

# IMPLEMENTING RULES AND REGULATIONS OF EXECUTIVE ORDER NO. 15

**THESE RULES AND REGULATIONS ARE HEREBY PROMULGATED TO IMPLEMENT THE PROVISIONS OF EXECUTIVE ORDER NO.15 DATED MARCH 6, 2017, ENTITLED: "CREATION OF AN INTER-AGENCY COMMITTEE ON ANTI-ILLEGAL DRUGS (ICAD) AND ANTI-ILLEGAL DRUG TASK FORCE TO SUPPRESS THE DRUG PROBLEM IN THE COUNTRY."**

**Section 1.** This Implementing Rules and Regulations, issued and promulgated pursuant to the priority thrust of the government to suppress the drug problem in the country by putting behind bars the manufacturers, traffickers and peddlers of illegal drugs and by transforming drug users into productive members of society, through among others, balanced, holistic, unified, synchronized and integrated approaches of supply and demand reduction strategies under the Barangay Drug Clearing Program and subsequently achieve a drug-free country.

**Section 2. Declaration of the Policy.** - It is the policy of the State to pursue an effective and efficient campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning and implementation of the country's anti-drug strategies.

Towards this end, the ICAD will serve as venue of the government to focus, integrate and synchronize all anti-drug strategies through their effective, efficient and swift implementation in order to carry out the comprehensive operationalization of the Barangay Drug Clearing Program nationwide.

## ARTICLE I

### DEFINITION OF TERMS

**Section 3. Definitions.** - As used in this IRR, the following terms shall mean:

- a. **Barangay Drug Clearing Program** - this is a continuing program which involves the interplay of different law enforcement agencies, instrumentalities and other sectors of the government in preparing a sustainable drug-free and self-policing community through a balanced, holistic, unified, synchronized and integrated approaches of supply and demand anti-drug strategies for a comprehensive operationalization in the conduct of barangay anti-drug clearing operations in three (3) phases, namely: (a) Pre-operation, (b) Operation Phase; and (c) Post-Operation Phase pursuant to DDB Regulation No. 3, Series of 2017.
- b. **ICAD** - stands for the Inter-Agency Committee on Anti-illegal Drugs, chaired by PDEA and originally composed of twenty (20) member agencies to wit: Dangerous Drugs Board (DDB), Department of the Interior and Local

Government (DILG), Department of Justice (DOJ), Department of Health (DOH), Department of Education (DepEd), Department of Social Welfare and Development (DSWD), Department of Trade and Industry (DTI), Department of Agriculture (DA), Department of National Defense (DND), Technical Education and Skills Development Authority (TESDA), Philippine Information Agency (PIA), Public Attorney's Office (PAO), Office of the Solicitor General (OSG), Philippine Coast Guard (PCG), Philippine National Police (PNP), National Bureau of Investigation (NBI), Bureau of Customs (BOC), Bureau of Immigration (BI), Armed Forces of the Philippines (AFP), and Anti-Money Laundering Council (AMLC).

## **ARTICLE II**

### **COMPOSITION OF ICAD**

**Section 4. Composition.-** Pursuant to the implementation of this Order, the ICAD shall be established and chaired by PDEA. It is originally composed of twenty (20) regular member agencies mentioned under Section 1 of the Executive Order. The member agencies shall designate permanent and its alternate representative to the ICAD with the rank of Undersecretary or Assistant Secretary, or their equivalent.

Government agencies without Undersecretary or Assistant Secretary may designate its permanent and its alternate representative of equivalent rank occupying Third Level positions or with Salary Grade that is not lower than 26. The permanent regular members of the ICAD shall designate its principal and alternate representatives in its respective clusters.

The ICAD may invite other government agencies and instrumentalities to be a member of the ICAD as it may deem necessary.

