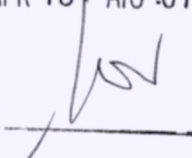




SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

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SENATE

RECEIVED BY: 

P. S. RES. NO. 342

Introduced by Senator Antonio "Sonny" F. Trillanes IV

RESOLUTION

URGING THE SENATE COMMITTEE ON PUBLIC ORDER AND DANGEROUS DRUGS AND OTHER APPROPRIATE COMMITTEE/S TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ACCURACY OF THE 'DRUG WATCH LIST' BEING USED AS REFERENCE BY THE PHILIPPINE NATIONAL POLICE (PNP) IN LIGHT OF THE ADMINISTRATION'S WAR ON DRUGS, AND ON THE MECHANISMS EMPLOYED IN DETERMINING WHICH NAMES ARE TO BE INCLUDED IN THE SAID LIST, TAKING INTO CONSIDERATION THE MURDER OF RAYMART SIAPO, THE ALLEGED 'PALIT-ULO' INCIDENTS, AND OTHER REPORTS OF MISTAKEN IDENTITY, WITH THE END IN VIEW OF ENSURING THAT NO PERSON SHALL BE KILLED DUE TO INVALIDATED AND UNVERIFIED INFORMATION AND THAT ALL AFFECTED PERSONS ARE AFFORDED OF THEIR HUMAN RIGHTS

WHEREAS, as enshrined in Article II, Section 11 of the 1987 Philippine Constitution:

"The State values the dignity of every human person and guarantees full respect for human rights;"

WHEREAS, Article III, Section 11 of the 1987 Philippine Constitution further states that:

"No person shall be deprived of life, liberty or property without due process of law, nor shall any person be denied the equal protection of the law."

WHEREAS, the current administration has taken a strong stance against illegal drugs through its 'War on Drugs' campaign headed by the President himself and the Philippine National Police (PNP) as the primary implementing agency, with the goal of freeing the country from drug traders and other drug-related criminality;

WHEREAS, on 7 July 2016, President Rodrigo Duterte publicly named the top three drug lords in the country;¹

¹ Santos, E. (17 September 2016). Duterte's drug list: What we know so far. Retrieved from <http://cnnphilippines.com/news/2016/08/19/President-Duterte-list-of-drug-personalities-politicians.html>

WHEREAS, on 7 August 2016, President Duterte presented a list containing the names of local government executives, officials and civilians allegedly involved in drugs. According to published reports, however, the information was outdated, raw and invalidated;²

WHEREAS, on 15 September 2016, President Duterte revealed that he is going to make public the final report containing a list of 1,000 drug personalities;³

WHEREAS, on 26 November 2016, during the San Beda College Law Alumni Homecoming, President Duterte presented the *new and validated drug list*, this time supposedly including 5,000 public servants;⁴

WHEREAS, President Duterte, in a meeting with the local government executives, committed that he will provide them with a copy of the 'drug watch' list in order for them to see the bigger picture of the drug war and decide on what course of action to take;⁵

WHEREAS, on 20 January 2017, Department of Interior and Local Government Secretary Ismael Sueno said that they will be handing over the 'drug watch' list to Philippine National Police (PNP) Regional Directors, who also act as vice-chairpersons of the Regional Peace and Order Council (RPOC). The list will only include the names falling under their respective jurisdiction;⁶

WHEREAS, according to Philippine National Police Chief Director General Ronald dela Rosa, the list will be utilized to neutralize drug trading in the country;⁷

WHEREAS, according to Commissioner Karen Dumpit of the Commission on Human Rights, the list apparently included names of people who are not drug pushers or users;⁸

WHEREAS, on 29 March 2017, Raymart Siapo, a 19-year old with bilateral clubfoot, was taken by fourteen (14) unknown assailants in front of his house in Navotas City and was subsequently, shot twice in the head. Siapo was accused by a neighbor of peddling marijuana and was allegedly included in the drug watch list;⁹

WHEREAS, on 17 March 2017, during the 60th United Nations Commission on Narcotic Drugs, Vice President Leni Robredo related the 'palit-ulo' or 'exchange-heads' scheme happening in the country, defining it as "when the police takes into custody the partner or relative of a person in their so-called drug list if the person himself could not be found;"¹⁰

