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**COUNTRY PROGRESS REPORT OF PHILIPPINE**

**Progress Report  
on the Actions taken by the  
Philippine Government to Combat the Drug Menace**

**I. INTRODUCTION**

The Philippine Government's campaign against the drug menace yielded the following accomplishments: the apprehension of wanted drug traffickers and recruiters of drug mules; seizure and destruction of multi-million dollars worth of dangerous drugs and drug paraphernalia; the discovery and disassembly of clandestine laboratories and drug warehouses; implementation of alternative development programs; creation of regional treatment and rehabilitation centers; and the promotion of a drug free lifestyle.

Noteworthy are the contributions of the Congressional Oversight Committee on Dangerous Drugs and its partner agencies, the Dangerous Drugs Board, Philippine Drug Enforcement Agency (PDEA), Philippine National Police (PNP) and the National Bureau of Investigation (NBI).

Regional and international cooperation among law enforcement agencies paved the way for the arrest of foreign nationals operating clandestine laboratories in exclusive residential villages and high rise condominium units in Metro Manila. Joint operations of PDEA, PNP and NBI led to the arrest of the members of the West African Drug Syndicates and the rescue of recruited drug mules.

However, the country faces some stumbling blocks in its anti-drug campaign such as difficulty in monitoring the movement of dangerous drugs along coastlines (back doors) and mountainous regions; restrictive laws that prevent law enforcers from identifying the drug kingpins; bungling of drug cases; limited operational and intelligence capabilities of law enforcement agencies; and the financial constraints to wage an all out war against drug traffickers.

## II. DRUG ENFORCEMENT

PDEA, the lead agency in drug law enforcement, reported the conduct of 12, 269 anti-drug operations (solely by PDEA and in joint operations with PNP and NBI) which resulted in the arrest of 10, 636 drug personalities and the seizure of dangerous drugs and controlled precursors and essential chemicals with a total value of Php4,669,127,483.79. The Agency also neutralized 259 local drug groups; arrested 45 foreign nationals involved in the manufacture, possession and trafficking of dangerous drugs; filed 12, 627 cases against drug personalities and caused the destruction of Php1.1 billion worth of seized drugs, controlled precursors and non drug evidence.<sup>i</sup>

The imposition of the death penalty on Filipino drug mules led to the clamor for stringent measures that will protect migrant workers from falling prey to the lure of drug syndicates. Measures have been filed in Congress to look into the modus operandi of these drug syndicates, launch an intensive awareness and prevention campaign on drug trafficking; and provide the harshest penalty for the recruitment of drug mules<sup>ii</sup> – to make it impossible for them to operate and prey on helpless individuals.

Recruitment of drug mules is a heinous crime because of the dangers involved in transporting dangerous drugs. Death for the victims is not just through the imposition of the death penalty when they are convicted but it can also be in the form of drug overdose when the packages of drugs ingested break.

Amendments to Republic Act 9344 otherwise known as the Juvenile Justice and Welfare Act of 2006 were filed in order to address the growing number of youth drug offenders<sup>iii</sup>. Drug syndicates grabbed at the opportunity of using minors as drug couriers because they are exempt from criminal liability.

Since PDEA, PNP and NBI reported on the growing number of drug cases dismissed and acquitted due to the stringent requirements of the law on the procedure for custody of seized drugs, measures were filed to allow the law enforcers to perform their task within the considerable period without compromising the drug case<sup>iv</sup>. It takes months or years to build up a case against drug traffickers, lives have been lost in the process and for a case to be dismissed because required witnesses fail to attend the inventory or the forensic examination reports were not submitted within 24 hours is a major set back in the government's anti-drug campaign. Charges should not be dropped so long as the integrity of the evidence is preserved. Clarifying gray areas and simplifying the steps during the custody and disposition of drugs would erase doubts about planting of evidence, case sabotage by tampering of evidence, and misappropriation of confiscated items.

The Philippine National Police Anti-Illegal Drugs Special Operations Task Force proposed the use of wire tapping devices<sup>v</sup> to help law enforcers identify and prosecute big time financiers, coddlers and principal operators in the drug trade. This entails the elevation of drug trafficking as a national security threat thereby amending Republic Act 4200 otherwise known as the Anti-Wire Tapping Act.

