

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 1239



Introduced by Representative MICAELA S. VIOLAGO

EXPLANATORY NOTE

The proliferation of high profile and heinous crimes has ignited the call for the mandatory imposition of the death penalty in capital offenses under the Revised Penal Code and other penal laws.

Similarly, the cases of qualified trafficking are subject to such call. The public outcry resonates throughout the country.

For it seems the abolition of the supreme penalty has not deterred the commission of the crime. On the contrary, its non-imposition has emboldened the criminals to pursue their crimes with impunity. As reported recently in SunStar Cebu on the 31st of January 2017, a 23-year-old woman was indicted by the Office of the Cebu City Prosecutor for violating Republic Act No. 9208, or the Anti-Trafficking in Persons Act of 2003. She allegedly acted as a pimp to two women, aged 14 to 21 to a foreigner, in exchange for money on the 11th of January 2017.

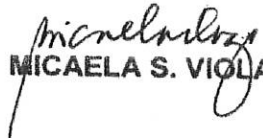
The 2018 Global Slavery Index report shows a significant rise in the number of victims of human trafficking in the Philippines. Most notable was the incident of 13 minors, including a two-month-old baby, who were trafficked by their own relatives and were rescued in March of 2017 by operatives of the National Bureau of Investigation (NBI) with the help of personnel from the U.S. Homeland Security Investigators and Immigration and the Customs Enforcement team. Specifically, the minors were used to promote child pornography.

Their case is just one of the more than 700,000 victims of human trafficking based on the report. This puts the Philippines in the 12th rank among countries with the highest incidence of modern-day slavery in the entire Asia Pacific.

Considering that the Constitution grants Congress the flexibility to impose the death penalty under certain circumstances and based on the current wisdom of the times, it is best to once again restore the penalty of death for those convicted of

qualified trafficking under Section 6 of Republic Act No. 9208. This is to put back into the consciousness of those involved in the qualified trafficking trade that the ultimate punishment of death awaits them should they continue with their nefarious acts.

Accordingly, approval of this proposed measure, is strongly recommended.


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“AN ACT AMENDING SUBSECTION (C) OF SECTION 10 OF REPUBLIC ACT NO. 9208, OTHERWISE KNOWN AS THE ‘ANTI-TRAFFICKING IN PERSONS ACT OF 2003’ ”

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

SECTION 1. Section 10 (C) of Republic Act No. 9208, otherwise known as the “Anti-Trafficking in Persons Act of 2003” is hereby amended to read, as follows:

“Section 10. Penalties and Sanctions. - The following penalties and sanctions are hereby established for the offenses enumerated in this Act:

XXX

(c) Any person found guilty of qualified trafficking under Section 6 shall suffer the penalty of [life imprisonment] DEATH and a fine of not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00);

XXX”

Section 2. Separability Clause. Should any provisions of this Act be found unconstitutional by a court of law, such provisions shall be severed from the remainder of the Act, and such action shall not affect the enforceability of the remaining provisions of this Act.

Section 3. Repealing Clause. All laws presidential decrees, executive orders and rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 4. Effectivity Clause. This Act shall take effect fifteen (15) days after its complete publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,