



Congressional Record

PLENARY PROCEEDINGS OF THE 17th CONGRESS, FIRST REGULAR SESSION

House of Representatives

Vol. 4

Tuesday, March 7, 2017

No. 79

CALL TO ORDER

At 4:00 p.m., Deputy Speaker Eric D. Singson called the session to order.

THE DEPUTY SPEAKER (Rep. Singson). The session is called to order.

NATIONAL ANTHEM

THE DEPUTY SPEAKER (Rep. Singson). Please rise for the singing of the Philippine National Anthem.

Everybody rose to sing the Philippine National Anthem.

PRAYER

THE DEPUTY SPEAKER (Rep. Singson). Please remain standing for a minute of silent prayer.

Everybody remained standing for the silent prayer.

THE DEPUTY SPEAKER (Rep. Singson). The Dep. Majority Leader is recognized.

SUSPENSION OF SESSION

REP. NOEL. Mr. Speaker, I move to suspend the proceedings for a few minutes.

THE DEPUTY SPEAKER (Rep. Singson). The session is suspended.

It was 4:02 p.m.

RESUMPTION OF SESSION

At 4:43 p.m., the session was resumed.

THE DEPUTY SPEAKER (Rep. Singson). The session is resumed.

The Dep. Majority Leader is recognized.

ROLL CALL

REP. NOEL. Mr. Speaker, I move that we call the roll.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please call the roll.

The Secretary General called the roll, and the result is as follows, per Journal No. 79, dated March 7, 2017:

PRESENT

Abaya	Aumentado
Abayon	Bag-ao
Abellanos	Bagatsing
Abu	Baguilat
Abueg	Banal
Acharon	Barzaga
Acop	Bataoil
Acosta	Batocabe
Acosta-Alba	Bautista-Bandigan
Advincula	Belaro
Agarao	Belmonte (F.)
Aggabao	Belmonte (J.C.)
Albano	Belmonte (R.)
Alejano	Benitez
Almonte	Bernos
Alonte	Bertiz
Alvarez (F.)	Biazon
Alvarez (M.)	Billones
Alvarez (P.)	Biron
Amante	Bolilia
Amatong	Bondoc
Andaya	Bordado
Angara-Castillo	Bravo (A.)
Aragones	Bravo (M.V.)
Arbison	Brosas
Arcillas	Bulut-Begtang
Arenas	Cagas
Atienza	Calderon

Calixto-Rubiano	Garcia (J.E.)	Nuñez-Malanyaon	Silverio
Caminero	Garcia-Albano	Oaminal	Singson
Campos	Garin (R.)	Olivarez	Suansing (E.)
Canama	Garin (S.)	Ong (E.)	Suansing (H.)
Cari	Gatchalian	Ortega (P.)	Suarez
Casilao	Geron	Ortega (V.N.)	Tambunting
Castelo	Go (A.C.)	Pacquiao	Tan (A.)
Castro (F.L.)	Go (M.)	Paduano	Tan (M.)
Castro (F.H.)	Gomez	Palma	Tejada
Catamco	Gonzaga	Pancho	Teves
Cayetano	Gonzales (A.P.)	Panganiban	Tiangco
Celeste	Gonzales (A.D.)	Panotes	Ting
Ceramica	Gonzalez	Papandayan	Tinio
Chavez	Gorriceta	Pichay	Tolentino
Chipeco	Gullas	Pimentel	Treñas
Co	Hernandez	Pineda	Tugna
Cojuangco	Herrera-Dy	Plaza	Tupas
Collantes	Hofer	Primicias-Agabas	Turabin-Hataman
Cortes	Jalosjos	Quimbo	Ty
Cortuna	Javier	Radaza	Umali
Cosalan	Kho	Ramirez-Sato	Unabia
Crisologo	Khonghun	Ramos	Ungab
Cua	Labadlabad	Relampagos	Unico
Cuaresma	Lacson	Roa-Puno	Uy (J.)
Cueva	Lagman	Robes	Uy (R.)
Dalipe	Lanete	Rocamora	Uybarreta
Dalog	Laogan	Rodriguez (I.)	Vargas
Daza	Lazatin	Rodriguez (M.)	Vargas-Alfonso
De Jesus	Limkaichong	Romualdo	Velarde
De Venecia	Lobregat	Roque (H.)	Velasco
De Vera	Lopez (B.)	Roque (R.)	Velasco-Catera
Defensor	Lopez (C.)	Sacdalan	Veloso
Del Mar	Lopez (M.L.)	Sagarbarria	Vergara
Del Rosario	Loyola	Sahali	Villanueva
Dimaporo (A.)	Macapagal-Arroyo	Salceda	Villaraza-Suarez
Dimaporo (M.K.)	Maceda	Salimbangon	Villarica
Duavit	Madrona	Salo	Villarin
Durano	Malapitan	Sambar	Violago
Dy	Mangaoang	Sandoval	Yap (M.)
Elago	Mangudadatu (Z.)	Santos-Recto	Yu
Enverga	Marcoleta	Sarmiento (C.)	Zamora (M.C.)
Erice	Marcos	Sarmiento (E.M.)	Zamora (R.)
Eriguel	Mariño	Savellano	Zarate
Ermita-Buhain	Marquez	Sema	Zubiri
Escudero	Martinez	Siao	
Espina	Matugas		
Estrella	Mellana		
Eusebio	Mending		
Evardone	Mercado		
Fariñas	Mirasol		
Ferrer (J.)	Montoro		
Ferrer (L.)	Nava		
Flores	Nieto		
Fortun	Noel		
Fortuno	Nogralas (J.J.)		
Garcia (G.)	Nogralas (K.A.)		

THE SECRETARY GENERAL. Mr. Speaker, the roll call shows that 257 Members responded to the call.

THE DEPUTY SPEAKER (Rep. Singson). With 257 Members present, the Chair declares the presence of a quorum.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Dep. Majority Leader is recognized.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). What is the pleasure of the Gentleman, ...

REP. ATIENZA. Again, ...

THE DEPUTY SPEAKER (Rep. Singson). ... Congressman Atienza?

REP. ATIENZA. ... we would like to point out the count of Members on the floor. This is the biggest number we have had since we started the Seventeenth Congress, but we do not have 257; we only have 247.

Again, the Secretariat is 10 over what is the reality. Just to make it on record that we are contesting the count just announced by the Secretariat.

THE DEPUTY SPEAKER (Rep. Singson). Noted.

The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, Your Honor, as always, it is the count of the plenary Secretariat which we follow for the establishment of our quorum.

Mr. Speaker, I move that we vote on Third Reading on House Bill No. 4727. May I ask that the Secretary General be directed to read the title of said measure and thereafter call the roll for nominal voting.

THE DEPUTY SPEAKER (Rep. Singson). The Secretary General ...

REP. LAGMAN. Mr. Speaker, may I make an objection.

THE DEPUTY SPEAKER (Rep. Singson). What is the pleasure of the Gentleman?

The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, for his objection, I move for the recognition of the Gentleman from the First District of Albay, the Hon. Edcel C. Lagman.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Lagman is recognized.

REP. LAGMAN. Thank you, Mr. Speaker.

The Third Reading today of the Death Penalty Bill is patently premature. It is not compliant with our Constitution more particularly Section 26 (2) of Article VI which I would read, and I quote:

No bill passed by either House shall become a law unless it has passed three readings on separate days, and printed copies thereof in its final form have been distributed to its Members three days before its passage, except when the President certifies to the necessity of its immediate enactment x x x.

I would like to underscore the phrase, "printed copies thereof in its final form have been distributed to its Members three days before its passage, x x x." This constitutional prescription is reiterated under Section 58 of Rule X of the Rules of the House which provides practically the same language. The reported distribution of the printed copies to the offices of the Representatives last Thursday and Friday is unavailing and not compliant with the provision of the Constitution because what is required is distribution to the Members, not to their staff members. The alleged distribution last Thursday is fatally defective because on Thursdays, Representatives are not in their respective offices because most of them go home to their respective districts for constituency work, and some have appointments with government officials concerning their districts, while Fridays are non-working days in the House of Representatives.

Moreover, allegations that copies were e-mailed to the Representatives last Thursday or Friday are again non-compliant, as there is no showing that what was e-mailed was a bona fide copy of the final printed form, and that Representatives actually opened their respective e-mails on said days. Furthermore, there is no indication that the e-mail addresses are the Representatives' actual respective accounts, not the e-mail account of a staff member.

Verily, Mr. Speaker, the first opportunity the Representatives were able to get the printed copies would have been yesterday, Monday, 6 March 2017, when they are presumed to be in their offices since Monday is a session day. Counting the three-day rule from Monday and consistent with the computation that the first day is excluded while the last day is included, the third day will still be on Thursday, 09 March 2017. Consequently, the Third Reading is only seasonable starting Friday, 10 March 2017, but Friday is not a session day. Consequently, the Third and final Reading of House Bill No. 4727 should, therefore, be next week, Mr. Speaker.

On the basis of all of these, I strongly object to the final reading or Third Reading today of House Bill No. 4727.

REP. FARIÑAS. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Majority Leader is recognized to respond.

REP. FARIÑAS. Thank you.

Before I move to divide the House, let me just address the issues raised by the Gentleman.

First of all, Mr. Speaker, what the Constitution and our Rules require is a three-day service to the Members which was complied with. The copies of the Bill were distributed to the offices of the Members on Thursday as accepted by the Gentleman. In fact, we have here a receipt of his staff, signed by one Karla Badong, 10:28 a.m., March 2nd, Thursday. So, if we exclude the first day of the receipt, we start Friday, Saturday, Sunday, Monday, Tuesday. Today is the fifth day since the Gentleman received it. The receipt by the clerk is already equivalent to personal service.

Even the Rules of Court require and allow that. Rule 13, Section 6 of the Rules of Court says that personal service is made by personally delivering “a copy to the party or his counsel, or by leaving it in his office with his clerk or with a person having charge thereof. So, the copy of the Gentleman was received by his clerk in his office.

Furthermore, Mr. Speaker, even in this Congress, we have had several instances and I will cite to you that on October 13, we approved on Third Reading and the following Monday, which was October 16, several bills of national import that were delivered to the offices of the Members, like House Bill No. 335, “An Act Authorizing the Court to Require Community Service in Lieu of Imprisonment for the Penalty of *Aresto Menor*, et cetera”; House Bill No. 336, “An Act Excluding from the Application of the Indeterminate Sentence Law Those Convicted of Criminal Offenses x x x,” and many other bills, Mr. Speaker—House Bills No. 477, 1344 and 3955.

Again on December 8, a Thursday, copies of bills were delivered to the offices of the Members and we voted on the bill on a Monday. These are House Bill No. 64, “An Act Strengthening Compliance with Occupational Safety and Health Standards and Providing Penalties Thereof” and other bills like House Bills No. 4144, 400, 938, 4469 and many more, Mr. Speaker.

Mr. Speaker, the purpose of the three-day rule is to afford the Member notice that this matter will be voted. This Bill was discussed extensively on Wednesday, March 1. The Gentleman even introduced several amendments which were all rejected. So, Mr. Speaker, since the Gentleman has objected that we take it up on Third Reading, a motion was duly seconded.

REP. LAGMAN. Before we go on ...

REP. FARIÑAS. I move now that we divide the House and vote on the motion, Mr. Speaker.

REP. LAGMAN. Before we go on Third Reading, Mr. Speaker, let me just rebut some of the statements of the Majority Leader.

REP. FARIÑAS. Mr. Speaker, I object to that because he was given time, otherwise, we will have a debate here. We are now in the process of voting. There is a motion duly seconded. The Gentleman objected and was given time to explain his objection. I just supported the motion. So, it is time that we vote on it, Mr. Speaker.

REP. LAGMAN. It is necessary, Mr. Speaker, to join the issues. We have not joined the issues. I would like to have ...

REP. FARIÑAS. I move, Mr. Speaker, that the Gentleman be given three minutes, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Okay, the Honorable Lagman is given three minutes to make a statement.

REP. LAGMAN. Mr. Speaker, it is true that even on Thursdays my office is open, and have staff members manning the law office even if I am not there. So, in my particular case, the copy of the printed version was delivered to my office and received by a member of my staff. But that is not the procedure because according to the constitutional rules, the copy must be distributed to the Members. No I was not in my office. In my particular case, granting that is sufficient notice, how about the other Members of the House who were not in their offices last Thursday, and there were no clerks or staff members in their respective offices? There was no valid service as far as they are concerned.

Let us now enumerate who were the Members of the House who had their offices open and the copy, as printed in its final form, had been delivered and received by their respective offices.

Now, the good Majority Leader cited previous bills which were approved on Third Reading, probably without following the three-day notice rule. But previous violations will not validate a current violation. What is the purpose of this three-day notice that was underscored by the Supreme Court in the following words: “...with respect to Members of Congress is: (1) to inform the legislators of the matters they shall vote on, and (2) to give them notice that a measure is in progress through the enactment process.” That is in the case of *Lagman vs. Ochoa*. I should know about this because I was the petitioner in that case before the Supreme Court.

Verily, Mr. Speaker, what was served in my office last Thursday will not apply to other Members of the House. I have asked other Members of the House, even up to today, they have not received a copy of the final printed form, and some were just inserted under the door. That is not the service required by the Constitution and required by the rules of the House.

Thank you, Mr. Speaker.

REP. FARIÑAS. Mr. Speaker, as we can see here, I think this is the greatest attendance ever of Members, so they have been duly notified. I now move that we vote on the...

REP. ATIENZA. Mr. Speaker.

REP. FARIÑAS. Objection, Mr. Speaker

THE DEPUTY SPEAKER (Rep. Singson). It has been moved and seconded that we proceed with the Third Reading of House Bill No. 4727. The ...

REP. ATIENZA. Mr. Speaker. Mr. Speaker.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Singson). Those who are in favor, say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Singson). Those who are against, say *nay*.

FEW MEMBERS. *Nay*.

THE DEPUTY SPEAKER (Rep. Singson). The *ayes* have it.

REP. ATIENZA. Mr. Speaker. Mr. Majority Leader.

THE SECRETARY GENERAL. House Bill No. 4727...

REP. ATIENZA. Mr. Speaker.

NOMINAL VOTING ON H.B. NO. 4727
ON THIRD READING

THE DEPUTY SPEAKER (Rep. Singson). The Secretary General will please proceed with the nominal voting.

Thereupon, the Secretary General read the title of the measure, printed copies of which were distributed to the Members on March 2, 2017, pursuant to Section 58, Rule X of the House Rules.

REP. ATIENZA. Again, you are muzzling Congress...

THE SECRETARY GENERAL. House Bill No. 4727 ...

REP. ATIENZA. ... and this is wrong.

THE SECRETARY GENERAL. ...entitled: AN ACT IMPOSING THE DEATH PENALTY ON CERTAIN HEINOUS CRIMES, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9346, ENTITLED "AN ACT PROHIBITING THE IMPOSITION OF DEATH PENALTY IN THE PHILIPPINES," AND FURTHER AMENDING ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS "THE REVISED PENAL CODE," AND REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002."

The Chair directed the Secretary General to call the roll for nominal voting. Thereafter, pursuant to the Rules of the House, a second roll call was made. The result of the voting on Third Reading on the aforesaid measure is as follows, per Journal No. 79, dated March 7, 2017:

Affirmative

- | | |
|-------------------|-----------------|
| Abayon | Bertiz |
| Abu | Biazon |
| Abueg | Biron |
| Acharon | Bondoc |
| Acop | Bravo (A.) |
| Acosta | Bravo (M.V.) |
| Adiong | Bulut-Begtang |
| Advincula | Cagas |
| Agarao | Calderon |
| Albano | Calixto-Rubiano |
| Almario | Caminero |
| Almonte | Campos |
| Alonte | Canama |
| Alvarez (F.) | Cari |
| Alvarez (M.) | Castelo |
| Alvarez (P.) | Castro (F.H.) |
| Amante | Catamco |
| Andaya | Cayetano |
| Angara-Castillo | Celeste |
| Antonino | Cerifica |
| Aragones | Chipeco |
| Arbison | Co |
| Arcillas | Cojuangco |
| Arenas | Collantes |
| Aumentado | Cortes |
| Bagatsing | Cortuna |
| Barzaga | Cosalan |
| Bataoil | Crisologo |
| Batocabe | Cua |
| Bautista-Bandigan | Cuaresma |
| Belaro | Cueva |
| Belmonte (F.) | Dalipe |
| Belmonte (R.) | Dalog |
| Benitez | De Venecia |
| Bernos | De Vera |

Defensor	Mariño	Silverio	Ungab
Del Rosario	Marquez	Suansing (E.)	Unico
Deloso-Montalla	Martinez	Suansing (H.)	Uy (J.)
Dimaporo (A.)	Matugas	Suarez	Uy (R.)
Dimaporo (M.K.)	Mellana	Sy-Alvarado	Uybarreta
Duavit	Mercado	Tambunting	Vargas
Durano	Mirasol	Tan (A.)	Velasco
Dy	Montoro	Tan (M.)	Velasco-Catera
Enverga	Nava	Tan (S.)	Veloso
Eriguel	Nieto	Tejada	Villanueva
Ermita-Buhain	Noel	Teves	Villaraza-Suarez
Espina	Nogralas (J.J.)	Tiangco	Villarica
Estrella	Nogralas (K.A.)	Ting	Violago
Eusebio	Nuñez-Malanyaon	Tolentino	Yap (A.)
Evardone	Oaminal	Treñas	Yap (M.)
Fariñas	Ocampo	Tugna	Yap (V.) *
Ferrer (L.)	Olivarez	Tupas	Yu
Ferriol-Pascual	Ong (E.)	Ty	Zamora (M.C.)
Garcia (G.)	Ortega (P.)	Umali	Zamora (R.)
Garcia-Albano	Ortega (V.N.)	Unabia	
Garin (R.)	Pacquiao		
Garin (S.)	Palma	<i>Negative</i>	
Gasataya	Pancho		
Gatchalian	Panganiban	Abaya	Garcia (J.E.)
Geron	Papandayan	Acosta-Alba	Go (M.)
Go (A.C.)	Pimentel	Aggabao	Lacson
Gomez	Pineda	Alejano	Lagman
Gonzaga	Plaza	Amatong	Limkaichong
Gonzales (A.P.)	Primicias-Agabas	Atienza	Lopez (M.L.)
Gonzales (A.D.)	Quimbo	Bag-ao	Macapagal-Arroyo
Gonzalez	Radaza	Baguilat	Maceda
Gorriceta	Ramos	Banal	Marcoleta
Gullas	Relampagos	Belmonte (J.C.)	Marcos
Hernandez	Revilla	Billones	Mending
Herrera-Dy	Roa-Puno	Bolilia	Paduano
Hofer	Robes	Bordado	Panotes
Jalosjos	Rodriguez (I.)	Brosas	Pichay
Javier	Rodriguez (M.)	Casilao	Ramirez-Sato
Kho	Roman	Castro (F.L.)	Rocamora
Khonghun	Romualdo	Chavez	Roque (H.)
Labadlabad	Roque (R.)	Daza	Salon
Lanete	Sacdalan	De Jesus	Santos-Recto
Laogan	Sagarbarria	Del Mar	Tinio
Lazatin	Sahali	Elago	Turabin-Hataman
Leachon	Salceda	Erice	Vargas-Alfonso
Lobregat	Salimbangon	Escudero	Velarde
Lopez (B.)	Salo	Ferrer (J.)	Vergara
Lopez (C.)	Sambar	Flores	Villarin
Loyola	Sandoval	Fortun	Zarate
Madrona	Sarmiento (C.)	Fortuno	Zubiri
Malapitan	Sarmiento (E.M.)		
Manalo	Savellano	<i>Abstention</i>	
Mangaoang	Sema		
Mangudadatu (Z.)	Siao	Abellanos	

* See page 33 for Majority Leader Fariñas' manifestation.

REP. ATIENZA. Mr. Speaker.

THE SECRETARY GENERAL. Roll call of Members for consideration on Third Reading of House Bill No. ...

REP. ATIENZA. Mr. Speaker.

THE SECRETARY GENERAL. ... 4727.

REP. ATIENZA. Mr. Speaker, before we go to voting, ...

