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REPUBLIC OF THE PHILIPPINES)
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SENATE

RECEIVED BY: 

P. S. RES. NO. 426

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

RESOLUTION
DIRECTING THE APPROPRIATE SENATE COMMITTEE
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE
PROLONGED POWER OUTAGE AT CAMP BAGONG DIWA THAT
RESULTED IN SUBSTANDARD LIVING CONDITIONS AND
HEIGHTENED TENSION LEADING TO A FATAL PRISON RIOT

WHEREAS, Article III, Section 1 of the Constitution provides that “[N]o person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws”;

WHEREAS, Article III, Section 12(2) of the same provides that “[N]o torture, force, violence, threat, intimidation, or any other means which vitiate the free will shall be used against him. Secret detention places, solitary, incommunicado, or other similar forms of detention are prohibited”;

WHEREAS, the second paragraph of Article III, Section 19 of the same provides 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, Section 1 of Republic Act No. 7438, otherwise known as “An Act Defining Certain Rights of Persons Arrested, Detained or under Custodial Investigation, as well as Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties for Violations thereof,” unequivocally mandates that “[I]t is the policy of the State to value the dignity of every human being and guarantee full respect for human rights”;

WHEREAS, 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, Inquirer, on 09 June 2017, reported that electricity to the jail at Camp Bagong Diwa has been cut since May 30, after the lone power transformer broke down¹;

WHEREAS, on the same news report, Senior Insp. Fronstone Dang-iw, Public Information Officer of Bureau of Jail Management and Penology (BJMP)-National Capital Region, said that, according to Manila Electric Co. (MERALCO), they are not sure when the power in the facility would be restored²;

WHEREAS, human rights watchdog Karapatan said in a statement that “severely affected were the inmates who were suffering from extreme heat due to lack of electricity. Making it worse were the overcrowding and tragic situation inside cells”³;

WHEREAS, Inquirer, on 07 June 2017, human rights advocates Hustisya Secretary General, Gloria Almonte, criticized the BJMP for violating the rights of the detainees by allegedly allowing the prolonged blackout⁴;

WHEREAS, acting Department of Interior and Local Government Secretary Catalino Cuy reported a commotion erupted between the members of two gangs—Bahala Na and Sigue Sigue Sputnik—around 6:30 p.m. on 6 June 2017 inside the jail compound where two inmates were killed while 17 were injured; ⁴

WHEREAS, initial findings of the PNP Special Action Force “said the cause of altercation was due to the power outage”⁵;

WHEREAS, Philstar, on 17 June 2017, reported that according to BJMP Director Serafin Barreto, the congestion rate of the Philippine jails has reached 558%⁶;

WHEREAS, in a prison already overcrowded, where violent gangs are known to exist, power outage is a matter not only of human rights, but also of security;

WHEREAS, prolonged delay in restoring the electricity supply in an overcrowded prison leads to subhuman living conditions due to poor ventilation and disabled facilities for medical services and recreation;

¹ Inquirer.net: *BJMP hit after power outage lead to deadly riot* (9 June 2017). Retrieved from: <http://newsinfo.inquirer.net/903930/bjmp-hit-after-power-outage-led-to-deadly-riot>

² *Ibid.*

³ *Ibid.*

⁴ Inquirer.net: *BJMP hit for violating inmates' rights in Camp Bagong Diwa blackout* (7 June 2017). Retrieved from: <http://newsinfo.inquirer.net/903449/bjmp-slammed-for-violating-inmates-rights-in-camp-bagong-diwa-blackout>

⁴ Inquirer.net: *Power outage at Camp BagongDiwa leads to gang war, death of 2* (7 June 2017) Inquirer. Retrieved from: <http://newsinfo.inquirer.net/903424/power-outage-in-camp-bagong-diwa-leads-to-gang-war-death-of-2-inmates>

⁵ *Ibid.*

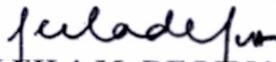
⁶ Philstar: *BJMP chief, Phl jails world's most congested* (13 April 2017) Retrieved from: <http://www.philstar.com/headlines/2017/04/13/1690451/bjmp-chief-phl-jails-worlds-most-congested>

WHEREAS, the extended power outage likewise increases security risks due to heightened tensions caused by the undesirable living conditions and poor prison visibility due to inadequate lighting;

WHEREAS, the failure of the management of Camp Bagong Diwa to immediately address the power outage is a symptom of a possible systemwide inadequacy that needs to be investigated and remedied to prevent similar events from occurring again in the future;

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 power outage at Camp Bagong Diwa, with the end view of ensuring the faithful compliance with the duties and obligations of the officers and members of the BJMP, 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