

**FOURTEENTH CONGRESS OF THE )**  
**REPUBLIC OF THE PHILIPPINES )**  
**First Regular Session )**

8 APR 23 P 6:54

**S E N A T E**

RECEIVED BY: 

S. No 2193

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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### EXPLANATORY NOTE


Who guards the guardians? This bill proposes to answer the same by providing for accountability on the part of the protectors of the people under our Constitution: Article 2, Section 3 provides that "the Armed Forces of the Philippines is the protector of the people and state"; Section 4 declares the prime duty of the government to serve and protect the people; and Section 5 encompasses not only protection to life but also liberty and property as essential for the enjoyment by the people of the blessings of democracy. The 'parens patriae doctrine' or guardian of the rights of the people are clearly laid out by these sections.

Protection, especially for the right to life of every person, is the basic duty of those in the government, especially the police and armed forces. However, when realities and warped reasoning and policies come into the picture, blood sacrifices are made in the name of ideology, god, terrorism, business, peace and order. The blood is that of the ordinary citizen. The rule of law and reason are thrown out of the window and the rule of force and the gun prevail.

Famous and nameless victims cover all sectors of our society. Coupled with these are tortures and disappearances. The long arm of the law is literally implemented as to mean force and intimidation. Citizens cower in fear and hope that they will not be the next victim.

The rule of law and reason must be re-established. The state must now come in to guard the guardians. The state must impose sanctions on its agents who violate the duty to protect. If the state and democracy is to survive, trust in law enforcers must be regained.


Hence, approval of this bill is earnestly sought.



**ANTONIO "SONNY" F. TRILLANES IV**  
Senator

FOURTEENTH CONGRESS OF THE )  
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8 APR 23 P6 52

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**AN ACT**  
**QUALIFYING SALVAGING OR EXTRAJUDICIAL KILLING BY ANY PUBLIC OFFICER, PERSON IN AUTHORITY OR AGENT OF A PERSON IN AUTHORITY AS A HEINOUS CRIME, IMPOSING THE DEATH PENALTY THEREFOR AND FOR OTHER PURPOSES.**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

1           **SECTION 1. *Short Title.*** This Act shall be known as the "Anti-Salvaging Law."

2  
3           **SEC. 2. *Declaration of Policy*** – It is the declared policy of the State to recognize  
4 and guarantee the human rights of all persons, particularly to uphold a person's right to  
5 life.

6  
7           **SEC. 3. *Objective.*** – This Act endeavors to qualify the extrajudicial killing by any  
8 public officer, person in authority or agent of a person in authority as a heinous crime,  
9 and to impose the death penalty upon such crime.

10  
11           **SEC. 4. *Definition of Terms*** –

12           (a) Salvaging – The killing of any person by any public officer, person in  
13 authority or agent of a person in authority.

1 (b) Extrajudicial killing – Any killing other than that imposed by the state  
2 pursuant to the provisions of the Constitution on heinous crimes; ‘extrajudicial  
3 killing’ means a deliberated killing not authorized by a previous judgment  
4 pronounced by a regularly constituted court affording all the judicial  
5 guarantees which are recognized as indispensable by civilized peoples.

6  
7 **SEC.5. Punishable Act/Penalty.** – The death penalty shall be imposed upon any  
8 public officer, person in authority or agent of a person in authority for any salvaging or  
9 extra-judicial killing as defined herein.

10  
11 **SEC 6. Separability Clause.** - If any part, section or provision of this Act is held  
12 invalid or unconstitutional, other provisions not affected thereby shall remain in full force  
13 and effect.

14  
15 **SEC. 7. Repealing Clause.** - All laws, decrees, orders, rules and regulations or  
16 other issuances inconsistent with the provisions of this Act are hereby repealed, amended  
17 or modified accordingly.

18  
19 **SEC. 8. Effectivity Clause.-** This Act shall take effect fifteen (15) days after its  
20 publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,