

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



Senate
Office of the Secretary

15 APR 16 P2 37

SENATE
P. S. R. No. 1276

RECEIVED BY

Introduced by Senator Miriam Defensor Santiago

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE REPORT THAT THE LACK OF
LEGISLATION AUTHORIZING JUDICIAL WIRETAPPING FOR DRUG CASES
HAMPER THE PROGRESS IN COMBATING DRUG-RELATED CORRUPTION

WHEREAS, the Constitution, Article 13, Section 12 provides: “The State shall establish and maintain an effective food and drug regulatory system and undertake appropriate health, manpower development, and research, responsive to the country's health needs and problems”;

WHEREAS, Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, Article 2, Section 27, paragraph 2 states:

Any elective local or national official found to have benefited from the proceeds of the trafficking of dangerous drugs as prescribed in this Act, or have received any financial or material contributions or donations from natural or juridical persons found guilty of trafficking dangerous drugs as prescribed in this Act, shall be removed from office and perpetually disqualified from holding any elective or appointive positions in the government, its divisions, subdivisions, and intermediaries, including government-owned or –controlled corporations

WHEREAS, the philstar.com, in a news article posted on 22 March 2015, reported the 2015 International Narcotics Control Strategy Report of the US Department of State said that the lack of legislation authorizing judicial wiretapping for drug cases and the absence of reform in the criminal justice system continue to hamper efforts against

1 international drug trafficking organizations from exploiting the Philippines as a
2 transshipment point and market for illegal drugs;

3 WHEREAS, the report claimed that the Philippines remains as the transshipment
4 point and destination country for large shipments of methamphetamine, known locally as
5 shabu, that continues to be the primary drug consumed and trafficked within the country;

6 WHEREAS, according to the report, the Philippine law enforcement will have no
7 full capacity to effectively investigate and prosecute officials engaged in drug related
8 corruption without effective investigative tools that are critical to combating drug-related
9 corruption;

10 WHEREAS, the report also stated that the media and law enforcement officials in
11 2014 said that no criminal cases were filed against some local government officials that
12 received support from drug traffickers;

13 WHEREAS, the Philippine government allegedly does not facilitate drug
14 trafficking or the laundering of proceeds of drug trafficking and no senior government
15 official has been reportedly convicted for conducting such activities;


16 WHEREAS, the Philippine law enforcement reportedly remains unable to
17 effectively identify and prosecute high level leaders of trafficking organizations due to
18 legal restrictions that prevent the use of judicially authorized interception of criminal
19 communications;

20 WHEREAS, Congress should assess existing relevant legislation whether these are
21 effective and efficient against drug trafficking in the country;

22 WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE
23 to direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the

- 1 report that the lack of legislation authorizing the use of judicial wiretapping for drug
- 2 cases hamper the progress in combating drug-related corruption.

Adopted,


MIRIAM DEFENSOR SANTIAGO
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