

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



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SENATE

P. S. RES. NO. 505

RECEIVED BY: 

Introduced by Senator Antonio "Sonny" F. Trillanes IV, Franklin M. Drilon, Paolo Benigno A. Aquino IV, Risa Hontiveros, Francis "Kiko" N. Pangilinan

RESOLUTION

EXPRESSING THE SENSE OF THE SENATE THAT SENATOR LEILA M. DE LIMA BE ALLOWED TO PARTICIPATE IN THE SESSIONS AND OTHER FUNCTIONS OF THE SENATE IN ACCORDANCE WITH THE RULE OF LAW

WHEREAS, Senator Leila De Lima is a duly-elected Senator of the Republic of the Philippines, garnering 14,440,070 votes during the last May 2016 elections;

WHEREAS, on 23 February 2017, she was ordered arrested by Muntinlupa Regional Trial Court (RTC) Branch 204 over one (1) of the three (3) criminal charges filed against her;¹

WHEREAS, when the warrant for her arrest was issued by the Trial Court on 23 February 2017, Senator De Lima freely and voluntarily surrendered and turned herself to the custody of the authorities at the Senate on the morning of the next day, 24 February 2017;²

WHEREAS, since 24 February up to present, Senator De Lima has been detained at the Philippine National Police (PNP) Custodial Center in Camp Crame, Quezon City;

WHEREAS, four months after she was detained, Senator De Lima was issued another arrest warrant dated 19 June 2017 by Muntinlupa RTC Branch 205 regarding her alleged violation of the Comprehensive Dangerous Drugs Act of 2002;³

WHEREAS, Senator De Lima, in her petition submitted to the Supreme Court on 17 April 2017, maintained that she is a victim of political persecution and that she was charged, arrested and continued to be detained illegally;⁴

¹ L. Buan. 23 February 2017. *Explainer: What is Leila De Lima being accused of?* Rappler News. Retrieved from <https://www.rappler.com/newsbreak/iq/162354-explainer-leila-de-lima-accusations-drug-trade>

² Rappler. 24 February 2017. *Senator Leila De Lima Arrested*. Rappler News. Retrieved from <https://www.rappler.com/nation/161278-leila-de-lima-surrender-drug-charges>

³ Alimario, A. 24 June 2017. *EXCLUSIVE: Muntinlupa RTC issues new arrest order vs. Senator de Lima on drug charges*. Retrieved from <http://cnnphilippines.com/news/2017/06/23/muntinlupa-rtc-de-lima.html>

⁴ E. Punay. 19 April 2017. *Leila to SC: Please release me*. The Philippine Star. Retrieved from <http://www.philstar.com/headlines/2017/04/19/1691768/leila-sc-please-release-me>

WHEREAS, as a sitting Senator of the Republic and former Secretary of Justice who has willingly and voluntarily surrendered herself to the authorities immediately after she learned that a warrant for her arrest has been issued by a Trial Court, it is very clear that Senator De Lima is not a flight risk;

WHEREAS, in the exercise of the Senate's constitutional mandate to serve the people, it is in the best interest of the institution to allow Senator De Lima to continue her legislative duties pending the trial on her cases;

WHEREAS, adequate measures may be adopted by the Senate and by the authorities of the Philippine National Police under whose custody she has been placed to ensure that Senator De Lima would stick to the performance of her duties as a senator if allowed to do so;

WHEREAS, the Senate, as one of the three major branches of the government, has the facilities and manpower to take Senator De Lima into its custody and guarantee that she would be present when needed by the court or any other proper authority at any given time;

WHEREAS, the experience of a detained legislator being allowed to continue performing his/her duties is not new in Philippine politics. In the 1950s, Senator Justiniano Montano was charged with multiple murders, a non-bailable offense, but was allowed to post bail and perform his senatorial duties.

WHEREAS, moreover, last August 2015, no less than the Supreme Court permitted former Senator Juan Ponce Enrile to post bail in the plunder cases against him and allowed him to continue his work as a legislator until his term expired in June 2016. Aside from poor health and old age, the decision took into consideration his length of public service, private reputation, and his past and present disposition of respect for the legal process;⁵

WHEREAS, by allowing Senator De Lima to continue performing her duties as a Senator of the Republic of the Philippines, we are heeding to the call of the overwhelming mandate of the electorate in the last senatorial election who wants Senator De Lima to represent them as a Senator of the land;

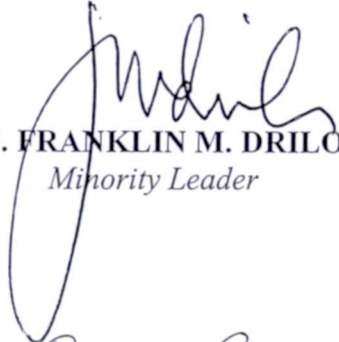
NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Philippine Senate, to express the sense of the Senate that Senator Leila M. De Lima be allowed to participate in the sessions and other functions of the Senate in accordance with the rule of law.

⁵ T. Torres-Tupas. 12 July 2016. *SC upholds ruling granting bail to Enrile*. Inquirer.net. Retrieved from <http://newsinfo.inquirer.net/795588/sc-upholds-ruling-granting-bail-to-enrile>

Adopted,



SEN. ANTONIO "SONNY" F. TRILLANES IV



SEN. FRANKLIN M. DRILON
Minority Leader



SEN. PAOLO BENIGNO AQUINO IV



SEN. RISA HONTIVEROS



SEN. FRANCIS "NIKO" PANGILINAN