**Section 5. Composition of the Clusters.-** The Clusters shall be composed of the following:

- a. Enforcement:
  1. Philippine Drug Enforcement Agency
  2. Dangerous Drugs Board
  3. Philippine National Police
  4. National Bureau of Investigation
  5. Bureau of Customs
  6. Anti-Money Laundering Council
  7. Department of the Interior and Local Government
  8. Department of National Defense
  9. Armed Forces of the Philippines
  10. Bureau of Immigration
  11. Philippine Coast Guard
  12. National Intelligence Coordinating Agency
  13. Bureau of Fire Protection
  14. Bureau of Jail Management and Penology
  15. Bureau of Corrections

- b. Justice:
  - 1. Department of Justice
  - 2. Dangerous Drugs Board
  - 3. Public Attorney's Office
  - 4. Office of the Solicitor General
  - 5. Philippine Drug Enforcement Agency
  - 6. Anti-Money Laundering Council
  - 7. Department of Justice – National Prosecution Service
  - 8. Legal Service of the Enforcement Member Agencies and AFP
  - 9. Parole and Probation Administration
- c. Advocacy:
  - 1. Department of the Interior and Local Government
  - 2. Dangerous Drugs Board
  - 3. Philippine Drug Enforcement Agency
  - 4. Philippine National Police
  - 5. Armed Forces of the Philippines
  - 6. Department of Health
  - 7. Department of Education
  - 8. Commission on Higher Education
  - 9. Technical Education and Skills Development Authority
  - 10. Department of Foreign Affairs
  - 11. Department of Social Welfare and Development
  - 12. Department of Labor and Employment
  - 13. Philippine Coast Guard
  - 14. Philippine Information Agency
  - 15. Public Attorney's Office
  - 16. Office of the President
  - 17. Office of the Solicitor General
  - 18. Presidential Communications Operations Office
- d. Rehabilitation and Reintegration:
  - 1. Department of Health
  - 2. Department of Social Welfare and Development
  - 3. Dangerous Drugs Board
  - 4. Philippine Drug Enforcement Agency
  - 5. Department of the Interior and Local Government
  - 6. Department of Trade and Industry
  - 7. Department of Agriculture
  - 8. Technical Education and Skills Development Authority
  - 9. Public Attorney's Office
  - 10. National Bureau of Investigation
  - 11. Department of Education
  - 12. Commission on Higher Education
  - 13. Department of Environment and Natural Resources
  - 14. Bureau of Jail Management and Penology
  - 15. Department of Labor and Employment
  - 16. Bureau of Fire Protection
  - 17. Armed Forces of the Philippines
  - 18. Philippine National Police

19. Bureau of Corrections
20. Board of Pardons and Parole
21. Parole and Probation Administration
22. Office of the President
23. Office of the Solicitor General
24. Department of Information and Communication Technology

The ICAD shall seek the assistance of the Office of the Ombudsman, pursuant to its mandate, in the investigation and prosecution of public officials involved in illegal drug campaign.

### **ARTICLE III**

#### **POWERS, DUTIES, AND FUNCTIONS OF ICAD**

**Section 6. Powers, Duties, and Functions.** - The Inter-Agency Committee on Anti-Illegal Drugs (ICAD) shall have the following powers and duties:

- a. Ensure the comprehensive implementation of the Barangay Drug-Clearing Program;
- b. The PDEA, as Chairperson of the ICAD, shall have the overall responsibility to ensure that the anti-illegal drug objectives of the government are accomplished;
- c. Spearhead and coordinate the implementation of the national anti-drug policies and strategies including the Philippine Anti-Drug Strategy (PADS) 2016-2022;
- d. Ensure the effective conduct of anti-illegal drug operations and arrest of high-value drug personalities down to the street-level peddlers and users;
- e. Ensure the efficient and effective performance of specific roles and responsibilities of the clusters and their member agencies;
- f. Create additional clusters or consolidate the existing ones, as it may deem necessary for the effective implementation of this rules;
- g. Enlist the assistance of concerned public and private agencies, including local government units to assist in the implementation of the government's anti-illegal drug campaign;
- h. Cleanse the bureaucracy of unscrupulous personnel involved in illegal drug activities;
- i. Provide and update the ICAD members of the current drug situation in the country;
- j. Conduct regular conferences to monitor the progress of the approved action plan submitted by each ICAD Cluster;

- k. Monitor various issues and concerns, and provide recommendations affecting the anti-drug campaign of the ICAD member agencies;
- l. Provide financial, administrative and logistical support to the ICAD and its member agencies in the performance of their functions under EO 15;
- m. Consolidate all the reports of the Cluster Heads for submission to the Office of the President, copy furnished the DDB; and
- n. Perform other tasks which are deemed necessary and incidental to the concerns of the ICAD.

