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HUMAN RIGHTS ADVISORY
REITERATING PROHIBITION OF BLINDFOLDING AND/OR “HOODING” OF
ARRESTED PERSONS/DETAINEES AND MEDIA PRESENTATION OF SUSPECTS

Prohibition of Blindfolding

1. All PNP personnel must respect, protect, and uphold the right of all persons to be protected against any form Torture and Cruel, Inhuman, or Degrading Treatment or Punishment.

Reference: United Nations International Convention against Torture (CAT)

2. Blindfolding of suspects, arrested persons, detainees, and other persons under police custody is strictly prohibited. Blindfolding, as a form of Mental/Psychological Torture, is a criminal act defined and punishable under the Anti-Torture Law.

Reference: Section 4, Para b (1), R.A. 9745 (Anti-Torture Law)

3. “Hooding”, which refers to the criminal act of using and placing plastic, cloth, or any other material over the head of a person is strictly prohibited and punishable under the Anti-Torture Law.

Reference: Section 4, Para a (12), R.A. 9745 (Anti-Torture Law)

Prohibition of Media Presentation of Suspects

4. The presentation of suspects to the media is a violation of the suspects’ constitutional right to due process and presumption of innocence. It also subjects them to unwanted public publicity that could besmirch their name and reputation, including that of their family.

Reference: Policy Prescribing the Presentation or Non-Presentation of Suspect/s to the Media, OCPNP, October 7, 2008.

5. The presentation of suspects to the media and/or public as a “show trial”, public display, or public humiliation is strictly prohibited. It is considered as a form of Mental/Psychological Torture.

Reference: Section 4, Para b (5), R.A. 9745 (Anti-Torture Law)

6. PNP personnel found in violation of the Prohibition of Media Presentation of Suspects shall be administratively charged for Less Grave Neglect of Duty. They shall also be criminally liable under R.A. 9745.

Reference: Rule 21, Section 2B, Para 1, NAPOLCOM Memorandum Circular 2007-01

7. The media has the right to access information about the alleged suspects and other details of the alleged crimes committed by the said suspects without violating the afore-cited prohibition.

Reference: Policy Prescribing the Presentation or Non-Presentation of Suspect/s to the Media, OCPNP, October 7, 2008.