalipao and established ACP to provide command and control to his troops. He instructed his battalion to prepare for mission fire.

Bautista consequently discussed the situation and required tactical support of the situation with SAF Commanders Mangaldan and Mangahis. Based on Pangilinan's letter report, the Commanders lost contact and failed to provide the exact location of their engaged troops.

Mangaldan refuted these allegations. He reported that he already showed Bautista a blow-up map of the area of the operation. From the maps, they plotted the location of the troops and possible enemy positions. He further recommended that the joint ACP be moved to Crossing Tuka because the present ACP was located along the line of 105 Howitzer.

Following the foregoing events, at 02:30 p.m., the remaining troops of 62<sup>nd</sup> DRC and 61<sup>st</sup> DRC left their stations at Barangay Badak and Headquarters 601 Bde in Tacurong City, respectively, to link-up with the troops in Mamasapano.

Napeñas and Taliño, with the SAF entourage, moved to a Joint TCP at the 1st Mechanized Brigade Headquarters located at old Maguindanao Provincial Capitol Compound.

Feliciano, now taking the lead of ground command operations, facilitated the briefing on the concept of rescue operations with Bautista and Alpha Company, 45th IB. Pangilinan arrived at the area shortly after.

At around 04:00 p.m., a platoon of the DRC attempted to move towards the position of the 45th SAC. Upon linking-up with three (3) teams of the 45th SAC, the troops tried to reach Seaborne but they were stalled again by heavy gunfire from enemy forces.

At the same time that the joint DRC and 45th SAC were trying to get where the Seaborne was located, members of Seaborne got separated—some were able to reach the easternmost part of the area while others got held up at a distance. At the same time, Seaborne were able to re-establish defensive positions but they were losing ammunition fast. The enemy forces that engaged and rounded-up the 55th SAC had shifted their focus on the Seaborne.

#### AFP's Account of Support

At around 04:00 p.m., 45th IB and 45th SAC tried to recover the Seaborne Company but they were met by heavy enemy fire. Despite the ceasefire initiated by CCCH-IMT at this hour, the troops were still under assault by the offensive armed men deeply entrenched in the encounter area.

At this point, one Joint Troop was deployed in an attempt to augment the 45th SAC. Around this time, one (1) platoon, including a team from 45IB and two (2) teams from 62nd DRC mobilized to link up with 45th SAC and proceed to get the remaining Commandos of the 55th SAC.

Another joint team, composed of 61DRC and a platoon of SAF moved to link up with the beleaguered members of the 84th SAC in the encounter site at Brgy. Tuka.

It was not until late in the afternoon that the 6IB decided to deliver three white phosphorus artillery rounds to halt the firefight. The artillery fire was launched at 05:48 p.m., 06:04 p.m., and 06:20 p.m.—all of which were aimed at the target in GC 688651.

The first fire mission using white phosphorus was aimed as marking and persuasion fire since the location of both the SAF troops and the Hostiles was still undetermined. The second round of white phosphorus was fired while the joint

Army and PNP members were moving in to the positions of 55th SAC and Seaborne. The third round was also directed to the same target.

The troop of 61<sup>st</sup> DRC and a platoon from SAF were finally able to link up with the Seaborne at 11:30 p.m.

They came across eight (8) dead, eleven (11) wounded, seventeen (17) unharmed Seabornes.

#### G. EFFORTS TO EFFECT CEASEFIRE

The Coordinating Committees on the Cessation of Hostilities (CCCH) of both the Government and the MILF initiated peace mechanisms to end the fighting and prevent further escalation of the violence by forming a Joint Ceasefire Crisis Team around 07:30 a.m.

Brigadier General Carlito Galvez admitted that the SAF-led operations were not coordinated with the GPH-CCCH ceasefire mechanisms until 5:30 a.m. when the SAF was already heavily-engaged. Galvez described the SAF operation as executed with extreme operational security and secrecy.

In response to the urgent call, the CCCH formed a JCCT together with the IMT with the objectives to enforce a ceasefire, separate the contending forces, and evacuate the casualties and fatalities.

It was already 09:50 a.m. of January 25, 2015 when the JCCT, along with the IMT, proceeded to Mamasapano. The JCCT is composed of the MILF-CCCH chairman Rashid Lidiawan; MILF CCCH Secretariat Butch Malang and Tuks Opam; GPH CCCH Operation Officer Dave Jungco and Mr. Ronie Arap; and IMT members from Norway, Mr. William Hoveland.

Around 02:00 p.m., elevated reports about the advanced mobilization of the Hostiles alarmed the AFP. Orense, upon receiving reports that MILF fighters from Datu Piang and other places were proceeding to the encounter area to provide reinforcement, immediately corresponded with Atty. Dataya. In response, Atty. Dataya assured that he called Sammy Gambar, Chief of Staff, BIAF-MILF to instruct their Commanders not to join in the fray in Tukanalipao. He added that MILF CCCH was in the area to talk to their Commanders who were involved in the dispute.

By noontime, the JCCT had already met with MILF Commanders Wahid and Guma. The meeting called for the cessation of hostilities, and allow the passage of the SAF from the encounter site to safe areas located in Tuka,

Mamasapano. It was agreed that Commander Wahid will work on the withdrawal of the troops of the 105<sup>th</sup> BC away from the encounter site. The goal was to create a reasonable gap between the two contending forces, and allow the evacuation of casualties.

To inform the government force of the peace negotiation they had with MILF leaders, the JCCT head to the 4<sup>th</sup> SAF ACP at Bgy. Tuka, Mamasapano and met with Mangaldan.

In their report, JCCT refuted AFP's claim that the Team met with Bautista at this juncture.

Despite the presence of the JCCT, the ACP was still assaulted by sniper fire which resulted in the "disabling" of the tires of three (3) Simba Armored Vehicles.

As the concerned parties were negotiating for ceasefire, the CCCH report also noted that the 55<sup>th</sup> SAC "was presumed" to be "totally overwhelmed by the 105<sup>th</sup> BC between 11:00 a.m. and 01:00 p.m."

The total ceasefire was in effect by 4 p.m. By that time, the SAF team had sustained heavy casualties from the enemy fire.

At 05:15 p.m., the SAF reported that the main effort (84<sup>th</sup> Seaborne) was still being subjected to intense volume of fire. This prompted Galvez to call Chairman Lidiasan about the intense fighting on the eastern side of the river, where the 84<sup>th</sup> SAF were held up all along.

After Lidiasan reported that the 105<sup>th</sup> MILF had already pulled out, the AFP learned that the 84<sup>th</sup> SAF were cornered in a BIFF-controlled area. Galvez highlighted in his report that "it was DURING this time that the 61<sup>st</sup> and the mechanisms learned that there were two separate combat groups of SAC that were deployed and engaged."

The CCCH reported that the coordination was made with the MILF to facilitate the extrication of the dead, and the rescue of wounded and surviving personnel of the 84<sup>th</sup> SAC.

The CCCH added that the joint 61<sup>st</sup> DRC and SAF successfully linked up with 84<sup>th</sup> SAC at 11:30 p.m. of January 25, 2015. The team reached a safe area at around 4:30 a.m. the next day on Jan. 26, 2015. The 84<sup>th</sup> Seaborne team had seventeen (17) survivors, nine (9) killed and eleven (11) wounded.

## H. RETRIEVAL OPERATIONS

At 04:00 p.m. of January 25, gunfire could no longer be heard. By this time, members of the BIAF 105<sup>th</sup> BC had completely pulled out of the area. This allowed the JCCT, together with Tukanalipao barangay officials, to enter the site. They found cadavers scattered on the ground and in the nearby river. The group also noticed armed men in the immediate vicinity who were later identified as members of BIFF under Commanders Bisaya and Indal. The JCCT then returned to the municipal hall and informed Mayor Benzhar Ampatuan about the situation, and requested for the equipment needed to retrieve the cadavers.

By 05:20 p.m., the JCCT went back to the engagement site with two (2) Kuliglig tractors and an ambulance to start the retrieval operation. It was decided that the cadavers would be brought by the JCCT to the highway where SAF officers were waiting.

While retrieving the cadavers, the JCCT heard gunshots from the northeast direction more or less two (2) kilometers away from the encounter site.

At 07:30 p.m., five (5) cadavers from 55th SAC were already recovered by the Joint CCCH, IMT, and LGU-Mamasapano in the vicinity of Barangay Tukanalipao.

The 45<sup>th</sup> SAC and 45<sup>th</sup> IB teams recovered eight (8) killed-in-action, eleven (11) wounded-in-action, and seventeen (17) unharmed SAF Commandos at 11:30 p.m. Consequently, the wounded Commandos were taken to various hospitals in Maguindanao. PO3 Virgel Villanueva, one of the wounded Commandos, did not survive and was declared dead-on-arrival at the hospital. The cadavers of the SAF Commandos were transported to the 43<sup>rd</sup> SAC Headquarters in Maguindanao.

### The Lone Survivor

Lalan was the only one among the 35 SAF Commandos in the 55th SAC who survived the ordeal against the hostiles.

During his debriefing, Lalan recalled that he and his team (55th SAC) departed from General Santos City on the eve of the operations. They had to walk kilometers from their drop off point, proceeding to the target site.

Napeñas and Train surmised that the 55th SAC initially had difficulty reaching their target because they did not have a human guide, unlike the 84<sup>th</sup> Seaborne.

The first exchange of gunfire ensued at around 06:00 a.m., Lalan recalled, prompting him and his men to scamper for cover in the vast fields but they were already cornered by hostile fire. Lalan said the sniper fire came from across the river while other shots were fired from the surrounding areas. At this time, their location was between waypoints 11 and 12.

No one from the 55th SAC were hit in the initial burst of gunfire but they incurred gunshot wounds one by one after their location was compromised, and as sunrise set in.

At the height of the firefight, he and his comrades dodged for cover among the tall corn plants. The firefight ensued from 06:00 a.m to about 12 noon, Lalan recalled.

Lalan said the enemies converged from all corners and started to grow by numbers from the initial encounter to mid-afternoon. They were surrounded by the enemies.

Upon seeing some of his comrades crawling towards a defensive position, Lalan decided to extricate himself to be able to survive. Lalan's senior officer acceded to the suspended's request to take his chances at extricating himself.

At about 02:00 p.m. of January 25, after a long firefight, Lalan said he saw that most of his comrades were already severely injured or lying dead. He was fired at by two (2) armed men but he managed to escape unhurt because of his bullet proof vest.

Lalan added that he was able to kill his two assailants.

Lalan said he hid near the riverbanks as he waited for the enemy fire to stop. He then took off his vest and dived into the river and submerged himself for eleven (11) hours. While in the river, two armed men strafed the river with gunfire but Lalan was not hit.

At 03:00 p.m., Lalan sensed that there was no longer any gunfire coming from his SAF comrades but there were ensuing gunfire from the assaulting group which lasted until 6 p.m. When he sensed that there was already no threat against him, Lalan came out from hiding and proceeded to the ACP.

At about 01:00 p.m. on January 26, Lalan saw a group of armed men searching the area. He became aware that the men were carrying SAF equipment. When the men approached Lalan, he played dead until they were at close contact. Lalan challenged them by saying, "sige, sabayan tayo." The two were surprised

and scampered to different areas. Lalan rushed to a different direction while men from the cornfields shot at him.

Lalan said that, along the way, he again saw a group of men and a parked motorcycle.

Upon encountering six armed men resting in an area, about 500 meters south of the engagement site, Lalan grabbed an M16 rifle from one (1) of the men, killed four (4) men on the spot, and wounded the other two (2). Reports indicated that one of the wounded men died the following day.

Lalan ran as enemies pursued him. Upon sighting a bicycle, Lalan used the same as a getaway transportation to reach a group of Army forces.

By the end of January 26, most of the operating teams returned to their respective headquarters safe. Forty-four (44) SAF Commandos did not make it home.

#### I. POST-OPERATIONS

At 12:42 a.m., Pangilinan reported that the number of casualties reached eight (8), while three (3) were wounded and one (1) was missing.<sup>9</sup>

*Start*

The first batch of five (5) Seaborne killed-in-action arrived at 61D Headquarters for proper disposition at 02:30 a.m. Around 30 minutes earlier, the SAF representative left the Joint TCP in the old Maguindanao Provincial Capitol Compound, Shariff Aguak.

The reinforcement teams were already moving out from the area of encounter by 03:40 a.m. The 61<sup>st</sup> DRC pulled out and returned to its base in 601 Bde Headquarters in Tacurong City while the 62<sup>nd</sup> DRC returned to old Maguindanao Provincial Capitol Compound, Shariff Aguak for further instructions. Joint elements of 61<sup>st</sup> DRC, one (1) Section 45<sup>th</sup> SAC, and 84SAC arrived at SAF ACP in Barangay Tuka at 05:00 a.m.

By 04:30 a.m., all members of 84<sup>th</sup> SAC, including eight (8) killed-in-action, eleven (11) wounded, and seventeen (17) unharmed, were extricated<sup>10</sup> from the encounter site. Earlier at 5:45 a.m., they also recovered fourteen (14) cadavers of 55<sup>th</sup> SAC. Further, fifteen (15) and one (1) cadavers of the 55<sup>th</sup> SAC were

<sup>9</sup> As stated in Pangilinan's SMS to Guerrero: "Sir additional info, 8 KIA, 3 WIA, 1 missing, troops are now moving out of the encounter site."

<sup>10</sup> The extrication was performed by joint elements of 61<sup>st</sup> DRC and PNP.

recovered at 11:28 a.m., and 12:46 p.m., respectively. The Joint CCCH, IMT and LGU-Mamasapano assisted in the recovery operations.

61<sup>st</sup> and 62<sup>nd</sup> DRCs remained on standby at GC 683645 Barangay Tukanalipao, while those who were killed-in-action and missing-in-action (MIA) were being extricated.

Around 02:00 p.m., the only survivor from the 55th SAC, earlier announced MIA, arrived at the SAF Advanced Security Point peddling a bicycle.

By 02:36 p.m., all SAF forces pulled out from the area while all Army troops moved out by 3:45 p.m. At 5:00 p.m., the Integrated Provincial Hospital Office (IPHO) of Maguindanao reported that a WIA brought to their hospital had passed away.

An hour later, the Command Group and staff of the SAF went to Cotabato City to attend a meeting with SILG Roxas; National Defense Secretary Voltaire Gazmin; OIC-PNP Espina; CSAFP Catapang; and Malacañang Spokesperson Edwin Lacierda.

By midday of January 26, twenty nine (29) cadavers of the 55th SAC were retrieved by the Mamasapano local police. The cadavers were transported to Camp Siongco, Awang, Maguindanao, and subsequently turned over to the ARMM Police Regional Office for processing and forensic. The dead body of PO2 Ephraim Mejia, 55th SAC commando who was declared missing earlier, was found by local government officials of Mamasapano.

*Just*

**PNP Crime Laboratory Report**

The PNP Crime Laboratory, in support of the fact-finding efforts of the Board of Inquiry, had conducted extensive autopsies on the remains of the fallen SAF Commandos, and submitted its final report on February 13, 2015.

Based on the autopsies, three SAF Commandos—Police Senior Inspector Ryan Pabalinas, PO2 Ollebeth Viernes, and PO2 Amman Emula—sustained gunshot wounds on the mid-portion of their torsos that were supposed to be covered with protective vests (i.e., bulletproof outfits which are normally impenetrable by ordinary high-powered firearms).

On the other hand, each of the following Commandos died instantly after suffering a single gunshot to the head: Tabdi, SPO1 Rodrigo Acob Jr., Villanueva, PO3 Glenn Bedua, PO2 Peterson Carap, PO2 Jerry Kayob, PO1 Loreto Capinding II, and PO1 Mark Lory Clemencio.



In Police Senior Inspector Rennie Tayrus' case, forensic examiners reported that he was fatally shot in his head and trunk. The PNP medico-legal examiners, found that Tayrus was shot at close range, with the muzzle of the firearm projected to be less than fifteen centimetres away, based on the smudging found on his gunshot wounds.

The autopsy report also revealed that PO2 Noel Balaca and PO2 Richelle Baluga died after suffering fatal shots to their heads and trunks; SPO1 Lover Inocencio died after suffering a fatal shot to his head and his extremities; while Two SAF Commandos, PO2 Nicky Nacino Jr. and PO2 Roger Cordero each sustained a single fatal shot to their necks; and PINSP Joey Gamutan and PO3 Victoriano Acain, suffered two fatal shots in the head and none to their trunks and extremities.

PO2 Joseph Sagonoy also suffered two fatal shots to his head but forensic examiners found that the shots were inflicted by a 9mm caliber (based on a 9mm slug recovered from his brain). The examiners reported that the gunman must have been close to Sagonoy because the projectile of the bullet "has not established the [necessary] momentum to attain its effective velocity."

Nine (9) SAF Commandos suffered gunshot wounds to their heads, trunks, and extremities: PO3 Robert Allaga, PO3 John Lloyd Sumbilla, PO3 Jedz-in Asjali, PO3 Andres Duque Jr., PO2 Romeo Senin II, PO2 Chum Agabon, PO2 Gringo Cayang-o, PO2 Walner Danao, and PO2 Noble Kiangon. On the other hand, two (2) Commandos—PO3 Junrei Kibete and PO3 Noel Golocar—also died due to fatal shots to their necks and trunks.

Based on the autopsy on his cadaver, PINSP Cyrus Anniban suffered multiple gunshot wounds to his head, neck, trunk and extremities. On the other hand, nine (9) SAF Commandos were fatally shot several times in their torsos, namely: PO3 Omar Nacionales, PO2 Rodel Ramacula, PO2 Ephraim Mejia, PO2 Franklin Danao, PO2 Godofredo Cabanlet, PO1 Anghel Kodiamat, PO1 Russel Bilog, PO1 Windel Candano, and PO1 Romeo Cempron. SAF Commandos Police Senior Inspector Max Jim Tria and PO2 Joel Dulnuan each suffered a fatal shot in their extremities.

The Crime Laboratory reported that in most of the bodies with gunshot wounds on the torsos, the point of entries were on the "upper chest, lower abdomen, and lateral chest regions," purportedly open and without protective vests.

There were strong evidence that the SAF Commandos were in vulnerable positions, as medico-legal examiners reported that some of the Commandos were

shot while on standing position because their gunshot wounds were on their legs. Thus, the injuries were found consistent with a gunfight involving the use of high-powered firearms.

On the other hand, examiners purported that the single fatal shots to the heads and necks of some of the Commandos could only be caused by sniper fire.

### The Return of SAF Firearms

Weeks after the Mamasapano encounter, the PNP's appeal and a public outcry caused pressure on the MILF-CCCH to facilitate the Philippine government's demand for the return of the firearms and personal belongings of the SAF Commandos who died in the incident.