### **III. DRUG SUPPLY REDUCTION**

Shutting down clandestine laboratories and drug warehouses will drastically reduce the supply of dangerous drugs, law enforcement agencies headed by PDEA closed down 6 kitchen type clandestine laboratories and seized Php622.7 million worth of dangerous drugs, controlled precursors and essential chemicals and laboratory equipments<sup>vi</sup>.

Previously, clandestine laboratories were set up in far flung areas but recently more laboratories and warehouses have been discovered in residential areas in Metro Manila. Measures have been filed to penalize negligent lessors of properties used in the manufacture and storage of dangerous drugs<sup>vii</sup>. The bill is not putting the blame on the owners of properties used for illegal activities but would like to instill responsibility on the owners to ensure that their property is not utilized for any illegal activity. Lessors are in the best position to help our law enforcers prevent the manufacture of dangerous drugs.

With respect to the eradication of marijuana plantations, law enforcers like the National Bureau of Investigation targeted the most productive cultivation sites in the country. A total of 129 Joint marijuana uprooting operations were conducted<sup>viii</sup>.

Drug Dens are utilized as a one-stop shop illegal drug facilities that provide easy access to illegal drugs and a convenient venue for drug use or “pot sessions”. PDEA launched nationwide operations which resulted in the dismantling of 56 drug dens<sup>ix</sup>.

### **IV. DRUG DEMAND REDUCTION**

The increased operational performance of PDEA resulted in significant decrease in supply of dangerous drugs. Low supply and risky sale of drugs increases its street value making it unavailable to many drug users.

The deterrent effect of drug testing has been a frequent topic during committee deliberations. Legislators are weighing the cost burden of drug testing on driver applicants vis-a-vis the negligible rate of positive drug test results<sup>x</sup>. The Dangerous Drugs Board stated that reports suggest that bus and taxi drivers, who are habitual traffic offenders are known to use dangerous drugs so they can stay awake for long periods of time. The fact remains that a day of refraining from using dangerous drugs will help save lives.

The Congressional Oversight Committee on Dangerous Drugs sponsored a dialogue between the Department of Health, Land Transportation Office and law enforcement units to fast track the interconnectivity of database on drug test results. This will enable the concerned agencies to identify confirmed drug users, prevent the issuance of fraudulent drug test results and monitor the patient's compliance to drug treatment and rehabilitation.

The alarming report of drug use by some of law enforcers was seen as a wake-up call for everyone involved in the fight against the drug menace. Drug abuse among law enforcers not

only breeds corruption but opens the floodgates to widespread drug use. A legislative remedy has been filed to provide criminal liability for drug use among law enforcers<sup>xi</sup>. The representatives of the Department of National Defense, Dangerous Drugs Board and NBI concurred with the proponents stating the fact that law enforcers are issued firearms and therefore should be obligated to higher standards with respect to compliance with laws. In order to weed out rogue law enforcers, PDEA, PNP and NBI conducted random drug testing among their personnel. The Members of the House of Representatives also conducted voluntary drug testing<sup>xii</sup> headed by the Honorable Speaker, Feliciano Belmonte, Jr.

Related thereto, there is a Supreme Court ruling that upheld the random and suspicionless drug testing of students and employees<sup>xiii</sup>. They argued that schools, acting in loco parentis, have a duty to safeguard the health and well-being of their students and may adopt such measures as may reasonably be necessary to discharge such duty. The employees' privacy interest in an office is to a large extent circumscribed by the company's work policies, the collective bargaining agreement, if any, entered into by management and the bargaining unit, and the inherent right of the employer to maintain discipline and efficiency in the workplace.

## **V. ADVOCACY PROGRAMS AND OTHER INITIATIVES**

The Congressional Oversight Committee on Dangerous Drugs<sup>xiv</sup> which oversees the proper implementation of the drug law paved the way for the consideration of the funding requirements of the drug law enforcement units through inter-agency dialogues and representation during the budget deliberations. Its activities include the seminar-workshop for judges, prosecutors and law enforcers; the regional anti-drug forums for educators and students; publication of primers on Republic Act 9165; and the printing of the Manual of Operation for law enforcers.

