



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO.04

PROVIDING FOR THE ESTABLISHMENT AND SUPPORT OF DRUG ABUSE TREATMENT AND REHABILITATION CENTERS THROUGHOUT THE PHILIPPINES

WHEREAS, in light of the government's unrelenting campaign against illegal drugs, the number of drug dependents who have voluntarily surrendered to the authorities continues to grow;

WHEREAS, the State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, it is the policy of the State to provide effective mechanisms or measures to re-integrate into society individuals, who have fallen victim to drug abuse or dangerous drug dependence, through sustainable programs of treatment and rehabilitation;

WHEREAS, in light of such policy, Republic Act (RA) No. 9165, as amended, otherwise known as the "Dangerous Drugs Act of 2002," mandates the national government, through its appropriate agencies, to establish at least one drug rehabilitation center in each province, depending on the availability of funds;

WHEREAS, RA No. 9165 also mandates local government units (LGU) to appropriate a substantial portion of their annual budgets to assist in or enhance the enforcement of such law, giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents;

WHEREAS, RA No. 7160, as amended, otherwise known as the "Local Government Code of 1991," mandates the *Sangguniang Bayan*, *Sangguniang Panglungsod* and the *Sangguniang Panlalawigan* to approve ordinances providing for the care of drug dependents and, subject to availability of funds, establish and provide for the operation of centers and facilities for said persons;

WHEREAS, there are only sixteen (16) Department of Health (DOH) accredited government drug rehabilitation centers operating in the country, and the increasing number of patients is straining the capacity of such facilities and their personnel beyond their limits;

WHEREAS, Section 17, Article VII of the 1987 Philippine Constitution vests in the President power of control over all executive departments, bureaus and offices;

NOW THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and existing laws, do hereby order:

SECTION 1. Creation of an Inter-Agency Task Force for the Establishment and Support of Drug Abuse Treatment and Rehabilitation Centers (DATRCs) Throughout the Country. An inter-agency task force (Task Force) is hereby created for the establishment and support of DATRCs throughout the country. The Task Force shall be composed of the following members, or their duly appointed representatives:

- Chairperson: Secretary of the Department of the Interior and Local Government
- Vice-Chairpersons: Secretary of the DOH
Chairman of the Dangerous Drugs Board
- Members: Secretary of the Department of Social Welfare and Development
Secretary of the Department of Budget and Management (DBM)
Director General of the Philippine Drug Enforcement Agency
Representative of the Office of the President

SECTION 2. Authority and Functions of the Task Force. Subject to existing laws, rules and regulations, the Task Force shall have the following powers and functions:

- a) Determine the type, capacity and suitable locations of the DATRCs, taking into consideration the need of the localities and the accessibility and manageability of facilities, with the long-term goal of having at least one DATRC in every province. Such determination shall also take into consideration the presence of duly accredited private DATRCs and the availability of community-based rehabilitation programs (CBRPs) in the concerned localities;
- b) Establish the needed DATRCs and provide support for their operations, with authority to call upon any department, bureau, office, agency, or instrumentality of the government, including government-owned or -controlled corporations (GOCCs), for assistance as the circumstances and exigencies may require;
- c) In accordance with the pertinent provisions of RA No. 9165, as amended, and RA No. 7160, as amended, enjoin the cooperation of LGUs in the establishment and support of the DATRCs and in the implementation of CBRPs;
- d) Submit a report with recommendations to the Office of the President, within thirty (30) days from effectivity of this Executive Order and every six months thereafter, on the implementation of the provisions herein;
- e) Issue relevant guidelines for the effective implementation of this Executive Order; and
- f) Perform such other functions provided in this Executive Order and as may be authorized or directed by the President.

SECTION 3. Establishment of DATRCs in Military Reservations. To begin addressing the congestion in existing DATRCs, the Task Force shall establish DATRCs in military reservations available for the purpose. The Secretary of the Department of National Defense and the Chief of Staff of the Armed Forces of the Philippines shall sit as additional

members of the Task Force whenever the same will take up any matter involving DATRCs within military reservations.

SECTION 4. Memoranda of Agreement (MOA). Whenever necessary to facilitate the establishment of DATRCs including those in military reservations, the Task Force shall oversee the execution of appropriate MOAs between or among concerned agencies. These MOAs shall delineate the respective duties and obligations of such agencies in accordance with pertinent laws, rules and regulations.

SECTION 5. Operation of DATRCs. The DOH shall operate, maintain and manage the DATRCs to be established pursuant to this Executive Order, including those in military reservations. In the performance of such functions, the DOH shall coordinate with other concerned agencies and encourage the participation of the private sector, non-government organizations and faith communities. The Task Force shall provide full support to DOH for the effective performance of such mandate.

SECTION 6. Support of Government Agencies. All departments, agencies and instrumentalities of the government, including GOCCs, are encouraged to provide the support and assistance required in the implementation of this Order.

SECTION 7. Funding. The initial amount necessary for the implementation of this Executive Order shall be sourced from the appropriations of the members of the Task Force and other applicable funding sources, subject to pertinent laws, rules and regulations. For the succeeding fiscal years, the budgetary requirement for the implementation of this Executive Order shall be incorporated in the budget proposals of the concerned agencies.

Each department and agency represented in the Task Force may receive donations and other forms of assistance in accordance with applicable laws and issuances, for purposes relevant to the implementation of this Executive Order, provided that the utilization thereof shall be coordinated through the Task Force.

SECTION 8. Separability. If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

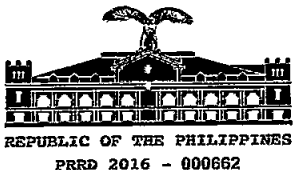
SECTION 9. Repeal. All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this Executive Order are hereby repealed, amended or modified accordingly.

SECTION 10. Effectivity. This Order shall take effect immediately upon publication in a newspaper of general circulation.

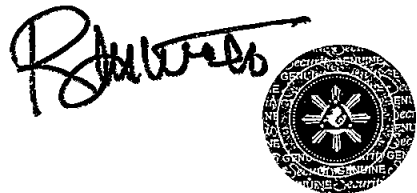
DONE, in the City of Manila, this **11th** day of **October** in the year of Our Lord, Two Thousand and Sixteen.

By the President: .

SALVADOR C. MEDIALDEA
Executive Secretary



3



CERTIFIED COPY

MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE

10-12-2016