

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
1st Regular Session

House Bill No. 8071



**Introduced by Representatives PAOLO Z. DUTERTE, ERIC G. YAP,
and EDVIC G. YAP**

EXPLANATORY NOTE

The 1987 Constitution vehemently opposes the use of substandard or inadequate penal facilities under subhuman conditions. Despite the said mandate, there are only seven (7) existing correctional facilities in the country which are under the jurisdiction of the Bureau of Corrections (BuCor), namely: The New Bilibid Prison in Muntinlupa City; The Correctional Institution for Women (CIW) in Mandaluyong City; Iwahig Prison and Penal Farm in Puerto Princesa City, Palawan; Sablayan Prison and Penal Farm in Occidental Mindoro; San Ramon Prison and Penal Farm in Zamboanga City; Leyte Regional Prison in Abuyog, Leyte; and Davao Prison and Penal Farm in Panabo, Davao Province.

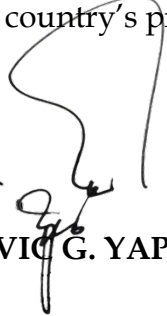
Notwithstanding these seven (7) correction facilities spread across the country, congested prisons are still among the pertinent issues faced by the country's justice system. In fact, the World Prison Brief still named the Philippines as "the most overcrowded prison system in the world" with 215,000 prisoners overfilling the jails and prisons more than five times the jail or prison's official capacity. Moreover, many of the country's jails fail to meet the minimum United Nations standards given the jails' cases of inadequate food, poor nutrition and unsanitary conditions, according to Human Rights Watch (HRW).

It is due to this long-term neglect of the country's prisoners that this bill seeks to establish and operate additional penal farms in regions I, II, III, V, VI, VIII, IX, X, XII, XIII, and CAR, thereby decongesting existing penal institutions in the country, accommodating the increasing number of inmates committed to the BuCor, and giving due credence to the right to decent accommodations of the country's prisoners.

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


PAOLO Z. DUTERTE


ERIC G. YAP


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AN ACT
ESTABLISHING PENITENTIARY SYSTEMS IN REGIONS I, II, III, V, VI, VIII,
IX, X, XII, XIII, AND CAR TO DECONGEST THE NEW BILIBID PRISON (NBP)
AND OTHER PENAL FARMS AND PROVINCES, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* - This Act shall be known as the "*Regional Penitentiaries Act.*".

SEC. 2. *Declaration of Policy.* - Section 5 of Article II states that "[t]he 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."

It is the policy of the State to value human dignity and guarantee full respect for human rights regardless of any wrongful act or omission done. The State likewise adopts the mandate under Article 5 of the Universal Declaration of Human Rights that "no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment." Among others, an adequate standard of living for our prisoners, including decent accommodations, is considered a human right.

SEC. 3. *Creation of Regional Penal Farms.* - The Bureau of Corrections (BuCor) shall establish and operate additional penal farms in regions I, II, III, V, VI, VIII, IX, X, XII, XIII, and CAR to decongest existing penal institutions and accommodate the increasing number of inmates committed to the agency.

SEC. 4. *Facilities.* - Each penal farm established pursuant to this Act shall operate with standard and uniform design of prison facilities, reformation facilities, and administrative facilities, such as the following:

- a. Dormitory;

- b. Administration building;
- c. Perimeter/Security fences;
- d. Hospital/Infirmary;
- e. Recreation/Multipurpose hall;
- f. Training/Lecture center;
- g. Workshop facility;
- h. Mess hall/kitchen;
- i. Visiting area;
- j. Water tank and pump;
- k. Reception and diagnostic center;
- l. Service personnel facilities; and
- m. Other structures deemed relevant to the operations of jail facilities.

SEC. 5. Roles and Functions of the BuCor. - The Bureau of Corrections (BuCor) is hereby mandated to:

- a. Create an Infrastructure Plan which shall begin not later than six (6) months from the effectivity of this Act, to be completed not later than five (5) years from the effectivity of this Act;
- b. Coordinate the construction of regional penitentiaries, whenever necessary, with the Department of Public Works and Highways (DPWH), the Department of Budget and Management (DBM), the Department of Environment and Natural Resources (DENR), local government units concerned, and such other concerned government agencies;
- c. Carry out the decentralization and transfer of prisoners incarcerated in the national penitentiaries to regional penal farms, including the performance and coordination of all tasks and activities, pursuant to this Act; and
- d. Ensure the implementation of the provisions stipulated in this Act.

SEC. 6. Determination of Budgetary Requirements. - For the foregoing purpose, the DOJ, DBM, and DPWH are mandated to determine the budgetary requirements for the establishment of the aforementioned regional penal farms. Within six (6) months from the date of effectivity of this Act, the DOJ, DBM, and the DPWH shall jointly report to Congress on such budgetary requirements.

SEC. 7. Appropriations. - Such amounts as may be necessary to carry out the provisions of this Act shall be included in the Annual General Appropriations Act.

SEC. 8. Separability Clause. - If any portion or provision of this Act is declared invalid or unconstitutional, other provisions hereof shall remain in full force and effect.

SEC. 9. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, which are inconsistent with this Act are hereby repealed, or modified accordingly.

SEC. 10. *Effectivity.* - This Act shall take effect fifteen days (15) after its publication in the *Official Gazette* or in a national newspaper of general circulation.

Approved,