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REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



JAN 23 2024

SENATE

P. S. RES. NO. 591

RECEIVED BY: 

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

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT
AN INQUIRY, IN AID OF LEGISLATION, ON THE ROLE OF
ELECTIVE BARANGAY OFFICIALS AND THE SUPERVISION OF
BARANGAY CIVILIAN VOLUNTEERS AND FORCE MULTIPLIERS IN
INTERNAL SECURITY OPERATIONS, WITH THE END IN VIEW OF
ESTABLISHING AN EFFECTIVE COMMUNITY-BASED MECHANISM
FOR MAINTAINING LOCAL PEACE AND ORDER THAT RESPECTS AND
PROTECTS HUMAN RIGHTS

WHEREAS, Article II, Section 4 of the Constitution provides that “[t]he prime duty of the Government is to serve and protect the people. The Government may call upon the people to defend the State and, in the fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal military or civil service”;

WHEREAS, Article II, Section 5 of the same states that “[t]he maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy”;

WHEREAS, Chapter II, Section 16 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, states that “[e]very local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ... maintain peace and order, and preserve the comfort and convenience of their inhabitants”;

WHEREAS, Chapter I, Section 384 of the same provides that “[a]s the basic political unit, the Barangay serves as the primary planning and implementing unit of government policies, plans, programs, projects, and activities in the community, and as a forum wherein the collective views of the people may be expressed, crystallized and considered, and where disputes may be amicably settled”;

WHEREAS, Chapter II, Section 387(b) of the same provides that “[t]he Sangguniang Barangay may form community brigades and create such other positions or offices as may be deemed necessary to carry out the purposes of the Barangay government in accordance with the needs of public service”;

WHEREAS, Executive Order No. 546, s. 2006 provides for the Philippine National Police’s (PNP) support role to “the AFP in combat operations involving the suppression of insurgency and other serious threats to national security”, Section 2 thereof stating that “[i]n the exercise of its responsibility, subject to the concurrence of the appropriate Local Chief Executive through the Local Peace and Order Council, the PNP is hereby authorized to deputize the barangay tanods as force multipliers in the implementation of the peace and order plan in the area;

WHEREAS, the PNP Letter of Instructions 22/09 on BAYANIHAN (Barangay Peacekeeping Operations) “recognizes the role of the Barangay Tanods, Bantay Bayan, Civilian Volunteer Organizations, Barangay Auxiliaries, Non-Government Organizations and other People’s Organization that can be utilized as Force Multipliers in the fight against criminality, insurgency and terrorism”¹;

WHEREAS, National Police Commission Memorandum Circular 2008-013 “prescribes the guidelines and procedures governing the deputation of barangay tanods as members of Police Auxiliary Units (PAU) and authorizing PNP uniformed personnel to act as supervisor” and provides that “firearms that may be authorized for issuance to the deputized barangay tanods and PAU members shall be subject to the prevailing situation in their respective localities and availability of resources;

WHEREAS, Section 3 of Executive Order No. 773, s. 2009 outlines that “[t]he Civilian Volunteer Organizations (CVOs) shall be managed and supervised by the respective Regional, Provincial, City or Municipal Directors of the PNP”;

WHEREAS, Section 51(b) of Republic Act No. 6975, otherwise known as the Department of the Interior and Local Government (DILG) Act of 1990, states in part that the “municipal/city mayor shall, in coordination with the local peace and order council of which he is the chairman pursuant to Executive Order No. 309, as amended, develop and establish an integrated area/community public safety plan embracing priorities of action and program thrusts for implementation by the local PNP stations”;

WHEREAS, on 30 July 2016, Philippine Star reported that 32-year-old barangay tanod Aaron Deloria, who was active in police operations against drug pushers and users, was shot dead in front of his house in Barangay Commonwealth, Quezon City²;

¹ Philippine National Police. 04 May 2009. Letter of Instructions 22/09 on “BAYANIHAN”. Accessed on <http://dpcr.pnp.gov.ph/portal/images/downloads/PPD/LOI%2022-09%20re%20Bayanihan.pdf>.

² Cabrera, Romina. 30 July 2016. Anti-drug tanod gunned down. Philippine Star. Accessed on <http://www.philstar.com/metro/2016/07/30/1608040/anti-drug-tanod-gunned-down>.

WHEREAS, on 22 September 2017, GMA News reported that the gun used in the killing of Deloria was the same weapon used in eighteen (18) more drug-related killings, the match having been validated through ballistics examination³;

WHEREAS, the same report said the gun was among the firearms recovered by the PNP from five slain drug suspects during a buy-bust operation in Barangay Commonwealth in December 2016, all of them volunteer barangay tanods who, after the PNP investigation, were found to be protectors of the illegal drug trade in Barangays Commonwealth and Payatas⁴;

WHEREAS, on 11 July 2017, Interaksyon reported that barangay tanod Rodolfo Leoncio, 41, was arrested after he was caught buying drugs from Ronald Gaben and Dolfo⁶;