On February 17, 2015, at the headquarters of the AFP 6th Infantry Division Headquarters in Camp Siongco, Datu Odin Sinsuat town, in Maguindanao, the MILF-CCCH, as represented by Ladiasan, returned thirteen M4 rifles and two machine guns to Galvez, who represented the GPH-CCCH

Of the firearms returned, two rifles have under-barrel grenade launchers (M203) attached, while one of the rifles only had an upper receiver. A mobile phone was also turned over. It was the only personal item returned, among so many other things that Moro rebels took from the SAF Commandos who died in the clash.

On February 18, 2015, the GPH-CCCH turned over the same cache of weapons to the ARMM police regional office, as represented by its Chief Intelligence officer, Police Senior Superintendent Prexy Tanggawohn. The event was witnessed by representatives of the MILF-CCCH and the PNP Crime Laboratory. Upon initial inspection, police officials observed that the bolt assemblies of eight rifles were no longer the original parts. The barrel of one of the machine guns bears no serial number. Officials noted that the weapons had been tampered with.

On the same day, the weapons were loaded into a C130 and transported from Davao Airport to Villamor Airbase in Pasay City, where SAF Commandos awaited to escort the officials who will deliver the weapons to the office of the PNP Criminal Investigation and Detection Group (PNP-CIDG) in Camp Crame, Quezon City. At around 9:00 p.m. of February 18, Tanggawohn turned over the cache of firearms to the chief of the CIDG Major Crimes Investigation Unit, Police Superintendent Marlon Tayaba, who immediately inspected and made an inventory of the firearms.

On Thursday morning, February 19, the firearms were brought to the AFP Headquarters in Camp Aguinaldo for a presentation to the media. Immediately

thereafter, the firearms were brought to the PNP Crime Laboratory for ballistic examination. The mobile device was submitted to the PNP Anti-Cybercrime Group for digital forensic examination.

On February 23, 2015, a joint inspection was conducted by officers of the SAF, CIDG and Crime Laboratory. In the course of the inspection, officials confirmed that eight rifles no longer had its original bolt assemblies, and the following accessories attached to rifles were missing—five PEQ 2 illuminators, two LED flashlights, and a sound suppressor. The M60, which had no serial number, was confirmed to be a SAF original property. The inspecting team also discovered that one of the rifles with an attached M203 is not the same rifle where the M203 was originally attached to.

Two days later or on February 25, the SAF made an inventory of PNP equipment lost during the operation. The following high-powered firearms and accessories were listed as missing: thirty rifles, four squad automatic weapons, eleven M203s, one 90 recoilless rifle, and ten handguns. Other special equipment were also missing, such as a sound suppressor, night vision goggles, night fighting device, communication equipment.

After the inventory and accounting, several issues began to surface. Interviews with members of Seaborne revealed missing and/or stolen parts of rifles. PO2 Rommel Magno said that he had his rifle (a Ferfrans special operations assault rifle, with Eotech and a PEQ2) with him all throughout the operation until they were rescued by the 4th SAB and DRC. This was similar to the case of Acob's rifle which was also handed to one of the members of the DRC. Since Magno was seriously injured, he handed his rifle, as well as the rifles of the dead Seaborne Commandos to a member of the DRC. When Magno's rifle was returned, its GL M203 grenade launcher was missing. Surprisingly, Magno's rifle was among the firearms turned over by the MILF-CCCH to the GPH-CCCH. This meant that the firearms got into the hands of the Moro rebels when it should have been under the protection of the AFP troops.

#### J. U.S. INVOLVEMENT

Napeñas disclosed that prior to the launch of Oplan Exodus, United States (US) counterparts had been providing reliable information about Marwan and Usman, which were considered in covert operations against the high value targets. This technical intelligence support also facilitated the formulation and execution of the Oplan Exodus.

Mangahis revealed that "six (6) American nationals" were at the TCP in Shariff Aguak starting on the eve of the operations to provide real-time information to the SAF troops.

Towards the retrieval operations, US forces also helped in the medical evacuation of the besieged and wounded SAF Commandos. Mangahis maintained that the "pilots of the helicopter who helped in evacuating wounded personnel to the hospital" were among the identified American nationals at the TCP.

Napeñas also said that the severed left index finger of Marwan was sent to two (2) representatives of the US-FBI waiting at General Santos City on January 28, 2015. The pictures of Marwan, taken by the Seaborne immediately after he was killed, were also turned over to the FBI as well as the DILG and the PNP as part of the evidence.

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### CHAPTER III Discussions and Analyses

This Chapter discusses doctrines, principles, concepts and/or rules which apply to police operations.

#### A. CHAIN OF COMMAND

Based on the National Crisis Management Committee Manual (NCMCM) 2012, **chain of command** refers to *"the succession of leadership from a superior to a subordinate through which command is exercised. It is also called command channel"*.

In the context of police operations, the Philippine National Police (PNP) Fundamental Doctrine Manual (PNPM-D-0-1-2-13 DHRDD Oct 2013 Revised Edition) provides that:

##### "4.21 The Chain of Command

- a. Effective Police Operations require strict adherence to the established Chain of Command. This consists of hierarchy of officers given respective command authority at varying levels through which command action should be channeled."

The Manual describes "The Commander" as:

"Section 4-5. Command Principle and Procedures

##### 4.13 The Commander

He discharges his responsibilities through a chain of command. All orders are issued by the commander of the highest unit to commander(s) of subordinate units."

It is also important to note that the Manual also contains specific clauses which state that **"the intermediate commanders may be bypassed only** in urgent situations. In such instances, intermediate commanders should be notified of the context of the order as soon as possible by both the commander issuing the order and the commander receiving it".

Also, under extraordinary circumstances, the chain of command may be bypassed when such adherence becomes impractical or may cause unacceptable delay. The senior commander, in bypassing the chain of command, assumes responsibility for the order he has given to a subordinate commander. Intermediate

commanders who have been bypassed are required to be informed of such orders and action taken at the first practicable opportunity.


The Manual provides:

"4.13 The Commander

b. xxx Only in urgent situations when intermediate commanders may be by-passed. In such instances, intermediate commanders should be notified of the context of the order as soon as possible by both the commander issuing the order and the commander receiving it.

4.21 The Chain of Command

b: Under extraordinary circumstances, the chain of command may be by-passed when such adherence becomes impractical or may cause unacceptable delay. The senior commander, by-passing the chain of command, assumes responsibility for the order he has given to a subordinate commander. Intermediate commanders who have been by-passed should be informed of such orders and action taken at the first practicable opportunity.



With respect to Oplan Exodus, the Chain of Command in the PNP should have been: Police Deputy Director General Leonardo Espina, the Officer-in-Charge of the PNP (OIC-PNP) (as senior commander), Police Director Getulio Napeñas, and the Director of the Special Action Force (SAF) (as intermediate commander). Police Director General Alan Purisima could not legally form part of the Chain of Command by reason of his suspension.

From the time Napeñas, with Police Senior Superintendent Fernando Mendez (Acting Director of the Intelligence Group (IG)) and suspended Chief PNP Purisima, presented Oplan Exodus to the President (January 09, 2015) up to the time the latter was already informed of the deteriorating situation on the ground during Oplan Exodus' execution (January 25, 2015), there was no showing that the President utilized the established chain of command through OIC-CPNP Espina.

**Participation of the Suspended CPNP Purisima**

At the time Oplan Exodus was presented to the President and during its execution, suspended CPNP Purisima did not possess any authority or responsibility to perform the functions of his former position and office, nor to give orders or command to any of his former subordinates. He was at that time, by reason of his suspension, not part of the Chain of Command.

The Chain of Command was broken as regards to PDG Purisima, who could not act with authority by reason of his suspension. Therefore, his orders and directives in whatever form did not produce any legal effect as far as Oplan Exodus was concerned. Napeñas took orders and heeded the advice of suspended CPNP Purisima in executing Oplan Exodus. Napeñas, in complying with orders and directives from the suspended Chief PNP Purisima, assumed full responsibility and liability for the effects of carrying out the suspended CPNP's orders.

The PNP Command Manual provides:

"Section 4-4. Command and Staff Principles

4.10 Definitions

a.. Command. xxx the term "Command" shall be taken to mean the authority vested in an individual of the police service over his subordinates by virtue of his rank or assignment.

b. Authority. It is the right to decide and command.

1. In a police organization, authority consists of rights such as to:

Make decisions within the bounds of his authority;  
Assign tasks to subordinates; and  
Expect and require satisfactory performance from subordinates.

2. Authority must be coupled with commensurate responsibility for planning, organizing, directing, coordinating, and controlling police forces for the effective accomplishment of the assigned mission.

c. Responsibility. It is the obligation to do something. Responsibility is the duty that one has to perform in the organizational tasks, functions and assignments.

Section 4-5. Command Principles and Procedures

4.11 Command Authority

This provides the commander with the right to plan, organize, direct, coordinate and control PNP forces in order to accomplish an assigned mission or task. Essentially, this inextricably goes with a commensurate responsibility not only on the foregoing function but also on matters of health, welfare, morale, training and discipline of subordinates.



#### 4.13 The Commander

The commander exercises command authority and assignment. Such authority should be within the scope of law, policies and services regulations. xxx

### B. COMMAND RESPONSIBILITY

Command responsibility is another principle that goes with the principle of chain of command.

Executive Order No. 226 dated February 15, 1995 signed by former President Fidel Ramos, entitled, *"Institutionalization of the Doctrine of command responsibility in all government offices, particularly at all levels of command in the Philippine National Police and other law enforcement agencies"* highlights the need for strict and effective management and control of an organization by the supervisor as critical in ensuring responsive delivery of services by the government, especially in police matters.

Emphasis should be given to the phrase *all government offices* under the Executive Branch of government.

The PNP Fundamental Doctrine Manual states that: *"The commander is responsible for all that his unit does or fails to do. This responsibility can never be delegated otherwise it would constitute an abdication of his role as a commander. He alone answers for the success or failure of his command in all circumstances."*

The PNP Ethical Doctrine Manual states that: *"Command Responsibility - In accordance with the Doctrine on Command Responsibility, immediate Commanders/ Directors shall be responsible for the effective supervision, control and direction of their personnel and shall see to it that all government resources shall be managed, expended or utilized in accordance with laws and regulations and safeguard against losses thru illegal or improper disposition."*

#### Officers with Command Responsibility

Discussed below are the officers with Command Responsibility in relation to Oplan Exodus.

#### The Director SAF

Based on the accounts of those who participated in the mission planning process of Oplan Exodus, Napeñas was responsible for the tactical aspect of the operation.



The President, during the press briefing on January 28, 2015, also affirmed that the Napeñas was the officer responsible for the tactical concept of the operation.

While Napeñas allowed opposing and critical views from his subordinates, records indicate that he heavily influenced the discussion and planning of Oplan Exodus and selected the "way-in/way-out infiltration and exfiltration of troops; and, by foot-and-night-only" concept of operations (CONOPS).

During his interview with the Board of Inquiry (BOI), it appeared that his appreciation of Oplan Exodus was that it was a high risk-mission and a "must-be-delivered" task. At one point, he mentioned with the BOI that he anticipated that SAF would incur at least ten (10) casualties.

It is also worthy to note that during interviews with BOI, Senate and House of Representatives hearings, among others, DSAF willingly admitted that he was responsible for Oplan Exodus.

The abovestated actions of Napeñas indicate that he had command responsibility with respect to Oplan Exodus.



#### ***Napeñas on receiving and forwarding inaccurate information***

Pursuant to Oplan Exodus, Napeñas would be supported by technical intelligence experts who would be monitoring the ground situation. As events unfolded, Napeñas failed to report accurate and timely information to OIC-PNP.

At about 01:24 p.m. of January 25, 2015, OIC-CPNP Espina sent a Short Messaging System (SMS or text) message to Napeñas: "*Relayed to rusty. Bakit may balitang 11 na ang patay sa SAF?*"

Almost two minutes after that text message, Napeñas replied, "*Sir, di confirm yan, ang report tao nila wounded meron pero wala pa patay Sir.*"

The reply of Napeñas may have made OIC-PNP Espina believe that SAF commandos still had the advantage. It seemed that Napeñas already knew what happened to the members 55<sup>th</sup> Special Action Company (SAC) when OIC-PNP Espina made an inquiry.

An interview with radio operator Police Officer 3 Llyod Tano Ensoy (who was directly responsible for communicating between 55<sup>th</sup> Special Action Company (SAC) and Tactical Command Post (TCP)) revealed that: by 01:00 p.m., Napeñas heard Police Senior Inspector John Garry Erana shouting over the radio communication system that 55<sup>th</sup> SAC was already overwhelmed and flooded by

gunfire. According to Ensoy, Erana shouted over the radio: "*Maubos na kami dito*". Thereafter, there was radio silence. During the radio silence, Ensoy attempted to contact Erana but there was no longer any response through the radio.

It is likely that Napeñas, a seasoned combat officer, could infer from the radio communication of Erana and the succeeding radio silence as to what the situation of the 55<sup>th</sup> SAC was on the ground. However, despite that radio communication at 01:00 p.m., Napeñas texted OIC-PNP at around 01:26 p.m. that SAF only had wounded personnel.

Due to inaccurate information from Napeñas, quick and appropriate counteractions were not made. The misleading information and the seeming lack of urgency on the part of Napeñas could have prevented OIC-PNP to take urgent action.

Based on standard practice in conducting military operations, communications conducted through text message exchanges do not connote urgency to respond or react. The act of typing text messages indicates that the sender has enough time to construct the message and to wait for the recipient to reply at his available time. In the case of the Mamasapano Incident, Napeñas relayed messages to OIC-PNP Espina through SMS message which took more time and effort to deliver and had the risk of leading to misunderstanding and confusion.



### The Suspended CPNP

All the powers and authority vested in PDG Purisima as CPNP ceased to exist on the day his suspension order was served.

This was stressed by Senator Miriam Santiago in one of the Senate hearings, to quote: "*You're placed on preventive suspension on December 19, 2014. 'Suspension' is defined by the law dictionary as 'The temporary deprivation of a person's powers or privileges, especially public officers.' Hindi lang powers ang na-cut off or ang functions, pati pa ang privileges. Kaya kung tutuusin, noong period of preventive suspension, you should not even have been allowed to live in the White House. And yet, you continue to participate in preparation for a law enforcement activity. Therefore, sir, I humbly call to your attention. In jurisprudence, you overstepped your limits.*"

On December 16, 2014, the OIC PNP issued Special Order No. 9851 which directed suspended CPNP Alan Purisima and other suspended PNP officers, to "cease and desist from performing the duties and functions of their respective offices during the pendency of [their respective cases filed by the Ombudsman] until its termination."

Records show that suspended CPNP Purisima participated in the communications and discussions relating to Oplan Exodus inspite of his suspension. A "de facto chain of command" seemed to have been created when, during his suspension, PDG Purisima communicated and reported directly to the President and continued to give advice, instructions and directions to Napeñas with respect to Oplan Exodus.

There are indications that suspended CPNP Purisima was not merely acting in an advisory capacity. For instance, he expressly assumed responsibility for certain aspects of Oplan Exodus such as when he assured that AFP support would be provided.

Even if PDG Purisima was suspended, his actions indicate that he was asserting and exercising command responsibility in relation to Oplan Exodus.

#### ***PDG Purisima's inaccurate and misleading information***

According to the National Crisis Management Core Manual (NCMCM) 2012, the Situational Awareness (SA) process primarily aimed at strategically preventing a crisis formally begins by scanning the environment for risks and vulnerabilities or indicators of potential crisis.

The SA shall provide attributions for, and evaluation of, all references and sources. Information is then depicted into several variables such as: movements, structures, processes, phenomena, ideas, or belief systems whose dynamics, decisions, behavior, power, inclinations, tendencies, directions, etc., can determine a certain outcome or change.

At a crucial stage of the crisis, suspended CPNP Purisima kept providing inaccurate and ambiguous information from unreliable sources, which resulted in eventual erroneous decisions.

On January 25, 2015, around 07:57 a.m., suspended CPNP Purisima sent a text message to Lieutenant General Rustico Guerrero stating that: *"Bok text sa akin ng dir saf...Sir location of SAF troops GC 68006 65717 and 6823465956.Nasa paligid ng first GC ang mga kalaban & tuloy pa rin heavy firefighth. Napindown tropa sa first GC at meron mga casualties sila. Baka puede artillery support sa AFP"*.

Guerrero replied at around 08:03 a.m.: *"Meron ng coordination sa ground tank and artillery support are made available."*

The foregoing exchange of messages indicate that when Guerrero texted suspended CPNP Purisima about support from the Armed Forces of the Philippines

(AFP), Guerrero referred only to the availability of the support elements on the ground. Guerrero did not clarify that its disposal was dependent on the ground commander—whether or not he would allow the use or deployment of the available support elements.

Even if the response was ambiguous, suspended CPNP Purisima failed to clarify its deployment by, for instance, calling Guerrero.

This lackadaisical stance can also be gleaned from the statement of suspended CPNP Purisima to Guerrero in the same text message at 07:57 a.m.: "*Baka puede artillery support sa AFP*".

Such statement does not connote a sense of urgency as it seemingly gave Guerrero a choice to either send support artillery to the battle zone, or not. Prudence would have required suspended CPNP Purisima to take quick action and give clear, decisive instructions. However, the suspended CPNP failed to do the same.

Furthermore, the exchanges of text messages between suspended CPNP Purisima and President Aquino reveal that the former provided inaccurate information.

*Just*  
The President texted, "*If I remember correctly, 160 Saf troopers were directly involved in this operation plus provisions for other Pnp and afp units to assist. The terrain is flat and clear as opposed to upland forested or jungle terrain. Why could they not contain and/or overwhelm the 15-20 member opposing force? Are they still in contact with the two other targets? If not, and the opposing force has escaped, are we now back to square one?*"

Suspended CPNP Purisima replied, "*They are presently in contact with reinforcing elements from biff. The containment forces are the ones in contact right now. They are supported by mechanized and artillery support, Sir.*"

He further added, "*The local target Basit and his group were the first group that were engaged by main effort group.*"

The President replied, "*review your earlier and latest texts. They differ as to which was engaged first.*"

The text messages of suspended CPNP Purisima to the President were erroneous. Such messages confused the President as to which group engaged with the SAF troops.

Also, the artillery support that suspended CPNP Purisima mentioned was actually not present in the area. His failure to provide accurate information to the President may have made the President complacent about the ground situation.

