



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH (18th) CONGRESS
First Regular Session

486

HOUSE RESOLUTION NO. _____

Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

A RESOLUTION
URGING THE HOUSE COMMITTEE ON JUSTICE AND THE HOUSE
COMMITTEE ON HUMAN RIGHTS TO JOINTLY INVESTIGATE, IN AID OF
LEGISLATION, THE PLIGHT OF PERSONS DEPRIVED OF LIBERTY WITHIN
THE NEW BILIBID PRISON

WHEREAS, Section 19, Article III of the 1987 Constitution provides that, “The 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, as signatory, the Philippines is committed to upholding the 1977 United Nations Standard Minimum Rules for the Treatment of Prisoners by the First UN Congress on the Prevention of Crime and the Treatment of Offenders, which mandates that:

1. All 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.
2. Sick prisoners who require specialist treatment shall be transferred to specialized institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishings and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners, and there shall be a staff of suitable trained officers.¹

¹ Standard Minimum Rules for the Treatment of Prisoners, adopted Aug. 30, 1955 by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, U.N. Doc. A/CONF/611, annex I, E.S.C. res. 663C, 24 U.N. ESCOR Supp. (No. 1) at 11, U.N. Doc. E/3048 (1957), amended E.S.C. res. 2076, 62 U.N. ESCOR Supp. (No. 1) at 35, U.N. Doc. E/5988 (1977). Available <http://hrlibrary.umn.edu/instree/g1smr.htm>.

WHEREAS, the Philippines is further committed to the following provisions of 1990 United Nations Basic Principles for the Treatment of Prisoners:

1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings.
2. Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights, and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and the Optional Protocol thereto, as well as such other rights as are set out in other United Nations covenants.²

WHEREAS, the 1988 United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment maintain that:

1. A detained or imprisoned person shall have the right to be visited by and to correspond with, in particular, members of his family and shall be given adequate opportunity to communicate with the outside world, subject to reasonable conditions and restrictions as specified by law or lawful regulations;
2. A detained or imprisoned person or his counsel shall have the right to make a request or complaint regarding his treatment, in particular in case of torture or other cruel, inhuman or degrading treatment, to the authorities responsible for the administration of the place of detention and to higher authorities and, when necessary, to appropriate authorities vested with reviewing or remedial powers;³

WHEREAS, Section 2 of Republic Act No. 10575, also known as *The Bureau of Corrections Act of 2013*, identifies that:

It is the policy of the State to promote the general welfare and safeguard the basic rights of every prisoner incarcerated in our national penitentiary. It also recognizes the responsibility of the State to strengthen government capability aimed towards the institutionalization of highly efficient and competent correctional services.

WHEREAS, several news outlets have reported that inmates at the New Bilibid Prison have been allegedly placed under lockdown, resulting in the deprivation of their visitation rights;⁴

WHEREAS, in a report by CNN Philippines on October 25, 2019, a wife of an inmate was quoted to say that her husband has been deprived of medicines for ten days;⁵

WHEREAS, in a separate report by Inquirer.net on October 29, 2019, it was reported that ten national penitentiaries have died of contagious pneumonia and pulmonary tuberculosis, and fourteen others have passed away due to noncommunicable illnesses;⁶

² Basic Principles for the Treatment of Prisoners, G.A. res. 45/111, annex, 45 U.N. GAOR Supp. (No. 49A) at 200, U.N. Doc. A/45/49 (1990)., Available <http://hrlibrary.umn.edu/instreet/g2bpt.htm>.

³ Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, G.A. res. 43/173, annex, 43 U.N. GAOR Supp. (No. 49) at 298, U.N. Doc. A/43/49 (1988)., Available <http://hrlibrary.umn.edu/instreet/g3bppdi.htm>

⁴ Lian Buan, "BuCor Confirms Death of Inmates But Denies 'Crisis' in Bilibid," Rappler, (October 25, 2019), <https://www.rappler.com/nation/243401-bureau-corrections-confirms-inmates-deaths-denies-crisis-bilibid>

⁵ Gerg Cahiles, "Inmates' Families Call on BuCor to Lift 'Bilibid Lockdown'," CNN Philippines, (October 25, 2019), <https://www.cnnphilippines.com/news/2019/10/25/bilibid-jail-visits-suspension.html>

WHEREAS, in the same report, the Bureau of Corrections chief, Director General Gerald Bantag is reported to have banned visitations to inmates since October 9, 2019 while intensive clearing operations were conducted to rid it of drugs and other forms of contraband;⁷

WHEREAS, despite the denial of the BuCor of the said 'lockdown'⁸, several advocacy groups, including the Health Action for Human Rights and the CBCP-Episcopal Commission on Prison Pastoral Care, have reported on the inhumane living conditions within the quarters of the New Bilibid Prison;⁹

WHEREAS, as duly elected representatives of districts and partylist groups, the House of Representatives should ensure that all fundamental rights and freedoms of persons deprived of liberty, regardless of status, are protected at all times;

NOW THEREFORE BE IT RESOLVED, that the House of Representatives, through the Committees on Justice and the Committee on Human Rights, to conduct a joint investigation, in aid of legislation, on the plight of persons deprived of liberty within the New Bilibid Prison.

Adopted,

⁶ Dexter Cabalza & Leila Salaverria, "29 New Bilibid Prison Inmates Dead in 17 Days," The Inquirer, (October 29, 2019), <https://newsinfo.inquirer.net/1182812/29-new-bilibid-prison-inmates-dead-in-17-days>.

⁷ Ibid.

⁸ Katrina Hallare, "NBP Inmates' Families Urge Lifting of 'Lockdown,' BuCor Says There's No Such Thing," The Inquirer, (October 25, 2019), <https://newsinfo.inquirer.net/1181845/nbp-inmates-families-urge-lifting-of-lockdown-bucor-says-theres-no-such-thing>

⁹ Ronalyn Olea, "Tao po kami" | Kin decry the 'inhumane treatment' of Bilibid inmates" Bulatlat, (October 25, 2019), <https://www.bulatlat.com/2019/10/25/tao-po-kami-kin-decry-the-inhumane-treatment-of-bilibid-inmates/>