WHEREAS, on 2 September 2017, the Philippine Drug Enforcement Agency (PDEA) reported that members of the PDEA Regional Office 4-B and the local police arrested Armando Bantang, a 42-year old suspected maintainer of a drug den in San Jose, Occidental Mindoro and his companions Police Officer 3 Rey delos Santos, 39; and tanod Rodel Azucena, 45, during a buy-bust operation in Purok 3, Marzan Village, Barangay San Roque⁷;

WHEREAS, on 13 February 2017, Philippine Star reported that after the arrest at an outpost in Tondo, Manila of three (3) barangay peacekeepers allegedly behind a vigilante killing spree, the PNP is set to check on civilian volunteer organizations (CVOs) and other so-called government force multipliers, and coordinate with local government officials to gather more information about CVOs in their respective localities⁸;

WHEREAS, the same report said that the three suspects belonged to the Confederate Sentinel Group (CSG), whose members are reportedly part of the barangay peacekeeping action teams⁹;

WHEREAS, on 30 December 2017, CNN Philippines reported that police officers fired at a white Mitsubishi Adventure on Shaw Boulevard that was reported to be carrying the gunman of a prior shooting incident in Barangay Addition Hills in Mandaluyong last 28 December 2017, in what turned out to be a case of mistaken identity¹⁰;

³ GMA News. 22 September 2017. Gun used in 19 drug-related killings traced to slain QC volunteer tanod. Accessed on <http://www.gmanetwork.com/news/news/metro/626850/gun-used-in-19-drug-related-killings-traced-to-slain-qc-volunteer-tanod/story/>.

⁴ *Ibid*

⁶ Interaksyon. 11 July 2017. 4 slain in Malolos anti-drug operation. Accessed on <http://www.interaksyon.com/4-slain-in-malolos-anti-drug-operation/>.

⁷ Dalizon, Alfred. 2 September 2017. Dealer killed in Albay gunfight. Journal Online. Accessed on <http://www.journal.com.ph/news/provincial/dealer-killed-in-albay-gunfight>.

⁸ Felipe, Cecile Suerte. 13 February 2017. Civilian volunteer groups face PNP probe. *Philippine Star*. Accessed on <http://www.philstar.com/headlines/2017/02/13/1671764/civilian-volunteer-groups-face-pnp-probe>.

⁹ *Ibid*

¹⁰ Bacungan, VJ. 30 December 2017. Mandaluyong police chief, 10 others relieved for 'mistaken identity' shooting. *CNN Philippines*. Accessed on <http://cnnphilippines.com/news/2017/12/29/mandaluyong-police-chief-shooting.html>.

WHEREAS, on 2 January 2018, ABS-CBN News reported that the involved officials said the barangay tanods were already firing at the vehicle when they arrived and told them that it was the getaway vehicle of a gunman¹¹, and Mandaluyong City police chief Senior Supt. Moises Villaceran said they learned that the van's passengers were only helping Jonalyn Ambaan, who was the victim of the shooting incident at Addition Hills , and were rushing her to a hospital¹²;

WHEREAS, Metro Manila police chief Oscar Albayalde said barangay tanods who responded to the first shooting and were reportedly armed gave the wrong information to police officers, adding that if the barangay tanods have a permit to carry firearms, they can bear firearms but cannot use them for their tanod duties¹³;

WHEREAS, in implementing Peace and Order and Public Safety plans in barangays, local chief executives should make sure that barangay elective officials and force multipliers are accountable for their actions and fulfill their mandate without violating the human rights of their constituents;

WHEREAS, it is the responsibility of the DILG and the PNP to ensure that their partnership with CVOs remains faithful to the objective of establishing a "lasting relationship based on mutual respect, trust and confidence between the PNP and the community";

WHEREAS, with the barangay being the basic political unit, barangay tanods deputized into the PAU play an important role in peacekeeping and in making sure that the mechanisms implemented at the community level to augment security will not be detrimental to anyone's safety nor be violative of anyone's rights, and thus abuse of power at any level should not be tolerated and should be dealt with accordingly;

WHEREAS, it is the burden of all state-sanctioned forces, including PAUs, to carry out their mandate in accordance with the rule of law and while respecting human rights;

WHEREAS, there is need to review existing local peace and order mechanisms to determine their effectiveness in addressing the needs of the communities and in holding erring local officials accountable for their actions;

WHEREAS, there is also a need to establish a program to be implemented throughout the country to give basic law enforcement training to barangay-level PAUs, including rules of engagement, citizen's arrest, first aid, and respect for human rights;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, to direct the appropriate Senate Committee to conduct an inquiry, in aid of legislation, on the role of elective barangay officials and the supervision of barangay civilian volunteers and force multipliers in internal security operations, with the end in view of

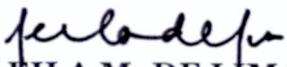
¹¹ ABS-CBN News. 2 January 2018. "Trabaho lang yun': Bato defends cops in Mandaluyong shooting. Accessed on <http://news.abs-cbn.com/news/01/02/18/trabaho-lang-yun-bato-defends-cops-in-mandaluyong-shooting>.

¹² *Supra* at 9.

¹³ *Supra* at 9.

establishing an effective community-based mechanism for maintaining local peace and order that respects and protects human rights.

Adopted,


LEILA M. DE LIMA