² Rappler. (7 August 2016). The Duterte list: Judges, mayors, police officials linked to drugs. Retrieved from <http://www.rappler.com/nation/142210-duterte-list-lgu-police-officials-linked-drugs>

³ Ranada, P. (15 September 2016). Duterte shows 'drug list' with '1,000' names of gov't officials. Retrieved from <http://www.rappler.com/nation/146359-duterte-shows-drug-list-1000-names>

⁴ Balana, C. (29 November 2016). PNP readying cases vs 5,000 in drug list. Retrieve from <http://newsinfo.inquirer.net/848817/pnp-readying-cases-vs-5000-in-drug-list#ixzz4e7tPmEiS>

⁵ DILG. (23 January 2017). Drug list to be given to PNP regional directors – Sueno. Retrieved from <http://www.dilg.gov.ph/news/Drug-list-to-be-given-to-PNP-regional-directors-Sueno/NC-2017-1017>

⁶ Ibid.

⁷ Balana, C. (29 November 2016). PNP readying cases vs 5,000 in drug list. Retrieve from <http://newsinfo.inquirer.net/848817/pnp-readying-cases-vs-5000-in-drug-list#ixzz4e7tPmEiS>

⁸ Marshall, A. & Chalmers, J. (7 October 2016). Special Report: In Duterte's war on drugs, local residents help draw up hit lists. Retrieved from <http://www.reuters.com/article/us-philippines-duterte-hitlists-idUSKCN127049>

⁹ Abante. (9 April 2017). PWD casualty ng EJK; Netizens sumabog sa galit. Retrieved from <https://www.abante.com.ph/pwd-casualty-ng-cjk-netizens-sumabog-sa-galit.htm>

¹⁰ Cahiles, G. (20 March 2017). PNP Chief confirms 'palit-ulo' scheme, clarifies procedure. Retrieved from <http://cnnphilippines.com/news/2017/03/20/Palit-ulo-scheme-PNP-Bato-Dela-Rosa-Leni-Robredo.html>

WHEREAS, according to a special report by Reuters, the Barangay captains are instrumental in determining who shall be included in the list. The information from the community will be validated by the police to determine alleged drug dealers and users in each district;¹¹

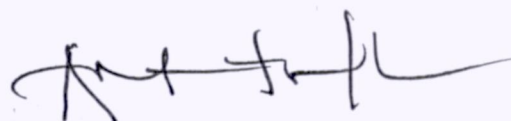
WHEREAS, according to Amnesty International, the drug watch list is flawed because inclusion were simply based on reporting by fellow community members without any investigation;¹²

WHEREAS, said 'drug watch' list, instead of being a mechanism to prevent further criminality in the country, may have become an arbitrary hit list, with people whose names were inadvertently or maliciously included in the list ending up being killed;

WHEREAS, there is an immediate need to investigate the accuracy of this 'drug watch' list in order to prevent cases of deliberate and/or arbitrary inclusion of innocent persons and/or mistaken identity, and look into the need to redefine the purpose of said list in the war against drugs;

NOW THEREFORE, BE IT HEREBY RESOLVED, as it is hereby resolved by the Philippines Senate, to direct the Committee on Public Order and Dangerous Drugs and other appropriate committee/s to conduct an inquiry, in aid of legislation, on the accuracy of the 'drug watch list' being used as reference by Administration and by the Philippine National Police the administration's *War on Drugs*, and on the mechanisms employed in determining which names are to be included in the said list, taking into consideration the murder of Raymart Siapo, the 'palit-ulo' incidents, and other reports of deliberate and/or arbitrary inclusion of innocent persons and/or mistaken identity, with the end in view of ensuring that no person shall be killed due to invalidated, unverified or worse, deliberate false information, and to ensure that all affected persons are afforded of their human rights.

Adopted,



ANTONIO "SONNY" F. TRILLANES IV
Senator

¹¹ Marshall, A. & Chalmers, J. (7 October 2016). Special Report: In Duterte's war on drugs, local residents help draw up hit lists. Retrieved from <http://www.reuters.com/article/us-philippines-duterte-hitlists-idUSKCN127049>

¹² Pazzibugan, D. (2 February 2016). PNP paid killers P5,000 per drug user. Retrieved from <http://newsinfo.inquirer.net/867389/pnp-paid-killers-p5000-per-drug-user#ixzz4e7oc0ZBD>