## **ARTICLE IV**

### **CREATION, POWERS, DUTIES, AND FUNCTIONS OF THE CLUSTERS OF ICAD**

**Section 7. Clusters of the ICAD.** - Upon the effectivity of this Order, the ICAD shall convene and organize the following Clusters, with their respective functions.

a. **Enforcement Cluster**-The Enforcement Cluster shall be composed of member agencies of ICAD with law enforcement functions headed by PDEA. It shall be primarily responsible for the conduct of sustained anti-illegal drug operations.

b. **Justice Cluster**- The Justice Cluster shall be composed of member agencies of ICAD with judicial functions headed by the Department of Justice (DOJ). This cluster shall be primarily responsible for the expeditious prosecution of all drug cases, the provision of legal assistance to law enforcers, and ensuring the availability of public attorneys for the protection of individuals' rights, such as in instances of voluntary surrenders and warrantless arrests during anti-illegal drug operations and provide assistance in filing petition for confinement of drug dependents.

c. **Advocacy Cluster**-This cluster shall conduct a nationwide advocacy campaign for the government's anti-illegal drug policies and programs headed by the Department of the Interior and Local Government (DILG).

Further, the advocacy cluster shall ensure and enjoin all local government units to continuously support the advocacy campaign of the government's anti-illegal drug policy and assist in the implementation of measures towards drug abuse prevention and eradication program.

d. **Rehabilitation and Reintegration Cluster**-This Cluster shall implement drug rehabilitation programs and ensure the reintegration of former drug dependents and other drug personalities as productive members of society. This is co-chaired by the Department of Health (DOH) and the Department of Social Welfare and Development (DSWD).

In accordance with the mandate of the DDB under RA No. 9165 as the policy-making and strategy-formulating body in the planning and formulation of policies and

programs on drug prevention and control, the DDB shall be included as a member of all the clusters of the ICAD.

**Section 8. Secretariat of the ICAD.** -The Chairperson of the ICAD shall appoint the members of the Secretariat who shall have the following duties and responsibilities:

- a. Provide assistance in planning and preparation of the ICAD program of action on a yearly basis including targets for the year and expected funding requirements;
- b. Prepare, schedule and arrange the regular meetings of the ICAD;
- c. Ensure the continuity of the implementation of the program of action, project, or activities of the ICAD;
- d. Monitor and maintain a database for consolidation of Cluster Head reports;
- e. Keep the records of the proceedings of the meetings of the ICAD;
- f. Undertake capability building programs as needed;
- g. Provide technical support in the formulation of policies and plans and development and implementation of ICAD program;
- h. Facilitate the research initiatives of the ICAD;
- i. Develop and maintain a centralized information management system and regularly update the ICAD, its different clusters and member-agencies on the drug dependency profile and situation in the Philippines;
- j. Coordinate all regular and special meetings of the ICAD and its different clusters; and
- k. Perform other tasks which are necessary and incidental to the concerns of the ICAD.

## **ARTICLE V**

### **MAIN STRATEGY FRAMEWORK**

**Section 9. Barangay Anti-Drug Clearing Program as Main Strategy Framework of ICAD.** - Pursuant to DDB Regulation No. 3, Series of 2017, the Barangay Anti-Drug Clearing Program provides for the balanced, holistic, unified, synchronized and integrated approaches of supply and demand reduction strategies in addressing the drug menace at the barangay level.

The Program is anchored at the capability and cooperation of the barangay in cleaning their own community from the drug problem, and subsequently reaching a self-policing stage wherein the barangays themselves deter drug personalities and illegal drug activities from entering or prevailing in the community.

With this strategy, the roles of the ICAD members come into play with the different phases of the barangay anti-drug clearing operations. The ICAD here plays as the manager and weaver, ensuring that all members are providing the right services where it is best needed in the barangay to make the clearing successful.

In case of drug-affected barangays, the three phases of barangay drug clearing program shall apply namely: PRE-OPERATIONS, OPERATIONS and POST-OPERATIONS.