At around 09:45 a.m., suspended CPNP Purisima texted Napeñas: *"nagbigay ng directive order MILF central comm., wlang MILF pwde lumapit sa ongoing PNP opns in Mamasapano Sir, yong nagresist mga tao ni mohamadali tambato and basit usman wd wanted politician Sir, mahina pwersa nla, mabuti nag advise ka kasi mem MILF gusto magsali pina pull out sila ngaun."*

The suspended CPNP added, *"Txt ng contact ko sa milf."*

Suspended CPNP Purisima informed Napeñas about the Moro Islamic Liberation Front (MILF) activity when he texted around 11:19 a.m.: *"I asked our contact where will they withdraw direction. His reply...Going to marsh area Sir, merin ibng tropa, nakaharang sa daanan nla, ingatan ng tropa mga arm groups ng roque politicians s babà banda ng Mamasapano, more or less 100 armado nakaposition."*

The abovequoted text messages of suspended CPNP Purisima contained information from a contact in the MILF. However, there is nothing in the records which show whether he was able to verify the veracity or reliability of his source. On the other hand, there are indications that his contact from the MILF provided false or tainted information.

The text message citing information from suspended CPNP Purisima's MILF contact stated that the adversarial force was weak, when in fact the actual events on the ground contradicted this statement.

Prior to dissemination, suspended CPNP Purisima should have verified his source of information or ensured that the details being provided to him were accurate and reliable. As an experienced Intelligence Officer, he should have first evaluated or ensured a manner of evaluating the information prior to dissemination. In this case, the information received by Napeñas from suspended CPNP Purisima appears to have contributed to the misappreciation by the former of the situation.

The BOI notes that, based on the transcript of text messages attached by suspended CPNP Purisima to his affidavit, most of his text messages to the President do not indicate the time when such were sent or received. This limits the ability of the BOI to establish the timelines of the messages, and their significance and/or impact vis-à-vis the chronology of events or situation on the ground.

#### **The SILG and OIC-PNP**

The Secretary of the Interior and Local Government (SILG) Mar Roxas and OIC-PNP Espina, in his capacity as Deputy Chief PNP for Operations (DCO),



were present during a briefing by Napeñas held sometime in March 2014 in Camp Crame about a special project to take down high value targets (HVTs) (Oplan Wolverine). However, both of them were kept in the dark throughout the planning process of Oplan Exodus.

The OIC-PNP, or in his capacity as DCO, was never consulted for approval before the concept of Oplan Exodus was presented to the President. There was no opportunity for the OIC-PNP to inform the SILG about Oplan Exodus, as he himself was taken out of the loop.

OIC-PNP was first informed about Oplan Exodus through a phone call by suspended CPNP Purisima at 05:50 a.m. on January 25, 2015 that the mission to get the HVTs pushed through. On the other hand, SILG learned about the operation when he got an SMS message from Police Director Charles Calima Jr. at 07:43 a.m.

#### The President as the Commander-in-Chief

Certain statements made during the press briefing of the President on January 28, 2015 appear to conflict with other statements.

At one point during the press briefing, the President stated that he was on top of the hunt for Marwan and company for several months. The President also denied the involvement of suspended CPNP Purisima in Oplan Exodus. However, in the succeeding Senate hearings, suspended CPNP Purisima admitted that he was accountable for Oplan Exodus.

In the same press briefing, when the President was asked for a categorical answer if he gave the go signal for Oplan Exodus, the President did not directly address the question and replied that the question was rhetorical. He further said "*tinutulungan ako ni General Purisima.*"

On March 09, 2015, the President said during his press briefing in Malacanang that he approved Oplan Exodus. The President specifically stated: "*kung alam ko na ganito ang gagawin niya [Napeñas] from the start, ay hininditan ko ho itong misyon na ito...*" and "*kung alam ko ho 'yung parte ng planong yon, palagay ko ho hindi na natin in-approve.*"

During his interview with BOI, Napeñas narrated that the input of the President was focused more in the details of the operational and tactical plan for Oplan Exodus. This was supported by text messages that the President sent to suspended CPNP Purisima that contained details of Oplan Exodus while the encounter was on-going on January 25, 2015, to quote: "*If I remember correctly, 160 SAF troopers are involved in this operation plus provisions for other PNP and AFP units to assist. The terrain is flat and clear as opposed to upland, forested or*

*jungle terrain. Why could they not contain and/or overwhelm the 15-20 opposing force? Are they still in contact with the two targets? If not and the opposing force has escaped? Are we now back to square one?*

Another SMS that the President sent to suspended CPNP Purisma on January 25, 2015, stated: *"Why was it left behind? The other two targets?"*

The SMS messages show that the President had knowledge of the details of Oplan Exodus.

From the standpoint of military operations, the President's questions might be construed as tactical orders for the ground commander to follow, i.e., *"Why was it left behind? The other two targets?"*

According to Napeñas, during the presentation of Oplan Exodus on January 09, 2015, the President gave instruction to coordinate with the AFP. When Napeñas responded that: *"With all due respect Sir, compromised po ang AFP. Planning and preparation stages during big operations are compromised"*, the President remained silent.

Records do not show any clear or decisive instruction from the President to take into consideration the ongoing peace process with the MILF as well as the role of the peace process mechanisms in Oplan Exodus.



### Implications of Oplan Exodus on the Peace Agreement

The implications of Oplan Exodus and its effect on the peace agreement and the passage of Bangsamoro Basic Law (BBL) should have been considered in the planning and execution.

Mamasapano Mayor Ampatuan, when interviewed, attested that there is a high probability of MILF encounter when a law enforcement operation of this nature is conducted in their controlled territory.

As Chief Executive of the Philippines, the President could have given strategic guidance to Napeñas on the implications of conducting a law enforcement operation within MILF-controlled communities.

### C. COORDINATION

According to the NCMCM, coordination is defined as "an exchange of information to inform and integrate, synchronize, and de-conflict operations. Coordination is not necessarily a process of gaining approval but is most often used for mutual exchange of information".

The PNP has no prescribed definition of coordination but its concept is within the context of Inter-Unit coordination as spelled out in the provision of the Revised PNP Operational Procedure (POP) Rule 5.

Chapter 2 of the POP provides:

"Chapter 2. Operational Procedures."

#### RULE 5. INTER-UNIT COORDINATION

##### *5.1 Personal Coordination or by Official Representative*

Team Leader/s (TL) of the local police units operating outside their territorial jurisdiction and National Support Units (NSUs) shall coordinate, personally or through an official representative, with the Police Regional, Provincial or City Police Office within whose jurisdiction the operation is to be conducted.

##### *5.2 Coordination by Filing Coordination Form*

Prior to the launching of the operation, except in cases where the formal (in writing) inter-unit coordination cannot be made due to the nature and/or urgency of the situation such as, but not limited to, cross-jurisdictional pursuit operations, coordination should be made formally using the prescribed Coordination Form, which shall be filed with the concerned operation center of the Police Regional, Provincial or City Office.

##### *5.3 Coordination by Practical/Available Means of Communication*

In cases where formal inter-unit coordination is not feasible, the Police Unit concerned shall endeavour to notify the territorial police office through any practical/available means of communication at any time during the operation and, if not possible, shall accomplish and furnish the territorial Police Office a written incident report immediately after the termination of the operation.

Regardless of the manner it is undertaken, inter-unit coordination is mandatory for an NSU like the SAF.




**Between GRP and MILF forces**

One of the pertinent signed agreements relative to the peace agreement with the MILF is the Agreement for General Cessation of Hostilities entered into on July 18, 1997. Its Implementing Operational Guidelines provides:

*"Implementing Operational Guidelines of the GRP-MILF Agreement on the General Cessation of Hostilities."*

**Article II. Action exempted from Cessation of Hostilities**

Police and military actions and administrative/logistic activities shall continue to be undertaken by the Government of the Republic of the Philippines (GRP) throughout Mindanao and the entire country. In pursuit thereof, confrontational situations between the GRP and MILF forces shall be avoided through prior coordination with the latter. These actions include, but are not limited to the following:

- 
1. Peacekeeping and police actions such as preventive patrols, investigation, arrest, searches and seizures undertaken by the Government against criminality, especially piracy, robbery, kidnapping, cattle rustling, murder and other criminal acts; and
  2. Defensive or protective actions of the GRP and MILF to ensure the security of its forces, facilities, installations, equipment and lines of communications, and the safety and tranquility of the civil government and the population.

Prior coordination was made mandatory under the foregoing provision precisely to avoid confrontational situations between the GRP (law enforcers like the PNP) and the MILF forces.

**Among 6ID-PA, AHJAG and CCCH**

With regard to law enforcement operations (LEO), the PNP and AFP entered into an agreement.

The Revised Joint AFP/PNP Operational Guidelines for the Ad Hoc Joint Action Group (AHJAG) (Tab 7) made coordination mandatory. It provides:

"Revised Joint AFP/PNP Operational Guidelines for the AHJAG (AHJAG)"

8 Concept, (e) Execution,

(1) Phase 1 (Prior to Law Enforcement Operation)

Phase I begins when the GRP Forces communicate to the GPH-AHJAG of an impending law enforcement operation at least 24 hours prior.

Except for operations against HVTs, "a list of which shall be provided by the Government of the Philippines (GPH) Panel to the MILF Panel, the AHJAG shall inform the GPH and MILF Coordinating Committee on the Cessation of Hostilities (CCCH) at least 24 hours prior to the conduct of AFP/PNP operation in order to allow sufficient time for the evacuation of civilians and to avoid armed confrontation between the GPH and MILF forces".

Napeñas admitted during his interview with the BOI that key variables for Oplan Exodus such as the coordination with 6<sup>th</sup> Infantry Division of the Philippine Army (6ID-PA) and with the AHJAG/CCCH were not thoroughly studied and considered in the mission planning process. The major consideration of utilizing the Time-on-Target (TOT) concept of coordination was operational security (OPSEC) to reduce the risk of compromise.

Despite the established measures in coordination, Napeñas adopted the TOT concept, which is a concept alien to the AFP and runs counter to AFP's established Standard Operating Procedures (SOP).

The coordination matrix in the CONOPS showed that coordination with the 6ID-PA and the AHJAG/CCCH would be made when the 84<sup>th</sup> SAC was literally on target or ready to engage the target. This mode of coordination and execution is what Napeñas repeatedly called TOT.

Based on interviews with involved SAF personnel, it appears that their understanding of the TOT concept is limited, or for others, inexistent. It appeared that there was no agreement on the exact working definition of TOT. The term is neither found in the PNP Police Operational Procedure (PNP-POP 2013, revised in December 2013) nor in any relevant protocols or manuals of the PA, the AHJAG or the CCCH. It appears from the records that TOT is a term which only the 84<sup>th</sup> SAC or Seaborne is familiar with.

This type of strategy left allied units or entities like the 6ID-PA and the AHJAG/CCCH with little time and information essential to appropriately and adequately respond to the operational environment for the operating elements.

Although coordination during TOT may be considered crucial to ensure OPSEC during mission planning, this strategy proved to be disastrous during the actual operation when applied to all levels of the organization.

The Mamasapano Incident showed that, in the absence or lack of adequate information due to lack of prior coordination, there is no commonality of thoughts

or leveling-off of expectations among key operational decision makers at the most crucial time during extraction (exfiltration).

Upon their exposure to a new and fast evolving situation with scant knowledge of the various elements affecting the decision making process, the ground commanders Major General Edmundo Pangillinan (6ID-PA), Brigadier General Manolito Orense and Brigadier General Carlito Galvez resorted to employing concepts and methods that were uniquely familiar to each one of them. Each one anchored subsequent decisions and actions on the established principles and protocols unique and familiar to their respective positions.

During his interview with the BOI, Napeñas explained that the plan of not making prior coordination with concerned AFP units and AHJAG was based on Section 5.3 of Rule 5 of the PNP-POP 2013, to wit: *"In cases where formal inter-unit coordination is not feasible, the Police Unit concerned shall endeavor to notify the territorial police office through any practical/available means of communication at anytime during the operation and, if not possible, shall accomplish and furnish the territorial Police Office a written incident report immediately after the termination of the operation."*

However, this particular rule does not apply with the AFP protocols, the provisions of the peace agreement, and the situation surrounding Oplan Exodus.

The subsequent decision of Pangillinan to put on hold delivery of artillery fire support was pursuant to the Rules of Engagement (ROE) in Fire Support Operations issued on April 5, 2008 by the Army Artillery Regiment (AAR) of the PA. Such ROE specifically provides the (1) availability of Forward Observers (FOs) within the requesting units; (2) direct radio communication of FOs with the Field Artillery Battery; (3) consideration of the enemy's location from the friendly forces. However, even taking into account such rules, the 10-hour delay in giving fire support is unusual and unacceptable under the circumstances.

Similarly, Orense's call to his counterpart, MILF-AHJAG Chairman Atty. Dataya, was anchored on the principles and guidelines applicable to his position as Chairman, GPH AHJAG. This was contained in the Joint AFP/PNP Operational Guidelines for AHJAG jointly signed by the AFP, PNP and OPAPP on July 23, 2013.

Galvez called Major Carlos T. Sol, Jr., Director, Combined Secretariat, GPNP- Office of the Presidential Adviser on the Peace Process (OPAPP), to activate the joint ceasefire team. This action was inherent in his function as Chairman, GPH-CCCH. Incidentally, it is worth noting that Pangillinan had been the Chairman of GPH-CCCH a year earlier in 2013 and before his assumption as CG, 6ID PA sometime in the middle of 2014.

The absence of prior coordination by SAF caused its supposed partners from 6ID-PA and the AHJAG and CCCH to revert to their default mode—one that applied concepts and principles that they were familiar with, and consistent with their respective functions.

Even without prior coordination, Napeñas should have thoroughly studied the Army's ROE in Fire Support Operations. This could have prompted Napeñas to imbed FOs within the operating units before the actual conduct of operation. A discreet effort could have also been made to ensure radio communication would be immediately established between the SAF FO's and the Army's Field Artillery Battery in the event artillery fire support became necessary.

The dynamics of the peace process were likewise not considered in the mission planning. All involved SAF elements interviewed by BOI stated that they did not recall any instance where the peace process was factored in the planning process.

Additionally, during his interview with the BOI, Napeñas stated that President Aquino did not raise any particular concern on how Oplan Exodus may potentially put the peace agreement with the MILF at risk.

Prior communication with Galvez could have informed Napeñas that in past experiences, ceasefire could only be achieved after at least six (6) hours of negotiation.

Unfortunately, all the above imperatives were not considered in the mission planning. Hence, no preparatory activities, as well as simulation exercises, were made to prepare for contingencies and other courses of action.

The foregoing discussions are relevant to two vital issues that had huge impacts on the operational environment and subsequent outcome of Oplan Exodus. These are: 1) the delay in the delivery of artillery fire support by the 6ID PA; and 2) the delay in the reinstatement of the ceasefire that could have prevented further loss of lives.

#### Time-on-Target Concept (TOT)

Napeñas decided to apply the TOT coordination concept for Oplan Exodus.

There was nothing in the plan identifying the levels of coordination to be made for each level in the hierarchy of the PNP organization, the AFP, peace process mechanism and other government agencies.

Oplan Exodus was formulated and executed with a "peanut-butter spread approach", wherein the coordination was considered as a uniform and similar principle at all levels and across various government institutions.

In the AFP, the operational meaning of coordination is well-defined.

The AFP defines coordination as *"the act of informing a department or person of a course of action so that he can either fit his own actions into the proposed course of action, or take steps to modify the proposed course of action to make it fit into his own; (2) the function of integrating efforts of Search and Rescue (SAR) facilities for a concerted and harmonized execution of SAR missions in an effective and economical manner; (3) an act of organizing, making different people and agencies work together for a goal or effect to fulfill desired goals in an organization: (AFP Glossary of Military Terms)"*

The above definition illustrates how the AFP uniformly and accurately defines the term coordination.

On the other hand, there is no equivalent operational definition of the term *coordination* in relation to police operations. The term is merely mentioned in various references, particularly in the POP, but is not included in the definition of terms.

Napeñas should have studied the operational definition of the term "coordination" in the context of the AFP, as SAF would depend heavily on them for operational support such as the need for artillery and mechanized units when the need arose.

#### Levels of coordination

In applying the TOT concept of coordination—which prevented SAF from informing and coordinating with AFP until the target was engaged—the responding units were deprived of the opportunity to study the courses of action and make the necessary preparations so they can efficiently act.

Considering the foregoing, the requesting party should have prepared a coordination package containing the essential information necessary for the recipient unit to deliver the expected support. Personnel tasked to coordinate should have had an initial contact with the focal persons without necessarily discussing the details of the planned operation.

Furthermore, the TOT concept should not be applicable to the top level management. Mobilization of large amounts of resources, especially when they are external to SAF, would need decisions from the top level management of both the PNP and the AFP.

*[Handwritten signature]*

*[Handwritten initials]*

The TOT concept is only applicable at the tactical level to minimize the risk of the operations being compromised. The application of TOT coordination should be done selectively, based on intelligence assessment and that the responding or participating units and elements are in some degree prepared and are ready to substantially respond to whatever need becomes correspondingly necessary.

### Mode of Coordination

Where the concept of TOT Coordination would be applied, the mode of coordination is of extreme importance. A situation may arise wherein the contact persons may not be available after office hours or the usual method of communication could have changed or is not available.

When the TOT concept is utilized, various modes and channels of coordination should have been considered.

Face to face communication is one of the most effective ways of coordination as points can be easily conveyed and clarified. The mode of coordination through electronic means and radio transmission is highly dependent on various factors such as signal strength, compatibility of communication paraphernalia, availability of the receiving party, and security, among others.

In Oplan Exodus, Napeñas widely used SMS as its mode of TOT Coordination. It appears that Napeñas assumed that coordination via SMS is reliable and would at all times effectively relay a message. While coordination through cellular phone via SMS may be convenient, there is always the possibility that the intended recipient may not be able to read the message on time and appropriately respond during the wee hours. In areas where signals are weak, messages are usually delayed or may not even reach its intended recipients.

### Allocation of Tasks

In every operation, it is imperative that responsible persons charged with communication are appointed and delegated with tasks.

Oplan Exodus' coordination matrix shows that most of the coordination would be done by the Napeñas himself.

Coordinating with the various AFP units, PNP Senior Officials, and other government officials would require an enormous amount of time and attention. The time spent by the DSAF on coordination could have been better devoted to directing and supervising the operation on the ground.


The task of coordination should have been delegated. The coordination teams could have identified focal persons in support units and subsequently established rapport prior to the execution of the operation. These tasks are crucial when applying the TOT coordination concept.

#### D. OPERATION PLAN

##### Mission Planning

Certain conditions and assumptions must be considered during the mission planning. Along with these conditions and assumptions are corresponding tasks which must be delivered by the different operating units.

For Oplan Exodus, the conditions and assumptions include: cover of darkness, schedule of movement, time of operation must be between 10:00PM to 04:00 a.m. when local activities are minimal, Support Efforts (SEs) and Blocking/Containment Force position, no compromise situation, no abort criteria, a "must-do" mission, readily available combat support, intervention by the peace process mechanisms.

