

SENATE

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PS Res. No. 104

Introduced by SENATOR SONNY ANGARA

RESOLUTION
DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE CAPABILITY OF LOCAL GOVERNMENT UNITS
TO PLAN, IMPLEMENT, AND ENFORCE ANTI-DRUG ABUSE POLICIES,
PROGRAMS, AND PROJECTS WITH THE ULTIMATE GOAL OF ERADICATING THE
DRUG MENACE HAUNTING OUR LOCALITIES

WHEREAS, Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, Section 2 provides:

Section 2. *Declaration of Policy.* – It is the policy of the State to safeguard the integrity of its territory and the well-being of its citizenry particularly the youth, from the harmful effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development and preservation. In view of the foregoing, the State needs to enhance further the efficacy of the law against dangerous drugs, it being one of today's more serious social ills.

Toward this end, the government shall pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs, and projects. The government shall however aim to achieve a balance in the national drug control program so that people with legitimate medical needs are not prevented from being treated with adequate amounts of appropriate medications, which include the use of dangerous drugs.

It is further declared the policy of the State to provide effective mechanisms or measures to re-integrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation.

WHEREAS, according to an article posted in Reuters last 29 June 2016, in 2012, the United Nations said our country had the highest rate of “shabu” use in East Asia, and according to a U.S. State Department report, 2.1 percent of Filipinos aged 16 to 64 use “shabu”;

WHEREAS, the article mentioned the possibility for the Philippines of becoming a narco-state if drug addiction is not curbed;

WHEREAS, according to a 2009 report by the US government, the illegal drug use in the Philippines is due to corruption and poor law enforcement;

WHEREAS, several laws provide for the role of local government units (LGUs) in the maintenance of peace and order and in the enforcement of our drug laws;

WHEREAS, the Comprehensive Dangerous Drugs Act of 2002, Section 51 states:

Section 51. *Local Government Units' Assistance.* – Local government units shall appropriate a substantial portion of their respective annual budgets to assist in or enhance the enforcement of this Act giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents.

WHEREAS, under the general welfare clause of R.A. No. 7160 or the Local Government Code, every local government unit shall maintain peace and order within their respective territorial jurisdictions;

WHEREAS, R.A. No. 6975, or the Department of the Interior and Government Act of 1990, as amended by R.A. No. 8551, automatically places the police under the operational control and supervision of the governors and mayors as deputies of the National Police Commission in their respective territorial jurisdiction. As deputized agents of the Commission, local government executives can inspect police forces and units, conduct audit, and exercise other functions as may be duly authorized by the Commission;

WHEREAS, the local chief executives may choose their own police provincial directors and chiefs of police. To formulate and implement peace and order programs, there are also local peace and order councils or committees in the LGUs. The barangays may also enlist public safety officers to conduct patrols and other activities;

WHEREAS, aside from the maintenance of peace and order, the Local Government Code, Section 17 states that LGUs shall also provide for basic services and facilities. The basic services include social welfare services, which include programs and projects for victims of drug abuse;

WHEREAS, the Local Government Code mandates *sangguniang barangays* to organize regular lectures, programs, or fora on community problems, *e.g.*, drug abuse, and convene assemblies to encourage citizen participation in government; and adopt measures towards the prevention and eradication of drug abuse;

WHEREAS, based on the Local Government Code, the *sangguniang bayan*, *sangguniang panlungsod*, and *sangguniang panlalawigan* have the power to enact ordinances intended to prevent, suppress and impose appropriate penalties for drug addiction, maintenance of drug dens, drug pushing, juvenile delinquency;

WHEREAS, the *sangguniang panlungsod* and *sangguniang panlalawigan* are also mandated to provide for the care of needy and disadvantaged persons, including drug dependents, and subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons;

WHEREAS, based on news reports, the Department of Health and LGUs only manage 20 drug rehabilitation centers with a capacity to treat 5,000 patients. These centers are not enough to cater the number of our drug dependents who require in-house treatment estimated by the Dangerous Drugs Board to be about 18,000 dependents;

WHEREAS, it appears that the LGUs have put aside their crucial role in the enforcement of our drug laws, maintenance of peace and order, and their mandate of giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents;

WHEREAS, Inquirer.net, in its 14 July 2016 report, claimed that as a result of the relentless anti-drug campaign of the Duterte administration, from July 1 to 13 or for only a period of two weeks, 60,393 alleged users and 5,914 alleged drug pushers voluntarily surrendered to their respective local government officials or police authorities;

WHEREAS, the 60,393 alleged drug users are located in these local government units (LGUs):

- a. 2,903 (Metro Manila);
- b. 1,348 (Ilocos Region);
- c. 416 (Cagayan Valley);
- d. 6,650 (Central Luzon);
- e. 1,075 (Calabarzon);
- f. 391 (Mimaropa);
- g. 1,553 (Bicol Region);
- h. 307 (Western Visayas);
- i. 4,472 (Central Visayas);
- j. 962 (Eastern Visayas);
- k. 5,869 (Zamboanga Peninsula);
- l. 20,061 (Northern Mindanao);
- m. 4,801 (Davao Region);
- n. 338 (Soccsksargen);
- o. 5,700 (Caraga);
- p. 921 (Cordillera Administrative Region);
- q. 153 (ARMM); and
- r. 2,473 (Negros Island Region).

WHEREAS, there is a need concrete plans and solutions to address this unprecedented multitude of drug dependents who have surrendered to the government. The clear and strong anti-drug policy of this administration should be maximized. The LGUs could ask the national government for help in funding their programs and projects;

WHEREAS, budget secretary Benjamin Diokno said the proposed 2017 budget submitted to Congress includes ₱2.8 billion for the construction of new drug rehabilitation facilities;

WHEREAS, while the construction of new rehabilitation facilities is a major step in solving the drug menace, it is just one step. If we want to eradicate the drug problem in the localities, the LGUs should assume an active role;

WHEREAS, the Congress should assess the existing anti-drug abuse policies, practices, programs, and projects of LGUs, particularly the availability of funds and facilities; and the capability of local officials in planning, implementing, and enforcing these policies;

WHEREAS, the Congress should also look into the capacity of LGUs to implement long-term solutions, such as providing the drug users and dealers with livelihood opportunities;

NOW, THEREFORE, BE IT RESOLVED, that the Senate of the Philippines direct the proper Senate committee to conduct an inquiry, in aid of legislation, on the capability of local government units to plan, implement, and enforce anti-drug abuse policies, programs, and projects with the ultimate goal of eradicating the drug menace haunting our localities;

Adopted,



SONNY ANGARA