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SENATE  
P.S.R. No. 667

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Introduced by Senator Aquilino "Koko" Pimentel III

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**A RESOLUTION  
DIRECTING THE COMMITTEE ON JUSTICE AND HUMAN  
RIGHTS AND THE COMMITTEE ON WOMEN, FAMILY  
RELATIONS AND GENDER EQUALITY TO CONDUCT AN  
INQUIRY, IN AID OF LEGISLATION, ON THE PROTOCOLS  
AND POLICIES CONCERNING PREGNANT DETAINEES AND  
PRISONERS**

**WHEREAS**, Article XIII, Section 14 of the 1987 Philippine Constitution recognized the special needs of women in view of their maternal functions;

**WHEREAS**, Andrea Rosal, a suspected communist leader and the daughter of New People's Army (NPA) spokesperson, Ka Roger Rosal, was seven months pregnant when she was arrested and detained by the authorities on March 27, 2014;

**WHEREAS**, Ms. Rosal was reportedly imprisoned in a 5-by-10 meter cell with 31 other inmates, an environment that is arguably not conducive for a pregnant woman in her third trimester. Moreover, Ms. Rosal allegedly received no medical attention during her detention;<sup>1</sup>

**WHEREAS**, on May 17, Ms. Rosal gave birth to Diona Andrea, who was immediately placed in an incubator after her birth due to difficulties in breathing. On May 18, 2014, at around 5 p.m., Diona Andrea passed away due to hypoxemia or abnormally low levels of oxygen in the blood;<sup>2</sup>

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<sup>1</sup> Andrea Rosal's newborn dies. Retrieved from <http://www.abs-cbnnews.com/nation/metro-manila/05/18/14/andrea-rosals-newborn-baby-dies> on May 22, 2014

<sup>2</sup> Rosal asks court permission to attend wake, burial of baby. Retrieved from <http://newsinfo.inquirer.net/603580/rosal-asks-court-permission-to-attend-wake-burial-of-baby#ixzz32E1R1g>. Retrieved on May 20, 2014.

WHEREAS, human rights groups have linked the death of Diona Andrea to the unhealthy environment that Ms. Rosal was exposed to while under detention, coupled with the absence of medical attention during her incarceration;<sup>3</sup>

WHEREAS, on May 20, the Pasig City Regional Trial Court ruled against allowing Ms. Rosal to attend her late daughter's funeral, citing security reasons and her present medical condition. She was, however, allowed to attend her late daughter's wake for 3 hours in the interest of "*compassionate justice*";

WHEREAS, the unfortunate death of Diona Andrea and the sad plight of Ms. Rosal highlighted the need to inquire into the protocols and policies concerning pregnant detainees and prisoners and to study alternative detention arrangements, such as house arrest or hospital arrest, for pregnant detainees and prisoners;

**NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE PHILIPPINE SENATE TO DIRECT THE COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND THE COMMITTEE ON WOMEN, FAMILY RELATIONS AND GENDER EQUALITY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PROTOCOLS AND POLICIES CONCERNING PREGNANT WOMEN IN OUR JAILS, PRISONS, OR DETENTION FACILITIES, WITH THE END IN VIEW OF STUDYING ALTERNATIVE DETENTION ARRANGEMENTS, SUCH AS HOUSE ARREST OR HOSPITAL ARREST FOR PREGNANT DETAINEES AND PRISONERS.**

*Adopted,*

  
AQUILINO "KOKO" PIMENTEL III

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<sup>3</sup> *Andrea Rosal's newborn dies. Retrieved from <http://www.abs-cbnnews.com/nation/metro-manila/05/18/14/andrea-rosals-newborn-baby-dies> on May 22, 2014*