

The PNP Headquarters Support Service 2014 Manual of Operations provides for a detailed guidelines for the operation and management of the PNP Custodial Center. The Directorate for Human Resource and Doctrine Development Training Information System (DTIS) also provides that a Custodial Center Refresher Course on Handling High and Low Risk Detainees is given as part of the capacity-building of the Philippine National Police. This, however, is severely limited and outdated both in terms of beneficiaries/participants and the frequency that it is given to PNP personnel.

The Philippine National Police Trainee Guide of 2014 covers comprehensive areas of police authority and responsibility in patrol, investigation and traffic management. The guide, however, reflecting the evident disconnect in the law and reality, and consistent with the mandate of the Philippine National Police, lacks, at the very least, a module in the proper handling of detainees. The guide only covers the booking process of an arrested person and is severely limited to the proper accomplishment of required booking forms and the subsequent transfer of the arrested person to the designated jailer.³

Capacity building on the Handling of Detainees and the Standards for the Maintenance of Detention Facilities is essential. This shall fill in the gaps and prevent arbitrariness. It shall also contribute immensely to improving the conditions of detention facilities thereby preventing cruel, inhuman and degrading treatment or punishment considering that poor conditions of these facilities may fall under this category. It will also contribute to the prevention of torture per se.

Detention and other measures which restrict an individual from having contact from the outside world are afflictive by the very fact of taking from the person the right of self-determination by depriving him of his liberty. "Therefore the prison system shall not, except as incidental to justifiable segregation or the maintenance of discipline, aggravate the suffering inherent in such a situation."⁴

Human rights protection is a fundamental element to a genuine and lasting law and order. The Universal Declaration of Human Rights recognizes that "it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law". Without the maintenance of the rule of law, violations of rights occur. And where serious and systematic human rights

³ PNP DHRDD Standard Training Package For Field Training Program Police Trainee's Guide 2014.

⁴ UN Standard Minimum Rules for the Treatment of Prisoners.

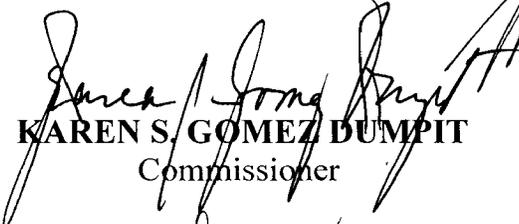
violations occur, disrespect for the law and public authorities grows and open conflict becomes more likely. Violating human rights cannot contribute to the maintenance of public order and security but can only undermine and destroy it.⁵

Among the core features which should be integrated in the basic training of all policemen are various international human rights instruments which should be integrated in the regular training of policemen, among them the Minimum Standards for the Treatment of Prisoners, the Convention Against Torture (CAT) and RA 9745. Specialized and regular trainings are also necessary for designated duty jailers to ensure that they are capacitated and updated on relevant policies and laws. A Manual and/or Protocol is likewise envisioned.

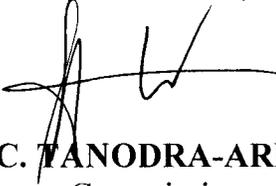
Pursuing it further, the Commission on Human Rights encourages the Philippine National Police to integrate in the curriculum of the Police Trainee Guide a module on the proper handling of detainees and the recognition and enforcement of their rights. To this end, the Commission on Human Rights is assured that it will inculcate in police jailers the value of respect to the rights, dignity and physical and emotional well-being of detainees as envisioned by the CAT, RA 9745 and the PNP PATROL Plan 2030.

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⁵ Human Rights and Policing.