

**SENATE**

'19 JUL -2 P3 :27

**S. B. No. 207**

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INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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**AN ACT  
REINSTATING THE DEATH PENALTY FOR CERTAIN HEINOUS CRIMES  
INVOLVING DANGEROUS DRUGS AND PLUNDER, AMENDING  
FOR THAT PURPOSE OTHER SPECIAL PENAL LAWS,  
AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

The proliferation of heinous crimes has ignited the call for a tough and definitive stance against crimes that have plagued the security and development of our nation. The overwhelming public clamor for President Rodrigo Roa Duterte to take leadership of our country was based largely on his stern commitment to fight criminality with the end in view of uplifting the lives of every Filipino. His convincing victory and the continued outpouring of support from the public is proof of the Filipinos' desire to take the same approach.

Dangerous drugs have been a recurring cause of suffering for our people. There is no question that dangerous drugs have the capability to destroy the basic institution of the family, take the lives of its victims, and wreak havoc on society as a whole. Despite the valiant efforts of our peacekeepers and the hard-line stance taken by our leaders against this menace, drug syndicates, both local and foreign, appear to remain emboldened in their quest to exploit the suffering of our people. Massive public outcry and condemnation arose as a consequence of recent scandals which revealed the entry of immense quantities of drugs into our borders, evading

the safeguards established by our strict laws and security forces. Dangerous drugs have even been revealed to have penetrated our penal institutions. These are just some illustrations of the brazen approach criminals have adopted despite the relentless efforts to eliminate drug-related crimes. Much more must be done to protect our people in the fight against illegal drugs.

An equally deplorable evil that has kept the least fortunate of our countrymen from enjoying the steady economic progress we have achieved over the last few years is corruption. This administration has always displayed a strong drive to battle this institutional evil, as can be seen from the dismissal, prosecution, and incarceration of public officers found guilty of stealing the people's money. Nonetheless, corruption has penetrated some of our most important institutions. Scandals of the past have painted an image of the Philippines as an unsecure destination for foreign investments. Investors have been reluctant to enter and invest in our country out of fear that such investments would dissipate or would have been for naught due to the corrupt practices of some public officials. Unfortunately, the people who always end up suffering the most are the poorest Filipinos who, at times, do not get to enjoy the most basic services promised by our Constitution because of the scourge that is corruption.

The crippling problems brought about by dangerous drugs and corruption must be answered with a firm and decisive solution. Due to their pervasive nature and the impunity with which criminals operate, these crimes must be met with a punishment based not only on deterrence, but also on retribution, to leave no doubt that there can never be any gain for anyone who chooses to commit these heinous crimes.

The Constitution provides that the death penalty shall only be reserved for the most heinous crimes. Republic Act 7659 is proof of the intent of our people, through our legislators, to treat dangerous drugs and corruption as heinous crimes, repugnant to the common standards of decency and morality in a just, civilized, and ordered society. The time has come to revive this mandate. We must recognize the

need to take a harder stance against these pervasive evils and impose the most extreme form of punishment, reserved only for the most evil of crimes. To achieve the the dream of realizing a better, safer, and more progressive home for all law-abiding Filipinos, it is vital that we continue to take a firm, rigid, and unforgiving stance against these unforgiving evils.

In view of the foregoing, the approval of this bill is earnestly sought.



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

1 Section 1. *Declaration of Policy.* — It is hereby declared the policy of the State  
2 to foster and ensure not only obedience to its authority, but also to adopt such  
3 measures as would effectively promote the maintenance of peace and order, the  
4 protection of life, liberty and property, and the promotion of the general welfare which  
5 are essential for the enjoyment by all the people of the blessings of democracy in a  
6 just and humane society.

7 Towards this end, the State shall rationalize penal sanctions and impose the  
8 befitting penalty reserved by the Constitution for the most heinous crimes, for being  
9 grievous, odious, and hateful offenses, which by reason of their inherent or manifest  
10 wickedness, viciousness, atrocity, and perversity, are repugnant and outrageous to  
11 the common standards and norms of decency and morality in a just, civilized, and  
12 ordered society.

13 Sec. 2. *Reinstatement of the Death Penalty for Drug-related Offenses and*  
14 *Plunder.* — Section 1 of Republic Act No. 9346 is hereby amended to read as follows:

15 "Section 1. The imposition of the penalty of death is hereby  
16 prohibited[.], **EXCEPT FOR CRIMES SPECIFIED UNDER REPUBLIC**  
17 **ACT NO. 9165, OTHERWISE KNOWN AS THE "COMPREHENSIVE**

1       **DANGEROUS DRUGS ACT OF 2002”, AS AMENDED, AND SECTION**  
2       **12 OF REPUBLIC ACT NO. 7659, ENTITLED “AN ACT TO IMPOSE**  
3       **THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES, AMENDING**  
4       **FOR THAT PURPOSE THE REVISED PENAL LAWS, AS AMENDED,**  
5       **OTHER SPECIAL PENAL LAWS, AND FOR OTHER PURPOSES”.**

6       [Accordingly, Republic Act No. Eight Thousand One Hundred Seventy-  
7       Seven (R.A. No. 8177), otherwise known as the Act Designating Death by  
8       Lethal Injection is hereby repealed.] Republic Act No. Seven Thousand Six  
9       Hundred Fifty-Nine (R.A. No. 7659), otherwise known as the Death Penalty  
10      Law, and all other laws, executive orders and decrees, insofar as they  
11      impose the death penalty **FOR OTHER CRIMES NOT SPECIFIED IN**  
12      **THIS SECTION** are hereby repealed or amended accordingly.”

13      Sec. 3. *Death by Lethal Injection.* — The penalty of death imposed under this  
14      Act shall be carried out through lethal injection. Accordingly, Republic Act No. 8177,  
15      entitled “An Act Designating Death by Lethal Injection as the Method of Carrying Out  
16      Capital Punishment, Amending for the Purpose Article 81 of the Revised Penal Code,  
17      as Amended by Section 24 of Republic Act No. 7659” is hereby revived and reactivated,  
18      insofar as it designates death by lethal injection as the method of carrying out capital  
19      punishment.

20      Sec. 4. *Implementing Rules and Regulations.* — Within thirty (30) days from  
21      the approval of this Act, the Secretary of Justice shall promulgate the necessary rules  
22      and regulations for the effective implementation of this Act.

23      Sec. 5. *Separability Clause.* — If any provision of this Act shall be declared  
24      unconstitutional or invalid, the other provisions or parts thereof not otherwise affected  
25      shall remain in full force and effect.

26      Sec. 6. *Repealing Clause.* — Republic Act No. 9346 is hereby amended insofar  
27      as it prohibits the imposition of death penalty for the crimes provided in Section 2 of  
28      this Act.

29      All other laws, decrees, executive orders, proclamations and other executive  
30      issuances, which are not consistent with or contrary to the provisions of this Act, are  
31      hereby repealed or amended.

32      Sec. 7. *Effectivity.* — This Act shall take effect fifteen (15) days after its

1 publication in the Official Gazette or in a newspaper of general circulation.

*Approved,*