 The plan was to interdict the target personalities utilizing SAF commandos. Movement towards the area of operation and all the actions by the different participating units were to be done before dawn based on the following assumptions: less civilian activity in the area of operations during nighttime provides security on the part of the operating troops particularly at the target area where no activities are expected between 10:00 p.m. and 04:00 a.m.; and cover of darkness offers tactical advantage for light units like the SAF.

Napeñas said that SAF "owns the night" as they were equipped with Night Fighting Systems (NFS). The Intelligence, Surveillance and Reconnaissance (ISR), which provides real time updates on the ground, can be more effectively deployed under the cover of darkness as well.

Being lightly equipped and not designed for sustained armed engagement, operating units of this kind are normally deployed in the area of operation with adequate reinforcement and combat support back at the base. When in contact with the enemy, the SOP is to immediately disengage and proceed to pre-designated rallying points. During the operation briefing, Napeñas ordered his men not to engage the enemy unless fired upon.

Napeñas gave instructions that the operation had no abort criteria. Based on interviews with SAF members, he also gave the operating troops his assurance that artillery or indirect fire support will be provided. This assurance gave them the confidence to pursue the operation. However, at the time these assurances were



made, there was no definite action yet on the part of the PNP and AFP leadership to arrange for artillery or indirect fire support.

The mission planning process for Oplan Exodus was made a week prior to the January 09, 2015 presentation of Napeñas to the President, suspended CPNP Purisima and Mendez.

The new CONOPS for the interdiction of Marwan, Basit Usman and Amin Bako was to approach the target by foot, nighttime operation, and one way-in, one way-out.

According to the statement of Napeñas, the President cited, during the briefing at Malacanang, the need to increase the strength of the operating troops when he said "dagdagan ang pwersa" and the need to coordinate the operation with the AFP. Napeñas took note of these comments of the President.

With respect to the President's instruction to coordinate with the AFP, Napeñas raised his concern that the AFP might be compromised due to intermarriages of some AFP personnel with the local people. He cited previous SAF operations against the same HVTs that were coordinated with the AFP. Suspended CPNP Purisima and Mendez shared the qualms of Napeñas.

Napeñas proposed to coordinate the operation with the AFP, AHJAG and CCCH based on the TOT concept. According to him, the President did not make any comment as to his proposed TOT concept.

After the meeting, PDG Purisima gave the following instruction to DSAF and AD, IG: *"huwag nyo muna sabihan yung dalawa (referring to the OIC PNP and the SILG), saka na pag nandun na. Ako na bahala kay Catapang."*

On January 19, 2015, Napeñas instructed Rapid Deployment Battalion Commander, 3rd Special Action Battalion Commander (SAB), and Chief of the Force Intelligence and Investigation Division (FIID) to polish the plan with personnel from 84<sup>th</sup> SAC and 55<sup>th</sup> SAC and make the final preparations for the operation. On the same date, Napeñas informed Mendez and suspended CPNP Purisima that the window for execution of Oplan Exodus will be from January 23 to 26, 2015.

The planning team failed to develop an extensive contingency plan or courses of action to manage risks associated with the operation. It was well acknowledged by the Napeñas that it was a high-risk operation. Contingency plans therefore should have been crafted addressing every particular risk.

The coordination plan was very limited. It was merely presented in a coordination table identifying the units with whom to coordinate and the persons to



do the coordination. There was only one approach. Time on target coordination concept was to be applied, disregarding the Chain of Command.

There are indications that Napeñas may not have considered differing opinions raised by his subordinate commanders. The mission planning appears to have been done by a group of officers and not by a planning team, as the inputs were heavily influenced by instructions from Napeñas. The element of healthy discussion was not achieved and the free flow of ideas was curtailed. The established protocols and SOPs of the AFP, AHJAG and CCCH in providing reinforcement and effecting ceasefire were not sufficiently raised during the discussions.

Operations Order (OPORD) should have been developed as part of the mission planning. An OPORD specifically indicates among other things, the restated mission, concept of operation following the Courses of Action (COA) that were selected and approved, combat support, and command and signal. These details are very important for the different operating units to effectively perform their respective tasks towards the success of the operation. There was no OPORD issued for Oplan Exodus.

It was imperative to develop a well-crafted reinforcement plan, which can be implemented any time during the operation. Whatever reinforcement is needed and available such as infantry, mechanized, artillery support, close air support, among others, should have been included in the plan. The reinforcing units, at least at the Brigade Commander level, should have been informed and given the needed lead time to prepare.

#### Approval and Go-Signal

As a standard operating procedure in the PNP, the approval of an operation plan—which requires movement of a significant number of troops, involves considerable budgetary requirements, and has strategic impact—is within the authority of the CPNP.

PDG Purisima was already suspended when Oplan Exodus was presented to President Aquino on January 09, 2015. Thus, the approval of Oplan Exodus should have come from OIC-PNP Espina pursuant to the doctrine of Chain of Command. However, OIC-PNP Espina, even in his capacity as DCO, was never consulted for approval of Oplan Exodus. The records show that while OIC-PNP Espina had no knowledge of Oplan Exodus. On the other hand, suspended CPNP Purisima had knowledge of, and participation in, Oplan Exodus. Even if the acts of PDG Purisima can be construed as giving his express or implied approval to Oplan Exodus, he had no authority to give such approval by reason of his suspension.

During the question-and-answer at the prayer meeting with Coalition of Christian Leaders on March 09, 2015 in Malacanang, President Aquino was asked about the facts related to Mamasapano. He stated, "*Kung alam ko ho 'yung parte ng planong [Oplan Exodus] 'yon, palagay ko ho hindi na natin in-approve [Had I known that part of the plan [Exodus], I don't think I would have approved it]*".

The President's public statement confirms that he approved Oplan Exodus. The records (as borne out by the discussions in this Report) indicate that President Aquino was aware of the details of the operation not only because of the presentation to him of Oplan Exodus on January 09, 2015, but also because of updates and information provided to him by suspended CPNP Purisima and Napeñas. The approval of the President, as the Chief Executive, is sufficient as it surpassed the authority of the OIC-PNP.

### Change in Operational Conditions

The operational condition suddenly changed from nighttime to daytime due to delays in infiltration of the Main Effort (ME) and movement of the SE.

During rehearsals, the complete equipment package for 84<sup>th</sup> SAC and 55<sup>th</sup> SAC that may cause delay in their movement were not properly rehearsed. Each operating element was given equipment load that were more than they could effectively carry. Some elements of 55<sup>th</sup> SAC kept on requesting "halt" during the infiltration as they could not cope with the rest of the team. The unexpected delays suddenly made the operational environment unfavorable to 55<sup>th</sup> SAC and the rest of the containment and the blocking forces.

Based on the Power Point version of Oplan Exodus, which was used in the actual operation, there was no contingency plan which provided courses of action when the operating environment shifted to daytime. Napeñas said they "own the night", but he probably missed the point that the enemy "owns the day". Local people were already up and starting their day when 55<sup>th</sup> SAC was still far from their designated waypoint to support 84<sup>th</sup> Seaborne SAC. Since Napeñas had an express instruction that there would be no abort criteria, teams leaders were forced to execute the plan at all cost.

### Contingency Plan

Napeñas assumed that the possibility of 'pintakasi' in the area is high, thus mitigating actions or contingency plans were considered such as artillery support and intervention of the peace mechanisms.

According to the plan, support of 6ID-PA for artillery would be requested as necessary. Coordination with the 6ID and CCCH and AHJAG would be done "at time-on-target" applying the TOT concept. There was no plan for close air support.



During exfiltration, containment forces would provide cover and security as each troop withdraws along the planned route.

At the height of the firefight, 55<sup>th</sup> SAC kept calling and requesting for artillery support. The grid coordinates which pointed to their location was forwarded to the TCP, SAF coordinated and requested for indirect artillery fire support from the 1st Mechanized Brigade as early as 07:30 a.m. The Brigade Commander of the 1st Mech Brigade, Col. Gener del Rosario sought clearance for artillery fire from the 6ID Commander, Pangilinan but only infantry and mechanized support were approved. The request for indirect artillery fire was put on hold since, according to Pangilinan, they still lack details as mandated by their protocol.

Police Senior Inspector Ryan Pabalnas believed that artillery support would be delivered. Artillery support was part of the considerations and agreed mitigating actions during the mission planning. Police Superintendent Raymund Train of the 84<sup>th</sup> SAC attested that, in case of heavy enemy fire, the first planned mitigating action was indirect artillery fire support from the AFP. The second planned mitigating action was the commissioning of the peace process mechanisms to facilitate ceasefire.

Napeñas failed to consider the consequences of the TOT concept vis-a-vis the chosen mitigating actions. He appears to have relied heavily on the verbal commitment of the suspended Chief PNP to arrange for the needed AFP support.

## E. EXECUTION

### Troop Preparation and Movement to the Staging Areas

For several days before the launch of Oplan Exodus, 84<sup>th</sup> SAC and the 55<sup>th</sup> SAC initiated a series of field exercises, rehearsals and replanning sessions in a remote location in Zamboanga City to prepare for the impending operation. The rest of the participating units were compartmentalized, and were given clearance to only plan and conduct table-top exercises on vehicle movement from staging area to Vehicle-Drop-Off Point (VDOP), and foot movement from VDOP to designated waypoints (WP) on January 23, 2015, a day before the start of the operation.

It was only on January 24, 2015 at the staging area in Marallag, Davao Del Sur that support troops were briefed on the concept of the operation and targets.

Following the CONOPS, the various operating units were transported to their respective inconspicuous consolidation areas in General Santos City, Davao Del Sur and Sultan Kudarat a few days before the D-day or actual day of operation in a systematic manner under the direction of Napeñas. Because of the large number of personnel involved, having different consolidation areas reduced the

risk of compromise. The consolidation areas eventually became their staging areas when they were ordered to move to the VDOP following a time synchronization matrix.

### The 84<sup>th</sup> SAC (Seaborne)

The 84<sup>th</sup> SAC was composed of thirty-three (33) Seaborne personnel, five (5) Intelligence operatives (two (2) were formerly with Seaborne) and two (2) civilian guides for a total of forty (40).

The plan was to utilize the 84<sup>th</sup> as the Main Effort (ME), i.e., the unit that would neutralize Marwan and Usman in the target area.

The group would depart from the VDOP at 11:30 p.m. and were expected to reach the target area between 01:30 a.m. to 03:00 a.m. Once they were in the target area, the Seaborne would divide into two (2) sub-groups, each to proceed to its designated targets.

After target neutralization, the members would regroup, exfiltrate while linking up with the containment forces deployed along the waypoints (WP) using the same route they followed in the infiltration. A total of twenty-two (22) waypoints were laid out from VDOP (designated as WP 1) to Objective (designated as WP 22).

Because of their unfamiliarity with the terrain, the Seaborne decided to depart from their staging area for the VDOP more than an hour earlier in case adjustments needed to be made enroute to the target area. At 10:15 p.m., the group left the VDOP. Between waypoint 6 and 7, the navigator encountered problems with his GPS and allowed the guide to lead the way. Because the guides were only familiar with the area during daytime, they became disoriented and this caused more than an hour delay in the movement of the Seaborne.

It took almost six (6) hours for the Seaborne to reach the target area, the most challenging part of which involved crossing the river near the objective. By 03:50 a.m., only thirteen (13) were able to cross the river. Because of time constraints as they were running late, Train decided to raid Marwan's hut with just thirteen (13) men. There was no force available to raid the other target (Usman) whose hut was just one hundred (100) meters from Marwan.

The mission planning failed to provide in-depth analysis of the terrain particularly the condition of the rivers along the route. Uncontrolled variables such as rivers were poorly considered. The troops could have anticipated and prepared for this scenario during the field exercises and rehearsals. From VDOP to its objective, the Seaborne had to cross several rivers. Note that according

to Oplan Exodus, the departure and movement of the other operating groups was heavily dependent on the movement of the Seaborne.

The delayed movement of the Seaborne caused a domino effect in delaying the movement of the containment/blocking forces (55<sup>th</sup>, 45<sup>th</sup>, 42<sup>nd</sup> and 41<sup>st</sup> SACs) which consequently resulted in their failure to reach their designated waypoints and in their failure to accomplish their tasks.

As a mitigating action, TCP should have advanced the time of departure of the containment forces when it monitored that the 84<sup>th</sup> SAC was encountering difficulties in negotiating the terrain.

During their interview with the BOI, survivors of the 84<sup>th</sup> SAC expressed that the absence of an abort criteria in Oplan Exodus prompted them to pursue their objective regardless of the severe difficulties, limitations, and hindrances that affected their operation. Their resolve to accomplish their mission despite serious challenges to their survival is admirable and noteworthy.

#### The 55<sup>th</sup> SAC

The plan was to move the 55<sup>th</sup> SAC at 09:00 p.m. of January 24, 2015 from their staging point in Surallah, South Cotabato to the VDOP. From VDOP, 55<sup>th</sup> SAC would start moving towards its designated position (Waypoint 17 to 19) three (3) hours after the departure of Seaborne from VDOP.

During the exfiltration phase, 55<sup>th</sup> SAC would link up with the Seaborne starting at WP19 and together they would withdraw to the VDOP. Dispatch of other support units towards their respective objectives would be determined by the TCP for operational security.

The 55<sup>th</sup> SAC jumped-off from its staging area around an hour ahead of the planned departure time. While en route towards VDOP, they received instruction from the TCP to slow down as the Seaborne was still far from its objective. It took the 55<sup>th</sup> SAC five (5) hours to reach VDOP. At around 02:00 a.m., the 55<sup>th</sup> SAC left VDOP for its designated objective.

Along the way, 55<sup>th</sup> SAC followed the infrared chemical lights purposely left behind by the 84<sup>th</sup> SAC along the route to serve as guides. At around 04:15 a.m., a few minutes after the last personnel crossed the foot bridge (just a hundred meters west of WP 12), bursts of gunfire were heard from the location of the Seaborne. Knowing that the Seaborne was already engaged, Pabalinas ordered PO2 Christopher Lalan and his buddy to go back to the other side of the river and secure that area in time for the arrival of the Seaborne. Based on accounts of Lalan, while they were crossing the bridge, they sensed armed men at the other side of the river prompting them to go back and report. Pabalinas subsequently ordered his men to establish a box-type defensive position inside the cornfield.

The 55<sup>th</sup> SAC observed the developments on the other side of the river which he reported to TCP. The number of armed men was progressively increasing. Despite the advantage of the 55<sup>th</sup> SAC in having night-fighting capability, the unit did not engage the armed men.

There was a standoff between 55<sup>th</sup> SAC and the armed men for about an hour. At around 05:20 a.m., bursts of gunfire were heard from different directions. This was the start of the enemy engagement, which lasted for almost eight (8) hours. The 55<sup>th</sup> SAC personnel repelled waves of enemy attacks without any cover. Only cornstalks served as their concealment. Ammunition ran out, and those who were still alive attempted to escape the killing zone but were gunned-down.

It appears from the records that at around 01:00 p.m., most of the members of the 55<sup>th</sup> SAC were dead. Of the thirty-six (36) members, only Lalan escaped and survived.

It is worthy to note that during the site survey, the BOI noticed that there was a defensible position (row of coconut trees) approximately one hundred (100) meters behind the 55<sup>th</sup> SAC position. Apparently this was not visible from the position of the 55<sup>th</sup> SAC because it was dark and the troops were surrounded by tall cornstalks. SOP states that when tactical troops temporarily occupy an area or position in an unfamiliar terrain, they should secure the perimeter, conduct reconnaissance to look for cover, vantage positions and observation posts. Unfortunately, 55<sup>th</sup> SAC did not follow this SOP.

#### F. COMMAND AND CONTROL

In August 2010, the Manila hostage crisis known as the "Rizal Park hostage-taking incident" occurred. The incident was caused by a disgruntled former Philippine National Police officer named Rolando Mendoza, who hijacked a tourist bus inside the Rizal Park premises. The bus carried twenty-five (25) people, mostly Hong Kong tourists and four Filipinos. Mendoza claimed that he had been unfairly dismissed from his job, and demanded a fair hearing to defend himself.

Negotiations broke down dramatically about ten (10) hours into the standoff when the police arrested Mendoza's brother and thus incited Mendoza to open fire. A 90-minute gun battle ensued leaving Mendoza and eight (8) of the hostages dead and several others wounded. The Philippines and Hong Kong governments conducted separate investigations into the incident. Both inquiries concluded that the Philippine officials' poor handling of the situation caused the hostages' deaths.

On March 22, 2011, President Aquino issued a Memorandum directing the National Security Adviser to review and revise the Crisis Management Manual of

2000 and to harmonize and integrate all existing government manuals on crisis management.

After a series of workshops, the National Security Council Secretariat, National Defense College of the Philippines and the Development Academy of the Philippines formulated two (2) manuals that would govern response and management of human-induced crises, namely, the Practical Guide for National Crisis Managers and the National Crisis Management Core Manual (Core Manual).

The Core Manual, which harmonizes all government crisis management manuals, provides a general framework in detecting and responding to emerging and existing crises, cutting across the strategic, operational and tactical levels of crisis management manuals and functions. It lays down the fundamental principles of Command and Control – the exercise of authority and direction by a properly designated commander over assigned and attached agencies/units in the accomplishment of a particular mission – in managing a crisis.

The Command and Control system supports the commander's ability to make decisions, delegate authority, synchronize all actions and adjust plans for future operations while focusing on the current crisis – through the use of communication systems, computer networks and information systems. The Core Manual likewise mandates that the Command and Control system focuses on roles, rather than rank, and must provide a clear structured mechanism for commanding large scale incidents.

During the Mamasapano operation, the TCP and Advance Command Post (ACP) were established for command and control. Napeñas, Police Chief Superintendent Noli Taliño, the Deputy Director of SAF and Police Superintendent Michael Mangahis manned the TCP stationed in Maguindanao Police Provincial Office (PPO), Shariff Aquak; while Police Superintendent Hendrix Mangaldan, 4<sup>th</sup> SAB Battalion Commander (the designated Ground Commander) manned the ACP in Brgy. Tukanalipao. At the TCP were two radio operators monitoring the movement of troops: Espe, assigned for the 84<sup>th</sup> SAC, and Ensoy for the 55<sup>th</sup> SAC. Supervising them was Napeñas who directed the movements and communicated the situation to the suspended CPNP, OIC-PNP, PNP Command Group and AFP counterparts.

Command and control are critical to a coordinated and collaborative response to the Mamasapano Incident. In Oplan Exodus, the SAF's TCP and ACP were plagued by failures of command and control from the very start especially in the aspect of communication.

