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SENATE
P. S. R. No. 164

RECEIVED BY: 

Introduced by Senator Aquilino "Koko" Pimentel III

RESOLUTION
DIRECTING THE SENATE COMMITTEE ON JUSTICE AND
HUMAN RIGHTS AND OTHER APPROPRIATE SENATE
COMMITTEE(S) TO CONDUCT AN INQUIRY, IN AID OF
LEGISLATION, ON THE CURRENT SECURITY,
CONTAINMENT, AND SAFETY REGULATION PROCEDURES
FOR DETENTION AND CORRECTIONAL FACILITIES IN THE
COUNTRY, WITH THE END IN VIEW OF ASSESSING IF
THESE PROCEDURES ARE ADEQUATE AND EFFECTIVE,
AND TO RECOMMEND REMEDIAL MEASURES AND
REGULATIONS

WHEREAS, *Article II, Section 11* of the *Constitution* provides that the State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, *Section 2* of *Republic Act No. 10575* or the *Bureau of Corrections Act of 2013* provides that it is the policy of the State to promote the general welfare and safeguard the basic rights of every person incarcerated in our national penitentiary, showing that the law is corrective and rehabilitative, and not purely retributive;

WHEREAS, *Article 10 (1)* of the *International Convention on Civil and Political Rights* provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person;

WHEREAS, on September 21, 2015, the Chief Justice called on the Department of Justice (DOJ) to investigate a 2013 complaint filed by an inmate of the Maximum Security Compound of the New Bilibid

Prison (NBP) against several prisoners and prison guards who allegedly kidnapped and gang-raped the inmate's 25-year old wife;¹

WHEREAS, on October 25, 2015, Gerardo Argota, Jr., a suspect in the rape of a 6-year old girl, who was detained at the Sta. Ana Police Station in Manila, reportedly died after suffering "blunt traumatic injuries through multiple clubbing". News reports mentioned that the suspect was clubbed to death by fellow inmates the moment he entered his prison cell;²

WHEREAS, on December 7, 2015, Felecito Braga, an inmate from the Maximum Security Compound of the NBP, was declared dead on arrival at the prison hospital after being stabbed to death by his cousin, Jonathan Braga, who was also detained therein;³

WHEREAS, the abovementioned criminal acts involving inmates may have been averted if there had been effective and efficient monitoring of inmate activities inside penal facilities, in line with existing security and containment measures for preventing criminal activities or altercations among inmates;

WHEREAS, in addition to issues concerning the security and safety of prisoners, the congestion and inadequate maintenance of our jail and prison facilities place in jeopardy the lives and limbs of detainees and inmates;

WHEREAS, on the afternoon of October 9, 2015, a fire broke out inside the maximum-security prison area of the Leyte Regional Prison in Abuyog, Southern Leyte, killing nine (9) prisoners.⁴ The Leyte Regional Prison, which is under the jurisdiction of the Bureau of Corrections, was

¹Retrieved from:
<http://newsinfo.inquirer.net/736399/sereno-office-probe-gang-rape-of-inmates-wife-in-munti-prison>; Retrieved on September 13, 2016.

²Retrieved from:
<http://newsinfo.inquirer.net/734836/sta-ana-rape-suspect-mauled-to-death-by-jail-inmates-reports>; Retrieved on September 13, 2016.

³Retrieved from:
<http://newsinfo.inquirer.net/745331/inmate-stabbed-dead-in-bilibids-maximum-security-compound>; Retrieved on September 13, 2016.

⁴Retrieved from:
<http://www.philstar.com/headlines/2015/10/10/1509008/9-dead-leyte-prison-blaze>; Retrieved on September 13, 2016.

built for 500 inmates⁵ but held 1,256 prisoners at the time of the said mishap;⁶

WHEREAS, the laxity in security and poor maintenance of our detention and correctional facilities have again been brought to light with the explosion at the Parañaque City Jail that killed 10 detainees on August 11, 2016 and the raid by some 50 suspected Maute group gunmen of the Marawi City Jail last August 27, 2016, resulting in the escape of 23 detainees who are believed to be Maute group members. Said attacks reflect our lack of capacity to defend and protect our detention and correctional facilities, including the detainees and prisoners therein;

WHEREAS, more importantly, these incidents highlight the worsening problems of detention and correctional facilities in the country today that necessitate a more proactive stance on the part of the government in protecting these detainees and prisoners, who are particularly vulnerable to untoward incidents during their incarceration;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE SENATE OF THE PHILIPPINES, THAT THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND OTHER APPROPRIATE SENATE COMMITTEE(S) BE DIRECTED TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE CURRENT SECURITY, CONTAINMENT, AND SAFETY REGULATION PROCEDURES FOR DETENTION AND CORRECTIONAL FACILITIES IN THE COUNTRY, WITH THE END IN VIEW OF ASSESSING IF THESE PROCEDURES ARE ADEQUATE AND EFFECTIVE, AND TO RECOMMEND REMEDIAL MEASURES AND REGULATIONS.

Adopted,


AQUILINO "KOKO" PIMENTEL III

⁵Retrieved from:
<http://www.bucor.gov.ph/facilities/lrp.html>; Retrieved on September 13, 2016.

⁶Retrieved from:
<http://www.interaksyon.com/article/118694/video--10-die-in-fire-at-penal-colony-in-abuyog-leyte>; Retrieved on September 13, 2016.