


SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

Office of the Secretary

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SENATE
P.S.R. No. 1226

RECEIVED BY: 

Introduced by Senator Aquilino “Koko” Pimentel III

**A RESOLUTION
DIRECTING THE SENATE COMMITTEE ON JUSTICE AND HUMAN
RIGHTS AND OTHER APPROPRIATE SENATE COMMITTEE(S)
TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE
REPORTED CASES OF 80 OVERSEAS FILIPINOS IN DEATH ROW**

WHEREAS, *Article II, Section 11* of the 1987 Philippine Constitution mandates the State to value the dignity of every human person and to guarantee full respect for human rights, while *Article III, Section 19* proscribes the imposition of excessive fines, as well as, the imposition of cruel, degrading, or inhuman punishment, including the imposition of death penalty;

WHEREAS, pursuant to this clear State policy, *Republic Act No. 9346* was enacted in the year 2006 to prohibit the imposition of death penalty in the Philippines;

WHEREAS, the Philippines is likewise committed to uphold its international obligations under the *Universal Declaration of Human Rights*, *International Covenant on Civil and Political Rights*, and the *Second Optional Protocol on the Covenant on Civil and Political Rights*, all aiming at abolishing death penalty and advocating the “right to life” of every human being;

WHEREAS, to mark the World Day against the Death Penalty on October 10, 2014, Foreign Affairs Secretary Albert F. del Rosario, along with 11 Foreign Ministers, signed the Joint Declaration Calling for Death Penalty Abolition;

WHEREAS, despite having a strong national policy against the imposition of death penalty, the 2014 Accomplishment Report of the Department of Foreign Affairs (DFA) revealed that there are 80 Overseas Filipinos with pending death penalty cases around the world;

WHEREAS, among those in death row is a Filipina in Indonesia whose execution by firing squad has been deferred after her case was elevated to the Indonesian Supreme Court, where the Philippines questioned the accuracy of the translation in the trial since she was only provided with a student interpreter instead of a qualified court translator;

WHEREAS, the aforesaid case is arguably reflective of most of the 1,288 drug smuggling cases involving Overseas Filipino Workers (OFWs) monitored by the DFA worldwide in 2014. They are not only victimized by human or drug trafficking syndicates, their plights are further aggravated by inadequate legal representation when their cases are brought to trial, leading to their eventual conviction, or for some, execution;

WHEREAS, the fact that 80 of our countrymen are about to be deprived of their lives overseas is a serious matter that must be addressed by government in full force, for implicit in the protection of OFWs is defending their “right to life”;

WHEREAS, in view of our strict state policy against the imposition of the death penalty, there might need to be policy changes in the deployment of our OFWs, including the possibility of deploying OFWs only to countries that have committed to respect the “right to life” of every individual, including migrant workers;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE SENATE OF THE PHILIPPINES THAT THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS AND OTHER APPROPRIATE SENATE COMMITTEE(S) BE DIRECTED TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED CASES OF 80 OVERSEAS FILIPINOS IN DEATH ROW, IN VIEW OF OUR STRICT STATE POLICY AGAINST THE IMPOSITION OF DEATH PENALTY, AND FOR THE CONCERNED GOVERNMENT AGENCIES TO REPORT TO THE COMMITTEE(S) THEIR EFFORTS AT PREVENTING OVERSEAS FILIPINOS FROM BEING VICTIMIZED BY SYNDICATES; PROVIDING ADEQUATE LEGAL ASSISTANCE TO OVERSEAS FILIPINOS IN CONFLICT WITH THE LAWS OF OTHER NATIONS, SPECIFICALLY, THOSE CHARGED WITH CRIMES PUNISHABLE BY DEATH; AND SAVING THOSE FROM DEATH ROW FROM BEING EXECUTED, WITH THE END VIEW OF UPHOLDING THE “RIGHT TO LIFE” OF EVERY HUMAN BEING.

Adopted,


AQUILINO “KOKO” PIMENTEL III