The Oversight Committee also sponsored Drug Summits in key areas of the country where lecturers discussed the detrimental effects of dangerous drugs, pertinent provisions of the Comprehensive Dangerous Drugs Act of 2002 and the regional and local drug situation. The Summit is then capped off with the signing of the Manifesto of Support to the Anti-Drug Campaign of Government led by the local government officials.

Promotion of a drug free lifestyle include the conduct of various marathons, walkathons, cycling competitions and drug free rallies sponsored by the Dangerous Drugs Board, local government units, non-government organizations and civic groups.

In line with the alternative development program of government, the Dangerous Drugs Board spearheaded the sustainable rural development and alternative livelihood programs like sericulture which is envisioned to help create and promote sustainable and licit livelihood in communities discovered to have marijuana plantations<sup>xv</sup>.

To help the victims of drug abuse, legislators and local government units have sponsored the establishment of regional and provincial treatment and rehabilitation centers<sup>xvi</sup>.

## VI. CONCLUSION

Republic Act 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002 addressed issues and concerns of its time but recent events prove that there is an urgent need to strengthen the drug law in order to win the battle against the drug menace. This entails the enactment of remedial legislation, the apprehension and conviction of the financiers or the so-called drug lords, implementation of an intensive drug abuse prevention campaign and the imposition of a common penalty for drug offenses for ASEAN Member States. Drug trafficking deserves the highest penalty along with other crimes against humanity.

Eradicating the drug menace is a daunting task which requires regional and international cooperation in intelligence gathering, law enforcement capability building, and the promotion of a drug free lifestyle.

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<sup>i</sup> 2011 Annual Report of the Philippine Drug Enforcement Agency

<sup>ii</sup> House Bill 4503 Penalizing Persons Involved in Using, Attempting to Use or Conspiring to Use Drug Mules; House Resolution 1148 Resolution Directing the Committee on Dangerous Drugs to Conduct an Inquiry on the Tragic Culmination of the Apprehension of Three Filipinos for Drug Trafficking

<sup>iii</sup> House Resolution 1662 Resolution Directing the Committee on Dangerous Drugs to Conduct an Inquiry on the Existing Statistical Situation of Filipino Minors Arrested for Drug Related Offenses

<sup>iv</sup> House Bill 3737 An Act Providing for a More Responsive Drug Enforcement Capability and House Bill 4660 An Act Amending Section 21 of Republic Act 9165

<sup>v</sup> 2011 Proposed Amendments of the PNP Anti-Illegal Drugs Special Operations Task Force

<sup>vi</sup> 2011 Annual Report of the Philippine Drug Enforcement Agency

<sup>vii</sup> House Bill 3737 An Act Providing for a More Responsive Drug Enforcement Capability and House Bill 6206 An Act Penalizing Negligent Lessors of Properties used as Clandestine Laboratories and Drug Warehouses

<sup>viii</sup> 2011 Annual Report of the Philippine Drug Enforcement Agency

<sup>ix</sup> 2011 Annual Report of the Philippine Drug Enforcement Agency

<sup>x</sup> Deliberations of the Committee on Dangerous Drugs – December 10, 2010, January 25, 2011, August 16 & 23, 2011, May 23, 2012

<sup>xi</sup> House Bill 3990 An Act Providing Criminal Liability among Officers and Members of the Military, Police and other Law Enforcement Agencies

<sup>xii</sup> March 22, 2011 Voluntary Drug Testing for All House Members

<sup>xiii</sup> Supreme Court Ruling G.R. 157870 Social Justice Society Vs. Dangerous Drugs Board and the Phil. Drug Enforcement Agency

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<sup>xiv</sup> Created under Section 95 Article XIII of Republic Act 9165

<sup>xv</sup> Reported out in the website of the Dangerous Drugs Board – [www.ddb.gov.ph](http://www.ddb.gov.ph)

<sup>xvi</sup> House Bill Nos. 1150, 1307, 1355, 2332, 2375, 3121 and 5803 – Acts Establishing Drug Treatment and Rehabilitation Centers