

the policy of the State to value the dignity of every human being and guarantee full respect for human rights”;

WHEREAS, the second paragraph of Section 7 of Republic Act 9745, otherwise known as the Anti-Torture Act of 2009 states, “[i]n which case, the Philippine National Police (PNP), the Armed Forces of the Philippines (AFP) and other law enforcement agencies concerned shall make an updated list of all detention centers and facilities under their respective jurisdictions with the corresponding data on the prisoners or detainees incarcerated or detained therein such as, among others, names, date of arrest and incarceration, and the crime or offense committed”;

WHEREAS, Section 6 of RA 10353, otherwise known as Anti-Enforced or Involuntary Disappearance Act of 2012, provides that “[i]t shall be the absolute right of any person deprived of liberty to have immediate access to any form of communication available in order for him or her to inform his or her family, relative, friend, lawyer or any human rights organization on his or her whereabouts and condition”;

WHEREAS, the United Nations Standard Minimum Rules for the Treatment of Prisoners states that “[c]orporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited as punishments for disciplinary offences”;

WHEREAS, Rappler, on 27 April 2017, reported that in an unannounced jail visit Thursday, April 27, a team from the Commission on Human Rights (CHR) found 12 men and women allegedly illegally detained in a "lock-up cell" hidden behind a bookshelf in Police Station 1 in Tondo, Manila¹;

WHEREAS, the same report stated that Station Commander Superintendent Robert Domingo claimed the detainees were locked up as their documents were still being "processed." When Rappler asked to see the blotter of the detainees, Domingo said they had not been prepared as they were just arrested Wednesday, April 26, in a "one time, big time" operation²;

WHEREAS, Inquirer, on 27 April 2017, stated that Supt. Domingo at first denied there was a hidden cell inside the station. Gilbert Boisner, CHR regional director for the National Capital Region, following the tip from an informant, proceeded to inspect a brown bookshelf in the Drug Enforcement Unit (DEU) office, knocking on the wooden wall behind it and then heard voices responding³;

WHEREAS, the same report stated Domingo said his men could not mix the drug suspects with other detainees in the station’s main detention cell “because cases have yet to be filed against them”⁴;

¹ Lopez, E. CHR team finds detainees in 'secret' police cell. (2017, 27 April). Rappler. Retrieved from <http://www.rappler.com/nation/168172-chr-free-detainees-secret-cell-tondo-police-station>

² Ibid.

³ Balagtas See, A. Drug suspects found in secret police cell. (2017, 27 April). Inquirer. Retrieved from <http://newsinfo.inquirer.net/892537/drug-suspects-found-in-secret-police-cell>

⁴ Ibid.

WHEREAS, CNN Philippines, on 28 April 2017, reported that a couple who admitted to being former drug runners said they have been inside the hidden cell for three days. The couple said some of the other detainees were released because they paid up, while some of the detainees also claimed they were tortured, electrocuted and beaten up⁵;

WHEREAS, ABS-CBN News, on 28 April 2017, reported that the CHR said there was no record of the arrest and inquest proceedings for the detainees, who alleged that cops held them in the facility for a week, without notifying their families or lawyers⁶;

WHEREAS, the same reported that PNP Director General Ronald Dela Rosa questioned the timing of the CHR inspection, and dared the CHR to inspect the different jails but after the ongoing Association of Southeast Asian Nations (ASEAN) Summit⁷;

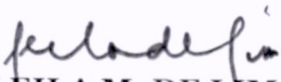
WHEREAS, Rappler, on 28 April 2017, reported that the investigation will be conducted by the National Capital Region Police Office's Regional Internal Affairs Service, a PNP unit tasked to investigate and recommend sanctions against erring men and women in uniform⁸;

WHEREAS, it is the State's obligation to ensure its citizens' freedom to live in dignity, as enshrined in the 1987 Constitution and international conventions the State is party to. Humane treatment of persons cannot be compromised, even during operations against suspected offenders;

WHEREAS, willfully keeping detainees in secret detention places and subjecting them to deplorable conditions, despite State sanctions against such, are condemnable and go against the sworn duties of law enforcers;

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, to direct the appropriate Committee to conduct an inquiry, in aid of legislation, on the secret jail found in Manila Police District Station 1, with the end view of ensuring the faithful compliance with the duties and obligations of the officers and members of the Philippine National Police, as well as the improvement of our laws and legal standards on the custody and detention of persons in jails and other detention facilities.

Adopted,


LEILA M. DE LIMA

⁵ Estanislao, A. CHR finds 12 people detained behind Tondo police station bookshelf. (2017, 28 April). CNN Philippines. Retrieved from <http://cnnphilippines.com/news/2017/04/28/Secret-jail-cell-detention-Manila-Police-District.html>

⁶ ABS-CBN News. Bato blasts CHR, backs cop behind 'secret jail'. (2017, 28 April). Retrieved from <http://news.abs-cbn.com/news/04/28/17/bato-blasts-chr-backs-cop-behind-secret-jail>

⁷ Ibid.

⁸ Cupin, B. Secret jail in Tondo? 'We really don't know,' says NCR chief. (2017, 28 April). Rappler. Retrieved from <http://www.rappler.com/nation/168229-secret-jail-tondo-ncrpo-chief-reaction>