As Oplan Exodus unfolded, mobile communication devices was used as a primary mode of communication. However, these devices fell short of what were needed to relay real-time information and coordination of activities to and from the chain of command.



To illustrate, Napenas claimed that he tried several times to send information through text messages to OIC-PNP and the suspended CPNP regarding the situation but because of poor network signal, some of his messages were simply saved in his outbox and were sent later than intended. He failed to immediately inform the OIC-PNP and the suspended CPNP of the situation on the ground.

In the plan, a radio net diagram was provided, which described the flow of communication among and between the operating units, ACP and the TCP. Communication through the use of tactical radios was supposedly in real-time in order to coordinate movements and activities of the different units and relay decisions of commanders.

However, there were indications that, during the firefight, communication was cut-off among the troops. For one, Pabalinas' call to the TCP to inquire about the location of the 84<sup>th</sup> Seaborne showed proof that there was no radio contact between these units during the most crucial period. Communication between Police Senior Inspector Gednat Tabdi of the 84<sup>th</sup> Seaborne and Erana of the 55<sup>th</sup> SAC was through cellular phones, not through the planned radio communication. These cellular phones were unreliable because of poor signal. To communicate their respective positions, distinctive gunfire were used and were validated by a correct reply by the other unit.

Lack of unity and clarity also degraded the efforts to reinforce the beleaguered SAF troops. Although Mangaldan was designated as Ground Commander, his responsibility and control were limited to his own units only, the 45<sup>th</sup>, 42<sup>nd</sup> and 41<sup>st</sup> SACs. He had no contact with the 84<sup>th</sup> and the 55<sup>th</sup> SACs. Every time his units asked for situation updates, especially about the situation of the 55<sup>th</sup> SAC, Mangaldan had to pass the query to the TCP which had no direct contact with the 4SAB containment forces. On the other hand, critical and urgent instructions or information for the 4SAB units had to pass through the ACP.

On the part of the 84<sup>th</sup> Seaborne and 55<sup>th</sup> SAC troopers, their knowledge about the situation was limited to only what they observed in their immediate vicinity and the information provided by the TCP. Both units did not have direct radio contact with the 45<sup>th</sup>, 42<sup>nd</sup>, and 41<sup>st</sup> SACs. Thus, the lack of communication among these units affected situational awareness, reinforcement efforts and decisions of commanders.

Without efficient communication and real-time information, the battlefield visualizations at the TCP and ACP were also distorted or inaccurate and these affected battlefield management. The situation at the ACP was further aggravated by the lack of appropriate visual materials (i.e. obstacle overlays, flowcharts, decision matrices) which made battlefield visualization more difficult.



This confluence of events contributed to an inefficient, if not a total, breakdown at all levels of the Command and Control system on the ground.

## G. LOGISTICS

### Communication

*John*  
Combat operations require a reliable communication system for effective command and control. Military-grade communication equipment are necessary to withstand even the toughest situation on the ground.

The SAF were using two (2) brands of radios during the operation - the Harris Tactical Handheld Radio and the Motorola Ultra High Frequency (UHF) Transceivers.

The Harris Radio proved to be highly reliable under adverse conditions. On the other hand, the Motorola radios, which are commonly used by police units in urban areas, were constantly malfunctioning because these were not designed for military-type operations. Many of the radios were soaked in water and were deemed useless. Many of the batteries of the Motorola radios were only good for a few hours because such batteries easily get discharged due to wear and tear.

As a back-up communication, the troops used their cellphones which were relatively unreliable because of erratic signal.

This breakdown in communication impacted command and control in the battlefield.

### Firepower

Among the units of the PNP SAF, the 84<sup>th</sup> Seaborne and 55<sup>th</sup> SAC were the most highly-equipped in terms of equipment and firepower. However, firepower is only as good as its shooter and ammunition. The lone survivor of the 55<sup>th</sup> SAC reported that several rounds of his M203 grenade launcher were duds.

### Budget

The PNP draws its budget from the annual General Appropriations Act (GAA). Budget allocation for police operations comes from the Maintenance, Operating, and Other Expense (MOOE) of PNP Units. Other legitimate sources of funds can also be used to augment the resources of PNP Units such as funds from Local Government Units (LGUs) and donations from legitimate individuals and organizations, provided they follow the established accounting procedures.

During the Senate hearing on February 09, 2015, Napeñas stressed that only over PhP100,000.00 was spent for Oplan Exodus. This figure is unrealistic considering the large number of personnel (i.e., three hundred ninety-two (392)) that were utilized and transported from different locations in Mindanao and Manila, days before the operation. In addition, expenses had to be incurred for billeting and lodging.

Based on the requirements of Oplan Exodus and based on experiences with past operations, it is likely that the expenses for the operation were more than what was reported. However, the ability of the BOI to check the source of funds is limited due to time constraints.

#### H. PNP AND AFP RESPONSES

Effective and efficient response depends on timely and accurate information, actual situation of the ground and pre-planned courses of action in anticipation of possible scenarios arising from an operation.

For the AFP, responses were based on their established procedures and SOPs. A requesting unit should submit the requirements pursuant to, and conform with, the established standards of the AFP. Since there are two (2) different systems running separately with the AFP and PNP, leveling-off must be considered prior to the execution of any plan.

Napeñas stated that 6ID PA's support to the beleaguered SAF units came in too little, too late. DSAF believes that the tactical outcome of Oplan Exodus could have been more favorable for the PNP SAF commandos had the support of the 6ID been more responsive.

AFP reports, interviews with key AFP field officers, and analyses of text message exchanges between AFP commanders and reinforcing units indicate that the AFP exerted efforts to support and reinforce the SAF by organizing their reserve forces including six (6) armored vehicles and immediately deploying to the area where they could provide support to the beleaguered SAF commandos, excepting the provision of artillery support. It took almost eleven (11) hours, from the time of request, before the three (3) rounds of white phosphorus artillery were delivered by the AFP to support the rescue operations for 84<sup>th</sup> Seaborne.

Based on accounts of AFP field commanders, which were restated during the Senate hearing, artillery support could not be immediately provided because there was no direct contact with the engaged SAF commandos and there was no FOs who could provide information on the direction of artillery fire, taking into consideration the "danger close" principle. Moreover, poor interoperability of radios used by the AFP and SAF commandos made the reinforcement efforts more cumbersome.

Pangilinan explained that his decision on the ground to put on hold the delivery of artillery support was in consonance with the established guidelines contained in the Directive on the Deployment of Howitzer issued by the Army Artillery Regiment (AAR) of the PA. The Directive specifies the following considerations: (1) availability of FOs within the requesting units; (2) direct radio communication of FOs with the Field Artillery Battery; (3) identification of enemy's location from the friendly forces. The foregoing emphasize that the availability of FOs and other considerations for target acquisition could have been practically arranged if only prior coordination was made by the SAF.

The sworn statement of, and interview with, Taliño further revealed that Pangilinan put on hold the delivery of artillery support to the beleaguered SAF commandos in consideration of the on-going peace process with the MILF.

#### SAF Containment and Blocking Forces

Considering that the CONOPS adopted the "way-in/way-out" concept, exfiltration required heavy support from other SAF commandos to secure the withdrawal route of the ME. The 84<sup>th</sup> Seaborne would link up with 55<sup>th</sup> SAC and progressively with 4SAB units as they proceeded back to VDOP. The strategy was to increase forces as they withdrew. This strategy is based on the assumption that hostile forces were already aware of the operation and "pintakas" is imminent.

The plan was for the 4SAB Forces (45<sup>th</sup>, 42<sup>nd</sup> and 41<sup>st</sup>) to depart from VDOP once the Seaborne is inside the target area and is about to launch the assault. The task was to occupy and secure WPs 5 to 16 and link up with the withdrawing Seaborne and 55<sup>th</sup> SAC.

In detail, 45<sup>th</sup> SAC would secure WP 12-16, 42<sup>nd</sup> SAC to secure WPs 9-11 and 41<sup>st</sup> SAC to secure WP 5-8. All remaining SAF units would be deployed along the Maharlika Highway to establish checkpoints, serve as the reserve force and secure the ACP and Main Supply Route (MSR).

The delay in the movement of the Seaborne affected the movement of the 4SAB and other reserve forces. When the containment and reserve forces arrived at the VDOP at 05:20 am, the situation in the area of operation was already hostile. Heavy sounds of gunfire were heard coming from the location of the 55<sup>th</sup> SAC. The troops immediately disembarked, organized themselves and rushed to their designed waypoints or WPs. Midway between WP8 and WP9, the reinforcing troops came under enemy rifle fire and later mortar fire. The exfiltration route and general area were already dominated by hostile forces. The Ground Commander at the ACP was not able to maneuver the reinforcing troops to break enemy lines and force their way to reinforce the 55<sup>th</sup> SAC commandos near WP12. Ineffective communication further aggravated problems of Command and Control.

During the site survey in Mamasapano on February 24, 2015, the BOI took note of the unfavorable terrain faced by the reinforcing troops. The wide terrain between their location and that of the 55<sup>th</sup> SAC was literally flat without adequate cover and concealment. Tactical maneuvers, such as the "Bounding Overwatch" technique, would have been difficult and might result to more casualties.

According to the platoon leaders of the other SAC units, enemy fires were coming from all directions which prevented them from maneuvering and reinforcing the 55<sup>th</sup> SAC. However, the BOI notes that, there was no satisfactory explanation as to why none of the SAF troopers consisting of more than 200 commandos was wounded. Such observation appears to be inconsistent with the claim that they were under heavy enemy fire which prevented them from reinforcing the 55<sup>th</sup> SAC.

### 6ID-PA Response

Under Oplan Exodus, SAF planned to coordinate with the 6ID for artillery support when needed. Deputy DSAF was tasked to do the coordination with the 1<sup>st</sup> Mechanized Brigade using the TOT concept.

When DSAF sent his first text message to Pangilinan at 05:06 a.m. of January 25, 2015, it was to inform the latter of the law enforcement operations (LEO) being conducted in the area of responsibility of 6ID. To wit: *"Ed good AM. For your info, on January 25, 2015 at about 0230H, PNP SAF supported by Mag PPO, PRO ARMM shall be conducting LEO & serve WA against HVTs in Mamasapano, Mag. Troops are underway. Coordination was also done with CO, 1Mech & 45IB."*

The BOI notes that there was an inaccuracy in this text message since, by 05:06 a.m., Marwan was already killed and elements of the 84<sup>th</sup> SAC were already crossing the river to link up with 55<sup>th</sup> SAC.

Nevertheless, the subsequent message of Pangilinan to del Rosario at 06:33 a.m. showed his willingness to support the withdrawing SAF personnel. To wit: *"Be prepared to provide reinforcement."*

Pangilinan sent this message after he was copy furnished by Napeñas of the latter's text message to suspended CPNP Purisima at 06:18 a.m. that SAF elements have already engaged armed elements in Bgy. Tukanalipao, Mamasapano.

In that same text message, Napeñas gave Pangilinan the Grid Coordinates (GC) of the 55<sup>th</sup> SAC location. (Timeline of the SMS message of 6ID PA from 5:06 AM, January 25, 2015 to 4:03 AM January 26, 2015).

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BOI notes that based on the accounts of Espe, by this time, the 55th SAC had already suffered casualties.

At 06:50 a.m., Del Rosario informed Pangilinan through a text message that Mangahis called to relay that SAF had already suffered casualties.

At around 07:00 a.m., Mangahis went to the Headquarters of the 1<sup>st</sup> Mechanized Infantry Brigade to plan out the reinforcement of SAF using the assets of 6ID-PA.

At 07:45 a.m., Taliño joined them. It was in this meeting that Napeñas first requested artillery fire support from Pangilinan. This request was verbally relayed by Taliño to Pangilinan through Del Rosario. This was supported by the SMS message of DSAF to PCS Taliño, to wit: *"Noli location of SAF troops GC 68006 65717 & 68234 65056. Nasapaligid ng first GC mgakalaban&tuloy pa rin heavy firefight. BakapwedeHINGI artillery support"*.

At 07:52 a.m., Napeñas sent a similar text message to PDG Purisima who then forwarded the same to Guerrero at 07:58 a.m., to wit: *"Bok, txt sa akin ng dirsaf... Sir location of SAF troops GC 68006 65717 & 68234 65056. Nasa paligid ng first GC mgakalaban & tuloy pa rin heavy firefight. Na pin down tropa sa first GC at meron mga casualties sila. Baka pwede hingi artillery support"*. (Sworn Statement, PDG Purisima)

Five (5) minutes later, Guerrero replied through a text message: *"Meron nang coordn sa ground. tank infantry and artillery support are made available"*. (Sworn Statement, Guerrero)

During the Senate Hearing, suspended CPNP Purisima claimed that he used his own understanding of Guerrero's text message as basis of his update sent through text message to President Aquino, to wit: *"They are presently in contact with reinforcing elements from biff. The containment forces are the ones in contact right now. They are supported by mechanized and artillery support. Sir"* (Sworn Statement, PDG Purisima)

Del Rosario sent a text message to Pangilinan that: *"Reinforcement group composed of six (6) armored vehicles and Army Infantry from 451B and Division Reconnaissance Company (DRC) were sent to the area of operation to augment SAF personnel at extraction point and provide supporting fire for pinned down SAF elements"*.

All the elements of the reinforcement group were dispatched around 08:30 a.m. and were able to link up at around 9:15AM with SAF elements and PS Mangaldan at the ACP located at the vicinity of Brgy. Tukanalipao.



However, Pangilinan reportedly put on hold the conduct of artillery fire support due to the on-going peace process and presence of civilians near the targeted area (Sworn Statement and Interview, PCS Taliño).

Pangilinan also reasoned to Commander of WESMINCOM, MGEN Guerrero that there was no FO on the ground, hence the conduct of artillery fire support was not feasible.

Pangilinan's refusal was made known to DSAF at 09:53 a.m. through a text message forwarded to him by suspended CPNP: "Fmwesmin... FM CG 61D: Sir I already directed mech Bde together wid DRC to provide reinforcement to assist extrication if engaged Pnpsaf. They are moved 0820 frsharif Aguak. I cannot provide indirect fire as there s no FO on d ground."

While grid coordinates of pinned down SAF elements and the approximate locations of enemy forces were available, nothing in the records indicate that either DSAF or Pangilinan initiated additional efforts to make all the necessary requirements or information for the conduct of artillery fire support available.

The ocular inspection conducted by the BOI indicates that artillery fire support for the 55<sup>th</sup> SAC could have been delivered since residential houses were located beyond the 150-250 meters "danger close" for the 105 Howitzer.

It should be noted that at around 10:30 a.m., elements from DRC reached the location of the pinned down 45<sup>th</sup> SAC. According to the records, DRC elements requested for artillery fire support but it was reportedly rejected according to Police Inspector Janly Placido of the 45<sup>th</sup> SAC. (Supplemental Affidavit, Placido)

It is not clear if it was even possible to insert a Forward Observer or FO during a firefight. There is no particular clause in the ROE of AAR, PA (dated April 5, 2008) that suggests this course of action.

Amidst the ambiguity, Pangilinan made a judgment call to not provide artillery fire support. According to Pangilinan, the insufficient amount of available information hindered him from making a decision responsive to the needs of the beleaguered SAF elements.

This underscores that the availability of Fos and other considerations for target acquisition for artillery fire support could have been practically arranged if prior coordination was made.

In the NCMCM, coordination is defined as "an exchange of information to inform and integrate, synchronize, and de-conflict operations. Coordination is not necessarily a process of gaining approval but is most often used for mutual exchange of information."

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Having three (3) separate Command Posts—SAF TCP in Shariff Aguak, 6ID-AFP at the 1stMechBde, and SAF ACP—without complete and consistent information exchange hindered different units from making prompt and necessary decisions at the most crucial period in the morning of 25th January 2015.

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Pangilinan justified his position not to provide artillery fire support on his assumption that the mechanized troops, armored assets and infantry were enough to relieve pressure and allow the withdrawal of beleaguered SAF elements. Notably, Pangilinan's former position as Chairman of GPH CCCH might have also influenced his decision not to provide artillery support due to its effect on the peace process. This observation may be supported by Pangilinan's request for a meeting at 09:30 a.m. with Galvez and Orense "to facilitate resolution of the crisis in Mamasapano in accordance with the provisions of the GPH-MILF Ceasefire Agreement."

## I. UNITED STATES' INVOLVEMENT

### Background


The war against terrorism is a cooperative and collective effort among all responsible nations. The Philippines has been working with other nations to address this threat.

In the United Nations (UN), the Philippines has supported a series of UN Security Council Resolutions which call on all States to cooperate through bilateral and multilateral agreements and arrangements, to prevent and suppress acts of terror, to protect their nationals and other persons against such attacks, and to bring to justice the perpetrators of such acts.

In the Association of South East Asian Nations (ASEAN), the Philippines adopted the ASEAN Convention on Counter Terrorism during the Philippine Chairmanship in 2007.

The involvement of the United States (US) in the Philippines' War on Terror was designed to strengthen our domestic counter-terror capabilities. In 2003, the US designated the Philippines as a major non-NATO Ally. This designation opened the doors for the Philippines to receive increased US assistance in its fight against terrorism, eligibility for joint counter terrorism projects, and the ability to purchase excess defense articles.

Within the ASEAN-US framework, there is also the 2002 Joint ASEAN-US Joint Declaration for Cooperation to Combat International Terrorism and the 2006 Joint Vision Statement for the ASEAN-US Enhanced Partnership.



All counter terrorism exercises and activities undertaken within the Philippine territory require Philippine consent and approval, through the Philippine-US Security Engagement Board (SEB). The SEB was established to provide a mechanism for liaison and consultation on non-traditional security concerns including terrorism, transnational crimes, maritime security and safety, natural and man-made disasters.

### Role in Oplan Exodus

The PNP has been working with its US counterpart in terms of capacity and capability building, intelligence operations, casualty evacuation and care, and humanitarian and development assistance. PNP SAF was one of the special units of the PNP that largely benefitted from this assistance program.

The involvement of the US with the PNP SAF in Oplan Exodus is borne by the facts.

On January 24, 2015, around six (6) US personnel joined DSAF and his battle staff in the Tactical Command Post (TCP) in Awang, Maguindanao by providing ISR (Intelligence, Surveillance and Reconnaissance) support to the operating troops, as narrated by PS Abayari and Espe during their interviews with the BOI. The US counterparts provided real-time information on the actual movements of friendly and enemy forces in the area of operations. The US personnel at the TCP were able to do this by providing the special technical equipment and aircraft, which they themselves operated. The extent of their support included the provision of a Medical Evacuation Aircraft (MEDEVAC) which was utilized on 26 January 2015. It is worth noting that because of US ISR support, the 84<sup>th</sup> SAC was able to elude large enemy formations, thereby avoiding further casualties.