THE SECRETARY GENERAL. The honorable Representatives: Abad...

REP. ATIENZA. Point of order. Point of order.

THE DEPUTY SPEAKER (Rep. Singson). A voting cannot be interrupted.

REP. ATIENZA. Point of order.

THE DEPUTY SPEAKER (Rep. Singson). I am sorry.

REP. ABAYA. Mr. Speaker, ang boto ko po ay "No." Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Singson). Explanation of vote will come later after the nominal voting counting has been done.

REP. ABELLANOSA. Mr. Speaker, I will explain my vote later. I abstain.

REP. ALEJANO. Mr. Speaker, I vote "No."

REP. ANTONINO. On behalf of the Fourth District of Nueva Ecija, I vote "Yes."

REP. ATIENZA. We vote "No" and we would like to explain our vote.

THE DEPUTY SPEAKER (Rep. Singson). Later, you will have the opportunity.

REP. BAG-AO. Mr. Speaker, I vote "No" on the reimposition of the death penalty and I reserve my right to explain my vote. *(Applause)*

REP. BAGUILAT. Mr. Speaker, I vote "No" and I would like to explain my vote after the voting. *(Applause)*

THE DEPUTY SPEAKER (Rep. Singson). May I request the people in the galleries to refrain from clapping while the voting is ongoing.

REP. BANAL. Mr. Speaker, I vote "No" and I would like to explain my vote later.

REP. BELMONTE (J.). Mr. Speaker, the Sixth District of Quezon City votes "No" and I would like to reserve my right to explain my vote after. *(Applause)*

REP. BIAZON. Mr. Speaker, I vote "Yes" with a reservation to explain my vote later.

REP. BILLONES. Mr. Speaker, I vote "No" and I reserve my right to explain my vote later.

REP. BOLILIA. My vote is "No," Mr. Speaker.

REP. BORDADO. Mr. Speaker, my vote is "No" and I will explain it later.

REP. BROSAS. Mr. Speaker, ang boto po ng Kinatawan na ito ay "No" at nais po naming magpaliwanag ng boto.

REP. CALIXTO-RUBIANO. Mr. Speaker, on behalf of the people of Pasay, I vote "Yes" and I would like to explain my vote later.

REP. CASILAO. Mr. Speaker, my vote is "No." I reserve my right to explain my vote.

REP. CASTRO (F.L.). Mr. Speaker, I vote "No." I will reserve my right to explain it later.

REP. DAZA. Mr. Speaker, I vote "No" and I reserve the right to explain my vote.

REP. DE JESUS. Mr. Speaker, ang boto ko po ay "No" at mamaya po ay ipahahayag ko ang dahilan. Maraming salamat.

REP. DEL MAR. Mr. Speaker, of course, I vote "No."

REP. ELAGO. Mr. Speaker, on behalf of KABATAAN Party-List, I vote "No" and I reserve my right to explain my vote later.

REP. ERICE. Mr. Speaker, I vote "No" and I reserve the right to explain my vote.

REP. FERRER (J.). Mr. Speaker, I vote "No."

REP. FORTUN. Mr. Speaker, I vote "No."

REP. FORTUNO. Mr. Speaker, on behalf of my constituents in the Fifth District of Camarines Sur, I vote "No."

REP. GARIN (R.). I vote "Yes," Mr. Speaker, and I am willing to explain my vote later.

REP. GO (M.). This Representation from Baguio City votes “No.” I will explain my vote later.

REP. GONZAGA. Mr. Speaker, I vote “Yes,” but I would like to explain my vote later.

REP. LAGMAN. Mr. Speaker, my vote is “No.” I will explain my negative vote later.

REP. LEACHON. This Representation votes “Yes” and with the reservation to explain my vote later. Thank you.

REP. MACAPAGAL-ARROYO. I vote “No.” *(Applause)*

THE DEPUTY SPEAKER (Rep. Singson). Please refrain from clapping.

REP. MARCOLETA. Mr. Speaker, I vote “No.”

REP. MERCADO. Mr. Speaker, this Representative from the province of Southern Leyte votes “Yes” and I will explain my positive vote later.

REP. PADUANO. Mr. Speaker, my vote is “No.”

REP. PANOTES. Mr. Speaker, for God above all else, I vote “No.”

REP. PINEDA. Mr. Speaker, I vote for a crime and drug-free Philippines, so I vote “Yes.”

REP. RAMIREZ-SATO. Mr. Speaker, on behalf of the people of Occidental Mindoro, I vote “No.”

REP. ROCAMORA. Mr. Speaker, I vote “No” with reservation to explain my vote later.

REP. RODRIGUEZ (M.). Mr. Speaker, this Representation from the Second District of Cagayan de Oro votes “Yes.”

REP. ROQUE (H.). Mr. Speaker, I vote “No” and I would like to reserve my right to explain my vote.

REP. SALO. I vote “Yes” and I shall state my reason after. Thank you.

REP. SALON. Mr. Speaker, this Representation from AGRI Party-List votes “No.”

REP. SANTOS-RECTO. Mr. Speaker, my vote is “No.” *(Applause)*

REP. TAN (S.). Mr. Speaker, KUSUG TAUSUG Party-List votes “Yes.”

REP. TINIO. Mr. Speaker, I vote “No” and will explain my vote later.

REP. TUGNA. Mr. Speaker, our vote is “Yes” and I am making a reservation to explain my vote later.

REP. TURABIN-HATAMAN. Mr. Speaker, Anak Mindanao votes “No” and will reserve our right to explain our vote.

REP. UYBARRETA. Mr. Speaker, I vote “Yes” and I would like to reserve my right to explain my vote later.

REP. VARGAS-ALFONSO. Mr. Speaker, my vote is “No.”

REP. VELARDE. Mr. Speaker, this Representation from BUHAY Party-List votes “No” and would like to reserve the right to explain my vote later on. Thank you very much.

REP. VERGARA. Mr. Speaker, I vote “No” and I would like to be given a chance to explain my vote later.

REP. VILLARIN. An emphatic “No,” Mr. Speaker, and I reserve my right to explain that vote later.

REP. YAP (A.). Mr. Speaker, I vote “Yes” and I reserve the right to explain my vote later.

REP. ZARATE. G. Ispiker, ang Kinatawang ito ng BAYAN MUNA ay bumoboto ng “No” at ako po ay magpapaliwanag ng aking boto mamaya.

REP. ZUBIRI. Mr. Speaker, my vote is “No,” and I would like to explain my vote.

REP. OCAMPO. Mr. Speaker, may I know how my vote was recorded?

THE DEPUTY SPEAKER (Rep. Singson). Your vote has not been recorded yet. We have the second round.

RESULT OF THE VOTING

THE DEPUTY SPEAKER (Rep. Singson). The result shows 216 affirmative votes, 54 negative votes, and 1 abstention.

House Bill No. 4727 is approved on Third Reading.

The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, Your Honor, I move

that the Secretary General be directed to call the roll of Members for those who wish to explain their votes.

I so move, Mr. Speaker, Your Honor.

THE DEPUTY SPEAKER (Rep. Singson). May I remind those who will explain their vote that they will have three minutes to explain their vote.

The Chair directed the Secretary General to call the roll for the explanation of votes.

REP. ABAYA EXPLAINS HIS VOTE

REP. ABAYA. Mr. Speaker, ang boto ko po ay “No.”

Ang mga dahilan ng aking boto ay ang mga sumusunod: una, ang sistema ng hustisya sa ating bansa ay hindi handa upang masiguro na ang parusang kamatayan ay maipapataw lamang sa tunay na may sala. Sa kaso ng *People vs. Mateo*, sinabi ng Korte Suprema na sa bawat 10 kaso galing sa trial courts na may desisyong kaparusahang kamatayan, tatlo lamang ang tama at pito ang mali. Masyado pong malaki ang posibilidad na ang inosenteng tao ay mapaparusahan ng kamatayan. Isa pa po, malaking porsiyento sa mga pinapatawan ng kamatayan ay mga mahihirap at iyong mga taong walang kakayahang magbayad ng magagaling at mahuhusay na abogado. Pangalawa, Mr. Speaker, sa pag-iikot ko po sa aking distrito, napagalaman ko na ang aking mga kababayan ay hindi pabor na ibalik ang death penalty. Naniniwala ang karamihan sa aking mga kadistrito na ang buhay ay sagrado at hindi solusyon sa pagsugpo ng kriminalidad ang parusang kamatayan.

Bilang kanilang Kinatawan sa Kongreso, nais ko pong irespeto at dalhin ang kanilang boses sa pamamagitan ng aking boto.

Maraming salamat po.

REP. ABELLANOSA EXPLAINS HIS VOTE

REP. ABELLANOSA. Mr. Speaker, I will explain my vote. I am abstaining from voting. I voted not according to my personal stand and I voted not even according to my conscience. But I voted according to the very fundamental reason why we are here, and that is as Representatives of our people. Therefore, I voted according to the desire of my constituents in the Second District of the city of Cebu. On behalf of most of the 350,000 voters who elected me to be their Representative and their voice in this august Chamber of Congress, after a thorough process of consultations with them, I am very surprised to learn that the issue on the death penalty has deeply cut and divided my constituency almost to an equal degree. I am therefore constrained to abstain and hereby propose to submit this

highly sensitive and divisive issue to a referendum in the future, possibly during the barangay elections this October.

REP. ALEJANO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Alejano will have three minutes to explain his vote.

REP. ALEJANO EXPLAINS HIS VOTE

REP. ALEJANO. Thank you, Mr. Speaker.

I have manifested a negative vote on House Bill No. 4727, otherwise known as the Death Penalty Bill.

Please allow this Representation a few minutes to explain his position.

We, in the MAGDALO Party-List, vote “No” because we put a significant importance to a person’s right to life. The right to life means that nobody can end or try to end one’s life, even the government. We subscribe to the Constitution, the supreme law of the land, when it states in Article II, Section 5, and I quote:

The maintenance of peace and order, the protection of life, liberty, and property and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

The duty to respect and protect one’s life as stated herein extends even to criminals. Sending them to death is a violation of this right.

We vote “No” because the imposition of the death penalty is not justice per se; it is a sanitized form of vengeance, retribution, guised as justice. Justice for us is the introduction of reforms or improvement in our crime prevention system, the certainty of apprehension, of prosecution, and the imposition of a fair and effective criminal justice system, including the restorative aspect to afford criminals the opportunity to reform and rebuild their lives.

We vote “No” because sooner or later, an innocent life may be executed because the penalty of death is meted out and administered by fallible humans or of a flawed justice system. Wrongful convictions are always possible and probable. An erroneous conviction may result in an erroneous execution of an innocent suspect, an irreversible verdict. “One innocent life taken is one life too many,” as they say.

We vote “No” because we will lose our moral and competitive edge if we revive the death penalty—moral advantage in negotiating for the life of an OFW sentenced to death abroad. We have always intervened with a foreign government when a Filipino was sentenced to death. How can we tell other countries

that killing is wrong when we allow killing in our own country as well? We also lose our competitive edge and sacrifice our Generalized Scheme of Preferences Plus or GSP+ status with the EU with the reimposition of the death penalty. We are risking our ties with the EU and risk losing export sales which amounted to \$7.17 billion, and that was in 2015.

History will certainly judge us beyond our terms here in the House of Representatives, into our retirement from public service.

Thank you, Mr. Speaker.

REP. ANDAYA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Deputy Speaker Andaya has three minutes to explain his vote.

REP. ANDAYA EXPLAINS HIS VOTE

REP. ANDAYA. Thank you, Mr. Speaker.

The total crime volume in 2016 was 584,733 or to put it simply, Mr. Speaker, one crime is committed every 54 seconds. Last year, one rape was committed every 56 minutes, one robbery every 24 minutes, one theft every 10 minutes and one murder every 45 minutes. But that figure is for crimes officially reported, Mr. Speaker. In contrast, the SWS said, 2.8 million families were victimized by thieves, robbers or burglars or carnappers in just the second half of 2016. However, Mr. Speaker, all crimes whether common, complex, heinous or not, blotted or forgotten should be solved. Whether a person is accused of selling one ton of shabu or one teaspoon, he must be arrested. Whether he is charged for killing hundreds of people or just knifing one person, he must be prosecuted. The punishment may vary—it could be life in jail or life that ends in the gallows, but the process to be followed, Mr. Speaker, remains and should be the same. In reality, sa totoo lang, Mr. Speaker, the real crime prevention or deterrent is the certainty of apprehension, the certainty of prosecution, and the certainty of conviction which deter crime. But sadly, Mr. Speaker, our own Philippine National Police is 22,000 short of its authorized 184,000 troop strength. It lacks 17,000 guns and 1,500 patrol vehicles. The police station in front of the Batasan, Mr. Speaker, has a policeman to resident ratio of 1 is to 5,000. Medyo mabigat ang trabaho nila, Mr. Speaker.

Our prosecutors have a caseload of 500 cases each, buy and bring your own computer and paper pa. Our PAO lawyers have a caseload of 5,237 clients. Mala-EDSA, Mr. Speaker, ang congestion at galaw sa mga korte. At any given time, the backlog is 650,000 cases. Maraming sala na walang huwes. Sa RTC na lang, out of 1,229 RTCs, 166 ang bakante at 204 ang hindi pa naorganisa. Mga akusado ...

THE DEPUTY SPEAKER (Rep. Singson). May I just wish to remind the Honorable Andaya that his three minutes has expired.

REP. ANDAYA. Yes, I am winding up, Mr. Speaker. I will take the time of the previous Congressman who did not take his three minutes, but I am winding down, Mr. Speaker.

Mga akusado, sentensiyado, kalaboso sila sa kulungan na mistulang headquarters ng criminals incorporated o estudyante siya sa masteral ng Criminal Management. Ano ang punto ko, Mr. Speaker? Hindi lang parusa kung hindi ang buong sistema ang ireporma. Sang-ayon ako sa konsepto ng hindi mandatory ang death penalty, sang-ayon din po ako sa automatic review at sang-ayon ako na iisa lang ang krimen na sakop ng batas na ito.

I vote in the affirmative.

REP. ATIENZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Atienza has three minutes to explain his vote.

REP. ATIENZA EXPLAINS HIS VOTE

REP. ATIENZA. Yes. Salamat po.

From the beginning that we tackled this Bill in the halls of this Seventeenth Congress, sinimulan po ninyong hindi payagan ang malayang talakayan. The free debating on the basic issue of death, the death penalty for our people—we were not allowed. You terminated the period of interpellation abruptly and against the Rules of the House. You terminated the period of amendments, again, unilaterally without any debate, on the basis of your desire not to listen to reason.

Mga minamahal kong mga kasamahan, today, we should have been allowed to explain before the vote. Tradition dictated that the Minority should have been given a chance to speak before the Body, but you did not allow us on this once again. Kaya ngayon inaprubahan ninyo ang panukalang batas na ito na isang sumpa sa ating bansa, a curse on our predominantly Catholic nation. Eighty-six percent of our people are Catholics. We must put that in mind. When we pass laws, we should consider our faith.

Sa mga minamahal kong mga kasamahan, Mr. Speaker, hindi kayo nakinig sa tunay na tinig, ang may-ari ng buhay ng bawat nilalang.

We have many reasons to say “No” on this measure sapagkat ito ay labag sa ating mga nilagdaang mga kasunduan sa United Nations. Ito po ay labag sa ating Saligang Batas. Ang sabi ng Saligang Batas, “for compelling reasons,” we can restore the death penalty.

But what is so compelling about mismanagement, about corruption in the police, in the prosecution, in the Judiciary? Ang problema po natin sa bansa sa paglalaan ng ating problema sa droga ay corruption and mismanagement of government. Kaya kailangan po ay kuwestiyonin natin ito sa nakatataas pang hukuman.

We believe that this is a violation of our Constitution and even a violation of the rights of the Members of Congress when we were not allowed to speak freely and to fully ventilate our sentiments, our feelings, our thoughts, our dreams, and our visions as a free Philippines. Ipinaglapan po natin ang karapatan at kalayaan hindi upang supilin na katulad po ng nangyari sa hapong ito.

We have proven time and again that we can do it without killing people. Ang inyong lingkod ay biniyayaan ng Panginoong Diyos maging alkalde ng Maynila nang siyam na taon. Ipinagmamalaki ko, sa siyam na taon na iyon, wala kaming pinatay, wala kaming na-salvage, wala po kaming kinitil na buhay. Ang aking pinangalagaan ay ang tamang pamamahala. We reformed the police. We made sure that economic activities are given to our poor and we were able to improve the conditions of criminality and fight drugs in the city of Manila from 1998 to 2007.

So, I cannot, in conscience, whatsoever, agree.

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Gentleman that his three minutes has expired.

REP. ATIENZA. May I request for another minute so I can wind up, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Gentleman will please wind up his explanation.

REP. ATIENZA. Yes. Salamat po.

Ang akin pong nais ipaalala sa lahat, ang buhay ay isa lang ang may-ari. Noong nilalang ang sanlibutan, lahat po ay may buhay—ibon, insekto, ahas na gumagapang, ahas sa gubat—ang tao lang ang walang buhay. Kumuha ng putik ang ating Panginoon, hinugis Niya sa Kaniyang sariling mukha at sariling anyo. Hiningahan Niya ng buhay ang putik at doon tayo nagmula lahat bilang mga tao na nilalang ng Panginoong Diyos. Sa hapong ito, nilagpasan ninyo ang kapangyarihang iyan.

So I say, today we rule; tomorrow, nature and God will rule forever.

Thank you, Mr. Speaker.

REP. BAG-AO EXPLAINS HER VOTE

REP. BAG-AO. Mr. Speaker, my dear colleagues, I vote “No” to the proposal to reinstate the death penalty based on our fundamental values anchored on dignity, social justice and human rights.

Ang urong-sulong na pagtanggap ng mga krimen na nasasakop sa parusang bitay, tulad ng rape, plunder at murder ay indikasyon na wala naman talagang sapat na pamantayan para sa compelling reason at heinousness na isinasaad na kondisyon ng Korte Suprema para sa pagbabalik ng parusang bitay. Ang pamantayan lang ngayon ay kung ano ang utos ng Mayorya.

Ang pagboto ng “Yes” sa parusang bitay ay pagsang-ayon na mamatay ang mga mahihirap at ang mga hirap maabot ang tulong panligal.

Ang pagboto ng “Oo” sa parusang bitay ay katumbas ng pagdidiin sa kamatayan ng mga OFW na nasa death row.

Ang pagboto ng “Oo” sa parusang bitay ay pagsasabi na puwede nating talikuran ang mga kasunduan natin kasama ang ibang bansa, na katumbas din ng ating mga batas dito sa Pilipinas.

Extrajudicial o judicial man ang tawag diyan, ang pagpatay ay pagpatay.

Tungkulin natin sa Kongresong ito na pangalagaan ang ating mga mamamayan at isulong ang katarungan. Kung nakikita nating may problema sa sistema, maghanap tayo ng paraan upang maayos ito nang hindi sumasagasa sa karapatan at dignidad ng tao.

Kaya muli, Mr. Speaker, mga kasama, ang boto ko po ay “No” to the reimposition of the death penalty at tatanggapin ko po at yayakapin ang lahat ng kapalit ng botong ito.

Marami pong salamat. (*Applause*)

REP. BAGUILAT. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Baguilat is recognized and is given three minutes to explain his vote.

REP. BAGUILAT EXPLAINS HIS VOTE

REP. BAGUILAT. Una sa lahat, ang aking pagtutol sa death penalty ay batay sa aking pananampalataya. Diyos ang nagbigay ng buhay natin at tanging Siya lang ang dapat bumawi nito. As a Christian and as a Liberal—and I would like to emphasize that the Liberal Party has taken a party position against the death penalty—ako ay naniniwala na ang bawat tao, anuman ang kaniyang pagkakamali, ay may karapatang mabuhay at maiwasto ang kaniyang pagkaligaw ng landas.

Ayon sa mga authors, ang pangunahing dahilan sa pagbabalik ng death penalty ay upang mapababa raw ang kriminalidad, ngunit mismo ang ating kapulisan ang nagsasabing bumababa naman ang crime rate kahit na walang death penalty. Bukod dito, maraming pag-aaral ang nagsasabing hindi naman nakakapagpigil ng krimen ang death penalty. Samakatuwid, malinaw na walang compelling reason upang ibalik ang death penalty.

Hindi rin binibigyang-pansin ng mga pro-death

legislators ang economic cost. Mawawalan tayo ng bilyun-bilyong dolyar mula sa exports kung ibabalik ang death penalty. Dahil sa ilalim ng General Scheme of Preference o GSP ng European Union, Filipino products like garments, electronics, bananas and others are granted reduced or no tariffs because we meet certain human rights criteria including the abolition of the death penalty.

Sa pagwawakas, Mr. Speaker, mga kasamahan dito sa Kongreso, lahat naman po tayo ay may sari-sariling mga political parties at political aggrupations. Lahat po tayo ay may mga party dictates, ngunit sa huling dako, tayo po ay mga Mambabatas na dapat may sariling paninindigan. Balang-araw ay babalikan natin ang pagkakataong ito at mananagot tayo sa ating mga kababayan. Ang atin bang ipamamana sa kanila, sa ating mga kababayan, ang buhay ba o ang kamatayan?

Mr. Speaker, I vote “No” to the death penalty dahil gusto ko pong maging malaya at gusto ko pong maging mapagpalaya.

REP. BANAL. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Banal has three minutes to explain his vote.

REP. BANAL EXPLAINS HIS VOTE

REP. BANAL. Salamat po.

Hindi po ako nakapag-interpellate dahil pito lang ang hinayaan. Baka puwede pong bigyan ninyo ako ng ekstrang oras.

Tumututol po ang Ikatlong Distrito ng Quezon City sa umiiral na culture of death. Tumututol po kami sa death penalty. Sa dami po ng problema ng ating sistema ng hustisya, pati po sa law enforcement, malamang inosente at mula sa hanay ng mahihirap ang mapapatay ng Estado.

Ayon po sa Ateneo Law Journal, mula sa halos 1,500 cases ng death penalty, 907 cases po ang ni-review ng Supreme Court at 651 cases po ang nabigyan ng mas mababang sintensya. Kaya nga po ayon sa Ateneo Law Journal, ang Supreme Court po mismo, they express grave concern on imposing capital punishment.

Ayon naman po sa Philippine Center for Investigative Journalism, dito po sa mga death penalty convictions na ito, 645 cases were changed from death penalty to imprisonment, 455 or 56 cases were sent to the Court of Appeals, 37 cases were for further investigation at 69 cases po ang acquitted. Isipin na lang po natin, kung hindi na-acquit iyong 69 na taong napatawan ng kamatayan, hindi lang po isang buhay, katulad ng sinabi kanina, kundi 69 na inosenteng Pilipino na sana ang napatay ng Estado.

Huwag po kayong malungkot. Hindi lang naman po sa Pilipinas sablay at unreliable ang sistema ng hustisya. Pati po sa mas developed na countries katulad ng Estados Unidos, kung saan mayroong Innocence Project USA, na committed silang ipawalang-sala po iyong mga na-execute na mali naman sa pamamagitan po ng DNA testing.

Katulad po ng kaso ni Claude Jones na in-execute noong year 2000, nag-file po ang Innocence Project noong year 2007, at napatunayan na iyong ebidensyang ginamit po sa kanyang execution ay mali. Hindi po niya hair strand iyon, iyong buhok, kundi po galing sa biktima.

Maski po sa United Kingdom, G. Ispiker, iyon pong kaso ni Timothy Evans na, sa Notting Hill pa naman, iyong magandang movie, doon po nangyari, 16 years later po nang pagkatapos siyang ma-execute, na-confirm na hindi po siya iyong pumatay doon sa kanyang sariling anak, kundi iyong kapitbahay nila, at siya po ay nabigyan ng posthumous pardon. Ito pong kaso na ito ay nagkaroon po ng strong influence sa abolition ng capital punishment sa United Kingdom.

Karamihan po ng mabibiktima ng death penalty ay iyong mga mismong dapat nating protektahan, iyon pong mga inosente at iyon pong mahihirap. Ayon po sa CHR resolution nito pong 1997, ang karamihan po ng napapatawan ng death penalty ay iyong mga nasa lower classes po, lower classes ng lipunan. Ang practical effect po ng death penalty ay discrimination laban sa mahihirap. Gusto po nating isabatas ang death penalty upang mabawasan ang krimen at ang mga kriminal pero, magkamali po tayo ng isang beses, ang Estado na mismo ang pumapatay ng inosente, ang Estado na po mismo ang magiging kriminal. Hindi natin kailangan pong pumatay ng ating kapwa Pilipino upang mabawasan ang krimen sa ating bansa. Ang mas kailangan po natin ay isang mas reliable at mas credible na law enforcement at justice system.

Mr. Speaker, ayusin po muna natin ang sistema ng hustisya upang masigurado po natin na ang mapaparusahan ay ang mga nagkasala, hindi po ang mga inosente.

We say “No” to the death penalty, Mr. Speaker, and we say “No” to the prevailing culture of death.

REP. BELMONTE (J.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Belmonte is recognized to deliver his explanation of vote.

REP. BELMONTE (J.) EXPLAINS HIS VOTE

REP. BELMONTE (J.). Thank you very much, Mr. Speaker.

First off, Mr. Speaker, I would like to read a letter sent to me by a constituent of mine from Barangay Culiati. It says:

Honorable Belmonte,

I am writing to you to express my support in your stand against the passing of the death penalty. Please hold strong and be steadfast in your argument. Admittedly, a lot of people in government right now are so myopic. Hence, I am absolutely grateful for those of you who remain to have foresight necessary for the genuine development of this nation.

On behalf of your constituents who can see right through our crippled Judiciary, thank you for representing us. On behalf of all those imprisoned for a fault they never committed, thank you for being against the imposition of the most cruel penalty. On behalf of those who are properly imprisoned most probably due to their circumstances, that of intense poverty, as if society can blame them for putting them under circumstances when they constructively lost their freedom of choice, thank you for acknowledging that the only way to lessen criminality is to provide jobs.

Honorable Speaker, I have very high respect for this institution. I cannot fathom the idea that our Seventeenth Congress, through its foresight, would take blood in its own hands. I cannot accept the thought that we, the Members of the House of Representatives, will allow fellow human beings to be killed by our own government. Stripped of its nomenclature as a penalty, imposing the death penalty is allowing State-sponsored killings. A person killed by the State in its death chambers is blood in my hands, Mr. Speaker. It is blood in our hands. I refuse the idea that I allowed our government to kill in my name, in our name.

I am here as the Representative of my constituents who are mostly law-abiding, taxpaying citizens. Approving the imposition of death penalty is putting an additional burden on the shoulders of our people. Taxpayers would pay for every death through hanging, lethal injection or firing squad. I resist the idea that my constituents would be made to pay taxes to maintain and operate our death chambers.

Mr. Speaker, I stand firm in my personal conviction that what we are doing right now is an act of injustice. In the words of the philosopher Plato, "He who commits injustice is ever made more wretched than he who suffers it."

Mr. Speaker, I voted "No" during the deliberations on House Bill No. 4727 at the Justice Committee last December 7, 2016. I voted "No" on the Bill's Second Reading last week. Today, I remain firm against the imposition of the death penalty, and I vote "No."

Thank you very much, Mr. Speaker.

REP. BERTIZ. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). You have three minutes to explain your vote.

REP. BERTIZ EXPLAINS HIS VOTE

REP. BERTIZ. Thank you, Mr. Speaker.

Heinous crimes in our country have continuously remained unabated over the years mostly due to uncontrolled drug trafficking. We cannot afford to see more lives wasted, more futures destroyed by big-time drug syndicates operating in our country. Our OFWs who are working so hard for their families deserve to know that their own government will be just as tough on drug traffickers as most of other countries are.

Pinagtatawanan at pinalulusutan lang po tayo ng mga foreign drug syndicates na ginagawang transshipment ang Pilipinas at ginagamit ang ating mga kababayan bilang drug couriers sa ibang bansa. Tulad po ng kaso ni Mary Jane Veloso, iyong sangkot na African national na nahuli sa Pilipinas, hindi man lang natin naipakulong at naparusahan. Kung may death penalty, sila na mismo ang iiwas sa Pilipinas. At ang mahalaga, iyong mga kawani ng pamahalaan na nasa bulsa ng mga drug lords ay maaari na ring maparusahan ng kamatayan.

Moreover, it is my desire and conviction to include other heinous crimes such as rape with murder, large-scale human trafficking, child pornography and plunder. In the coverage of the Bill, what these crimes do, not only to direct victims themselves but also to their families and the entire society, is equivalent to death.

The possible approval of this Bill must ensure not just the reinstatement of capital punishment but likewise the reformation of our criminal justice system. Our children deserve a peaceful and orderly society, Mr. Speaker. This vote for them, and as I said a while ago, I vote "Yes" for House Bill No. 4727.

Thank you, Mr. Speaker.

REP. BIAZON. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Biazon is recognized.

REP. BIAZON EXPLAINS HIS VOTE

REP. BIAZON. Mr. Speaker, during my campaign for my first term in Congress in 2001, I made it clear to the electorate that my agenda included an anti-illegal drugs advocacy and that I believe that the government must take a strong and firm stand against this menace to society. The people of Muntinlupa City granted me

the privilege to represent them for the first time in the Twelfth Congress.

It was in that Congress that I was one of the authors of the Comprehensive Dangerous Drugs Act of 2002, a comprehensive piece of legislation which laid down the blueprint of how the government has to wage its fight against illegal drugs and prescribe death as a penalty for certain violations.

In the passage of that law, the authors and Members of the House of Representatives approved the same, subsequently passed by the Senate and signed into law by the President on June 7, 2002. While its constitutionality was questioned at the Supreme Court, the highest court of the land upheld the law and it continued to be in effect, although a moratorium on executions was issued by the Executive.

In 2004, I was elected once more by the people of Muntinlupa City to represent them in the Thirteenth Congress. On June 24, 2006, Republic Act No. 9346 was passed by the Legislature, prohibiting the imposition of capital punishment in the Philippines. I voted against that measure, maintaining my position that drug trafficking deserved the ultimate penalty available under the Constitution of this Republic.

For the third time, I was given the privilege to represent the Lone District of Muntinlupa City in the Fourteenth Congress. During that period, there were several incidents that highlighted the country's drug problem such as the Subic Bay drug haul which was touted as the largest shabu seizure at that time; the raid of the Naguilian, La Union drug laboratory; the discovery of the Sta. Cruz, Laguna drug lab; and the infamous Alabang boys drug case which this House even investigated with the PDEA, alleging that the accused offered a P50-million bribe to the prosecution.

On July 19, 2009, I was informed by reliable sources that a daughter of a high-profile anti-narcotics officer was kidnapped. It was believed that the kidnapping was a retaliation by drug lords against the effective operation led by the anti-narcotics officer. The following day, the story became headline news with additional information that the daughter was allegedly not only kidnapped but was also drugged and raped. That story moved me, particularly because the narcotics officer was personally known to me. In my blog, I wrote:

This crime is so heinous, so sinister and diabolical that it takes a particularly evil mind to conceive and do it. It is obviously a pre-meditated act, meant to hit back at the person who has been effective in foiling the proliferation of the illegal drug trade. It was meant to hurt the agent, and that instead of merely killing the victim, they let the child live through a harrowing experience and did things to her that only a sick mind will consciously think of doing.

Believing that we had not shown our firm resolve to punish those in the business of sowing misery in the lives of Filipinos particularly the young, I filed House Bill No. 5714, proposing to reimpose the death penalty for drug trafficking back then in 2009.

Even the Speaker of the House, at that time, stated his inclination to support my Bill, although it was not in the priority of the administration at that time, understandably because it was that same administration which repealed the capital punishment just three years earlier.

Now, I return to the House of Representatives in the Seventeenth Congress, given another opportunity by my constituents to represent them. My view about illegal drugs remains the same—it is a menace to society, it brings about moral decay, it fuels crime and brings misery in the life of anyone and everyone who gets entangled in its web. With the recent revelations about drug operations inside the New Bilibid Prison, I am not surprised that the current administration, with its stance against illegal drugs and the population in general, is taking an alarmed look at the extent of the drug problem.

Let me say that these revelations are not new to this Representation whose district plays host to the New Bilibid Prison. As far back as my first term in 2001, there had already been rumors going around about the illicit trade going on inside the secured prison walls. That is one of the reasons I have consistently ...

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Honorable Biazon that...

REP. BIAZON. ... I am winding up, Mr. Speaker, Your Honor. That is one of the reasons I have consistently taken this stance over the years.

The Constitution allows capital punishment for compelling reasons involving heinous crimes. The continued proliferation of the illegal drug trade with its devastating effects is a compelling reason. And the resulting crimes are heinous.

I voted "Yes" on a Bill which targeted to punish certain crimes involving illegal drugs. Under the authority of the people of Muntinlupa City for me to be in this Chamber, I vote "Yes," Mr. Speaker.

REP. BILLONES. Mr. Speaker, may I explain my vote.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Billones is recognized.

REP. BILLONES EXPLAINS HIS VOTE

REP. BILLONES. In a world where discord exists, we have the rules to put things back into place. In times

where our goods become scarce, we seek out assistance to replenish our supplies. In times of injustice, we strive to uphold the rule of law. But in the interest of common welfare, would it be fair to achieve it at the expense of the lives of our imperfect citizens? I daresay that we cannot allow it, not in this lifetime.

I proudly submit my objection to the Death Penalty Bill in three levels: first, Mr. Speaker, our criminal justice system's priority is reformation rather than elimination of undesirables. I recognize the importance of providing the proportionate penalty for the gravest of crimes, but to take a person's life is not only a crime in itself but also it runs contrary to the principles that we have protected and adopted for so long. A convict, despite all of his infirmities, is still a citizen of our country which the State is mandated to protect. To take an eye for an eye is not only barbaric but also counterproductive. In our imperfect and cruel world, only the rich can afford the best legal defenders. How about those who cannot even afford their daily sustenance? Who will effectively defend them?

Second, Mr. Speaker, our State policies mandate the protection of life. If you look at the Constitution, one of its main focuses is to safeguard the lives of its citizens without discrimination or unreasonable distinction. In the eyes of the law, we are all equal and as equals, they must be afforded their basic human and constitutional rights. I understand the sentiments of the victims and their families. In fact, I share their outrage towards the proliferation of unforgivable acts of violence. But to take the culprit's life will not return what was lost nor make the situation as bearable as it would be. Peace will never be achieved by having retribution as a solution.

Lastly, Mr. Speaker, and perhaps the most compelling factor is that the Philippines is a predominantly Catholic country. As the largest Catholic country in Asia, we cannot deny the impact and influence of religion in our lives. With all due respect to the separation of the Church and the State, but as a Congressman, I must represent the best interests of my constituents. To legalize killing by means of death penalty will not only run counter to the roots on which our identity as Filipinos stands but also corrupt the sanctity of life as we know it.

With all these reasons, Mr. Speaker, I strongly oppose the adoption of the Death Penalty Bill. There are other alternatives to help our present situation—a peaceful and productive solution which does not involve the taking of a Filipino's life just to make an example.

What the Lord giveth, the Lord taketh.

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Gentleman that he has exhausted his three minutes.

REP. BILLONES. With that, Mr. Speaker, I vote "No." Thank you, Mr. Speaker.

REP. BORDADO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Honorable Bordado is recognized.

REP. BORDADO. Yes, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). May I remind those who wish to explain their votes to follow the three-minute rule.

REP. BORDADO EXPLAINS HIS VOTE

REP. BORDADO. Thank you, Mr. Speaker.

I rise for two fundamental reasons: first, to make sure that the voice of my constituents in the Third District of Camarines Sur is heard in this hall, and second, to make sure that I will be making a decision truly reflective of their collective stand on the issue now before us.

I am here to represent my district. In our scheme of things, I am an agent; my constituents are my principals, Mr. Speaker. My district is composed of Naga City and seven municipalities. Aside from being the seat of the Archdiocese of Caceres, Naga is the home of the centuries-old image of Our Lady of Peñafrancia, the Patroness of Bicolandia. The Peñafrancia devotion, Mr. Speaker, is considered as the biggest Marian devotion in Asia, if not, in the entire world. In other words, Mr. Speaker, you do not have to be a political science genius to determine the leaning of my constituents insofar as the proposal to reimpose the death penalty is concerned.

A problem arises, Mr. Speaker, when an agent no longer represents the interest of his principals. That was why I have, over the last few weeks, been consulting my constituents on the proposed Bill. I conducted rapid appraisal surveys. I even directed my district office to conduct a series of focus group discussions.

For my part, Mr. Speaker, I pondered, since day one of the debate, on the arguments being put forward by the proponents and, of course, by the interpellators. Specifically, Mr. Speaker, I listened intently to the pronouncements on international laws and treaties vis-à-vis the reimposition of the death penalty in the Philippines. I did my own research, read materials on the topic. I also attended lectures conducted by experts. Still, a number of questions lingered in my mind. So, I even mustered enough courage to be listed as one of the interpellators.

Today, Mr. Speaker, after thoroughly ...

THE DEPUTY SPEAKER (Rep. Singson). Your time is up ...

REP. BORDADO. ... examining my conscience, ...

THE DEPUTY SPEAKER (Rep. Singson). ... Your Honor, ...

REP. BORDADO. ... carefully weighing the arguments for and against the Bill, and intently studying the comments and feedback from my constituents in the Third District of Camarines Sur, I am voting against the reimposition of the death penalty.

Thank you, Mr. Speaker.

REP. NOGRALES (J.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Floor Leader is recognized.

REP. NOGRALES (J.). I would just like to take this opportunity to remind our Members that they may submit their comments or explanation of their votes to the Secretary General, to be included in our Record, in order to save time, Mr. Speaker.*

THE DEPUTY SPEAKER (Rep. Singson). The Secretary General may continue the ...

REP. BRAVO (A.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Bravo has three minutes.

REP. BRAVO (A.) EXPLAINS HIS VOTE

REP. BRAVO (A.). Thank you, Mr. Speaker.

Distinguished colleagues, mga kababayan, good afternoon.

I vote "Yes" on this Bill because it can save innocent lives.

A government that will not put its most inveterate legal offenders to death will find its citizens at the mercy of wicked dissolute men who find nothing wrong with putting innocent individuals to death.

I vote "Yes" on the Death Penalty Bill because it will be the first step to the long process of overhauling our justice system. Justice to the victims is counted by the minute, and every minute of delay is tantamount to justice denied.

A famous line says: "In the face of doubt, the people's voice should be the final arbiter." I vote "Yes" because this is the clamor of the sector I am representing in this august Chamber. We are supportive of the President's war against illegal drugs. We are hungry for a positive change and we want it now, Mr. Speaker.

Thank you.

REP. BROSAS. G. Ispiker, mga kapwa ko ...

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Brosas has three minutes.

REP. BROSAS EXPLAINS HER VOTE

REP. BROSAS. G. Ispiker, mga kapwa ko Mambabatas, ang Kinatawag ito mula sa GABRIELA Women's Party ay mariing tumututol sa pagpasá ng panukalang muling buhayin ang parusang kamatayan sa ating bansa.

Ang mga ligal na proseso sa ating bansa ay napakagastos bukod pa sa napakabagal. Kalimitang napapawalang-sala ang mga nasasakdal na may kakayahang magbayad para sa serbisyo ng mga mahuhusay na abugado. May mga nasasakdal sa kasalukuyan bunga ng maling mga paratang. Marami rin sa kanila ang mahihirap na walang access sa abugado, kung kaya't sila ay nabubulok sa kulungan nang hindi man lang umuusad ang mga pagdinig o kaya ay hindi man lang nadidinig ang kanilang mga kaso.

Sa kasalukuyan, aabot sa halos 400 ang bilang ng mga bilangong pulitikal na sinampahan ng mga gawa-gawang kaso. Sa kasalukuyan din, may mga ulat ang Karapatan, isang pambansang organisasyon ng karapatang pantao, na nabibilang ang ilang mga aktibista sa mga probinsiya sa drug watch list ng PNP. Hindi malayong gamitin itong pamamaraan upang takutin, pagbantaan, at punlaan ng droga ang mga kasapi ng mga makabayang organisasyon. Nililigalisa nito ang political persecution and execution sa hanay ng mga organisadong mamamayan.

Pangunahin sa lahat, mataas ang pagpapahalaga ng GABRIELA Women's Party sa buhay ng tao at pagkilala sa karapatang pantao. Ang problema sa droga at kriminalidad ay malalim na nakaugat sa dekadangang nang kagutuman, kawalan ng trabaho at kabuhayan. Idagdag pa natin na ang sistema ng Hudikatura sa ating bansa ay mabagal, masalimuot at napakagastos.

Kahit pa sabihing pambayad-utang sa nagawang kasalanan ang layunin ng panukalang ito, malinaw na mas malaking hamon para sa atin sa kasalukuyan ang pagsasaayos ng ating justice system. Ang mapabilis ang mga nakaimbudong mga kaso sa mga korte, pagiging episyente ng mga imbestigasyon at pagdinig sa mga kaso, ang mga ito po sana ang ating pinakamainam na pagtuunan ng pansin. Sa ganang akin, ito ay upang maglingkod sa masa ang batas ng bansa at hindi para sa iilan lamang na may kapangyarihan at kayamanan.

G. Ispiker, colleagues, hindi po death penalty ang solusyon.

The defects of our judicial and legal processes that spawn injustice and impunity cannot be cured by the reimposition of the death penalty. On the contrary,

* See ANNEX (printed separately)

the defect and festering practices in the Judiciary will worsen.

Muli, G. Ispiker, tutol po ang Representasyong ito sa panukalang batas na ito.

REP. CALIXTO-RUBIANO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Lady may proceed to explain her vote.

REP. CALIXTO-RUBIANO EXPLAINS HER VOTE

REP. CALIXTO-RUBIANO. Thank you, Mr. Speaker. Good afternoon, Mr. Speaker, my distinguished colleagues, Ladies and Gentlemen.

After a series of consultations and meetings with the different sectors in our city which I started as early as November of 2016, and after the survey I commissioned just last month to get the sentiments of my constituents, majority, if not all, favor the reimposition of the death penalty.

Being their lone Representative and voice here in Congress, I bring with me today the position of my people; therefore, I vote "Yes," in favor of House Bill No. 4727.

Thank you.

REP. CASILAO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Gentleman has three minutes.

REP. CASILAO EXPLAINS HIS VOTE

REP. CASILAO. Salamat, Mr. Speaker. Ang Kinatawang ito, na binubuo ng mga maralitang lungsod at sector, ay mariing nagrerehistro ng aming pagtutol o botong "No" sa Third Reading ng House Bill No. 4727, ang Death Penalty Bill, bunsod ng mga sumusunod na batayan:

Ito po ay kontra-mahihirap o anti-poor. Majority of those who were put to the death row until 2006 when it was abolished came from the poor sector. They are those who earn less than P10,000 a month, and worked at the factories, construction, transport services and sales, and agriculture. It is obvious that they had no capacity to defend themselves in front of the court. Ano po ang maaasahan ng ating maralitang mamamayan kung ang PAO lawyer ay huma-handle ng mahigit 5,000 kaso? What quality of defense can they afford or can they expect from a PAO lawyer who handles 5,000 cases?

Pangalawa, ito po ay panganib sa mamamayan. Karaniwan na ang kaso ng frame-up, kung saan ang mga itinuturing na suspect ay tinatamnan ng mga ebidensiya, at sa panukalang ito, ang ilang gramong diperensya sa ebidensya ay mangangahulugan ng bitay o *reclusion perpetua*.

Pangatlo, isang panganib din ito sa mga aktibistang nakikibaka para sa mga pundamental na reporma sa ating lipunan. Sa kasalukuyan, karaniwan na ang mga frame-up laban sa mga aktibista ay nangyayari. Karaniwan silang tinatamnan ng mga ebidensya, kasabay ang mga gawa-gawang affidavit o mga gawa-gawang kaso. Ngayong hindi pa napapalaya ang mga bilanggong pulitikal, walang saysay na paigtingin ang mga parusa, dahil ang mismong prosekusyong ay hindi patas at vulnerable sa mga maniobrang ligal ng mismong mga ahente ng Estado sa loob ng DND, AFP, at PNP.

Hindi po garantiya na mababawasan ang krimen, bukod pa kung ang mga law enforcement agencies ang mismong gumagawa ng krimeng ito.

Si Pangulong Duterte na mismo ang nagsabi, 30 porsyento hanggang 40 porsyento o 48,000 out of the 160,000 na mga miyembro ng PNP ay corrupt, scalawag o sangkot sa iba't ibang mga sindikato. Kung maipapasá ang death penalty, walang makakapigil sa 48,000 na scalawags na pulis na ito ang magkakamal ng malaking yaman kapalit ang pagkakaligtas ng mga suspect sa mga parusa. Kahit nang ipatupad ito noong 1999, hindi ito nagbunga ng pagbaba ng krimen, bagkus ay tumaas pa nga ng 15 percent ayon sa CHR.

Panghuli po, hindi ito kagyat na pangangailangan o pressing issue ng ating mamamayan. Sa pag-upo ni Pangulong Duterte, naghihintay ng pundamental na pagbabago ang mamamayan sa ating bansa, partikular na ang mga programa at patakarang mag-aangat sa socio-economic standing ng mga mahihirap sa ating bansa.

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Gentleman...

REP. CASILAO. Sa halip, dapat magsulong...

THE DEPUTY SPEAKER (Rep. Singson). ... that he has exhausted his three minutes.

REP. CASILAO. ... ng mgakarapatan ng mamamayan sa lupa, kabuhayan at mga serbisyong panlipunan.

Kaya po, ang simbolo po, itong nakikita ninyo na taas-kamao, simbolo ng pagtutol, paglaban, ito rin po ang nakikita ninyo sa mga aktibista at maging kay Pangulong Duterte pero ang boto po ng ANAKPAWIS ay "No."

REP. CASTRO (F.L.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Representative has three minutes to explain her vote.

REP. CASTRO (F.L.) EXPLAINS HER VOTE

REP. CASTRO (F.L.). Thank you, Mr. Speaker.

This Representation votes “No” on House Bill No. 4727, which aims to restore the death penalty. I, together with my fellow solons in the Makabayan bloc, vehemently oppose this House Bill because it is anti-poor; a historic tool for suppressing political dissent; prone to abuse by corrupt police, military, and other state agents; and ultimately, an ineffective deterrent against criminality, rooted in mass poverty and an unjust social system.

Also, I am opposing the railroading that happened last time. It is unacceptable. We are elected by the people; we owe them every decision we make. This is not a game. The Bill is of utmost seriousness due to the fact that it is a matter of life and death. As mandated by the Constitution, we are a democratic state but due to the railroading of this Bill, the Congress blatantly killed such democracy. The railroading reveals that they are willing to defy their own rules and the Constitutional mandate just to favor the government’s interest.

The death penalty targets the poor, oppressed and marginalized who cannot afford adequate legal representation, which violates their basic right to due process. Given the existing inequality in the society, combined with our flawed and corrupt justice system, the reimposition of the death penalty will inflict another series of injustice to the poor and marginalized. They will experience continuous injustices. We all know that those who are poor in life must be more in law, but with such penalty, the poor will be both poor in life and in law.

The death penalty is a tool of state repression in the context of fascism against the people. Our history tells of the executions imposed on Filipinos who challenged colonialism and tyranny. During the Spanish colonial rule, the Gomburza and Dr. Jose Rizal were sentenced to public executions in an attempt to quell the growing challenge to Spanish authority. Subsequently, the American colonizers retained the death penalty and used it to execute Filipino freedom fighters such as Macario Sakay. The dictator Ferdinand Marcos imposed the death penalty also in the name of deterring criminality, but was primarily used to deter the growing rebellion and social unrest under martial rule. In today’s context, the proposed return of the death penalty is disturbing, given that hundreds of political prisoners are charged with trumped-up crimes which could now be punishable by death under House Bill No. 4727. The death penalty could once again be used to heighten repression against the people.

The death penalty is prone to abuse by corrupt police, military, and other forces and other state agents. The broadened coverage of the heinous crime provides more opportunities for extortion, planting of evidence, trumped-up cases, and other crimes.

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Lady that she has exhausted her three minutes.

REP. CASTRO (F.L.). Lastly, it is an ineffective deterrent; crime rates are still high. By 1999, the year that Leo Echegaray was executed, the national crime volume, instead of abating, ironically increased by 15.3 percent. The reimposition of the death penalty violates the Second Optional Protocol to the International Covenant on Civil and Political Rights.

Again, I believe that the justice and penal system must be in the form of rehabilitation rather than punitive and anti-life. However, this will not happen as long as the government remains in its rotten stage and mass poverty and social injustices prevail.

REP. DAZA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Daza is recognized to explain his vote.

REP. DAZA. Mr. Speaker, I shall submit a written explanation of my vote and request that it be inserted into the Record.*

REP. DE JESUS. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable De Jesus is recognized.

REP. DE JESUS EXPLAINS HER VOTE

REP. DE JESUS. Thank you.

Mr. Speaker, inirerehistro ko ang pagtutol sa pagpapanumbalik ng death penalty. Batay sa aking aktuwal na karanasan sa pagtulong sa mga biktimang humingi ng tulong at ng suporta sa GABRIELA, nakita ko kung paanong nababaluktot ang hustisya pabor sa mga nasa poder.

Sa mga iilang interpellators na nabigyan ng pagkakataong makapagtanong, hanggang ngayon ay hindi sapat ang mga sagot na tulad din sa aking tanong. Ano nga ba ang compelling reason at kailangan nating muling ibalik ang parusang kamatayan? Lalo akong nababahala kung idadagdag pa ang binabanggit na layunin ng panukalang batas, heinous crimes which are repugnant to the common standards of decency and morality in a just, civilized and ordered society.

Para sa Representasyong ito, kailangang magkalinawan muna tayo kung ang lipunan nga ba ay just o makatarungan. Kung pagbabatayan ang umiiral na kalagayan ng marami nating kababayan dulot ng krisis sa ekonomiya, ang larawang tatampok ay kabalintunaan ng lipunang makatarungan.

* See ANNEX (printed separately)

Ilang kababayan natin ang pudpod na ang mga sapin sa paa sa kahahanap ng trabaho? Ilan sa mga mapapalad na may trabaho ang may katiyakan sa tenure? At napakalaki ring problema ang sahod na talaga namang hindi sumasapat kahit man lang sa kanilang batayang pangangailangan. Isip-isip ng mga paraan. Forced migration is another solution to their problem where higher risks are in their midst. Halimbawa na lang ang 17,000 kababayan nating nawalan ng trabaho sa Saudi Arabia. Ilang pamilyang apektado nito ang nangangailangan ng tulong?

Kung pamilyar tayo sa salitang “kapit sa patalim,” higit siguro nating mahuhugisan bakit ang mahihirap ay nasasangkot sa droga. Ang bulnerabilidad para gumamit at makalimot dahil aburido na sa mga problemang kinakaharap, ang magtulak para pagkakitaan sa kabila ng kinakaharap na panganib, o mas masahol pa, maging drug mule knowingly or mas marami, biniktima ang kanilang kawalang kamuwangan.

Mr. Speaker, hindi ba ang mas dapat alamin ay kung sino ang nasa likod ng nagpapakalat ng droga? Sino ang kumikita ng limpak-limpak dito habang sinisira ang maraming buhay at pamilya? Dito lamang sa umiiral na programang “war on drugs,” ilan ang mga sindikato o malalaking taong nahuli o nabunyag na mga sangkot kung ihahambing sa bilang ng mga napatay na karamihan ay mula sa mahihirap na komunidad?

Kung umiiral ang just society, bakit pagdating sa sistemang paghuhukom, maraming kasong hindi umaandar kapag sangkot ang mahihirap para ipagtanggol ang kanilang sarili? Nakakakilabot nang tingnan ang ating mga detention centers sa dami ng bilanggong karamihan ay ilang taon nang hindi gumagalaw ang kaso. Ang mga mayayamang sindikato naman na kahit nasa bilangguan na ay patuloy pa ring nagkakamal ng pera mula sa droga ay hindi nasasawata. Hanggang ngayon, hindi ba at kitang-kita ang pag-iral ng culture of impunity?

Malinaw para sa amin na kung tayo ay naghahangad ng mas maayos na lipunan, tama, at kaisa kami sa paglaban sa salot na dulot ng droga. Pero naniniwala kami na hindi ang parusang kamatayan ang magpapahinto ng krimen na ito. Napakalaki ng ating dapat kumpunihin sa ating lipunan para sabihing just o umiiral ang katarungan.

Kapag ang death penalty ay lumusot bilang drug crime, magiging pinto na rin ito para sa mga amyenda na maaaring magpalawak ...

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Honorable De Jesus that she has exhausted her three minutes.

REP. DE JESUS. ... ng iba pang krimen.

Mr. Speaker, mga kapwa ko Kinatawan, patunay kung gaano kabulok ang justice system sa bansa at kung paano nakakalusot sa kaparusahan ng batas ang mga maykapangyarihan.

Kahit saang anggulo tingnan, hindi solusyon ang death penalty sa kabulokang ito. Ang solusyon ay ang paglalalag ng mga batayan para magkaroon ng makabuluhang pagbabago sa larangan ng ekonomiya, pulitika at kultura na ang mayorya ng mamamayan ay magtatamasa ng kapayapaan.

The total wipeout of all forms of injustices is the only guarantee of what we can have towards the eradication of crimes.

Muli, “No” ang boto ko.

REP. DEL MAR. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Del Mar is recognized to explain his vote.

REP. DEL MAR EXPLAINS HIS VOTE

REP. DEL MAR. Mr. Speaker, esteemed colleagues, why I vote “No”?

“No,” because the death penalty just does not work. It does not stop or reduce crime. Reputable studies show no empirical evidence that the death penalty deters, much less stops crimes.

“No,” because given our flawed justice system, often only the poor end up in the death row.

“No,” because errors in assigning blame for crime can happen, and have happened, and the death penalty is irreversible. Wrongful execution of the innocent cannot be undone.

“No,” because *reclusion perpetua* or life imprisonment without parole or commutation of sentence could meet the demand for vengeance from the victims and mete out appropriate penalty from society.

“No,” because the methods of execution have been found to be cruel and unusual punishment, inhumane and barbaric, ungodly often a passage through torture and pain before death.

“No,” because crime can be waged more effectively in other fronts—law enforcement, prosecution, trial and penal system—by strengthening them and removing the flaws.

“No,” because as of 2015, there are 140 countries of the world that have abolished the death penalty in law or practice. To the Philippines, already a member of that enlightened community of nations that embrace humanity, restoring capital punishment would be a throwback and setback: we regress; we do not improve.

“No,” to impracticality, inhumanity and ungodliness.

I vote “No” for those reasons, Mr. Speaker, distinguished colleagues, and those reasons I have already articulated during the interpellation and debate with the Sponsor, and much, much, more.

Thank you, Mr. Speaker, and distinguished colleagues.

REP. ELAGO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Elago is recognized to explain her vote.

REP. ELAGO EXPLAINS HER VOTE

REP. ELAGO. Mr. Speaker, this Representation vehemently opposes the reimposition of the death penalty. The death penalty is an all-out offensive against the Filipino people, the poor people whom this government should serve.

The reimposition of the death penalty will be inimical to the rights and welfare of the people because it will only exacerbate the already corrupted and iniquitous justice system.

The railroading of House Bill No. 4727 shows how hell-bent and desperate the Duterte administration is to step into fascist territory without even exhausting debates and arguments and despite the growing opposition of the people.

We see this as a desperate attempt of the administration to impose its rule and ensure obedience to its authority. In its bid to consolidate power and quell the increasing dissent of the people, the Duterte administration is swiftly resorting to this and other fascist moves such as the institution of mandatory ROTC in senior high school and the revival of the Philippine Constabulary, the lowering of the minimum age of criminal responsibility, and the declaration of an all-out war against the New People's Army. These moves are tantamount to endorsing gross human rights abuses, grave disregard of civil liberties and propagating state terrorism. These moves serve to fan the flames of impunity and senseless violence in the country.

In fact, Mr. Speaker, even without the Bill, the death penalty is already in full swing in the countryside under the Armed Forces of the Philippines' Oplan Kapayapaan which has only caused people more harm and discord than peace and development.

At least 15 civilians were killed in February 2017 alone. Hundreds were displaced and illegally arrested since the President took office.

Now, we appeal to the good sense of our fellow legislators to backtrack on reimposing the death penalty and stop the all-out war which turns out to be an all-out war against the people. We should focus instead on fostering a justice that heals because a justice that kills is no justice at all.

Simply killing off perpetrators will not solve criminality and the drug issue as this pestilence is rooted in the socio-economic instability that most of our countrymen go through. Araw-araw na lang sa balita

iyong mga nanlaban. Sinasabi nila na ang kasalanan lang nila ay mahirap sila. Iyon dapat ang una nating pinagtutuunan ng pansin. If we uplift their lives and provide access to quality education and health care, provide secure and decent jobs, if we provide the people a way to break away from wrongdoings and drug dependence in a holistic manner, then we can save lives for good.

We must protect the right to life and uphold human dignity by addressing extreme poverty, hunger, landlessness, land-grabbing, lack of national industries, depressed wages, contractualization, corruption and inequality that breed criminality.

This is why the GRP and NDF peace talks must be continued, especially with pushing for genuine agrarian reform and national industrialization.

THE DEPUTY SPEAKER (Rep. Singson). Please wind up your speech.

REP. ELAGO. These, and not the death penalty and fascism, will pave the road towards resolving criminality and safeguarding peace based on justice.

Ang death penalty ay hindi sangkap ng kinabukasan na pinapangarap ng mga kabataan. Ang pangarap po namin ay kinabukasan na walang inaapi at pinagsasamantalahan, kinabukasan na may tunay na kalayaan at katarungan. Tuluy-tuloy ang ating paglaban: labanan ang pasismo ng estado, labanan ang all-out war sa mamamayan!

REP. ERICE. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Erice is recognized.

REP. ERICE EXPLAINS HIS VOTE

REP. ERICE. Mr. Speaker, ang aking maring pagtutol sa reimposition ng death penalty ay iniaalay ko po sa mga pamilyang naulila ng mga daan-daang mga kababayan ko sa aking distrito na pinatay nang walang kalaban-laban ng mga pulis na sinasabi nilang lumaban kahit hindi naman. Iniaalay ko po ito sa mga pamilya ng mga drug addicts, ng mga drug peddlers, mga inosente na nagkataon lang na nasa lugar ng pinangyarihan ng pagpatay. Iniaalay ko rin po ito sa mga pamilya na pinatay, in-ambush ng mga vigilante kuno pero mga pulis din naman. Kumpleto na po ang makinarya, pagkatapos ng hapong ito ng pagpatay ng ating estado—vigilante, pulis, at ngayon naman, death penalty sa pamamagitan naman ng ating mga husgado.

I vote "No," Mr. Speaker, not because it is the party position of the Liberal Party of which I am a proud member. I vote "No" not because I belong to

the authentic Minority. I vote “No” to the reimposition of the death penalty because of my Christian faith. My position in the government will last only for a few years, but my faith, my conscience is eternal, Mr. Speaker.

The death penalty is against God’s fifth commandment, “Thou shall not kill.” And I do not want to be a participant to an offense against the inviolability of life and dignity of a person. This is being sponsored now by this very Chamber.

Sinabi ng Panginoon, “Huwag kang papatay.” Hindi Niya sinabing huwag kang papatay ng pangit o maganda. Hindi Niya sinabing huwag kang papatay ng masama o mabuti. Hindi Niya sinabing huwag kang papatay ng Kongresman o ng pinakamasamang pusakal. Ang sabi Niya, “Huwag kang papatay.” Ang turo ng Panginoon ay mahalín mo ang iyong kapwa. Kahit kaaway mo, mahalín mo.

We should hate the sins but not the sinners.

Inisip ko po, papaanong makakapaglingkod ang isang pamahalaan na hindi iginagalang ang buhay?

The punishment of God is reformatory and not of vengeance—pagbabago at hindi paghihiganti. Human society must exemplify God’s wisdom through our very laws.

Mr. Speaker, the death penalty is uncivilized, unfair, inequitable in practice. The death penalty is anti-poor. It does not deter violent crimes. Kahit po sampung beses pang patayin ang ipanakot mo sa isang naimpluwensiyahan ng drugs, papatay pa rin po.

Sinisipi po natin—ang dapat nating sisihin ...

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Gentleman to wind up his speech.

REP. ERICE. ... that the death penalty denies due process and always is irrevocable.

I dedicate my vote to my God, the only One I am ultimately accountable to.

Thank you, Mr. Speaker.

REP. GARIN (O.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Garin is recognized.

REP. GARIN (O.) EXPLAINS HIS VOTE

REP. GARIN (O.). Mr. Speaker, Ladies and Gentlemen, we have tried almost everything, every form of democratic government, every technocrat’s ideas, every decree and amendment. But, apparently, the direction of our actions still does not seem to provide the necessary solutions but set in the hopelessness of things and events. I remember well the words of my poetry teacher, and she said:

There has got to be rain for it is all sun, our faces will feign. There has got to be evil to find out how really good is good. And, there has got to be bitterness to be able to taste how sweet is sweet.

Mr. Speaker, for every action, there is always an opposite reaction. So, when the promise of youth is snuffed out because of insatiable greed, when the future of our country is needlessly put in jeopardy by a few whose desire of gain defeats the imagination, when mothers weep because someone needs to accumulate wealth at the expense of his brother Filipino, Ladies and Gentlemen, the equal opposite reaction should be the matter at hand, cosmic law in its most basic form.

I vote “Yes,” Mr. Speaker.

REP. GO (M.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Go (M.) is recognized to explain his vote.

REP. GO (M.) EXPLAINS HIS VOTE

REP. GO (M.). Thank you very much.

Mr. Speaker, my dear colleagues and my countrymen:

Justice is never advanced in the taking of a human life. Morality is never upheld by a legalized murder.

These were the words of the late Coretta Scott King, civil rights activist and widow of Dr. Martin Luther King, even after her husband was killed by an assassin’s bullet.

Over the course of these past weeks, this hall has been witness to the impassioned debates on the legality of the reimposition of the capital punishment vis-à-vis the Constitution and international law. We have discussed how it may affect trade, industry and even the plight of our overseas workers abroad.

It is our duty as legislators to enact laws we honestly believe would create a lasting good for humanity as a whole, and to do that, it is only necessary that the laws we enact be consistent with the morals we uphold. In the sponsorship speech of Fr. Bernas during the deliberations in the 1986 Constitutional Commission, he pointed out that life should not be destroyed just in the hope that other lives might be saved, more so that claims of deterrence had long been debunked. As Fr. Bernas said, “Assuming mastery over the life of another man is just too presumptuous for any man.”

The sanctity of human life transcends class, religion and political affiliation—a right inherent to all through

the natural law. Long before the enactment of our Constitution or the ratification of any treaty, we were already granted our right to life and dignity, not because of who we are or what we have done, but because we are humans, equal in laws of God and of man. The sanctity of human life is not shed off by any crime. And while we disdain cruel, inhuman and degrading treatment of prisoners, how is it that we cannot see the cruelty of taking the very life of a human, a cruelty likewise suffered by the family, the jail guards and the deciding justices?

Furthermore, a prisoner convicted of death penalty spends about 10 to 15 years in prison while waiting for the final decision of the Supreme Court's automatic review. This incarceration of the prisoner on death row for an extensive length of time in itself is already an afflictive punishment separate from the death penalty. This double punishment suffered by a prisoner on death row amounts to double jeopardy expressly prohibited by our Constitution.

Whether it be of the philosophical theory of human life or how it evolved into our modern concept of human right jurisprudence, human life has a certain sanctity that is to be preserved and protected.

We no longer live in a society ruled by a colonial power or an authoritarian regime wherein rights are dismissed and liberties are curtailed. Rather, we live in a society where the rule of law that prevails is one that protects and promotes the inherent rights of our people. As such, I believe that we must direct our focus not on the severity, ...

THE DEPUTY SPEAKER (Rep. Singson). Honorable Go, please wind up your speech. Your time is up.

REP. GO (M.). ... but rather on the certainty of punishment as a true means of deterring crimes. From the capability and integrity of our law enforcers, to the lack of prosecutors, clogged court dockets, glaring judicial errors and inhuman conditions, and malpractices inside our national penitentiaries, these are the defects in our criminal justice system that we have to address. While I share my colleagues' passion and resolve in addressing criminality in this country, I am afraid that the measure, what this Bill proposes may lead to irreversible mistakes we could not afford.

Today, I vote as my conscience and morals dictate. I therefore manifest my negative vote to the proposed reimposition of the capital punishment.

I vote "No" on House Bill No. 4727.

REP. GONZAGA. Mr. Speaker, I would like to explain my "Yes" vote by discussing the following issues.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Gonzaga may proceed.

REP. GONZAGA EXPLAINS HIS VOTE

REP. GONZAGA. Thank you, Mr. Speaker. First is whether or not House Bill No. 4727, the Death Penalty Bill, if enacted into law, will violate the ICCPR.

The answer is "No." President Corazon Aquino ratified the ICCPR on October 23, 1986. The Batasang Pambansa did not make a concurrence in the ratification made by the president of the ICCPR, simply because the Batasan was abolished by virtue of Proclamation No. 3, signed by President Aquino, establishing a revolutionary government. The ICCPR could not have attained the status of a treaty; thus, it has no binding effect here in our Philippine jurisdiction.

On the other hand, assuming the ICCPR is a legitimate treaty, still, House Bill No. 4727, if enacted into law, will not violate the ICCPR. Article VI, paragraph 2 of the same states: "In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes..." This provision was interpreted by the Human Rights Committee by issuing General Comment No. 6, dated July 27, 1982, which states:

While it follows from Article VI (2) to (6) that States Parties are not obliged to abolish the death penalty totally, they are obliged to limit its use and, in particular, to abolish it for other than "the most serious crimes."

Fr. Joaquin Bernas, in his book, *The 1987 Philippine Constitution: A Comprehensive Reviewer*, said that Article VI, paragraph 2, of the covenant explicitly recognizes that capital punishment is an allowable limitation of the right to life, subject to the limitation that it may be imposed for the most serious crimes.

If this Death Penalty Bill, once enacted into law, will violate the ICCPR, why did the Constitutional Convention delegates, fully aware of the ICCPR, allow and provide for this Section 19, Article III of the 1987 Constitution which states:

Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it.

Second issue, Mr. Speaker, is whether or not the Death Penalty Bill, if enacted into law, will violate the Second Optional Protocol to the ICCPR. The Second Optional Protocol to the ICCPR is not a treaty nor an international agreement because the ratification of the President did not have the concurrence of at least two-thirds of all the Members of the Senate, as required by

Section 21, Article VII of our Constitution. Article I, paragraph 1 of the Second Optional Protocol states that “No one within the jurisdiction of a State Party to the present Protocol shall be executed.” The oppositors focused their arguments in this section alone without harmonizing it with Article II, paragraph 1 of the same which states that “No reservation is admissible to the present Protocol, except for a reservation made at the time of ratification or accession that provides for the application of the death penalty x x x .” The correct presentation of provisions should be: “No one within the jurisdiction of the State Party to the present protocol shall be executed except for a reservation ...”

THE DEPUTY SPEAKER (Rep. Singson). Honorable Gonzaga, you have exhausted your three minutes.

REP. GONZAGA. I will just wind up, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Please do so.

REP. GONZAGA. “... made at the time of the ratification or accession that provides for the application of the death penalty.” The point is, did the Philippines make a reservation at the time of the ratification on November 20, 1987? The answer is “yes.” At the time of the ratification made by the President, the existing Constitution is the 1987 Constitution, the present one. Section 19, Article III provides:

Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes, the Congress hereafter provides for it.

This provision exactly serves as the Philippines’ reservation to the Second Optional Protocol.

Lastly, Mr. Speaker, whether the death penalty is cruel, unconstitutional, excessive and so on, the Supreme Court had ruled and unchangingly answered this issue in the negative in the cases of *Harden vs. Director of Prisons*, *People vs. Limaco*, *People vs. Camano*, *People vs. Puda*, *People vs. Marcos and People vs. Echegaray*. Therefore, this explains my “Yes” vote, Mr. Speaker.

Thank you.

REP. LAGMAN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Honorable Lagman is recognized to deliver his explanation of vote.

REP. LAGMAN EXPLAINS HIS VOTE

REP. LAGMAN. Mr. Speaker, three minutes would be too short for the explanation of my dissenting vote. I shall therefore summarize my reasons and submit the full text for inclusion in the Journal and the Record.*

Let me start by commending 53 colleagues who voted against the reimposition of the death penalty—54, including my negative vote. I salute them for their courage in defying threats and pressures from the House leaders, and remaining steadfast in promoting and protecting human rights. I truly respect and admire them.

I submit two overriding reasons, among others, for voting against House Bill No. 4727: one, the imposition of capital punishment is an open defiance of an irrevocable commitment not to reimpose the death penalty as a State Party to the Second Optional Protocol to the International Covenant on Civil and Political Rights. We undertook under the Protocol not to execute within our jurisdiction anyone. Significantly, the Philippines became a State Party to the protocol in 2007, a year after the country abolished the death penalty under Republic Act No. 9346.

Our ratification of the protocol did not include any specific reservation, Mr. Speaker. International jurisprudence, covenants and authorities unequivocally declare that no country can use its domestic law, including its Constitution, to renege on or violate its treaty obligations. This is consistent with the constitutional principle that the Philippines adopted the generally accepted principles of international law as part of the law of the land. And, the highest law of the land is the Constitution.

Number two, the 1987 Constitution abolished the death penalty; however, it allowed the Congress to reimpose it for compelling reasons on heinous crimes. These two stringent conditions are separate but concurring. The proponents have failed to comply with the constitutional prerequisites. No compelling reasons were shown as to why the death penalty must be reimposed on drug-related offenses as the maximum penalty.

The death penalty, Mr. Speaker, is an abhorrent punishment. It forecloses the reformation of the convict. It victimizes the poor. It is not the solution to criminality. It is not the answer to poverty and social injustice. It debases the right to life.

Pope Francis has declared that the inviolability of life or the sanctity of blood extends to the criminal.

Thank you, Mr. Speaker.

REP. LEACHON. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Leachon may proceed.

REP. LEACHON EXPLAINS HIS VOTE

REP. LEACHON. Thank you, Mr. Speaker.

Before I explain my vote, of course, I vote “Yes” on the passage of the Death Penalty Bill for two reasons. But prior to that, let me explain first my preliminary statement.

Walking into the halls of Congress, and being a part of it, for my experience, was not actually a walk in the park. But during the time, I was given the chance and the opportunity to be interviewed at the CNN, and when Congress was accused of having Members as puppets, I think I would like to take exception. We must realize always in our life that every person has his own life and journey to take, and we must always remember that every Member in the House always has his role to take.

We must always remember that under the Constitution, the House is an independent department of the government inasmuch as the Members of the House are actually independent also.

I vote “Yes” primarily because I would like to remember the time when I voted for the speakership. I do not know the honorable Speaker from Adam but when I was asked if I will vote for the Speaker, I voted “yes” principally because we have a new administration and, in fact, it was even said that we deserve the people we elect. Now, in order to give the chance to this new administration to have new programs, there must be a cooperation on the part of Congress.

You must understand where I am coming from, being a former local chief executive of a certain city. When our city became so successful, I would like to thank, of course, the members of council for always being supportive of good programs.

Now, I am voting “Yes” for personal reasons and for personal conviction. I am a lawyer by profession—more or less about 20 years after passing the Bar. I would like also to tell you that in my lifetime, I was a seminarian—short of being a priest. So, if you would understand, morality and upholding the law will always be a mixed complication. But definitely, regardless of the influence of House leadership, regardless of the party stand, I am voting “Yes” because it is my personal conviction. Why? I must understand that this is a constitutional guarantee provided for under the Constitution. Number one, it is for compelling reason. How can you imagine that Filipinos, more than one million, are surrenderees because of Oplan Tokhang? And if you have to ratio it times five members of the families, almost half of this country are being victimized by this kind of crime. It is a constitutional guarantee because there is a compelling reason, and second, crimes related to drugs, probably for me, are no longer debatable.

Ang sabi po ng iba, imoral daw magsentensya ng death penalty. Nakakaawa raw iyong mamamatay. Pero I have known people, families who have been victimized by heinous crimes. Hindi ba tayo naaawa sa

kanila? Ang akin lang pong sinasabi, while it is probably not morally right to sentence a convict to death, I think and I do believe it is more reprehensible and immoral to let the murderer live when there is someone who is dead because of these heinous crimes.

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Honorable Leachon of his time.

REP. LEACHON. Yes, Mr. Speaker.

Lastly, ang lagi ko pong sinasabi, we must have trust in the Judiciary. Pinataas natin ang sweldo ng mga judges, marami tayong creations ng prosecutors, marami tayong creations ng PAO. I think we have ample security and safeguards in the justice system. And lastly, sabi ko nga ho, kung ito ay 21 crimes, I would have voted “No.” Gusto ko pa ngang idagdag iyong iba pa—rape with homicide—but definitely, at the end of the day, I would always like to be remembered that in this critical time of our lives making critical decisions, I would always like to remember my mother when she was still alive. Ang sabi sa akin, “In those critical parts of your life when critical decisions are to be made, you just have to pray and you must be your own person. You must be your own man.”

For these reasons, Mr. Speaker, I would like to reiterate, on behalf of the First District of Oriental Mindoro, this Representation is voting “Yes” on the House Bill regarding the death penalty.

Maraming salamat po.

REP. MERCADO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Mercado is recognized.

REP. MERCADO EXPLAINS HIS VOTE

REP. MERCADO. Thank you very much, Mr. Speaker.

This law is a very good law, Mr. Speaker. The Bill states:

It is the declared policy of the State to foster peace and order and ensure obedience to its authority, to protect life x x x.

It also says here:

x x x in the interest of justice, public order and rule of law, and the need to rationalize and harmonize the penal sanctions, the Congress finds compelling reasons to impose the death penalty for heinous crimes (committed by offenders who are a continuous threat to society).

Let me define “heinous crimes.” The Bill also states:

The death penalty is hereby imposed on crimes defined under this Act as heinous for being grievous, odious and hateful offenses, which by reason of their inherent or manifest wickedness, viciousness, atrocity and perversity are repugnant and outrageous to the common standards and norms of decency and morality in a just, civilized and orderly society.

What are we going to do with people who are importing dangerous drugs? What are we going to do with people who are trading, administering, dispensing, and distributing dangerous drugs? What are we going to do with those who are maintaining den, dive and resort where any dangerous drugs are used or sold in any form? What are we going to do with people who manufacture dangerous drugs?

For possession of drugs, Mr. Speaker, we only even give *reclusion perpetua* or life sentence, Mr. Speaker.

Mr. Speaker, upon filing of information, we are even giving them the benefit of the doubt that they will be guilty beyond reasonable doubt, Mr. Speaker. Upon filing of information, Mr. Speaker, involving any offense punishable by death, the public prosecutor is mandated to furnish copies of the said information to the Commission on Human Rights. They are mandated to give notice to interested parties, including the Integrated Bar of the Philippines, and religious and civic organizations, and the accused is given a special panel composed of senior public attorneys to handle the automatic appeal or to assist the accused in death penalty cases, without prejudice to the exercise by the Office of the Solicitor General of its mandate, as the people’s tribune, to avoid a miscarriage of justice.

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Honorable Mercado to wind up.

REP. MERCADO. The Solicitor General, Mr. Speaker, and the Chief Public Attorney may even recommend to the Office of the President to reprieve the accused or the suspension of the execution of the death sentence, Mr. Speaker.

There has been a lot of things that has to be done before death sentence will have to be implemented, Mr. Speaker. The judges will also study the circumstances, Mr. Speaker. Cases where the death penalty shall not be imposed, it cannot be imposed on persons guilty below 18 years old or those 70 years old, or there is no majority vote obtained by the Supreme Court or the Court of Appeals. There is also the President or the executive clemency powers which can be availed of by the accused, Mr. Speaker.

With this, Mr. Speaker, I believe that we also

are God-fearing citizens. We also have a duty to our country and this is a good contribution of our House of Representatives, Mr. Speaker.

Thank you very much.

REP. NUÑEZ-MALANYAON. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Nuñez-Malanyaon is recognized.

REP. NUÑEZ-MALANYAON
EXPLAINS HER VOTE

REP. NUÑEZ-MALANYAON. May I explain my vote.

Mr. Speaker, esteemed colleagues of this Chamber, consistent with my position during the Thirteenth Congress, this Representation remains to be against giving the State the general power to take a person’s life as a form of criminal penalty. However, I also recognize the adverse impact of illegal drugs on our society’s social fabric. This Representation supports the campaign against the proliferation of all forms of illegal drugs in our society. If we are to ensure a brighter tomorrow for our future generations, we have to decisively curb the escalation of illegal drugs in our country now.

House Bill No. 4727, in a way, gives us more assurance that drug-related offenses pass through our courts whereby the guilt of the perpetrators or offenders can be better determined and ascertained.

House Bill No. 4727, in its present form, is limited to drug-related offenses only. The death penalty is also no longer mandatory, as it gives our judges the option to impose the penalty of *reclusion perpetua* or life imprisonment on the perpetrators.

Under our judicial system, a case goes through several steps and processes. In the event that the death penalty is imposed on a convict, such decision can still be appealed to the higher courts or reviewed by the Supreme Court.

I believe, in the sense of fairness and justice of our judges and justices to impose the penalty of *reclusion perpetua* or life imprisonment more rather than death, it is in this light that this Representation votes in the affirmative to House Bill No 4727.

REP. ROCAMORA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Ramon V.A. “Rav” Rocamora is recognized.

REP. ROCAMORA EXPLAINS HIS VOTE

REP. ROCAMORA. Mr. Speaker, my remaining colleagues, I voted “No” on the Bill. To vote otherwise

would be irresponsible knowing fully well that our criminal justice system is not ready for the reimposition of the death penalty—irresponsible as this flaw or shortcoming in our criminal justice system is conducive to sending an innocent person to death.

The fact that the death penalty is now limited to violations of the dangerous drug law even heightens the need to reject the measure. The defect is evident in the second pillar of our criminal justice system, our law enforcement agencies. This is so as it is a fact that in the prosecution of dangerous drug cases today, 60 percent or more of these charges are trumped-up and supported by planted evidence. I can attest to this being a public prosecutor for 24 years and had prosecuted countless cases of dangerous drug violations since the passage of the Comprehensive Dangerous Drugs Act. The reason for this objectionable and repugnant practice of planting evidence is the difficulty on the part of the law enforcement agencies in apprehending violators of the law. Yet, here we are expecting our police to arrest criminals as they do on television or movies. Indeed, such things only happen in the movies, so to speak. Precisely because of such difficulty, the practice of evidence planting has now even evolved into extrajudicial killings.

Some people say evidence planting is justified after all the subjects of this practice have been confirmed to be in the illegal drug business through the test buys being done. But to so claim would be to forget that in our jurisdiction, an accused is presumed innocent until proven otherwise by a competent and impartial court—I repeat, by a court and not by the police. This practice is replete with danger, danger of false accusation, because what is there to stop the police from planting evidence for the purpose of extorting money? We do not have to look far into the past to come up with an example. I am talking about the Korean incident at Camp Crame. What is there to stop the police from planting evidence to exact vengeance or simply to destroy another's reputation? All these are defects only in the second pillar of our judicial system.

The third pillar is of course the courts. But we have a judicial system where the courts at the level where truth can best be determined—I am speaking about trial courts—are committing errors in the imposition of death penalty at the rate of seven is to three. Meaning, ...

THE DEPUTY SPEAKER (Rep. Singson). Kindly wind up your speech.

REP. ROCAMORA. ... I am about to wind up, Mr. Speaker. Meaning, there are seven erroneous decisions against three correct ones. We have a judicial system where numerous judges, justices and court personnel are dismissed, suspended, fined and reprimanded.

My fellow Representatives, we are fully aware of this flaw in our criminal judicial system. We know as well the danger that this flaw poses, that it is conducive to sending an innocent person to death.

When the Bill first listed multiple crimes, I understood where the proponents were coming from. As a former public prosecutor, I have witnessed my own fair share of those gruesome tales they mentioned in the defense of the Bill. I, too, have been shaken to my core when I uncovered the details of most horrible murders. I too have experienced my blood boiling when I prosecuted those who committed the most morally corrupt acts of rape. I, too, have wished death upon those monsters of society. However, I knew even then that killing them will solve nothing. For one, there has never been an evidence that the death penalty resulted in the deterrence of criminality.

I say that the best deterrence is a competent criminal justice system that guarantees due process and make certain the arrest, prosecution, conviction and services of sentence of those who are truly guilty.

I just want to be responsible. So, I voted "No."

REP. ROQUE (H.). Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Hon. Harry L. Roque Jr. is recognized.

REP. ROQUE (H.) EXPLAINS HIS VOTE

REP. ROQUE (H.). Mr. Speaker, fellow colleagues, Ladies and Gentlemen. Allow me to first state at the outset that as a legislator, I have always been a strong supporter of President Rodrigo Duterte. I support him because of his independent foreign policy. I support him because he has shown political will to bring about genuine change in this country. And yet, despite this support for the President, I regret I cannot support the Death Penalty Bill.

Why? Well, first and foremost, let me state that when the House was being organized, I opted to stay in the Minority despite my support for President Duterte, precisely because I knew, I could not support the Death Penalty Bill, and perhaps, I also will not be able to support the Bill lowering the age of criminal responsibility. To me, even if I have been known as a strong supporter of the President, it was better to remain in the Minority, because as such, I will not be expected to support administrative measures that run contrary to my conscience.

Why am I against the death penalty? Well, Mr. Speaker, I have been advocating the protection and promotion of human rights for almost the entirety of my human life. The most important of all human rights is the right to life. Without the right to life, we are not capable of possessing any other rights.

I have also been practicing law for 25 years before I was given a mandate by the people to represent them in this august Chamber of Congress. What I have discovered after 25 years of almost daily appearance in courts and other tribunals, is that our criminal justice system is in trouble.

It appears that almost all the pillars of our criminal justice system are not working. Recently, there was an instance of a South Korean killed at the very premises of Camp Crame, the headquarters of the PNP—proof that the police as a pillar of the criminal justice system is not doing its job.

The prosecutors have dismal conviction rates, one percent only for extralegal killings, 10 percent for drug-related cases, and of course, the Philippines now is notorious for the length of delay that we have in our courts. It takes a regular case, an ordinary case in the regional trial court, five years, to be concluded, 10 years, before the Sandiganbayan. And of course, the public, the most important of all the pillars of our criminal justice system appear to be accepting of shortcuts including extralegal killings.

What I am saying, Mr. Speaker, is that where you have a criminal justice system, that is simply not working, the chances of a wrong sentence being imposed on an innocent man is just too great.

According to a Latin saying, *Tutius semper est errare in acquietando, quam in puniendo; ex parte misericordiae quam ex parte justitiae*: It is always safer to err in acquitting than in punishing; to be on the side of mercy rather than to be on the side of justice.

Indeed, the dysfunctions of our criminal justice system raise real issues about its susceptibility to arbitrariness and abuse. Moreover, a death sentence, once implemented, is irreversible.

The automatic review does not help much.

Our past experience shows that precisely, given the many gaps in our criminal justice system, the process of review takes a good many years. A death convict eventually exonerated by the high court will have to look back with much regret at the years the appeals process wasted on his life as he waited for the ax to fall or not.

It is wrong to propose the death penalty as a solution when the primary problem of our criminal justice system is effective enforcement and prosecution of law. There is always the high probability of someone being wrongfully convicted and sentenced to death because of our dysfunctional criminal justice system.

I have also taught international law for 15 years, and I would be ignoring the basic tenet of international law that treaty obligations voluntarily entered into must be complied with in good faith.

We are a party to the ICCPR and the Second

Optional Protocol to the ICCPR, where we voluntarily undertook obligation not to execute anyone in our jurisdiction, not to restore the death penalty.

As a responsible member of the international community, we must abide by the principle *pacta sunt servanda*, especially on such a crucial issue as the right to life.

For this reason, I, Harry Roque, vote against the restoration of the death penalty in the Philippines.

Thank you, Mr. Speaker.

REP. SALO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Ron P. Salo is recognized to explain his vote.

REP. SALO EXPLAINS HIS VOTE

REP. SALO. Thank you very much, Mr. Speaker, for the opportunity to state the reason for my “Yes” vote.

My countrymen, dear colleagues, friends, ladies and gentlemen:

I am a preacher. I preach God’s love, grace and redemption. I preach about the Almighty God who gives life, and who did not let people die in their sins; instead, He chose to die for them and offered mankind redemption, not only in this life, but in the life after. As such, I am of firm belief that no one, not even the State, has the right to take away life, because if the Giver of life Himself chose to die for people’s sin so that they may have life, who then is worthy to take that gift of life from them?

In truth, I am a member of a London-based international network on the worldwide abolition of the death penalty called “The Death Penalty Project.” What runs through my veins and in my neurons then is the desire to oppose any move to reimpose the death penalty in all and in any of its forms.

When I became a Member of this Congress, I was thrilled to note that my voice and my vote shall count in this proposed policy shift. However, I am conscious that I am in this Congress not in my personal capacity, but as a Representative of KABAYAN Party-List whose interest and voice I have to articulate.

After thorough discussions among the members of the board of KABAYAN Party-List who took into account the sentiments of its members, supporters and the general public, the decision of the KABAYAN Party-List board is to support the reimposition of the death penalty for certain heinous crimes for which a resolution for this purpose was adopted by the KABAYAN board. It was a product of a spirited and vigorous exchange of ideas and sentiments. I could not but help feel proud of our Party-List’s show of independent and patriotic stance throughout the debate, as well as the desire of

the members of our Party-List's board to advance the general welfare and interests of our people.

Thus, while my conscience opposes the reimposition of the death penalty, I have to subordinate my personal belief and conviction to the decision of the KABAYAN Party-List's board. For indeed, this is the true essence of a republican democracy, the voice of those we represent should be heard and not our own personal voices. As such, my vote is a "Yes."

Thank you very much.

REP. SALON. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Orestes T. Salon may proceed to explain his vote.

REP. SALON EXPLAINS HIS VOTE

REP. SALON. Mr. Speaker, distinguished colleagues, I have not stood up in this Chamber on any issue much more on the death penalty. And you, my colleagues, can attest to this.

I decided I cannot just stay passive, seated in my desk and not saying anything, and keep my peace without articulating my own piece.

Mr. Speaker, distinguished colleagues, I voted "No." I believe human dignity inheres in every person no matter the individual's status or station in life. Its infringement lies outside the power and commerce of governments and any human authority.

I believe we appear to have slumbered and have forgotten the clear mandate of the Philippine Constitution. Article II, Section 11 of the Constitution cannot be any clearer: "The State values the dignity of every human person and guarantees full respect for human rights."

Further, we should proudly recall that the Philippines is a State Party to 14 out of 18 International Human Rights Conventions since the adoption of the Universal Declaration on Human Rights. We stood in many challenging and difficult situations, Mr. Speaker, in the global stage behind the banner of this commitment to human rights, enrobing us with soft power that gave us this proportionately bigger influence than our meager economic and military power would have allowed us to have in regional and global affairs.

As this Representation views it we, as a country, have started to lose our moral moorings that have shaped our society for many years. We are slowly but surely squandering what we have painstakingly achieved in the international arena, from our heretofore unequivocal stance on promoting and protecting the inherent value of each human being.

Mr. Speaker, by its Constitution, its treaty obligations and the values that have shaped its history

as a nation, marked with indubitable milestones in defense of democracy and human rights, the Philippines relentlessly progressed as one of the shining examples in the world of how a people could remain firmly committed to the inherent value of every human being. All of us together should be keeping our country in the same trajectory that leads to the flourishing of our communities and society. I think it is not too late that this august Chamber must not allow anything to distract or dissuade us from pursuing this path.

Mr. Speaker, I vote "No" on the Death Penalty Bill. Thank you.

REP. TINIO. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Hon. Antonio L. Tinio is recognized to explain his vote.

REP. TINIO EXPLAINS HIS VOTE

REP. TINIO. Thank you, Mr. Speaker.

I voted "No" for the following reasons: first, I cannot vote to give the State the power to take away the life of a Filipino citizen, through the restoration of the death penalty, given the grievously flawed state of our criminal justice system. It cannot be denied that all aspects of the system—from law enforcement to prosecution, to the courts, the prison system—are all plagued with the evils that pervade our society from the very basic lack of resources, to incompetence, corruption and patronage. In such a system, justice is negotiable for the rich and powerful, and a restored death penalty would merely heap more injustice upon injustice against the poor and marginalized, taken together, with the other legislative initiative to lower the age of criminal liability to nine years old, the continuation of the AFP, the armed forces-led counterinsurgency now known as "Oplan Kapayapaan," where almost daily lives of farmers are taken in the countryside, and the PNP-led anti-drug operations known as "Oplan Tokhang" which, according to many reports, has taken the lives of up to 7,000 Filipinos, mostly in the urban areas. We are seeing how, under this administration, all the repressive instruments of the State, from the law to the courts, the prisons, the armed forces and police, are being consolidated in an all-out war against the poor in order to secure and maintain the favorable conditions for the rich and the powerful.

Second, Mr. Speaker, I voted "No" because, for Congress to reinstate the death penalty would be patently unconstitutional. In no less than its declaration of principles, the 1987 Constitution "x x x adopts the generally accepted principles of international law as part of the law of the land x x x." Foremost of this, being the principle that international obligations must be kept. To quote: "every treaty in

force is binding upon the parties to it and must be performed by them in good faith.”

As has been pointed out in the abbreviated debates on the floor, the Philippine State is a party to the Second Optional Protocol of the International Covenant on Civil and Political Rights in which Article I(1) states, “No one within the jurisdiction of a State Party to the present protocol shall be executed. While Article I(2) states that “Each State Party shall take all necessary measures to abolish the death penalty within its jurisdiction.”

Let me emphasize, Mr. Speaker, that the Second Optional Protocol is a State obligation, an obligation of the Philippine State, not merely of this or that administration. What guarantees that future governments of the Philippines will continue to perform this obligation is precisely the principle declared in the 1987 Constitution, that the Philippine State is bound by its international obligations.

THE DEPUTY SPEAKER (Rep. Singson). The Gentleman will please kindly wind up his explanation because the three minutes have been consumed.

REP. TINIO. Therefore, we are being asked to violate this constitutional principle when this Congress was asked to vote to reinstate the death penalty.

The Supreme Court itself has clearly stated:

As an integral part of the community of nations, we are responsible to assure that our government, Constitutions and laws will carry out our international obligations. Hence, we cannot readily plead the Constitution as a convenient excuse for nonperformance with our obligations, duties and responsibilities under international law.

For this reason, Mr. Speaker, should this Bill become a law, it will most certainly be struck down as unconstitutional by the Supreme Court itself.

For these reasons, Mr. Speaker, I vote “No.”

REP. TUGNA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Hon. Sherwin N. Tugna is recognized to explain his vote.

REP. TUGNA EXPLAINS HIS VOTE

REP. TUGNA. Thank you, Mr. Speaker, my dear colleagues.

We, in CIBAC Party-List, vote “Yes” on House Bill No. 4727, with an understanding that its passage will be supported by the government and the administration’s efforts to improve the inefficiencies and corruption in the police and prosecutorial functions, and to reform the Judiciary and correctional systems in our country.

Our vote arose from the party’s extensive consultations with our constituents on the ground level to ensure that we were able to express the true sentiment of our voters. An overwhelming number agree to the imposition of the death penalty for those who committed high-level drug offenses, provided the necessary reforms are instituted to ascertain that justice is properly served.

We accept that here in our country, there are many inadequacies and inefficiencies in the processes and in the training of the concerned government officials, as well as threats of corruption in the prosecutorial, correctional and judicial systems of our government.

As the said Bill will reimpose the death penalty, there is a strong need to ensure that the government will give the necessary training and education, as well as instill commitment to sworn duties and adherence to truth and justice of all people involved in the process, to determine whether an accused is guilty or not and whether the death penalty should be imposed. Only by doing this, we are assured that the rationale behind the reimposition of the death penalty is achieved.

We vote “Yes” with the understanding and on the hope that there are no wrongful convictions, and that we are looking forward to prosecution and conviction of only the most debased and high-level drug offenses such as manufacturing, trading and importation of dangerous drugs, and not the conviction of only the poor people. That the manufacturer, trader or importer be punished with the supreme penalty of death for the protection of our citizenry, our youth and our future generation.

Thank you, Mr. Speaker.

REP. TURABIN-HATAMAN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Honorable Turabin-Hataman is recognized to explain her vote. She may proceed.

REP. TURABIN-HATAMAN EXPLAINS HER VOTE

REP. TURABIN-HATAMAN. Thank you, Mr. Speaker.

Bismillahi rahmani rahim. Assalamu alaikum warahmatullahi wabarakatuhu. In the name of God the most gracious, the most merciful.

For all the reasons articulated by colleagues against the death penalty, I vote “No,” and more.

I do not claim to be more righteous or more humane, nor claim that I am right and the others are wrong.

This vote is not meant to divide or to oppose anyone. It is simply AMIN’s and my personal conviction based on the following reasons: first, as a Moro, who will be mostly affected by this legislation? Our party AMIN has, for the last decades, witnessed, verified, assisted

and stood for the Muslim-Filipino victims of warrantless arrests, illegal search, mistaken identity, huldap, illegal detention, and planting of evidence, most of which turned out to be framed-up drug-related cases.

This discrimination against Muslim-Filipinos in the enforcement of law is seen in the findings of a survey made in Quezon City Jail Female Dormitory last 2013. The survey showed that said facility has 86 Muslim women detainees out of the 548 inmates or 16 percent of the jail population. The Muslim-Filipinos in Quezon City is only 4 percent. Statistically speaking, nangangahulugan pong apat na beses kaming mas marami sa loob ng kulungan kaysa sa labas. Majority of these women are charged with drug-related cases, the situation of those who are likely to be at the receiving end of the law that this House just passed.

Now, my vote is on the basis of being a Muslim. My stand on the death penalty came as a surprise to many since the Shari'a Law provides for the death penalty. Although we Muslims are a minority in this country, I cannot make a decision on a crucial issue, a matter of life and death, without consulting my faith and the authorities in it.

Based on the roundtable discussion our party AMIN conducted with Muslim religious leaders, we learned the following: the very essence of the Shari'a Law is the preservation of life; forgiveness, mercy and compassion must always prevail as seen in the following conditions on the imposition of the death penalty under the Shari'a: one, it is the family of the victim who decides whether or not death is the justice they want, not the court, not the State. This decision must be consensus, if there are 20 members of the family agreeing to death, with only one objecting, still, the execution cannot be imposed. If the victim has a child who is a minor, the court will wait until this child becomes of age and will have the capacity to decide.

In the case of adultery which is one of the offenses punishable by death, there is a need to produce four witnesses, who must all testify to seeing the sexual act at the same time and the same place. This requirement of four witnesses is applied even if it is the husband himself who makes the accusation of adultery. Even if the four witnesses are produced, if the woman accused takes an oath before the Holy Qur'an denying the accusation, she is saved from execution. And if, the accused woman is pregnant, even if she herself admitted to the offense, the penalty cannot be imposed until she has given birth and an additional two years for her to breastfeed her child.

Fellow Members of this august Chamber, many look at the Shari'a Law as a very harsh, brutal law. But in these few examples cited by our Muslim religious leaders, clearly, it is a manifestation of God's infinite mercy and compassion towards His creations. I,

foremost as a Muslim and more essentially as a human being, cannot afford to transgress this mercy every creation is entitled to.

Sarili ko pong buhay hindi ko kayang panagutan. I cannot afford and is most afraid to be held accountable for another life, even just one life.

Thus, our vote, "No."

Maraming salamat po.

REP. UYBARRETA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Yes, you may proceed to explain your vote.

REP. UYBARRETA EXPLAINS HIS VOTE

REP. UYBARRETA. Yes, thank you, Mr. Speaker.

Being a member of the Committee on Justice and its Subcommittee on Judicial Reforms, I tried to attend all the Committee and subcommittee's briefing and consultation on the matter of reimposition of the death penalty. Various agencies and cause-oriented groups were consulted and given their chance to ventilate their views on the matter. In the midst of all varying discussions and opinions, almost everyone agreed on one glaring fact—that our society is at a critical stage.

Mr. Speaker, there is an upfront and blatant disrespect of law. People are committing crimes that are not even defined by our Revised Penal Code. We are experiencing an unprecedented scope of lawlessness all because of this drug menace. Mr. Speaker, extraordinary measures are needed lest we continue on this downhill path to total ruin of our society and our communities.

This Representation, Mr. Speaker, is not of the belief that the reimposition of death penalty is going to be the catch all, fix all solution to all the above problems. It is just among the many reforms and changes that our country needs to undergo.

Mr. Speaker, my vote of "Yes" today is also a commitment to address squarely judicial and prosecutorial reforms, improvement of our corrective facilities, and the modernization and professionalism of our police and law enforcement institutions.

Thank you, Mr. Speaker.

REP. VELARDE. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Velarde is recognized to explain his vote.

REP. VELARDE EXPLAINS HIS VOTE

REP. VELARDE. Thank you, Mr. Speaker.

This Representation would like to submit a written

explanation of my “No” vote, but before that, I would like to only point out one thing.

This Representation believes, Mr. Speaker, that our justice system is still young at this time, and mahirap nga naman talagang iasa ang pagdedesisyon sa buhay ng isang tao sa kapwa niya tao lalo na’t hindi nakasisigurado kung talagang totoo o tama o naibigay ang lahat ng rason, lahat ng ebidensya na nagpapatunay na ang taong iyon ay totoong may kasalanan.

Kahit isang buhay lang po na magkamali tayo na patawan ng kamatayan ay masyado na pong malaki. Dito, Mr. Speaker, naniniwala ako na dapat magkaroon ng pagbabago ang ating justice system. At sa pagbibigay ng isang kapangyarihan na pagpapataw o pagdedesisyon sa isang buhay na ito ay kitilin o patuluyin ay mahirap pagdesisyunan ng mabuti. With this, Mr. Speaker, I submit.

Thank you very much.

THE DEPUTY SPEAKER (Rep. Singson).
Continue.

REP. VERGARA. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Vergara is recognized to explain her vote.

REP. VERGARA EXPLAINS HER VOTE

REP. VERGARA. Thank you, Mr. Speaker.

Today, in our country there is a persistent and seemingly unstoppable proliferation of drugs. There are evil and ruthless individuals who thrive and flourish at the expense of fellow Filipinos, who are coerced into pushing and using drugs for easy money. There are drug lords who continue to be a clear and present menace to our country’s peace and order.

The increase in crimes committed nowadays is alarming. More often than not, the perpetrators are under the influence of drugs. These are horrific crimes which cry to the heavens for justice and at times, go unpunished. For these reasons, our President has asked Congress for the reimposition of the death penalty. I cannot deny this truth. We need a severe penalty to send a strong message to all who break our laws and commit heinous crimes. Our country will no longer allow this. This call resonates with me. However, there are significant and equally valid factors that must be considered.

Our Judiciary system desperately needs reform. Corrupt prosecutors, judges and Judiciary personnel must be removed. Otherwise, the death penalty may be abused. We must review and streamline our judicial procedures.

Our police force, the PNP, needs to improve on all fronts—skills, training, value formation, equipment,

resources to provide quality police service with honor and justice, as enshrined in the PNP badge, Kapulisan na Maka-Diyos, Makabayan, Makatao at Makakalikasan – the PNP’s organizational core values.

Our prison facilities must be improved because even criminals must be treated humanely. In our country where justice is inconspicuous, we need to strengthen and reform these institutions, for the penalty of death is irrevocable, harsh and most unforgiving.

These three major reforms may seem like a herculean task, but under President Duterte’s leadership, I know we can do whatever we set our minds and hearts on. And so for today, until these reforms are addressed, resolved and implemented, I vote “No.” In profound faith, I hold on to the belief that man is basically good. I uphold the sanctity of life. I respect due process and the rule of law, and I believe in justice for all Filipinos.

Thank you, Mr. Speaker.

REP. VILLARIN. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Villarain is recognized.

REP. VILLARIN EXPLAINS HIS VOTE

REP. VILLARIN. Mr. Speaker, AKBAYAN casts an emphatic “No” vote on House Bill No. 4727. It is a railroad measure that suffers from procedural and substantive infirmities.

It is also a Bill that wrecks both of rational and moral bankruptcy. It is unconstitutional as it violates the mandate that cruel, degrading, and inhuman punishment shall not be inflicted. Make no mistake, the death penalty will not make our communities any safer. We reiterate that in the absence of any evidence that would prove death penalty as an effective deterrent to crime, heinous or otherwise, a person’s right to life must stand supreme. Death penalty as a punitive measure brings us back only to the dark ages.

Mr. Speaker, colleagues, no crime is worth killing for, especially when the task of condemning a fellow Filipino to death will be undertaken within the context of a flawed criminal justice system; flawed from enforcement, prosecution and adjudication because none other than our Supreme Court revealed in a review of cases between 1993 to 2004 that 646 death convicts could have been wrongfully executed due to erroneous decisions rendered by our lower courts.

Mr. Speaker, capital punishment has a disproportionate impact on the poor. More than 73 percent of people on death row before 2006 earned less than P10,000 a month, according to the Free Legal Assistance Group, a local NGO. The poor are particularly vulnerable to wrongful convictions and

other problems because they can rarely afford to hire competent lawyers.

Minors and mentally handicapped are also at risk, despite protection written into the law. Reports by the Amnesty International and the Commission on Human Rights from the late 90s to 2000s found that, due to poor record-keeping and police procedures, several death-row inmates had been minors at the time of their alleged crimes.

Marlon Parazo, a deaf-mute and mentally challenged man, was sentenced to death in 1995 even though he had not been capable of understanding the charges or the proceedings against him. His sentence was eventually overturned, thanks to pressure from human rights groups. But there is no way to know for sure how many other disabled prisoners have been wrongfully convicted.

There is also no reason to think that these fundamental flaws in the Philippines' criminal justice system have been fixed. Discrimination and lack of due process in criminal cases remain a serious concern. Corruption is still rampant.

As such, Mr. Speaker, some words of caution: Expect that many of those to be condemned to certain death are the poor, precisely because they do not have access to quality legal services, unlike the rich and powerful who are running the country's criminal organizations. Expect repercussions from the international community as we go against the trend of abolition and insist on breaking international agreements forged by our words of honor and in forcibly passing this Bill, we risk losing more than \$1.6 billion in trade yearly, and perhaps, 200,000 jobs.

THE DEPUTY SPEAKER (Rep. Singson). Your Honor, kindly wind up your speech.

REP. VILLARIN. Yes, Mr. Speaker, I am winding up, and 200,000 jobs that came with our solemn vow of abolishing the death penalty and protecting the value of human life.

Expect future generations to thrive in an environment of violence, impunity and retribution as we move closer towards igniting a vicious cycle of vengeance instead of justice.

As far as the AKBAYAN is concerned, together with those who bravely stood for true justice, we will not let this happen. Expect us to continue the fight if only to save an innocent life from suffering a gruesome death.

Again, for these reasons, this Representation of AKBAYAN Party votes against the death penalty.

Thank you, Mr. Speaker.

REP. ZARATE. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Zarate is recognized to explain his vote.

REP. ZARATE EXPLAINS HIS VOTE

REP. ZARATE. Thank you, Mr. Speaker.

Ang Kinatawang ito po ng BAYAN MUNA, consistent sa kanyang naging tayo sa lebel komite kung saan siya ay bumoto rin ng "No." "No" pa rin po ang magiging boto ng Kinatawang ito sa House Bill No. 4727 o ang pagbabalik ng kaparusahang kamatayan dahil sa amin pong pagtindig na ito ay isang kontra-mahihirap, instrument ng panunupil, at batas na hindi lulutas sa kriminalidad sa kasalukuyang sistema ng hustisyang korap, kontrolado, dominado, at nagsisilbi lamang sa interes ng iilang mga nasa kapangyarihan.

G. Ispiker, kontra mahihirap ang pagbalik ng death penalty. Mismong datos ng Commission on Human Rights ang nagsasabing 73.1 percent ng nasa death row noong taong 2006 ay pawang mahihirap. Sila ang mga kababayan nating kumikita lamang ng kulang P10,000 kada buwan, bagkus hindi kayang magbayad ng pribadong abogado na tututok nang husto sa kanilang kaso. Ilan pang ordinaryo at mahihirap na taong mga wala o limitado ang kapasidad na ipagtanggol ang sarili ang mamamatay sa mahal at elitistang sistema ng hustisya sa ating bansa, G. Ispiker.

Instrumento ng panunupil ang parusang kamatayan. Habang umiiral ang pandarahas laban sa mamamayan, magiging instrumento ng panunupil ang death penalty. Sina Padre Gomez, Burgos, at Zamora, si Rizal at Macario Sakay ay iilan lamang sa naging biktima ng parusang kamatayan ng kolonyalista sa salang paninindigan para sa bayan.

Patuloy ang korapsyon at abuso ng kapangyarihan sa hanay ng mga pulis, militar, at iba pang ahente ng estado. Patuloy na dumarami ang biktima ng warrantless arrests, trumped-up charges, at kawalan ng due process. Ang tanong, G. Ispiker, ilang daang aktibista, lider ng mga organisasyong magsasaka at manggagawa, at ordinaryong tao ang patuloy na mamamatay sa mapanupil na sistemang ito na palulubhain ng parusang kamatayan?

Hindi napipigilan at hindi mapipigilan ng parusang kamatayan ang kriminalidad. Noong taong 1999, nang patawan ng parusang kamatayan ang pitong mga kumbiktadong kriminal, tumaas pa ng kinse porsyento ang kriminalidad kumpara sa nagdaang taon. Pati sa ibang bansa, G. Ispiker, na kagaya ng Indonesia at Iran, hindi nababawasan, bagkus tumaas ang kaso ng drug trafficking kahit pa mahigpit na ipinatutupad ang parusang kamatayan sa mga krimeng ito.

Walang katarungan sa isang sistema ng hustisyang maraming depekto at bahagi ng sistemang elitista at kurakot. Para sa taong simula 1993 hanggang 2004, higit na 70 porsyento o exactly 71.77 percent ang pinatawan ng parusang kamatayan sa ating bansa ang napatunayang may judicial error. Ilan pang inosente, G. Ispiker, may sakit sa pag-iisip, *menor de edad*,

at matatanda ang isasakripisyo sa panukalang batas, House Bill No. 4727 at depektibong sistema ng ating hustisya?

Hindi parusang kamatayan ang sagot sa kriminalidad at sakit ng ating lipunan. Hindi parusang kamatayan ang sagot sa kriminalidad at sakit ng ating lipunan. Iniluluwal ang kriminalidad, droga, korapsyon, at depektibong sistema ng hustisya ng isang lipunang atrasado at dominante ng iilan at ng mga dayuhan. Hindi kailanman ito masosolusyonan ng pasismo at paggamit ng dahas at batas laban sa ating mamamayan. Hindi batas ng pagbabalik ng death penalty ang kailangan ng ating mamamayan, G. Ispiker.

THE DEPUTY SPEAKER (Rep. Singson). May I remind the Gentleman that he already consumed his allotted time.

REP. ZARATE. Tatapusin ko na lang po, G. Ispiker.

Hindi batas sa pagbabalik ng death penalty ang kailangan ng ating mamamayan, kung hindi ang pagkilos para sa tunay at makabuluhang pagbabago tungo sa makatarungan at mapayapang lipunan. Dapat wakasan natin, dapat wakasan ng Estado, G. Ispiker, ang lumalalang kahirapan ng ating bayan, hindi ang buhay ng ating mga pobrang mamamayan.

No to the death penalty.

Maraming salamat po.

REP. ZUBIRI. Thank you very much, Mr. Speaker.

REP. ZUBIRI. Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Honorable Zubiri is recognized.

REP. ZUBIRI EXPLAINS HIS VOTE

REP. ZUBIRI. Thank you, Mr. Speaker.

This Representation from the Third District of Bukidnon and from the Bukidnon Paglaum Party would like to manifest his vote.

Mr. Speaker, my “No” vote was decided upon even before I first entered the halls of Congress. This decision was already stamped inside the very core of my heart. I was steadfast from the very beginning and remained true to my word. For me, it was nonpolitical. It has always been a “No” from the very first day, I believe even from the first day I was born.

It is my belief that injustice should not be met with vengeance, but rather, injustice should be met with justice. Meaning, atonement for a crime committed should be meted out with a true to form hard labor. Sentencing criminals to death is an easy

way out; there is no atonement whatsoever to speak of. Hence, as a neophyte Representative, I need to be true to myself in order to be able to serve the very people who put me here. With our system flawed and the enforcing agencies facing challenging times, I fear for the welfare of the poor and the unfair justice that will reign upon those who are marginalized. Only those who have the means to seek proper representation may have a chance of survival, but those who do not, will be in very serious trouble. This is my primal fear and I hope, Mr. Speaker, and I pray it does not come to this.

Also, irrelevant to some but very relevant to many, this bill is about crime, and crime is synonymous to poverty. Since time immemorial, our national budget is too focused on the National Capital Region and our national or central offices. Over 50 percent of national spending is within a limited area, while the rest of the regions are left with loose change. My region, Region X, a 2.4 percent of the total budget, and the rest of my neighboring regions are not too far away. Hence, spreading the wealth more equally may or may not totally solve criminality, but it will definitely make a big dent on poverty and improve the lives of our countrymen.

In the end, whether “Yes” or “No” votes have it, poverty is the enemy, not ourselves, nor our populace.

My dear colleagues, the next step is finding a lasting solution to our long-running wealth disparity. It may take a big change in the way we do things. It may even be in a different form of running a government. I believe this is the next issue to be tackled. Are you ready for it? Are you ready to share the wealth with your countrymen?

Mr. Speaker, I follow this simple rule each day of my life, and this is simply: “He who is without sin cast the first stone.” This is why I vote “No” for the death penalty, Mr. Speaker.

That is all. Maraming salamat. Thank you.

APPROVAL OF H.B. NO. 4727 ON THIRD READING

THE DEPUTY SPEAKER (Rep. Singson). With 216 affirmative votes, 54 negative vote and 1 abstention, House Bill No. 4727 is approved on Third Reading.

The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, I move that we take up House Bill ...

REP. FARIÑAS. Mr. Speaker, may I just make a manifestation on the result of the voting. Rep. Victor Yap approached the desk and informed them that he voted “Yes” but his vote was not registered.

So, the final vote would be—a while ago, the Chair

stated that it was 216 “Yes,” 54 “No,” and 1 abstention. It should now be 217 for the “Yes” votes, same 54 for “No,” and 1 abstention.

THE DEPUTY SPEAKER (Rep. Singson). Please make the correction.

REP. BONDOC. Mr. Speaker, I move for consideration on Third Reading of House Bill No. 4924. Could the Secretary General be directed to read the title of said measure and, thereafter, call the roll for nominal voting.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The Secretary General is directed to read the title of the said measure and, thereafter, call the roll for nominal voting.

THE SECRETARY GENERAL. House Bill No. 4924, entitled: AN ACT DIVIDING BARANGAY MAGUGPO IN THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE INTO FIVE (5) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY MAGUGPO POBLACION, BARANGAY MAGUGPO EAST, BARANGAY MAGUGPO WEST, BARANGAY MAGUGPO NORTH AND BARANGAY MAGUGPO SOUTH.

The Chair directed the Secretary General to call the roll for nominal voting.

THE DEPUTY SPEAKER (Rep. Singson). The Dep. Majority Leader is recognized.

REP. BONDOC. Mr. Speaker, this being a local bill authored by the honorable Speaker Bebot Alvarez, he has indicated his desire to be present when this is considered for Third Reading.

With that, I move that we reconsider the approval on Third Reading of House Bill No. 4924.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) Hearing none, ...

REP. BONDOC. I am sorry, Mr. Speaker. More properly, I withdraw my motion for the consideration of House Bill No. 4924 to give way to the Honorable Speaker.

THE DEPUTY SPEAKER (Rep. Singson). There is a withdrawal of the motion. Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

CONSIDERATION OF H.B. NO. 5063
ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. BONDOC. Mr. Speaker, I move that we consider House Bill No. 5063, contained in Committee Report No. 116, as reported out by the Committee on Legislative Franchises.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.*

The Secretary General is directed to read only the title of the measure.

With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.

THE SECRETARY GENERAL. House Bill No. 5063, entitled: AN ACT GRANTING THE PANGASINAN GULF WAVES NETWORK CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN RADIO AND TELEVISION BROADCASTING STATIONS THROUGHOUT THE PHILIPPINES.

REP. BONDOC. Mr. Speaker, the Chairman of the Committee on Legislative Franchises, the Honorable Alvarez, is present. I move that the Explanatory Note of this measure be considered as its sponsorship speech.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, there being no Member who has signified his intention to interpellate, I move that we close the period of sponsorship and debate on House Bill. No. 5063.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move that we open the period of amendments. However, there being no Committee or individual amendments, I move that we close the same.

* See MEASURES CONSIDERED (printed separately)

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move for the approval on Second Reading of House Bill No. 5063.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Singson). As many as are in favor of House Bill No. 5063, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Singson). As many as are against, please say *nay*. (*Silence*)

APPROVAL OF H.B. NO. 5063 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Singson). The *ayes* have it. House Bill No. 5063 is approved on Second Reading.

CONSIDERATION OF H.B. NO. 5064 ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. BONDOC. Mr. Speaker, I move that we consider House Bill No. 5064, contained in Committee Report No. 117, as reported out by the Committee on Legislative Franchises.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.*

The Secretary General is directed to read only the title of the measure.

With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.

THE SECRETARY GENERAL. House Bill No. 5064, entitled: AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO SUBIC BROADCASTING CORPORATION UNDER REPUBLIC ACT NO.

7511 ENTITLED "AN ACT GRANTING THE SUBIC BROADCASTING CORPORATION A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN RADIO BROADCASTING AND TELEVISION STATIONS IN THE PHILIPPINES AND FOR OTHER PURPOSES."

REP. BONDOC. Mr. Speaker, the Chairman of the Committee on Legislative Franchises, the Honorable Alvarez, is present. I move that the Explanatory Note of this measure be considered as its sponsorship speech.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, there being no Member who has signified his intention to interpellate, I move that we close the period of sponsorship and debate on House Bill. No. 5064.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move that we open the period of amendments. However, there being no Committee or individual amendments, I move that we close the same.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move that we approve House Bill No. 5064 on Second Reading.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Singson). As many as are in favor of House Bill No. 5064, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Singson). As many as are against, please say *nay*. (*Silence*)

APPROVAL OF H.B. NO. 5064 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Singson). The *ayes* have it. House Bill No. 5064 is approved on Second Reading.

* See MEASURES CONSIDERED (printed separately)

CONSIDERATION OF H.B. NO. 5175
ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. BONDOC. Mr. Speaker, I move that we consider House Bill No. 5175, contained in Committee Report No. 148, as reported out by the Committee on Legislative Franchises.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.*

The Secretary General is directed to read only the title of the measure.

With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.

THE SECRETARY GENERAL. House Bill No. 5175, entitled: AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO BETA BROADCASTING SYSTEM, INC., UNDER REPUBLIC ACT NO. 8026, ENTITLED "AN ACT GRANTING THE BETA BROADCASTING SYSTEM CORPORATION A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN RADIO BROADCASTING STATIONS IN THE ISLAND OF LUZON, AND FOR OTHER PURPOSES."

REP. BONDOC. Mr. Speaker, the Chairman of the Committee on Legislative Franchises, the Honorable Alvarez, is present. I move that the Explanatory Note of this measure be considered as its sponsorship speech.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, there being no Member who has signified his intention to interpellate, I move that we close the period of sponsorship and debate on House Bill No. 5175.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move that we open the period of amendments. However, there being no

Committee or individual amendments, I move that we close the same.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move for the approval on Second Reading of House Bill No. 5175.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Singson). As many as are in favor, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Singson). As many as are against, please say *nay*. (*Silence*)

APPROVAL OF H.B. NO. 5175
ON SECOND READING

THE DEPUTY SPEAKER (Rep. Singson). The *ayes* have it. House Bill No. 5175 is approved on Second Reading.

CONSIDERATION OF H.B. NO. 5176
ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. BONDOC. Mr. Speaker, I move that we consider House Bill No. 5176, contained in Committee Report No. 149 as reported out by the Committee on Legislative Franchises.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.*

The Secretary General is directed to read only the title of the measure.

With the permission of the Body, and since copies of the measure have been previously distributed, the Secretary General read only the title thereof without prejudice to inserting its text in the Congressional Record.

THE SECRETARY GENERAL. House Bill No. 5176, entitled: AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO SARRAGA INTEGRATED AND

* See MEASURES CONSIDERED (printed separately)

MANAGEMENT CORPORATION UNDER REPUBLIC ACT NO. 7478, ENTITLED "AN ACT GRANTING THE SARRAGA INTEGRATED MANAGEMENT CORPORATION OF THE PHILIPPINES A FRANCHISE TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN FOR COMMERCIAL PURPOSES RADIO AND TELEVISION BROADCASTING STATIONS IN THE PHILIPPINES AND FOR OTHER PURPOSES."

REP. BONDOC. Mr. Speaker, the Chairman of the Committee on Legislative Franchises, the Hon. Franz Alvarez, is present. I move that the Explanatory Note of the measure be considered as its sponsorship speech.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, there being no Member who has signified his intention to interpellate, I move that we close the period of sponsorship and debate on House Bill No. 5176.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move that we open the period of amendments. However, there being no Committee or individual amendments, I move that we close the same.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move for the approval on Second Reading of House Bill No. 5176. I so move, Mr. Speaker.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Singson). As many as are in favor, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Singson). As many as are against, please say *nay*. (*Silence*)

APPROVAL OF H.B. NO. 5176 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Singson). The

ayes have it. House Bill No. 5176 is hereby approved on Second Reading.

CONSIDERATION OF H.B. NO. 5177 ON SECOND READING

PERIOD OF SPONSORSHIP AND DEBATE

REP. BONDOC. Mr. Speaker, I move that we consider House Bill No. 5177, contained in Committee Report No. 150, as reported out by the Committee on Legislative Franchises.

May I ask that the Secretary General be directed to read only the title of the measure.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.*

The Secretary General is directed to read only the title of the measure.

THE SECRETARY GENERAL. House Bill No. 5177, entitled: AN ACT RENEWING FOR ANOTHER TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO INFOCOM COMMUNICATIONS NETWORK, INC. (PRESENTLY KNOWN AS NOW TELECOM COMPANY, INC.) UNDER REPUBLIC ACT NO. 7301, ENTITLED "AN ACT GRANTING INFOCOM COMMUNICATIONS NETWORK, INC. (ICNI), A FRANCHISE TO CONSTRUCT, ESTABLISH, OPERATE AND MAINTAIN MOBILE RADIO SYSTEMS SUCH AS RADIO PAGING SYSTEMS, CELLULAR PHONE SYSTEMS, PERSONAL COMMUNICATION NETWORK (PCN), AND TRUNK RADIO SYSTEMS WITHIN OR WITHOUT THE PHILIPPINES FOR A PERIOD OF TWENTY-FIVE (25) YEARS, AND FOR OTHER PURPOSES," AS AMENDED BY REPUBLIC ACT NO. 7940.

REP. BONDOC. Mr. Speaker, the Chairman of the sponsoring committee, the Committee on Legislative Franchises, the Hon. Franz Alvarez, is present. I move that the Explanatory Note of the measure be considered as its sponsorship speech.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, there being no Member who has signified his intention to interpellate, I move that we close the period of sponsorship and debate on House Bill. No. 5177.

