

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 4766

Introduced by Honorable **DANILO E. SUAREZ**

EXPLANATORY NOTE

Article II, Section 11 of the 1987 Constitution states that:

"The State values the dignity of every human person and guarantees full respect for human rights."

Also, Article 5 of the Universal Declaration of Human Rights provides that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

According to the Balay Foundation, extreme overcrowding is the most punishing aspect of doing time in Philippine jails. At the Manila City Jail and other prisons in the National Capital Region, inmates have to take turns sleeping on the floor. Herding individuals in cramped spaces is cruel, inhuman, ill, degrading, and unjust punishment. Overcrowding is dangerous to health and to human life. It breeds diseases, breaks down discipline and exacerbates tensions. Add dirty tap water, dingy toilets, substandard meals, gang war, poorly trained guards and prison administrators, favoritism, and you have a system built for punishment, not for rehabilitation.¹

The present situation of our Penal facilities "is a throwback to the 18th century that treated prisoners as animals unfit to renew themselves and rejoin society."² It is also a contravention of our treaty obligations such as the International Covenant on Civil and Political Rights (UN ICCPR) and the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

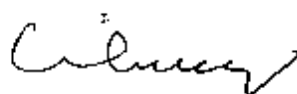
This bill aims to put a reformative instead of a punitive policy as regards our Prison facilities. The New Bilibid Prison in Muntinlupa City shall be sold and from the proceeds thereof the government shall acquire 4 new prison locations, one each for Luzon, Visayas, and Mindanao plus one located in the National Capital Region. These new prison locations must be

¹ <http://www.opcatph.org/prison%20conditions.htm>

² *id.*

capable of agricultural activities such that prisoners will be trained in farming and animal husbandry.

Considering the foregoing reasons, the passage of this bill is earnestly requested.



DANILO E. SUAREZ
Representative
3rd District, Quezon Province

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AN ACT MANDATING THE DEPARTMENT OF JUSTICE TO SELL THE NEW BILIBID PRISONS AND FROM THE PROCEEDS THEREOF TO ACQUIRE FOUR NEW PRISON FACILITIES TO BE LOCATED IN LUZON, VISAYAS, MINDANAO, AND THE NATIONAL CAPITAL REGION

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

SECTION 1. *Policy Statement.* - It is the policy of the State to enact a policy of Reformation in all prison facilities in the country.

SECTION 2. *Short Title.* - This Act shall be known as the "Reform of Penal Centers Act of 2011."

SECTION 3. *Mandate.*- The Department of Justice, through the Bureau of Corrections, is hereby mandated to sell the facilities and properties of the New Bilibid Prison, located in Muntinlupa City, to the highest possible bidder.

SECTION 4. *Use of Proceeds.* - The proceeds from the sale of the New Bilibid Prison shall be exclusively used for the purchase of new Penal colony facilities to be located in Luzon, Visayas, Mindanao, and the National Capital Region, respectively.

SECTION 5. *Specification of Property.* - The properties to be purchased from the proceeds of the sale of the New Bilibid Prisons must be capable of handling agriculture-based activities.

SECTION 6. *Separability Clause.* - If any provision, or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved