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SENATE  
P.S. Res 70

RECORDED BY: 

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Introduced by Senator Poe

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**RESOLUTION**

**URGING THE SENATE COMMITTEE ON PUBLIC ORDER AND DANGEROUS DRUGS TO CONDUCT AN INQUIRY, IN THE EXERCISE OF THE CONGRESS' OVERSIGHT FUNCTION, AS REGARDS THE REASONS FOR THE CONTINUED NON-IMPLEMENTATION OF THE PROVISIONS OF REPUBLIC ACT (R.A.) NO. 8551, OTHERWISE KNOWN AS THE "PHILIPPINE NATIONAL POLICE REFORM AND REORGANIZATION ACT OF 1998", PARTICULARLY ON THE INTERNAL AFFAIRS SERVICE (IAS) OF PHILIPPINE NATIONAL POLICE (PNP), WITH THE END GOAL OF ENACTING THE NECESSARY LEGISLATIVE MEASURES TO ENSURE THE APPOINTMENT OF A QUALIFIED CIVILIAN HEAD OF THE IAS AND TO STRENGTHEN THE INDEPENDENCE AND OBJECTIVITY OF THE IAS**

**WHEREAS**, police reports showed that 194 drug suspects were killed on a short period from 1 to 19 July 2016, or 10 killings per day, on a national scale;<sup>1</sup>

**WHEREAS**, there are increasing reports of instances wherein surrendering suspects were killed by police officers, worse, there were even reports that those who fell prey to extrajudicial killings were not really involved in illegal drugs;<sup>2</sup>

**WHEREAS**, let it not be forgotten that alongside the Government's duty to serve and protect the people<sup>3</sup> and to maintain peace and order<sup>4</sup> by eradicating criminality, the Constitution likewise imposed upon the Government to protect life and liberty,<sup>5</sup> value the dignity of every human person, guarantee full respect for human rights<sup>6</sup>, most importantly, the Constitution

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<sup>1</sup> <http://www.sunstar.com.ph/manila/local-news/2016/07/28/duterte-denounces-extrajudicial-killings-drug-suspects-488009>

<sup>2</sup> <http://newsinfo.inquirer.net/799316/baguilat-lauds-duterte-but-slams-cops-over-rash-of-summary-killings>

<sup>3</sup> Section 4, Article II of the Constitution.

<sup>4</sup> Section 5, Article II of the Constitution.

<sup>5</sup> Section 5, Article II of the Constitution.

<sup>6</sup> Section 11, Article II of the Constitution.

mandates that no person shall be deprived of life, liberty, or property without due process of law;<sup>7</sup>

**WHEREAS**, the “Declaration of Policy and Principles” of Republic Act (R.A.) No. 8551, otherwise known as the *Philippine National Police Reform and Reorganization Act of 1998*”, states that “the PNP shall be so organized to ensure accountability and uprightness in police exercise of discretion as well as to achieve efficiency and effectiveness of its members and units in the performance of their functions;”<sup>8</sup>

**WHEREAS**, to ensure the accountability and uprightness in police exercise of discretion, the Internal Affairs Service (IAS) of the Philippine National Police (PNP) was created by R.A. No. 8551 to: (a) pro-actively conduct inspections and audits on PNP personnel and units; (b) investigate complaints and gather evidence in support of an open investigation; (c) investigate incidents where death, serious physical injury, or any violation of human rights occurred in the conduct of a police operation; and (d) investigate incidents where the established rules of engagement have been violated, among others;<sup>9</sup>

**WHEREAS**, to further ensure that accountability and uprightness shall be truly preserved in the ranks of the PNP, R.A. No. 8551 envisioned that the head of the IAS of the PNP shall be a civilian,<sup>10</sup> so as to promote independence and objectivity in relation to the police officers it ought to watch over;

**WHEREAS**, with the end view of strengthening the IAS, two (2) legislative hearings were conducted by the Senate Committee on Public Order and Dangerous Drugs during the 16<sup>th</sup> Congress on the rising statistics involving police personnel in criminality, in which said Committee found that IAS’ limited authority to make mere recommendations, subject to the review and approval of the Chief, PNP or the PNP Regional Directors, regarding disciplinary sanctions against erring PNP personnel, as well as the non-appointment of a qualified civilian head as mandated by R.A. No. 8551, had led to inefficiencies in resolving administrative and criminal cases involving police officers;

**WHEREAS**, it is high time that an independent and objective IAS should be put in place to effectively carry out its mandate in support of the apparent renewed vigor of the PNP’s campaign to eradicate criminality by keeping the same within the bounds of the law, thus, further increasing the already positive public trust accorded to the new leadership of the PNP;

**BE IT RESOLVED, AS IT IS HEREBY RESOLVED**, by the Senate of the Philippines, urging the Senate Committee on Public Order and Dangerous Drugs to conduct an

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<sup>7</sup> Section 1, Article III of the Constitution.

<sup>8</sup> Section 2 of R.A. No. 8551.

<sup>9</sup> Section 39 of R.A. No. 8551.

<sup>10</sup> Section 40 of R.A. No. 8551.

inquiry, in the exercise of the Congress' oversight function, as regards the reasons for the continued non-implementation of the provisions of Republic Act (R.A.) No. 8551, otherwise known as the "*Philippine National Police Reform and Reorganization Act of 1998*", particularly on the Internal Affairs Service (IAS) of Philippine National Police (PNP), with the end goal of enacting the necessary legislative measures to ensure the appointment of a qualified civilian head of the IAS and to strengthen the independence and objectivity of the IAS.

*Adopted,*

  
GRACE POE