THE DEPUTY SPEAKER (Rep. Singson). Is there

* See MEASURES CONSIDERED (printed separately)

any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move that we open the period of amendments. However, there being no Committee or individual amendments, I move that we close the same.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move for the approval on Second Reading of House Bill No. 5177.

VIVA VOCE VOTING

THE DEPUTY SPEAKER (Rep. Singson). As many as are in favor, please say *aye*.

SEVERAL MEMBERS. *Aye*.

THE DEPUTY SPEAKER (Rep. Singson). As many as are against, please say *nay*. (*Silence*)

APPROVAL OF H.B. NO. 5177 ON SECOND READING

THE DEPUTY SPEAKER (Rep. Singson). The *ayes* have it. House Bill No. 5177 is hereby approved on Second Reading.

REP. BONDOC. Mr. Speaker, this is an omnibus motion for the change of referral of the following measures:

1. House Bills No. 3112, 3474, and 4216, from the Committee on Justice to the Committee on Population and Family Relations;
2. House Bill No. 194, from the Committee on Foreign Affairs to the Committee on Women and Gender Equality;
3. House Bills No. 508, 2591 and 3691, from the Committee on Revision of Laws to the Committee on Women and Gender Equality;
4. House Bill No. 2592, from the Committee on Revision of Laws to the Committee on Women and Gender Equality;
5. House Bill No. 4900, from the Committee on Health to the Committee on Public Order And Safety;
6. House Bills No. 1725 and 3116, from the Committee on Transportation to the Committees on Government Reorganization and Transportation;
7. House Bill No. 1155, from the Special Committee on Reforestation to the Committee on Health;
8. House Bills No. 3781, 3838, 3871 and 3913, from the Committee on Government Reorganization to the Committees on Government Reorganization and Appropriations;

9. House Bill No. 1396, from the Committee on Agriculture and Food to the Committee on Agrarian Reform; and

10. House Bill No. 187, from the Committees on Agriculture and Food and Aquaculture and Fisheries Resources to the Committee on Agrarian Reform.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the omnibus motion? (*Silence*) The Chair hears none; the motion is approved.

REFERRAL OF HOUSE RESOLUTIONS ON INQUIRIES IN AID OF LEGISLATION

REP. BONDOC. Mr. Speaker, in accordance with our Rules Governing Inquiries in Aid of Legislation, I move that we refer the following House resolutions to the appropriate Committees:

1. House Resolution No. 735, re the structural integrity of the dams, tunnels, and other facilities constructed by the Marcopper Mining Corporation, to the Committee on Ecology;

2. House Resolution No. 741 re the intelligence gathered by the Defense Secretary indicating the establishment by the international terrorist group Islamic State of a base or Wilayat in Central Mindanao by tapping the Abu Sayyaf and rallying the Maute Group, to the Committee on Public Order and Safety;

3. House Resolution No. 744 re the inquiry on how local government units give exemptions from payment of local taxes to certain corporations, to the Committee on Local Government;

4. House Resolution No. 746 re the working conditions and employment practices prevalent in special economic zones, to the Committee on Labor and Employment;

5. House Resolution No. 749 re the performance of telecommunications companies, to the Committee on Information and Communications Technology;

6. House Resolution No. 750 re the taxes due from the sale of prepaid cellular cards and electronic credits, to the Committee on Ways and Means;

7. House Resolution No. 751 re the death of Korean national Jee Ick-Joo, to the Committee on Public Order and Safety;

8. House Resolution No. 752 re unresolved murders in the Second District of Misamis Occidental, to the Committee on Public Order and Safety;

9. House Resolution No. 753 re procurement irregularities committed by the officers of Government Service Insurance System (GSIS) leading to the stoppage of the construction and eventually, the demolition of the GSIS Quezon City Branch Office (GSIS-QCBO) situated at the Elliptical Road, Quezon

City, to the Committee on Good Government and Public Accountability;

10. House Resolution No. 754 re impact of the importation, use and sale of high fructose corn syrup in the Philippines on the sustainability of the sugar industry, to the Committee on Agriculture and Food;

11. House Resolution No. 755 re the necessary government support for the business process outsourcing (BPO), to the Committee on Information and Communications Technology;

12. House Resolution No. 756 re the actions and orders undertaken by Secretary Regina Paz L. Lopez of the Department of Environment and Natural Resources in announcing the closure and suspension of mining companies due to alleged violations of environmental laws, to the Committee on Good Government and Public Accountability;

13. House Resolution No. 757 re the incomplete or complete but substandard public works, including school buildings, by the Department of Public Works and Highways (DPWH) First District Office, Catarman, Northern Samar, to the Committee on Public Works and Highways;

14. House Resolution No. 758 re rules on the operation of crematoriums to ensure that such facilities shall not be used to destroy or conceal evidence of crimes, to the Committee on Public Order and Safety;

15. House Resolution No. 762 re the status of the COMELEC-SMARTMATIC contract of lease with option to purchase of more than 90,000 units of precinct-based optical mark reader (OMR) machines for the May 2016 elections, to the Committee on Suffrage and Electoral Reforms;

16. House Resolution No. 763 re the manifest breakdown of discipline in the Philippine National Police in the light of recent high-profile criminal incidents allegedly involving officers and members of the organization, to the Committee on Public Order and Safety;

17. House Resolution No. 764 re the February 3, 2017 extrajudicial killing of Renato Anglao, a Manobo-Pulangihon and Lumad leader of Tribal Indigenous Oppressed Group Association (TINDOGA) opposing the plantation expansion in the province of Bukidnon, to the Committee on Human Rights;

18. House Resolution No. 765 re the January 25, 2017 extrajudicial killing of Wenceslao Pacquiao, a farmer-member of the San Benito Farmers Association-Kilusang Magbubukid Ng Pilipinas (SBFA-KMP Negros), in Calatrava, Negros Occidental, to the Committee on Human Rights;

19. House Resolution No. 766 re defunding of Project NOAH, to the Committee on Science and Technology;

20. House Resolution No. 767 re the alleged corruption and irregularities in the operation and

business of PhilHealth, to the Committee on Good Government and Public Accountability;

21. House Resolution No. 768 re the anomalous construction of a hotel and casino within the Army Navy Club, to the Committee on Good Government and Public Accountability;

22. House Resolution No. 770 re keeping Project NOAH or Nationwide Operational Assessment of Hazards afloat in order to carry on its life-saving purpose, to the Committee on Science and Technology;

23. House Resolution No. 771 re the over 500 HIV-contaminated blood units for donation according to a 2016 DOH report and the prompt countermeasure in order to ensure the safety of the recipients, to the Committee on Health;

24. House Resolution No. 774 re incidents of maritime piracy and kidnapping in the Philippine waters and their unabated prevalence in the recent years, to the Committee on Public Order and Safety;

25. House Resolution No. 775 re the immigration ban policy of the United States of America (USA) on Filipinos in the USA, to the Committee on Foreign Affairs;

26. House Resolution No. 776 re the alleged corruption in the Energy Regulatory Commission, to the Committee on Good Government and Public Accountability;

27. House Resolution No. 777 re the failure of various social media networks to provide an effective method or system to ascertain the authenticity of accounts registered with them, to the Committee on Information and Communications Technology;

28. House Resolution No. 778 re the legality of, and the circumstances in, the actions of Fortune Medicare, Inc. (Fortune Care) in no longer renewing the nonlife insurance contracts of existing members, to the Committee on Banks and Financial Intermediaries;

29. House Resolution No. 780 re the status of the implementation of Republic Act No. 9418, otherwise known as The Volunteerism Act Of 2007, and the various volunteerism efforts undertaken by concerned national government agencies, local government units and other stakeholders towards national development and in accelerating rural development throughout the Philippines, to the Committee on People's Participation;

30. House Resolution No. 782 re the anomalies in the procurement process conducted by the Department of Transportation with respect to the award of the Bicol International Airport Package 2B Project, to the Committee on Good Government and Public Accountability;

31. House Resolution No. 783 re the denial of the Bureau of Internal Revenue (BIR) to issue tax exemption certificates to cooperatives, to the Committee on Cooperatives Development;

32. House Resolution No. 787 re Metro Rail Transit Corporation General Manager Engr. Deo Leo N. Manalo and other officials of the corporation, on the delivery of substandard coaches made by Dalian Locomotive and

Rolling Stock Corporation to the MRT Corporation, to the Committee on Transportation; and

33. House Resolution No. 788 re the structural integrity and reliability of buildings in Metro Manila, to the Committee on Metro Manila Development.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

REP. BONDOC. Mr. Speaker, I move that we proceed to the Reference of Business.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection? (*Silence*) The Chair hears none; the motion is approved.

The Secretary General will please read the Reference of Business.

REFERENCE OF BUSINESS

The Secretary General read the following House Bills on First Reading and Communications, and the Deputy Speaker made the corresponding references:

BILLS ON FIRST READING

House Bill No. 5181, entitled:

“AN ACT PROVIDING FOR FURTHER OPTIONS FOR COMPLIANCE WITH SECTION 7 OF REPUBLIC ACT NO. 10000, OTHERWISE KNOWN AS THE AGRI-AGRA REFORM CREDIT ACT OF 2009”

By Representative Yap (A.)
TO THE COMMITTEE ON AGRICULTURE AND FOOD

House Bill No. 5182, entitled:

“AN ACT PROVIDING FOR THE CONVERSION OF DANKARITON ROAD, DALANDANAN IN THE CITY OF VALENZUELA, METRO MANILA INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR”

By Representative Gatchalian
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

House Bill No. 5184, entitled:

“AN ACT IMPOSING A LOGGING BAN IN TICAO AND BURIAS ISLAND, PROVINCE OF MASBATE, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES”

By Representative Bravo (M.V.)
TO THE COMMITTEE ON NATURAL RESOURCES

House Bill No. 5185, entitled:

“AN ACT CREATING THE PROVINCE OF MAGUINDANAO NORTH”

By Representative Sema
TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 5186, entitled:

“AN ACT REDISTRICTING THE PROVINCE OF MAGUINDANAO AND COTABATO CITY INTO THREE LEGISLATIVE DISTRICTS”

By Representative Sema
TO THE COMMITTEE ON LOCAL GOVERNMENT

House Bill No. 5187, entitled:

“AN ACT OTHERWISE KNOWN AS THE INTERNET GAMBLING REGULATORY ACT OF 2017”

By Representative Alejano
TO THE COMMITTEE ON GAMES AND AMUSEMENTS

House Bill No. 5188, entitled:

“AN ACT PROVIDING FOR RURAL EMPLOYMENT ASSISTANCE PROGRAM AND APPROPRIATING FUND THEREFOR”

By Representative Alejano
TO THE COMMITTEE ON RURAL DEVELOPMENT

House Bill No. 5189, entitled:

“AN ACT PROVIDING FOR EXEMPTION FROM INCOME TAX TO PUBLIC SCHOOL TEACHERS, HEALTH WORKERS, POLICE AND MILITARY UNIFORMED PERSONNEL, AMENDING FURTHER SECTION 24 (A) (2) OF THE NATIONAL INTERNAL REVENUE CODE OF 1997 AS AMENDED BY REPUBLIC ACT NO. 9504 AND FOR OTHER PURPOSES”

By Representative Alejano
TO THE COMMITTEE ON WAYS AND MEANS

House Bill No. 5190, entitled:

“AN ACT PROMOTING THE USE OF URBAN FARMING IN THE COUNTRY’S METROPOLITAN AREAS TO ADDRESS FOOD SECURITY CONCERNS AND REGENERATE ECOSYSTEM FUNCTIONS, APPROPRIATING FUNDS THEREFOR, AND FOR ANY OTHER PURPOSE”

By Representative Alejano
TO THE SPECIAL COMMITTEE ON FOOD SECURITY

House Bill No. 5191, entitled:

“AN ACT MANDATING THE COMMISSION ON HIGHER EDUCATION TO INCLUDE A SUBJECT OF MORO HISTORY, CULTURE AND IDENTITY STUDIES AS AN ELECTIVE IN THE HIGHER EDUCATION CURRICULUM”

By Representative Alejano

TO THE COMMITTEE ON HIGHER AND TECHNICAL EDUCATION

ADDITIONAL COAUTHORS

Reps. Nancy A. Catamco, Joey Sarte Salceda, Frederick W. Siao, Abraham “Bambol” N. Tolentino, Jennifer Austria Barzaga, and Ricardo “RJ” T. Belmonte Jr. for House Bill No. 2286;

Reps. Raul “Boboy” C. Tupas, Ruby M. Sahali, Randolph S. Ting, Karlo Alexei B. Nograles, Juliette T. Uy, Scott Davies S. Lanete, M.D., Raul A. Daza, Ferjenel G. Biron, M.D., Carlito S. Marquez, Jesus “Boying” F. Celeste, Greg G. Gasataya, Baby Aline Vargas-Alfonso, Sharon S. Garin, Pablo C. Ortega, Seth Frederick P. Jalosjos, Joel Mayo Z. Almario, Alex “AA” L. Advincola, Rodel M. Batocabe, and Joey Sarte Salceda for House Bill No. 4774;

Reps. Wilfredo S. Caminero, Rodel M. Batocabe, and Napoleon S. Dy for House Bill No. 2881;

Rep. Jose Antonio “Kuya Jonathan” R. Sy-Alvarado for House Bills No. 1637, 2615, 3222, 5036, 5099, 5100, 5101, 5102, 5103, 5104, and 5109;

Rep. Gwendolyn F. Garcia for House Bill No. 5048;

Rep. Rico B. Geron for House Bill No. 5018;

Reps. Harlin Neil J. Abayon III, Alexandria P. Gonzales, Christopher S. Co, and Joey Sarte Salceda for House Bills No. 2627 and 2628;

Rep. Salvador B. Belaro Jr. for House Bills No. 583 and 4879;

Rep. Cesar V. Sarmiento for House Resolution No. 198;

Rep. Isidro S. Rodriguez Jr. for House Bills No. 2192, 2193, 2286, 2627, 2628, and 2881, and House Resolution No. 769;

Rep. Manuel Jose “Mannix” M. Dalipe for House Bills No. 440, 2728, and 4820;

Rep. John Marvin “Yul Servo” C. Nieto for House Bills No. 4888, 5039, and 5074;

Rep. Arthur C. Yap for House Bill No. 180;

Rep. Rodolfo C. Fariñas for House Bill No. 4571;

Rep. Estrellita B. Suansing for House Bill No. 1359;

Reps. Divina Grace C. Yu, Federico “Ricky” S. Sandoval II, Manuel F. Zubiri, and Aniceto “John” D. Bertiz III for House Bill No. 4742;

Rep. Jose Carlos L. Cari for House Bill No. 4689;

Rep. Joaquin M. Chipeco Jr. for House Bill No. 1834;

Rep. Makmod D. Mending Jr. for House Resolution No. 834;

Reps. Rose Marie “Baby” J. Arenas, Ben P. Evardone, Aniceto “John” D. Bertiz III, and Ma. Lucille L. Nava, M.D. for House Bill No. 2498;

Rep. Seth Frederick P. Jalosjos for House Bills No. 2345 and 2498;

Reps. Gabriel H. Bordado Jr., Aurelio “Dong” D. Gonzales Jr. and Zajid G. Mangudadatu for House Bill No. 4174;

Reps. Rodel M. Batocabe and Christopher S. Co for House Bills No. 65, 544, 545, 546, 2949, and 3244;

Rep. Christopher “Toff” Vera Perez De Venecia for House Bill No. 5036;

Rep. Maria Vida Espinosa Bravo for House Bills No. 1356, 2881, 3565, 4208, 4349, 4754, 4755, and 4786;

Rep. Carlos O. Cojuangco for House Bills No. 2192 and 2193;

Rep. Bernadette “BH” Herrera-Dy for House Bill No. 4101;

Rep. Noel L. Villanueva for House Bill No. 4703;

Rep. Marlyn L. Primicias-Agabas for House Bill No. 735;

Reps. Mark Aeron H. Sambar, Celso L. Lobregat, Maximo B. Dalog, Francisco Jose F. Matugas II and Sarah Jane I. Elago for House Bill No. 5146;

Rep. Elisa “Olga” T. Kho for House Bill No. 2628;

Rep. Pantaleon D. Alvarez for House Bills No. 1869 and 4113;

Rep. Jose “Pingping” I. Tejada for House Bills No. 2627, 2628, and 2881;

Rep. Emmanuel A. Billones for House Bills No. 2627, 2881, and 5107;

Rep. Mario Vittorio “Marvey” A. Mariño for House Bills No. 2627 and 2628; and

Rep. Maximo B. Rodriguez Jr. for House Bill No. 5031.

COMMUNICATIONS

Letter dated January 27, 2017 of Noel C. Basañes, OIC-District Engineer, District Engineering Office, Regional Office XI, Department of Public Works and Highways, submitting the Monthly Status/Accomplishment Report for the month of January 2017 of projects implemented by their office within the 1st Congressional District of Davao del Norte.
TO THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS

Letter dated January 30, 2017 of Allan S. Borromeo, CESO IV, OIC-Regional Director, Region XI, Department of Public Works and Highways, submitting the Monthly Progress Status Report

for Widening of Governor Miranda Bridge 2 (BO1270MN) and Approaches along Daang Maharlika (MN), Davao del Norte, for the month of January 2017, implemented by their office.

TO THE COMMITTEE ON PUBLIC WORKS
AND HIGHWAYS

Letter dated January 30, 2017 of Zenaida T. Tan, Assistant Regional Director, Region XI, Department of Public Works and Highways, submitting the Monthly Progress Status Reports for the month of January 2017 of projects implemented by their office.

TO THE COMMITTEE ON PUBLIC WORKS
AND HIGHWAYS

Letter dated February 7, 2017 of Ric B. Zambales Sr., General Manager, Palawan Electric Cooperative, submitting their Souvenir program containing their 2015 Annual Accomplishment Report.

TO THE COMMITTEE ON COOPERATIVES
DEVELOPMENT

Letters dated January 9, 2017 of Datu Rooney Q. Sinsuat, Speaker, Regional Legislative Assembly, Autonomous Region in Muslim Mindanao, submitting certified true copies of laws and resolutions passed by the current Legislative Assembly.

TO THE COMMITTEE ON MUSLIM AFFAIRS

Letter dated February 10, 2017 of Ferdinand A. Pecson, Undersecretary and Executive Director, Public-Private Partnership Center, submitting their findings on the differences between the provisions of the Final Draft Concession Agreement and the signed agreement transmitted to the Congress relative to the Design-Build-Transfer-Operate Agreement for the Tanauan City Public Market Development Project.

TO THE COMMITTEE ON PUBLIC WORKS
AND HIGHWAYS

Letters dated February 16 and 23, 2017 and March 1, 2017 of Roger E. Dino, Deputy Director, Office of the General Counsel and Legal Services,

Bangko Sentral ng Pilipinas, furnishing the House of Representatives with duly certified and authenticated BSP issuances, to wit:

1. Memorandum No. M-2017-004 dated 8 February 2017;
2. Circular Letter No. CL-2017-010 dated 7 February 2017;
3. Circular Letter No. CL-2017-011 dated 3 February 2017;
4. Memorandum No. M-2017-005 dated 16 February 2017;
5. Circular Letter No. CL-2017-012 dated 17 February 2017;
6. Circular No. 946 dated 17 February 2017; and
7. Circular No. 947 dated 15 February 2017.

TO THE COMMITTEE ON BANKS AND
FINANCIAL INTERMEDIARIES

THE DEPUTY SPEAKER (Rep. Singson). The Dep. Majority Leader is recognized.

APPROVAL OF THE JOURNAL

REP. BONDOC. Mr. Speaker, I move for the approval of Journal No. 78, dated March 6, 2017.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). Is there any objection to the motion? (*Silence*) The Chair hears none; the motion is approved.

ADJOURNMENT OF SESSION

REP. BONDOC. Mr. Speaker, I move that we adjourn the session until tomorrow, March 8, at four o'clock in the afternoon.

I so move, Mr. Speaker.

THE DEPUTY SPEAKER (Rep. Singson). The session is adjourned until tomorrow, March 8, at four o'clock in the afternoon.

It was 8:44 p.m.