One thing is clear in the execution of Oplan Exodus—there were no armed US troops engaged in combat in the area of operations.

According to Napeñas, the presence of US counterparts in the operation of Oplan Exodus is authorized as such involvement is part of a continuing legitimate project. The BOI cannot ascertain the validity of this claim as this matter has to be referred to the SEB.

Meanwhile, the statement of the Department of Foreign Affairs (DFA) during one of the Senate Hearings that the operation was 100% Filipino appears to be consistent with the facts on records.

On January 28, 2015, Napeñas ordered Espe to turn over the DNA sample taken from Marwan to the US representatives in General Santos City. The



standard procedure should have been to turn-over the DNA sample to the PNP Crime Laboratory.

#### J. EFFORTS OF THE PEACE PROCESS MECHANISMS

Since 1997, the GRP and the Moro Islamic Liberation Front (MILF) took efforts to consider peace talks and agreement. The Agreement for Cessation of Hostilities was signed on July 18, 1997 which paved way for various ceasefire agreements between the GRP and the MILF.

Consequently, the Implementing Administrative and Operational Guidelines of the GRP-MILF Agreement on the General Cessation of Hostilities was enacted and signed. This resulted in the identification of MILF base commands or territories under MILF control.

The foregoing agreement and guidelines require, among others, that movement of MILF forces outside their identified areas shall be coordinated with the GRP forces' commanders for clearance prior to movement. The agreement also expressly prohibits terroristic acts and aggressive actions such as attacks.

In order to address the GRP's problems regarding the so-called "lost commands" the Joint Communique between the GRP and the MILF was signed on May 06, 2002 with its corresponding Implementing Guidelines on February 10, 2011. This particular agreement gave birth to the AHJAG.

The AHJAG mechanism requires prior coordination of a law enforcement operation. The AHJAG, as a coordinative body, is tasked to coordinate, monitor and disseminate information between and among the AFP, PNP, MILF and BIAF forces to effect the arrest of criminal elements within the MILF base commands or territories under MILF control.

During the implementation of Oplan Exodus, however, the use of the foregoing peace process mechanism was not maximized.

The first instance that the peace process mechanism was utilized was around 05:37 a.m. of January 25, 2015 when Napeñas called Orense of GPH-AHJAG requesting the latter to inform and coordinate with the MILF counterpart about the SAF operation. However, by this time, the operation was already ongoing.

Orense replied to Napeñas at around 05:56 a.m.: "09175120085 – sir paki coordinate lang ke col mel Feliciano, 601bde cmdr re your withdrawal para maialayan nila kayo from the milf"



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The Chairman of GPH-CCCH, Galvez also learned of the incident in Mamasapano when his counterpart Rashid Ladiansan (the Chairman of MILF-CCCH) informed him of the situation through text at 06:38 a.m., to wit: "Salam bro, firefight erupted between the AFP and the 105BC at Tukanalpao, Mamasapano. The AFP troops moved in without any coordination and this is difficult to control to avoid encounters between our forces when there is no coordination. Now, with that situation the only option is to ceasefire, otherwise it will escalate further."

Galvez—who at that time was in Iligan City, Lanao del Norte for official business—learned from his source that the SAF elements, not the AFP, were involved in the operation to get Marwan. Thereafter, a Joint Ceasefire Crisis Team (JCCT) was organized "to negotiate a ceasefire, separate the two contending forces, assist in the evacuation of casualties, assess the situation of Internally Displaced Persons (IDP's) and help stabilize the situation."

At about 09:00 a.m., the JCCT composed of representatives from the GPH-CCCH, MILF-CCCH, JCMP, AHJAG and the IMT were able to assemble in Cotabato City. The JCCT then proceeded to Barangay Kuloy in Shariff Aguak to meet with MILF Base Commanders Goma and Tundok.

By 10:34 a.m., Galvez informed Mr. Ladiansan that PNP elements were already advised to ceasefire and that the 105th BC was requested to do the same. Mr. Ladiansan contacted the two Base Commanders and agreed to meet in Barangay Kuloy to implement a ceasefire.

The advice of Galvez appeared to have reached concerned SAF units since the 84th, 55th, and the 45th SACs tried to observe a ceasefire after a directive from the SAF TCP (Interview, Train and Cogasi). However, to the dismay of the SAF units, MILF and BIFF elements continued to engage remaining SAF units in a heavy firefight until past 02:00 p.m. By this time, 55<sup>th</sup> SAC's position had been completely overrun. Thereafter, the combined forces of MILF and BIFF continued to engage the 84<sup>th</sup> SAC until late in the afternoon. (Interview, 84<sup>th</sup> SAC Survivors).

It is evident from the foregoing that the recourse to the established peace process mechanisms was resorted to. However, it is also apparent that CCCH and AHJAG could no longer remedy the effects of the failure of the SAF to observe the requirements of the mechanism. The belated coordination failed to establish proper and clear communication lines between the GRP members and their MILF counterparts. The fact that the incident happened early in the morning also added to the difficulty to immediately convene the CCCH and AHJAG members.

It is undisputed that the CCCH and AHJAG could no longer contain the guns of the MILF forces who reacted to the actions of the SAF troops. Adding to the complication is the fact that, unlike the AFP or the PNP, the MILF does not have a

concrete structure or composition. It was not feasible to order an immediate ceasefire by any of the parties. General Galvez himself testified during the Senate hearing that it would normally take five (5) to six (6) hours to effectively implement a total ceasefire.

Such factors contributed to the failure of the peace process mechanisms during the execution of Oplan Exodus.

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**K. AUTOPSY REPORT**

The report submitted by the PNP Crime Laboratory showed that around five (5) SAF Troopers with fatal Gun Shot Wounds (GSWs) to the head and at the mid-portion of the trunk were given *coup d'grace* or final deathblows in close-range. Eleven (11) others appear to have been killed in the same manner. The remaining 28 others sustained fatal injuries consistent with a firefight involving high-powered firearms.

Below are BOI's analysis of the GSWs and causes of death of the 16 SAF Troopers.

With multiple fatal GSWs to the head and multiple shots to trunks/torsos:

***PSI Pabalinas, Ryan Ballesteros (55<sup>th</sup> SAC)***

Pabalinas suffered sixteen (16) GSWs. The cause of his death was reported to be GSWs to the head, neck, trunk and extremities.

In the official report, the fatal wounds at the torso/trunk were directed at portions of his body that should have been protected by a bullet vest, if worn. Based on the GSWs sustained by Pabalinas, it appears likely that he was either not wearing his vest, or such vest was intentionally removed from his body before the fatal shots were delivered.

The GSW found in his neck which exited at his left chest (anterior chest region) and another GSW with point of entry at the upper left chest (intra clavicular region) exiting at his anterior chest region show that the wounds could have been inflicted only while Pabalinas was lying down. The trajectories of the bullets further indicate that the shots were fired while the victim was on the ground.

***PO2 Viernes, Oliebeth Ligutan (55<sup>th</sup> SAC)***

Viernes suffered six (6) GSWs. The cause of his death were multiple GSWs at the head and thorax.

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Of the five (5) GSWs inflicted on his torso, one (1) GSW traversed his left pectoral region, making an exit at the right scapular region. This caused internal damage, which included fracturing two (2) ribs and a vertebra, and lacerating both lungs. This GSW shows that the shot came from his lower left side while he was lying on the ground and from a trajectory of the same level with his position.

The other four (4) GSWs were inflicted or delivered almost perpendicular to his body/torso. Three (3) GSWs were inflicted at an area where a protective vest should have been worn over, while the other GSW was outside of the vest area.

**PO2 Esmula, Amman Misuari (55<sup>th</sup> SAC)**

Esmula suffered thirteen (13) GSWs. The cause of his death was GSWs on the head, trunk and extremities.

The trajectories of the GSWs indicate that almost all shots were delivered while he was lying on the ground.

Three (3) GSWs entering the front left chest of the body (epigastric, anterior chest, hypochondriac region) exited at the lower right rib cage and upper right thigh (anterior midline, proximal third of right thigh). There are also two (2) GSWs that entered thru his back torso and exited at his back right thigh.

The GSW on his head, with point of entry at the frontal region and point of exit at orbital region shows that the shot, was delivered while he was lying on the ground. Notably, Esmula's right finger was also dismembered because of a gunshot.

With Single or at least two (2) fatal GSWs to the head delivered in long-range:

**PI Tabdi, Gednat Garambas (84<sup>th</sup> SAC)**

Tabdi suffered one (1) fatal GSW on the head entering thru the left frontal region and exiting on his right scapular region. This single GSW was witnessed by his comrades while the 84<sup>th</sup> SAC were engaged in a firefight.

**SPO1 Acob Jr., Rodrigo Fernandez (84<sup>th</sup> SAC)**

Acob, like his commanding officer Tabdi, died from a single GSW on his head (occipital region) while they were engaged in a firefight.

**PO3 Villanueva, Virgel Serion (84<sup>th</sup> SAC)**

The cause of Villanueva's death was from a single GSW on the head (point of entry was left supra-orbital region; point of exit was at left auricular region). This GSW was inflicted while 84<sup>th</sup> SAC was engaged in a firefight.

**PO3 Bedua, Glenn (55<sup>th</sup> SAC)**

Bedua suffered GSWs to the head. He was also grazed by a GSW and sustained several abrasions on his face. The GSW that entered through his right occipital region (back of the head) and exiting at his right temporal region caused his instantaneous death. In the absence of any indication (i.e. smudging, embedded bullet fragments) that the GSW was inflicted in close-range, the fatal shot can be considered a sniper fire.

**PO2 Carap, Peterson Indongsan (84<sup>th</sup> SAC)**

Carap suffered from a single GSW to the head and one (1) GSW at the left buttocks or thigh. The point of entry of the GSW on the head is at the left parietal region, making a point of exit at the left parieto-occipital region. From the anatomical sketch, the entry and exit wounds are both located at the back of the head and had a trajectory coming from the top traversing downwards. This indicates that the shot was delivered while he was lying on the ground and from a trajectory of the same level with his position.

Carap's head wound had stitches. Similarly, stitches were also found on his other wound located at this left buttocks (gluteal region). A deformed metallic fragment embedded at the proximal third of the left thigh was recovered. The stitches indicate that, prior to his death, Tactical Casualty Combat Care (TCCC) was applied.

**PO2 Kayob, Jerry Dallay (55<sup>th</sup> SAC)**

Kayob's cause of death is a GSW to the head. This single fatal shot to his head entered at the mandibular region directed downwards posterior wards to the left, fracturing the mandible and cervical vertebrae (c4, c5). Its point of exit is at the posterior neck region. The other GSW is at his upper right arm exiting downwards at his lower right forearm.

In the absence of any indication (i.e. smudging, embedded bullet fragments) that the GSW was inflicted in close-range, the fatal shot was likely inflicted while Kayob of 55<sup>th</sup> SAC was engaged in a firefight.

**PO1 Capinding II, Loreto Guiyab (55<sup>th</sup> SAC)**

Capinding's cause of death was a single GSW to the head with point of entry at the orbital region (lower left eye), while point of exit is at the calvaria (upper right side of the forehead). This indicates that the fatal shot was inflicted while he was lying on his back. No other GSW was found on Capinding.

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**Clemencio, Mark Lory Orique (55<sup>th</sup> SAC)**

Clemencio's cause of death was a single GSW to the head with point of entry at the right temporal region, exiting at the pre-auricular region. He also had graze wounds located at his left buttock and left knee. This indicates that the fatal shot was inflicted on Clemencio while the 55<sup>th</sup> SAC was engaged in a firefight.

**Gamutan, Joey Sacristan (55<sup>th</sup> SAC)**

Pinsp Gamutan suffered two (2) GSWs to his head. The first GSW entered thru the right parietal region and made an exit at the right supra-orbital region. The other head wound entered thru the right post-auricular region, making a point of exit at the left parietal region. These indicate that the fatal shots were inflicted on Gamutan while the 55<sup>th</sup> SAC was engaged in a firefight.

**With fatal GSWs to the head inflicted in close-range:**

**PO3 Acain, Victoriano Nacion (55<sup>th</sup> SAC)**

Acain suffered two (2) GSWs to his head. The first GSW made a point of entry at the zygomatic region, exiting at the left mandible region.

The cause of his death was the second GSW-that made its point of entry at the parietal region causing fractures in the skull and lacerations on the brain. From this area, a lodged metal fragment was recovered. This indicates that the fatal shot was delivered at close-range.

**PO2 Sagonoy, Joseph Gumatay (55<sup>th</sup> SAC)**

Sagonoy suffered two (2) GSWs to his head and a single GSW at his left thigh. The first fatal head wound entered thru the left mandibular region directed posteriorwards and upwards causing laceration on the underlying soft tissues, muscles and brain, fracturing the mandibular bone as well as the base of the skull. From this area, a deformed fired bullet was recovered.

The other GSW's entry is from the right peri-oral region (near right side of the mouth), making an exit at the left parietal region.

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The recovery of the deformed fired bullet indicates that the fatal shot was inflicted at close-range.

***PI Tayrus, Rennie Lumasag (84<sup>th</sup> SAC)***

Tayrus suffered a total of three (3) GSWs: one (1) in the head, one (1) in the left buttock and one (1) in the left leg. The GSW in his head entered thru the right mandibular region leaving an area of smudging directed posteriorwards, upwards to the left, making a point of exit at the left parietal region.

One GSW entered thru the sacral region and exited at his left gluteal region while the other GSW entered and exited thru the middle third of his left thigh.

The fatal GSW in his head with smudging indicates that the shot was delivered at close-range.

***PSI Erana, John Garry Alcantara (55<sup>th</sup> SAC)***

Erana suffered a total of three (3) GSWs: two (2) at the extremities and one (1) fatal shot to the head. The first GSW entered and exited at his proximal third of left forearm region, while the second GSW made a point of entry at the left portion of his gluteal region and made its exit at the proximal third of his left anterior thigh. The two shots indicate that Erana was standing or kneeling when these GSWs were inflicted.

Further, the fatal GSW to his head made a point of entry at the parietal region directed anteriorwards and to the right, lacerating underlying soft tissues and his brain. From this area, a metal fragment was recovered. This indicates that the shot was delivered at close-range.

***Additional Findings***

Further examination of the GSWs of the abovementioned sixteen (16) SAF Troopers revealed that Acain, Erana, Tayrus, and Sagonoy were given final deathblows, while Pabalinas and Viernes were shot when they were already dead.

The aforementioned findings indicate that the forces encountered by SAF intentionally wounded and killed the SAF troops, delivered deathblows at close range to some, and stole their equipment and personal belongings.

Such acts constitute a crime of murder under the Philippine Revised Penal Code and a clear violation of Republic Act No. 9851, an "Act defining and penalizing crimes against humanitarian law, genocide and other crimes against



humanity, organizing jurisdiction, designating special courts and for related purposes."

There are indications from the records that the counter forces against SAF in the Mamasapano Incident were from the MILF.

Mayor Benzar Ampatuan, Barangay Captain Esmael Asim and his Kagawad stated that the municipality of Mamasapano is composed of 70-80% members of MILF.

The AFP also confirmed that the cornfield where the 55<sup>th</sup> SAC members were surrounded and engaged is within the area of MILF's 105<sup>th</sup> Base Command (BC) led by Zacaria Goma.

A video showing Sagonoy's death was taken and uploaded on the internet. The video showed an unidentified individual shooting/firing at Sagonoy while he was still alive. Notably, Sagonoy's firearm, a FERFRANS SOAR caliber 5.56 rifle with serial number FF01051, was subsequently surrendered by the MILF to the PNP through GPH CCCH and MILF CCCH. This might indicate that the individuals responsible for Sagonoy's death, as shown in the video, are members of the MILF.


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**CHAPTER IV**  
**Conclusions**

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1. The President gave the go-signal and allowed the execution of Oplan Exodus after the concept of operations (CONOPS) was presented to him by Director of Special Action Force (SAF) Police Director Getulio Napeñas.
  2. The President allowed the participation of the suspended Chief Philippine National Police (CPNP) Police Director General Alan Purisima in the planning and execution of the Oplan Exodus despite the suspension order of the Ombudsman.
  3. The President exercised his prerogative to deal directly with Napeñas instead of Officer-in-Charge of the PNP (OIC-PNP) Police Deputy Director General Leonardo Espina. While the President has the prerogative to deal directly with any of his subordinates, the act of dealing with Napeñas instead of OIC-PNP Espina bypassed the established PNP Chain of Command. Under the Manual for PNP Fundamental Doctrine<sup>11</sup>, the Chain of Command runs upward and downward. Such Manual requires the commander to discharge his responsibilities through a Chain of Command.
  4. The suspended CPNP Purisima violated the preventive suspension order issued by the Ombudsman when he participated in the planning and execution of Oplan Exodus. He also violated the Special Order No. 9851 dated December 16, 2014 issued by OIC-PNP Espina, directing him and other suspended PNP officers to "cease and desist from performing the duties and functions of their respective offices during the pendency of the case until its termination."
  5. In the same meeting where the President instructed Napeñas and suspended CPNP Purisima to coordinate with the Armed Forces of the Philippines (AFP)<sup>12</sup>, PDG Purisima thereafter said to Napeñas: "*Ako na ang bahala kay Catapang.*" The PNP Ethical Doctrine Manual cites, "Word of Honor – PNP members' word is their bond. They stand by and commit to it." The statement of Purisima may be construed as an assurance of providing the coordination instructed by the President.
  6. Suspended CPNP Purisima provided inaccurate information to the President about the actual situation on the ground when he sent text

<sup>11</sup> PNPM-D-01213 DHRDD October, 2013 Revised Edition

<sup>12</sup> Based on the affidavit of Napeñas, on January 09, 2015, the President stated in the presence of suspended CPNP and AD, IG Mendez that "*Yung coordination with AFP ha, wag kailutan.*"

messages to the President stating that SAF Commandos were pulling out<sup>13</sup>, and that they were supported by mechanized and artillery support.<sup>14</sup>

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7. Despite his knowledge of the suspension order issued by the Ombudsman, Napeñas followed the instructions of suspended CPNP Purisima not to inform OIC-PNP and the Secretary of the Interior and Local Government (SILG) Mar Roxas about Oplan Exodus. This violated the PNP Chain of Command.
  8. Napeñas failed to effectively supervise, control and direct personnel, which resulted in heavy casualties of the SAF Commandos. Under the Manual on Fundamental Doctrines, Command Responsibility means that a commander is responsible for effectively supervising, controlling, and directing his personnel. Under the same doctrine, a commander is responsible for what his unit does or fails to do.
  9. Napeñas followed his Time-on-Target (TOT) coordination concept despite the directive of the President to coordinate with the AFP prior to the operation.
  10. The TOT coordination concept adopted by the SAF does not conform with the established and acceptable operational concepts and protocols of the PNP.
  11. The protocols of the established peace process mechanisms, through the Coordinating Committee on the Cessation of Hostilities (CCCH) and Ad Hoc Joint Action Group (AHJAG), were not observed during the planning and execution of Oplan Exodus.
  12. The mission planning of Oplan Exodus was defective due to: (1) poor analysis of the area of operation; (2) unrealistic assumptions; (3) poor intelligence estimate; (4) absence of abort criteria; (5) lack of flexibility in its CONOPS; (6) inappropriate application of TOT; and (7) absence of prior coordination with the AFP and AHJAG.
  13. The following factors affected the execution of CONOPS: (1) mismanaged movement plan from staging area to Vehicle-Drop-Off Point (VDOP); (2)

<sup>13</sup> PDG Purisima to President Aquino (7:36 AM, January 25, 2015): "Sir accordingly, when the nearest target from the line of approach is M1 and when they hit the primary target, the other house where basit usman was located with other elements reacted and fired at the troopers. There were about 15 to twenty armed elements. It was about 430 am and it was decided that they pull out after gathering pictures and other evidences. They were not able to reach the secondary targets sir."