During the pre-operations phase of the barangay drug clearing program, the enforcement cluster shall work on the preparations for the clearing program which include Activation and Capability Enhancement of BADAC and Auxiliary Teams, Organization of House Cluster, Collection of Information, Social Investigation, Community Profiling and Formulation of Watch list, Determination of Priority Drug Affected Barangay, and Establishment of Rehabilitation Referral Desk. While, the advocacy cluster shall conduct preventive education seminars, lectures, fora, programs or activities and capability building for all the sectors of the concerned barangay.

Thereafter, the operations phase which involves the enforcement cluster, justice cluster, advocacy cluster, and rehabilitation and reintegration cluster shall take place. The activities under the enforcement clusters are: household visitations, clearing operations, administrative searches, and filing of complaints for abatement of public nuisance against places and premises.

On the other hand, the justice cluster shall facilitate the filing and expeditious prosecution of cases against pusher and other drug personalities, provide duty prosecutors to law enforcers and ensure availability of PAO lawyers for the protection of individuals' rights, such as in instances of voluntary surrenders and warrantless arrests during anti-illegal drug operations, and provide assistance in filing petition for confinement of drug dependents.

In the same way, the advocacy cluster shall conduct advocacy and/or preventive seminars, lectures on the proper procedures on the application for voluntary or compulsory rehabilitation counseling and livelihood support for affected families and individuals.

To cope up with the trauma, the rehabilitation and reintegration cluster shall facilitate the assessment and commitment of the surrenderer to appropriate intervention mechanism.

Finally, the post-operations phase which include the rehabilitation and reintegration clusters, enforcement, justice, and advocacy clusters shall take place and shall conduct the following activities: implementation of sustainable and reintegration programs including counseling of the community; continuous assessment and validation; monitoring of drug related cases, continuous advocacy on drug education, and preparation for sustainable drug-free and self-policing community.

In case of unaffected barangays, the pre-operation phase of barangay drug clearing program shall apply.

## **ARTICLE VI**

### **MISCELLANEOUS PROVISIONS**

**Section 10. Adoption of Committee Internal Rules.** -The ICAD shall conduct a regular conference with the members and adopt their own internal rules to be observed. The member shall attend all the meetings of the ICAD. Only official

members shall be allowed to participate in the discussions, raise motions and vote. Resource persons or observers may be allowed by the ICAD to provide information or answer questions that may be raised in the meeting.

**Section 11. Reporting, Monitoring and Coordinating Instructions.** - Regular conferences shall be conducted in order to properly monitor and evaluate the progress of the approved action plan submitted by each ICAD Cluster.

Each member of the ICAD shall submit a periodic report to their respective Cluster Heads. The Cluster Heads shall submit a consolidated cluster report to the ICAD Chairperson, copy furnished the DDB. The ICAD Chairperson shall then consolidate all the reports for submission to the Office of the President.

**Section 12. Funding.**-The amount necessary for the initial implementation of this Order shall be sourced from available funds of the members of the ICAD and other appropriate funding sources, subject to existing budgeting, accounting and auditing laws, rules and regulations.

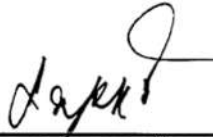
**Section 13. Separability Clause.**-Should any part or provision of this IRR be held unconstitutional or invalid, the other parts or provisions hereof shall not be affected and shall continue to be in full force and effect.

**Section 14. Repealing Clause.** - All orders, rules and regulations, issuances or any part thereof inconsistent with the provisions of this IRR are hereby repealed, amended or modified accordingly.

**Section 15. Implementing Details.**-The ICAD shall issue such additional implementing rules and regulations as may be necessary to further clarify any part of this IRR.

**Section 16. Effectivity.**-This IRR shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and after registration with the Office of National Administrative Register (ONAR), UP Law Center, Quezon City.

APPROVED and ADOPTED this 7<sup>th</sup> day of April 2017, in Quezon City, Philippines.



**ISIDRO S. LAPEÑA, PhD, CSEE**  
Chairperson, ICAD/ Director General, PDEA

Attested by:



**GLADYS F. ROSALES, MPA, CESE**  
Head Secretariat, ICAD