



Republic of the Philippines  
NATIONAL POLICE COMMISSION  
**NATIONAL HEADQUARTERS, PHILIPPINE NATIONAL POLICE**  
**PNP HUMAN RIGHTS AFFAIRS OFFICE**  
Camp BGen Rafael T Crame, Quezon City



**MEMORANDUM**

**FOR** : RDs, PROs  
**FROM** : C, HRAO  
**SUBJECT** : **Human Rights-Based Policing on Strict Enforcement of Enhanced Community Quarantine Throughout Luzon and in Localities with High or Increasing COVID-19 Infections**  
**DATE** : April 22, 2020

1. References:

- a. RA No. 11469; RA 11332; Art 151 of the Revised Penal Code and other relevant laws;
- b. Pronouncement of the President, as emphasized by the Inter-Agency Task Force (IATF) for the Management of Emerging Infectious Diseases re Strict Enforcement of Enhanced Community Quarantine (ECQ) on April 21, 2020; and
- c. Statement of the CPNP, POLICE GENERAL ARCHIE FRANCISCO F GAMBOA, citing Ref 1a above during his Virtual Presser last April 21, 2020;
- d. Police Operational Procedures and other relevant policy issuances, rules and regulations concerning arrest, searches and seizures.

2. This pertains to the recent pronouncements of the national leadership concerning the continued defiance of a number of population on Enhanced Community Quarantine (ECQ) in various areas, especially in Luzon, which, thus, necessitates the imposition of stricter enforcement of laws, ordinances, and other relevant policies with the eventual arrest of violators.

3. While the spread of COVID-19 in the Philippine setting has been taking a daily price in the lives of the Filipinos, causing a steady increase in COVID-19 cases with running total of 6,599 with 437 deaths as of April 21, 2020, affecting costly with the loss of some of our frontline service providers, the PNP has been doing its level best to ensure that the primacy of the law and obedience thereto are observed by our citizens. However, despite the record of 98,986 apprehensions and brief detentions, with corresponding fines being imposed since the ECQ was implemented, not to mention addressing the devious acts of the hoarders, profiteers and "fake news" proliferators, the continued defiance of residents in various localities to ECQ has naturally prompted the government to step up its efforts towards imposing stricter law enforcement measures, geared towards preventing the escalation of COVID-19 infections to a larger, more compliant population.

4. A time of serious crisis requires serious people. The CPNP has already engaged our troops more visibly in protecting human lives while dealing with an "unseen enemy". To many, the aim has been levelled up to the cause of human survival rather than freedom to do whatever one wants, of human responsibility rather than human rights. The "greater good for the greater number" cannot be overemphasized in this regard.


5. Be that as it may, the strict enforcement of the ECQ with the deployment of teams of SAF troopers and some military personnel will require a certain degree of risk and conflict management on the part of frontliners. A single incidence of the police committing certain acts inimical to human rights during arrest which may be brought to the attention of the public, including social media, may blow out of proportion and create repercussions between the police and the people they simply aim to protect from the spread of the virus.

6. In this regard, the following human rights-based policing principles shall be considered and preserved while enforcing strictly the ECQ, especially in Luzon and other localities with high or increasing COVID-19 infections:

- a. All ground commanders/team leaders of the frontline troops and patrol personnel shall ensure that proper briefing/guidance on human rights protection is provided by designated human rights officers in police stations/units prior operations against persons violating the ECQ;
- b. Strict monitoring and evaluation on the behavior of our troops shifting to "arrest" mode shall be done with utmost importance since a number of our lowly frontliners have experienced being maligned, chided, and/or rebuked in public for just doing their job and, thus, their power to arrest may be used indiscriminately;
- c. There shall be no police personnel deliberately committing acts in violation of RA 7438 (Custodial Investigation Act); RA 9745 (Anti-Torture Act; Art 125, RPC and other laws that safeguard the rights of persons against unlawful arrest, among others;
- d. Unless and until protocols are prescribed on the issue of COVID-19 infection for arrested ECQ violators who may be placed behind lock-up cells for a prolonged period of time vis-à-vis DOJ memorandum on regular filing, those persons arrested shall still be referred to a government doctor in the locality for issuance of appropriate medical certification, in accordance with RA 7438;
- e. Where numerous violators are apprehended, chiefs of police should seek assistance from local government units for the availment of makeshift detention area/s for these violators, as may be appropriate, in case the custodial facilities are already overcrowded with persons under police custody (PUPCs);
- f. The right of PUPCs to visitation by members of the family shall be modified accordingly in deference to the strict enforcement of ECQ vis-à-vis Authorized Persons Outside Residence (APOR); and
- g. Delivery of food in custodial facility as a matter of right shall also be modified with strict adherence to "no personal contact" scheme so as not to anticipate possible cases of COVID-19 affecting the PUPCs.

7. All RDs/PROs are hereby advised to mobilize their respective Human Rights Officers (HROs) for purposes of inspections and validations of the law enforcement operations of our troops for balance and assurance to the public of the PNP's continued protection of human rights against possible violations thereof.

8. For guidance and appropriate action.

  
**ILDEBRANDO N. USANA**  
Police Brigadier General

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