



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

18 JAN 23 P1:22

SENATE

P. S. RES. NO. 590

RECEIVED BY: 

Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT
AN INQUIRY, IN AID OF LEGISLATION, INTO THE LATEST
COMMISSION ON AUDIT (COA) REPORT REVEALING THE
WORSENING STATE OF DETENTION FACILITIES IN THE PHILIPPINES

WHEREAS, Article II, Section 11 of the Constitution provides that “[t]he State values the dignity of every human person and guarantees full respect for human rights”;

WHEREAS, the second paragraph of Article III, Section 19 emphasizes that “[t]he employment of physical, psychological, or degrading punishment against any prisoner or detainee or the use of substandard or inadequate penal facilities under subhuman conditions shall be dealt with by law”;

WHEREAS, Rule 10 of the United Nations Standard Minimum Rules for the Treatment of Prisoners states that “[a]ll accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation”;

WHEREAS, upon his assumption of office in 2016, President Rodrigo Duterte, declared an all-out “War on Drugs” which resulted in police forces being more aggressive in their operations¹;

WHEREAS, as a result, the 2016 Annual Commission on Audit (COA) on Bureau of Jail Management and Penology (BJMP) revealed that jails, which has an ideal capacity of 20, 746, are holding over five times its cell capacity or exactly 126,946 inmates as of December 2016²;

WHEREAS, the COA report explained that the increase in jail populations were also attributable to the court’s slow or no action on the pending cases due to lack of judges, postponement of hearings and the slow disposition of criminal cases that carry

¹ Writer undisclosed. Philippines’ ‘War on Drugs’. Human Rights Watch. <https://www.hrw.org/tag/philippines-war-drugs> (last accessed 20 June 2017)

² 2016 Commission on Audit Report. Retrieved from <http://www.coa.gov.ph/index.php/national-government-agencies/2016/category/6204-department-of-the-interior-and-local-government>

penalty of *reclusion perpetua* or life imprisonment, non-movement or non-release of bailable detainees due to poverty³;

WHEREAS, COA notes that the congestion in these facilities is worrisome because it “leads not only to health and sanitation problems but also to increased gang affiliation of inmates” for protection, network of social support and access to material benefits, among others⁴;

WHEREAS, the COA report also noted that another factor contributing to the heavy jail congestion concerns the jail facilities⁵;

WHEREAS, COA found that construction of jail facilities costing ₱1,967,419.94 started 20 years ago remained not completed, while 12 construction projects costing ₱27,108,251.09 were not completed within the stipulated contract time; thus contributing to the problem of jail congestion;⁶

WHEREAS, the inability of BJMP to complete the construction of jail facilities have resulted in the failure to ease the congestion in regional jail population and have in the process deprived inmates of potential humane living conditions⁷;

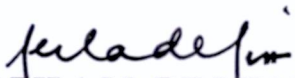
WHEREAS, despite numerous calls for reform, our government seemed to have neglected its duty to ensure observance of the UN Standards for Minimum Rules for the Treatment of Prisoners, the International Covenant on Civil and Political Rights and Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment among other instruments to which the Philippines is a signatory;

WHEREAS, the continued failure to complete jail facility projects betrays BJMP’s lack of resolve and lack of vision by not prioritizing the projects that can make jail management and prisoner reformation more effective;

WHEREAS, Congress should investigate the cause of this matter and see to it that any institutional or budgetary hurdles that prevent the project completions are duly addressed;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, into the recent Commission on Audit (COA) report revealing worsening state of detention facilities in the Philippines.

Adopted,


LEILA M. DE LIMA

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⁴ Supra foot note # 2

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⁷ Supra foot note # 2