<sup>14</sup> PDG Purisima to President Aquino (no specific time, January 25, 2015): "They are presently in contact with reinforcing elements from blif. The containment forces are the ones in contact right now. They are supported by mechanized and artillery support. Sir".

failure to occupy the designated way points; (3) ineffective communication system among the operating troops; (4) unfamiliarity with the terrain in the area of operation; (5) non-adherence to operational/tactical Standard Operating Procedures (SOPs); (6) lack of situational awareness among commanders; and (6) breakdown in the command and control.

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14. Artillery support from 6<sup>th</sup> Infantry Division of the Philippine Army (6ID-PA) was not delivered when needed most because Major General Edmundo Pangilinan, Division Commander of 6ID, considered the on-going peace process and protocols in the use of artillery.
  15. The lack of situational awareness, limited cover and concealment, ineffective communication, and sustained enemy fire prevented the 1<sup>st</sup> Special Action Battalion (1SAB) and 4SAB containment forces from reinforcing the beleaguered 55<sup>th</sup> Special Action Company (SAC) troops.
  16. CCCH and AHJAG undertook all efforts to reinstate the ceasefire. "Pintakas!" and the loose command and control of the MILF leaders over their field forces contributed to the difficulty in reinstating the ceasefire.
  17. Some of the radios of the SAF Commandos were unreliable because these were not designed for military-type tactical operations. The batteries had poor power-retention capability due to wear-and-tear. Furthermore, SAF radios were not compatible with AFP radios for interoperability.
  18. There was a breakdown of command and control at all levels due to ineffective and unreliable communication among and between the operating units.
  19. There are indications that 55<sup>th</sup> SAC was not able to secure its perimeter, conduct reconnaissance, occupy vantage positions and establish observation posts.
  20. Several rounds of ammunition of M203 grenade launchers were defective.
  21. The United States involvement was limited to intelligence sharing and medical evacuation. Only SAF Commandos were involved in the actual combat operation of Oplan Exodus.
  22. Autopsy reports indicate that four (4) SAF Commandos were shot at close-range while they were still alive. Records also indicate the possibility that

some SAF Commandos were stripped-off their protective vests prior to being shot at close-range.

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**CHAPTER V**  
**Recommendations**

Based on this Report's findings and conclusions, the Board of Inquiry (BOI) recommends the following:

1. Where the facts of this Report indicate possible violations of existing laws and regulations, appropriate government agencies should pursue the investigation of the Mamasapano Incident to determine the criminal and/or administrative liabilities of relevant government officials, the MILF and other individuals.
2. The AFP and the PNP; in coordination with OPAPP, should immediately review, clarify and strengthen the Joint AFP/PNP Operational Guidelines for Ad Hoc Joint Action Group especially in the area of coordination during Law Enforcement Operations (LEO) against HVTs.
3. The AFP and the PNP should jointly review related provisions of their respective written manuals and protocols to synchronize, reconcile and institutionalize inter-operability not only between these two agencies but also with other relevant government agencies. The National Crisis Management Core Manual (NCMC Manual) could be one of the essential references.
4. Crisis management simulation exercises (similar to fire and earthquake drills) should be regularly conducted among key players including local government units particularly in conflict prone areas.
5. The PNP should formally create and institutionalize a permanent office to orchestrate and synchronize Institutional responses to various situations such as the peace process in Mindanao and other related situations. The understaffed and ad hoc arrangement provided by the existing PNP Focal Team on the Peace Process (FTPP) and the recent designation of a senior police official in AHJAG are examples of usual short-term solutions which do not appear to be sufficient.
6. The PNP should review its Police Operational Procedures to cover operations similar to Oplan Exodus and to clarify coordination issues.
7. The PNP should craft its own Mission Planning Manual and institutionalize its application in PNP law enforcement operations.
8. The capabilities of SAF and other PNP Maneuver Units for Move, Shoot, Protect, Communicate and Close Air Support (CAS) should be enhanced.

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9. The PNP should review its supply management system to ensure operational readiness of munitions and ordnance.
  10. Cross-training between the PNP and the AFP pertaining to management and execution of military-type tactical operations should be institutionalized.
  11. The PNP should immediately grant 1 rank promotion to all surviving members of the 84th Seaborne and PO2 Lalan for their heroism and gallantry in action, posthumous promotion to the fallen 44 SAF commandos, and should give appropriate recognition to all other participating elements.

*Tom Jones*

*PO*



## GLOSSARY OF ACRONYMS

AAR	-	Army Artillery Regiment
AC	-	Acting Chief
ACG	-	Anti-Cybercrime Group of the PNP
ACP	-	Advance Command Post
AD	-	Acting Director
AFAB	-	Army's Field Artillery Battery
AFP	-	Armed Forces of the Philippines
AHJAG	-	Ad Hoc Joint Action Group
AOR	-	Area of Responsibility
ARMM	-	Autonomous Region in Muslim Mindanao
BBL	-	Bangsamoro Basic Law
BC	-	Battalion Commander or Base Command
BDE	-	Brigade
BGEN	-	Brigadier General or One Star General in the AFP. It is equivalent to the rank of Police Chief Superintendent in the PNP.
BIAF	-	Bangsamoro Islamic Armed Forces
BIFF	-	Bangsamoro Islamic Freedom Fighters
BOI	-	Board of Inquiry of the PNP or Board
BTC	-	Bangsamoro Transition Commission
CAPT	-	Captain in the AFP. It is equivalent to the rank of Police Senior Inspector in the PNP.
CCCH	-	Coordinating Committee on the Cessation of Hostilities
CIC	-	Commander-in-Chief of all the armed forces of the Philippines as per Section 18, Article VII of The 1987 Constitution of the Republic of the Philippines.
CIDG	-	Criminal Investigation and Detection Group of the PNP
CG	-	Commanding General
CLG	-	Crime Laboratory Group of the PNP
CMO	-	Civil-Military Operations of the AFP
COA	-	Courses of Action
CO	-	Commanding Officer
COC	-	Chain of Command
COL	-	Colonel in the AFP. It is equivalent to the rank of Police Senior Superintendent in the PNP.
COM6	-	Commander of the 6 <sup>th</sup> Infantry Division of the Philippine Army
CONOPS	-	Concept of Operations
COP	-	Chief of Police
CPNP	-	Chief of the Philippine National Police
CPO	-	City Police Office.
CR	-	Command Responsibility
CSAFP	-	Chief of Staff of the Armed Forces of the Philippines

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D	-	Director of a PNP Office, Group or Service
DD	-	Deputy Director of a PNP Office, Group or Service
DFA	-	Department of Foreign Affairs
DHRDD	-	Directorate for Human Resource and Doctrine Development of the PNP
DI	-	Directorate for Intelligence of the PNP
DIDM	-	Directorate for Investigation and Detective Management of the PNP
DILG	-	Department of the Interior and Local Government
DIPO	-	Directorate for Integrated Police Operations of the PNP
DNA	-	Deoxyribonucleic Acid
DND	-	Department of National Defense
DO	-	Directorate for Operations of the PNP
DOA	-	Dead on Arrival
DOJ	-	Department of Justice
DOS	-	Datu Odin Sinsuat. It is a municipality in the province of Maguindanao.
DPCR	-	Directorate for Police Community Relations of the PNP
DRC	-	Division Reconnaissance Company. It is an elite unit under the operational control of the Division Commander of the Philippine Army.
DSAF	-	Director of the Special Action Force of the PNP
EO	-	Executive Order
EOD	-	Explosive and Ordnance Disposal
FA	-	Firearm
FBI	-	Federal Bureau of Investigation of the United States of America
FIID or F2	-	Force Intelligence and Investigation Division of the SAF
FO	-	Forward Observer of the Artillery Units
FTPP	-	Focal Team on the Peace Process
FSO	-	Fire Support Operations
GC	-	Ground Commander or Grid Coordinate
GEN	-	General or Four Star General in the AFP. It is a rank conferred only to the Chief of Staff of the AFP. It is equivalent to the rank of Police Director General that is accorded only to the Chief of the PNP.
GPH	-	Government of the Philippines
GPS	-	Geographical Positioning System
GRP	-	Government of the Republic of the Philippines
GSC	-	General Staff Course. It is equivalent to the Public Safety Officers Senior Executive Course or PSOSEC.
GSW	-	Gun Shot Wound
G1	-	Personnel or Administrative Officer in the Philippine Army
G2	-	Intelligence Officer in the Philippine Army
G3	-	Operations Officer in the Philippine Army

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G7	-	Civil-Military Operations Officer in the Philippine Army
HE	-	High Explosive
HOR	-	House of Representatives
HVT	-	High Value Target
H6ID	-	Headquarters of the 6 <sup>th</sup> Infantry Division of the Philippine Army
IB	-	Infantry Battalion of the Philippine Army
ID	-	Infantry Division of the Philippine Army or Intelligence Division of the CIDG
IDP	-	Internally Displaced Person
IED	-	Improvised Explosive Device
IG	-	Intelligence Group of the PNP
IMT	-	International Monitoring Team
IPHO	-	Integrated Provincial Health Office under the Department of Health
ISR	-	Intelligence, Surveillance and Reconnaissance
ISTAR	-	Intelligence, Surveillance, Target, Acquisition and Reconnaissance of SAF
ISU	-	Intelligence Security Unit of the AFP
JCCT	-	Joint Ceasefire Crisis Team
JCMP	-	Joint Ceasefire Monitoring Post
Ji	-	Jema'ah Islamiyah, an international terrorist organization
KIPO	-	Killed-in-Police-Operation. It is a term used in the PNP that is similar to Killed-in-Action in the AFP.
LAU	-	Light Armor Unit of the Philippine Army
LAV	-	Light Armor Vehicle
LD/LC	-	Line of Departure/Line of Contact
LED	-	Light Emitting Diode
LEO	-	Law Enforcement Operation. It is a term used in the PNP that is similar to Civil-Military Operation in the AFP.
LGU	-	Local Government Unit. It refers to the Regional, Provincial, City, Municipal or Barangay Offices under locally Elected Public Officials.
LTCOL	-	Lieutenant Colonel in the AFP. It is equivalent to the rank of Police Superintendent in the PNP.
LTGEN	-	Lieutenant General or Three Star General in the AFP. It is equivalent to Police Deputy Director General in the PNP.
MAJ	-	Major in the AFP. It is equivalent to the rank of Police Chief Inspector in the PNP.
MB	-	Mechanized Brigade of the Philippine Army
MCIU	-	Major Crime Investigation Unit of the CIDG
ME	-	Main Effort or the Assault Force of SAF under Oplan Exodus
MECH	-	Mechanized

MEDEVAC	-	Medical evacuation through air assets
MGEN	-	Major General or Two Star General in the AFP. It is equivalent to Police Director in the PNP.
MIB	-	Military Intelligence Battalion of the Philippine Army
MILF	-	Moro Islamic Liberation Front
MSR	-	Main Supply Route
NAPOLCOM	-	National Police Commission
NCMC	-	National Crisis Management Committee
NCMCM	-	National Crisis Management Core Manual
NDA	-	Non-Disclosure Agreement of the PNP BOI
NFS	-	Night Fighting System
NICA	-	National Intelligence Coordinating Agency
OAT	-	Operational Audit Team of the PNP BOI
OIC	-	Officer-in-Charge
OMBUDSMAN-		The Ombudsman of the Philippines or in the vernacular, <i>Ang Tanodbayan ng Pilipinas</i> . It is responsible for the investigation and prosecution of government officials accused of crimes, especially graft and corruption.
OPAPP	-	Office of the Presidential Adviser on the Peace Process
OPORD	-	Operations Order
OPLAN	-	Operation Plan
OPSEC	-	Operational Security
PA	-	Philippine Army. It is one of the three (3) Branches of Service of the AFP.
PAG	-	Private Armed Group
PCMC	-	Provincial Crisis Management Committee
PCSUPT	-	Police Chief Superintendent or One Star General in the PNP. It is equivalent to the rank of Brigadier General in the AFP.
PD	-	Provincial Director of the PNP
PDDG	-	Police Deputy Director General or Three Star General in the PNP. It is equivalent to the rank of Lieutenant General in the AFP.
PDIR	-	Police Director or Two Star General in the PNP. It is equivalent to the rank of Major General in the AFP.
PDG	-	Police Director General or Four Star General in the PNP. It is a rank accorded only to the Chief of the PNP. It is equivalent to the rank of General conferred only to the Chief of Staff of the AFP.
PINSP	-	Police Inspector in the PNP. It is equivalent to the rank of either 1 <sup>st</sup> or 2 <sup>nd</sup> Lieutenant in the AFP.
PINTAKASI	-	A local dialect/term or vernacular which means a conglomeration of just about any armed malefactor, immaterial of group affiliation, and united by religion, blood

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PNP	-	ties and the singular goal of annihilating a common enemy, usually an outsider or intruder.
PNPM	-	Philippine National Police
PO	-	Philippine National Police Manual
POP	-	Police Officer
PPO	-	Police Operational Procedure
PRO	-	Police Provincial Office of the PNP
PSD	-	Police Regional Office of the PNP
PSINSP	-	Psychological Stress Debriefing
	-	Police Senior Inspector in the PNP.
PSOSEC	-	It is equivalent to the rank of Captain in the AFP.
	-	Public Safety Officer Senior Executive Course in the PNP.
PSUPT	-	It is equivalent to the General Staff Course (GSC) in the AFP.
	-	Police Superintendent in the PNP. It is equivalent to the rank of Lieutenant Colonel in the AFP.
PSSUPT	-	Police Senior Superintendent.
	-	It is equivalent to the rank of Colonel in the AFP.
QASV	-	Quality Assurance Support to Victims.
	-	It is an office of the CIDG that is tasked to regularly communicate, assist and update victims and their families.
RD	-	Regional Director of the Police Regional Office of the PNP
RDB	-	Rapid Deployment Battalion of the SAF
ROE	-	Rules of Engagement
RPC	-	Revised Penal Code
RPG	-	Rocket-Propelled Grenade
SAB	-	Special Action Battalion of SAF
SAC	-	Special Action Company of SAF
SAF	-	Special Action Force
SAR	-	Search and Rescue
SE	-	Support Effort or the Support Units of SAF under Oplan Exodus
SEB	-	Security Engagement Board
SILG	-	Secretary of the Interior and Local Government
SMS	-	Short Messaging System
SND	-	Secretary of National Defense
SOG	-	Special Operation Group of the MILF or BIFF
SOP	-	Standard Operating Procedure
SPO	-	Senior Police Officer
SSE	-	Sensitive Site Exploitation
TCDS	-	The Chief Directorial Staff of the PNP. It is the fourth highest position in the PNP.
TDCA	-	The Deputy Chief PNP for Administration. It is the second highest position in the PNP.
TDCO	-	The Deputy Chief PNP for Operations. It is the third highest position in the PNP.
TCP	-	Tactical Command Post

- TELCOS - Telephone Companies or Providers
- TL - Team Leader
- TOC - Tactical Operation Center
- TOG - Tactical Operating Group
- TOT - Time-on-Target. It is a concept of Oplan Exodus.
- TSN - Transcript of Stenographic Notes
- UAV - Unmanned Aerial Vehicle
- UHF - Ultra High Frequency
- US - United States
- USDR - United States Defense Representative
- VDOP - Vehicle-Drop-Off Point
- VHF - Very High Frequency
- VFA - Visiting Forces Agreement between the Philippines and the United States
- WESMINCOM- Western Mindanao Command of the AFP
- WIPO - Wounded-in-Police-Operation
- WP - Way Point

## KEY PLAYERS

### HEPBSA III – President and Commander-in-Chief


- 
- On January 9, 2015, at Bahay Pangarap, the President attended a briefing with Director of Special Action Force (DSAF) Police Director Getulio Napeñas, suspended Chief Philippine National Police (CPNP) Alan Purisima and PNP Intelligence Group Acting Director Mendez. During the briefing, he gave specific instructions to Napeñas to coordinate with the Armed Forces of the Philippines (AFP), and to improve the strength of the operating SAF Commandos tasked to arrest Marwan, Basit and Baco.
  - During a prayer meeting and press briefing in Malacanang on March 9, 2015, the President publicly acknowledged that he approved Oplan Exodus. The President also claimed that he was given inaccurate information by the people who knew most about the operation.

### Honorable Mar Roxas

- He is the Secretary of the Department of Interior and Local Government (DILG) and the incumbent Chairman of National Police Commission (NAPOLCOM).
- Based on his sworn statement, he came to know about the execution of Oplan Exodus on January 25, 2015, at about 7:43 a.m., when PNP Director of Intelligence Charles Calima forwarded to him the SMS message the latter received from Napeñas regarding the ongoing operation.
- He directed Officer-In-Charge PNP (OIC-PNP) Police Deputy Director General Leonardo Espina on January 26, 2015 to create a PNP Board of Inquiry (BOI) to investigate the circumstances surrounding the SAF operations in Mamasapano, Maguindanao.

### OIC-PNP PDDG Leonardo Espina

- He stated that he first received the information regarding Oplan Exodus from suspended CPNP Purisima who called him up at 05:50 a.m. of January 25, 2015 to tell him that Marwan was already taken down. At about the same time, he noticed a text message from Napeñas at 4:38 a.m. informing him about the neutralization of Marwan. When Napeñas sent a message saying that the SAF Commandos



had been engaged, OIC-PNP Espina called up Western Mindanao Command (WESTMINCOM) Lieutenant General Edmundo Guerrero to ask for AFP's support.

#### **Suspended CPNP PDG Alan Purisima**

- Assumed the CPNP position in December 2012 and was suspended by the Ombudsman on December 19, 2014.
- Based on his sworn statement, Oplan Exodus was a continuing Law Enforcement Operation (LEO) on High Value Target (HVT), particularly Marwan, which started on April 2014. He admitted bringing Napeñas and Mendez to the President in Bahay Pangarap on January 9, 2015 and confirmed that he advised Napeñas to keep the mission strictly between them and not to inform yet the "two" (referring to the OIC-PNP and SILG) about it.
- In the early morning of January 25, 2015, while he was in Nueva Ecija, he sent an SMS message to the President that Marwan was already taken down by SAF Commandos. At that time, OIC-PNP Espina, Chief-of-Staff of the AFP (CSAFP) General Gregorio Catapang and Commander of the Western Mindanao Command (WESTMINCOM) Lieutenant General Rustico Guerrero were already informed by PDG Purisima about the hostile engagements. At the same time, he requested for reinforcements for the SAF troopers from CSAFP Catapang and Guerrero.

#### **DSAF Police Director Getulio Napeñas**

- He was the Director of SAF since December 11, 2013. He was relieved from the position January 27, 2015, shortly after the Mamasapano Incident.
- He started working against Zulkifil Bin Hir alias MARWAN as early as 2010.
- Based on his sworn statement, he presented the operation named "Oplan Exodus" to suspended CPNP Purisima who gave a go signal but remarked that he would need to tell this to the President. Later that day, January 9, 2015, they presented the new Oplan to HEPBSA III at Bahay Pangarap in Malacanang.

- He briefed the President regarding the operations plan and that the coordination with the AFP would be "Time-on-Target" (TOT). On January 25, 2015 the day of the operations, he was at the Tactical Command Post (TCP) situated at the Headquarters of 43<sup>rd</sup> SAC inside Maguindanao PPO, Shariff Aguak starting January 24, 2015 directing and monitoring the operations.
- He concluded that he never stopped asking for AFP's artillery support to help the beleaguered SAF troopers. He also indicated in his statements that suspended CPNP Purisima was fully aware and was overseeing the conduct of the operation.

**Police Chief Superintendent Noli Tallño**

- He is the Deputy Director of SAF.
- Based on his sworn statement, he coordinated with and informed Colonel Gener Del Rosario regarding the operation at about 5:00 a.m. of January 25, 2015. He also called up Police Senior Superintendent Noel Armillia, OIC of PRO ARMM and sent text messages to Police Senior Superintendent Javier, DRDO, PRO ARMM to inform him also about the operation. Napeñas also ordered him to personally see Del Rosario to ask for an artillery support but accordingly, Major General Edmundo Pangilinan, Commander of 6<sup>th</sup> ID, did not approved the request due to the on-going peace process.
- When he was at the Tactical Command Post (TCP), he heard Napeñas gave instruction to PSUPT Hendrix Mangaldan, Commanding Officer of the SAF 4<sup>th</sup> Battalion to reinforce the 55<sup>th</sup> SAC.
- He was not aware of coordination made with the Coordinating Committee on Cessation of Hostilities (CCCH) and International Monitoring Team (IMT) or the Ad-Hoc Joint Action Group (AHJAG) when there was already on-going firefight between SAF and MILF. What he knew was Napeñas asked Directorate for Integrated Police Operation Director PDIR Inking to coordinate with them.

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**Police Senior Superintendent Richard Dela Rosa**

- He is the Chief of Force Intelligence and Investigation Division (C, FIID) SAF.
- Based on his sworn statement, in his assessment, what went wrong with the extraction plan was both time and activity bound, time is of essence. He said that darkness provides concealment to them, but during the exfiltration, the main effort (84<sup>th</sup> SAC) and support effort (55<sup>th</sup> SAC) do not anymore have the advantage of darkness and that armed group in the area started to mobilize and start engaging the troops.
- He further narrated that another factor that may have caused the high number of casualties is that indirect fire support was not immediately delivered when requested.


**Police Superintendent Michael Mangahis**

- The Battalion Commander of 3<sup>rd</sup> Special Action Battalion, SAF located at Camp Bagong Diwa, Bicutan, Taguig, Metro Manila.
- Based on his sworn statement, he was at the TCP with Napeñas, Taliño, Abayari and Espe of 84<sup>th</sup> SAC. They were also accompanied by a certain PO2 Belmes and six (6) American Nationals.
- He said that at about 12:00 noon of January 25, 2015, eight (8) members from CCCH and International Monitoring Team (IMT) led by TOKS UPAM arrived at Vehicular Drop-Off Point (VDOP) and informed him that there will be a ceasefire.
- He strengthened the claim that CCCH brokered a ceasefire but could not stop yet the MILF from fighting.

**Police Superintendent Abraham Abayari**

- He is the Battalion Commander of SAF's Rapid Deployment Battalion (RDB).
- Based on his sworn statement, he has direct contact with Police Inspector Tabdi of 84<sup>th</sup> SAC who was making updates about the situation on the ground. At about 7:00 a.m.





through a text message, the team of Tabdi was at way point 17 trying to link up with 55<sup>th</sup> SAC but along the way they were blocked and fired upon by a huge number of heavily armed groups. At about 4:00 p.m., Tabdi was already killed in action and it was Train, who took charge of the team and communicating with Espe.

**Police Inspector Lyndon Espe**

- He is assigned with the 84<sup>th</sup> SAC designated as map plotter at the Tactical Command Post.
- Based on his sworn statement, he relayed instructions from the SAF Director to the radio operator. His statement will prove that SAF personnel knew from the start the location of their troops as manifested by the specific grid coordinates mentioned and provided by PSI Espe.

**Police Inspector Renato Monreal**

- He was designated as operations officer of 42<sup>nd</sup> SAC, SAF since January 2015.

**PO2 Erwin Betacura**

- Based on his sworn statement, he was the *radioman* of the Harris base radio stationed at the Advance Command Post (ACP) directly monitoring every communication relative to the Mamasapano Operation.

**PO3 Loyd Ensoy**

- Based on his sworn statement, he was the *radio operator* at the TCP. He revealed that PSI Erana of 55<sup>th</sup> SAC called and informed TCP that Main Effort1 (ME1) was engaged at about 4:00 am.
- At about 5:00 am, Erana again called up and informed the TCP that they sighted an enemy at Way Point (WP) 11 and 12. Erana informed the TCP that enemies were moving in and their number was increasing. After a while, Erana shouted over the radio that they were already engaged.





**Police Superintendent Raymund Train**

- He was the SAF Intelligence Officer Mindanao Area and a former Seaborne Commander based in Zamboanga.
- Based on his sworn statement, he kept on planning to get Marwan until they decided to plan a mission dubbed as "Exodus". On January 24, 2015, he led the 84th Seaborne as Main Effort to take Marwan.
- While they were approaching the hut of Marwan, an Improvised Explosive Device (IED) exploded which hit his point man and himself with shrapnel. This prompted them to retaliate until Marwan was killed. After which, they took photographs and took DNA samples and immediately started to extricate.
- He claimed that they were aware that the target was within the stronghold of 105<sup>th</sup> and 118<sup>th</sup> MILF Brigade, BIFF and private armed groups (PAGs). Although they did not run out of ammunitions, many of their M203 grenades were dud.

**Police Senior Inspector Rix Villareal**

- He is a member of 84<sup>th</sup> Seaborne and was one of the Main Effort to take Marwan and others.

**SPO1 Allan Franco**

- He is assigned at 84<sup>th</sup> Seaborne as Gunner of Crew Serve Weapon and also a medic of the team.
- Based on his sworn statement, the team of 84<sup>th</sup> Seaborne is composed of thirty eight (38) personnel including the two assets or the 'action agents under the name of certain "KAMS and ASTRO". His two (2) action agents were used in the reconnaissance operation and monitoring in the area using hidden cameras and Global Positioning System (GPS) to ascertain the exact location of the target.
- He recalled that the MILF is attracted to the firearms and they were instructing their comrades to double time so that they will be the first to recover the firearms instead the other group.



- He further stated that according to their action agent, the BIFF and MILF joined in attacking the 55<sup>th</sup> SAC. He was shot in the leg.

#### **PO2 Christopher Lalan**

- He is the lone survivor of 55<sup>th</sup> SAC.
- He was a member of FIID under ISTAR team attached to 5thSAB, SAF based at Camp Abendan, Mercedes, Zamboanga City
- At about 2:00 p.m. of same date, after a long firefight, he saw that most of his comrades were already dead and they were out of ammunition. Some of his comrades were crawling towards a defensive position. He decided to extricate himself to be able to survive.
- He continuously ran to elude from the pursuing enemy until he saw a bicycle which he utilized in getting away from the area until he reached the place of the Philippine Army and finally returned to SAF.

#### **Police Superintendent Hendrix Mangaldan**

- He was the Commanding Officer of SAF's 4th SAB.
- A. He established Advance Command Post (ACP) in Brgy. Tukanalipao and acted as the Ground Commander.
- Based on his sworn statement, he was not directly involved in the mission planning done in Manila. Accordingly, Napeñas said there would be no abort criteria for this mission. He added that Napeñas further claimed that there is a high probability of compromise if the army would be involved.

#### **Police Senior Inspector Jess Dela Cruz**

- He is designated as Commanding Officer of 42<sup>nd</sup> SAC since October 10, 2014.
- He stated that the enemy snipers were targeting their troops from different directions. The encounter started at about



5:30 a.m. of January 25, 2015 and ended at about 6:00 p.m. of same date.

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**Lieutenant General Rustico Guerrero**

- He is the Commanding General of the Western Mindanao Command (WESMINCOM) since November 9, 2013 at Camp Navarro, Upper Calarian, Zamboanga City.
- He stated that Catapang gave them guidance to support the PNP operation. They agreed to meet in Zamboanga to conceptualize a plan. However, such meeting did not materialize.
- He learned of the SAF operation at Mamasapano when OIC-PNP Espina called him at 06:04 a.m. of January 25, 2014.
- Upon learning of the operation, he instructed Commanding General 6<sup>th</sup> Infantry Division (ID) to provide support to the SAF.
- He informed Napeñas that infantry, artillery and tank support were made available.
- He also ordered the deployment of two helicopters to 6<sup>th</sup> ID in Awang, Cotabato. These helicopters arrived at around 10:45 a.m. the same day.
- He clarified that the deployment of infantry, tanks and artillery in the area is within the discretion of the ground commander. In this case, the deployment of 105MM Howitzer is within the authority of the Brigade Commander while 155MM Canon is within the power of the Division Commander.
- He also admitted that he received SMS indicating the location of the beleaguered SAF troopers.
- These revelations justify the recommendations regarding the plan of action of Del Rosario of using artillery to support the beleaguered SAF troopers.



**Brigadier General Manolito Orense**

- He is the Assistant Division Commander of 6<sup>th</sup> Infantry Division, and concurrently the Chairman of the Government of the Philippines Ad Hoc Joint Action Group (GPH-AHJAG) under the Office of the Presidential Adviser on the Peace Process (OPAPP).
- Based on his sworn statement, he learned about the SAF operation in Mamasapano when Napeñas called him at about 05:37 a.m.. He informed SAF Director that the coordination with Ad-Hoc Joint Action Group (AHJAG) should be at least a day before launching the operation and that he would try to contact the chair of MILF AHJAG, Atty. Abdul Dataya. However, he was not able to reach Dataya. He also called out Colonel Melquiadez Feliciano, Brigade Commander of 601<sup>st</sup> Brigade who instructed him to give assistance to SAF.
- At around 07:31 a.m., he was able to talk with Atty. Dataya. Accordingly, Atty. Dataya replied that he was going to ask BIAF in Camp Darapanan to take actions on the matter. He pointed the fact that despite the presence of the ceasefire mechanisms, only government troops can control its elements. Atty. Dataya, could not stop their troops from firing.

**Major General Edmundo Pangilinan**

- Division Commander of the 6<sup>th</sup> Infantry Division, Philippine Army stationed at Camp Siongco, Awang, Datu Odin Sinsuat, Maguindanao.
- He stated that the first communication regarding SAF operation was relayed to him through an SMS message by Napeñas at 0506H which he only read at around 0600H.
- The said the message was only an information of the LEO in Mamasapano and does not ask for any reinforcement.
- He checked his field commanders to validate the information and learned that there was no coordination from the SAF troopers.
- He said that at around 5:35 p.m., Napeñas requested for artillery fire and consequently, three (3) successive rounds

of white phosphorous were fired. There were helicopters at his disposal but these were not deployed because they had no request.



**Colonel Gener Del Rosario**

- He is the Brigade Commander of the 1<sup>st</sup> Mechanized Infantry Brigade.
- He stated that he received a call from Pangilinan at about 06:12 a.m. on January 25, 2015 inquiring if he has ~~any~~ knowledge of PNP operation in the area.
- He informed Pangilinan of his plans to reinforce the beleaguered SAF troops but was only told to send infantry and move mechanized unit to control the highway of Mamasapano. The artillery was put on hold, artillery option was not granted by CG 6<sup>th</sup> ID.

**Colonel Melquiades Feliciano**

- He is the Brigade Commander of 601<sup>st</sup> Brigade, Philippine Army.
- He stated that he learned about the SAF operation when Orense called him about 05:45 a.m. on January 25, 2015.
- He directed Lieutenant Colonel Romeo Bautista to conduct route security at around 6:39 a.m. He assumed as Ground Commander from Col. Del Rosario at about 1:00p.m. as ordered by Gen. Pangilinan.
- He brought in reconnaissance companies to augment SAF troopers. As Ground Commander, he devised the concepts of retrieval and concepts of rescue operation.

**Colonel Romeo Bautista**

- He was the Battalion Commander of 45<sup>th</sup> IB, PA.
- He was instructed to prepare for extraction of PNP elements. He further averred that he saw the CCCH and IMT members in the Advance Command Post (ACP) at around 3:30H.

- He also stressed that upon arrival at the Seabome location, the SAF members belonging to 84<sup>th</sup> SAC gave their firearms to the 61<sup>st</sup> DRC while being extracted to safety.

#### **Colonel Robert Velasco**

- Based on his sworn statement, he confirmed the deployment of two (2) helicopters to Awang Cotabato to support the SAF operation at around 5:40p.m.

#### **Lieutenant Colonel Gregorio Hernandez, Jr.**

- He was the Assistant Chief of the Unified Command Staff for Intelligence, U2 Headquarters Western Mindanao Command (WESMINCOM).
- He stated that the possible operations against HVTs did not materialize because of disagreement of the process to take him down and the issue on coordination that should be undertaken with the Coordinating Committee on Cessation and Hostilities (CCCH) once the operation will be executed.

#### **Lieutenant Colonel Allan Hambala**


- He was the G3 of 6<sup>th</sup> Infantry Division PA.
- He received a phone call from SSUPT Dela Rosa, informing him that there was an ongoing SAF operation in Mamasapano at around 5:28a.m. January 25, 2015 and that the SAF operation has no coordination made with him prior to its launching.
- He stated that artillery support was not provided as there was no direct contact with the engaged SAF troopers on the ground, no knowledge of the exact location of the troops and no forward observer and the consideration of the location whether it is populated or not are among the parameters absent to suffice the firing of an artillery.

#### **Lieutenant Colonel Danilo Benavides**

- He was the Assistant Chief of Staff for Intelligence, G2, 6<sup>th</sup> Infantry Division of the Philippine Army.
- He mentioned that there could be MILF, BIFF and PAGS in the area and it is a common knowledge that most of this

people are blood related. They considered government troops as a common enemy regardless of affiliation.

#### Major Carlos Sol

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- He was the Director of Combined Secretariat GPNP-OPAPP involved with the peace process.
  - Based on his sworn statement, he stated that, at 6:38 a.m. of January 25, 2015, he went to 601<sup>st</sup> Brigade and other AFP troops to check the veracity of the report with Colonel Jocson, Police Provincial Director of Maguindanao.
  - He also stated that he organized the crisis team composed of GPH-CCCH, MILF-CCCH and IMT and their mission is to reinstate the ceasefire, separate the two contending forces, assist in evacuation of casualties and stabilize the situation.
  - He said that there was no coordination made by SAF regarding the said operation, protocol under the Joint Committee of Joint Action group when the police conduct law enforcement operation in the MILF communities. It should be coordinated prior with the AHJAG. He mentioned that they should always give importance to the strategic implication over tactical gains.

#### Dave Jungco

- He was the Peace Program Officer II, OPAPP/Chief Operation Officer, CCCH since January 1, 2014.
- He stated that while having his breakfast at Grotto, Tamontaka, Cotabato City at around 8:00 am of January 25, 2015, Clarisse, Secretary of Major Sol, called her that he need to go to the IMT Headquarters to meet with MILF-CCCH members Butch Malang, Rashid Ladiasan and Toks Upam.
- Aboard three (3) vehicles, the team proceeded to Brgy. Kuloy, Shariff Aguak to meet the 105<sup>th</sup> and 118<sup>th</sup> MILF Base Commanders. They reached the area before 11:00 a.m.
- Wahid Tundok arrived followed by Saklaria Guma, at the TCP of SAF in Brgy. Tuka at about 12:30 p.m. They talked to Police Superintendent Mangaldan, the Ground



Commander in the TCP, and informed him of the ceasefire arrangement.

  
**Ronnie Arap, Jr.**

- He was the Peace Program Officer III of the GPP CCCH-JPSC, at the Office of the Presidential Adviser on the Peace Process (OPAPP).
- Based on his sworn statement, he stated that he learned that there was an uncoordinated operation by SAF in Brgy. Tukanalipao.

**Police Senior Superintendent Noel Punia Armina**

- He is the officer-in-charge of ARMM since last December 08, 2014.
- On Jan 25, 2015, at around 04:32 am, SAF informed him on the operation of HVTs in Mamasapano, Maguindanao and Main Effort is now on the target. At that instance, he was briefed by Police Superintendent Bongcayao on the participation of their troops in support of the SAF operation.
- He was instructed by Talno to coordinate with the CCCH and IMT.

**Police Senior Superintendent Rodelio Jocson**

- He is the Provincial Director of Provincial Police Office-Maguindanao.
- He claimed that records showed MILF harbored HVTs in the area of operation.

**Police Senior Superintendent Prexy Tanggawohn**

- He stated that the disclosure shows that the Oplan Exodus was highly classified.

**Police Chief Inspector Reynato Varron Mauricio, Jr.**

- He is the Officer in-Charge (OIC) of Regional Public Safety Battalion (RPSB).





- His statement corroborates the statement of Chief of Police of Mamasapano regarding the retrieval of all casualties.

**Police Superintendent Jibin Bongcayao**

- At about 9:00 a.m. of January 25, 2015, Provincial Director of Maguindanao called him to provide road security and assist in the retrieval of the casualties.

