



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

**TWENTIETH CONGRESS
FIRST REGULAR SESSION**

HOUSE BILL NO. 1629



**Introduced by Representative
DAVID "JAY-JAY" C. SUAREZ, BEINVENIDO M. ABANTE JR. ROMEO M. ACOP, ZIA
ALONTO ADIONG, FRANCISCO PAOLO C. ORTEGA, ERNESTO M. DIONISIO, JR., RAMON
RODRIGO L. GUTIERREZ, LORDAN G. SUAN, JEFFERSON F. KHONGHUN, GERVILLE
"JINKY BITRICS" R. LUISTRO, FLORES, JONATHAN KEITH T.**

EXPLANATORY NOTE

This proposed bills seeks to define, declare and penalize extrajudicial killing (EJK) as a heinous crime under Philippine law.

The 1987 Constitution affirms the sanctity of life and the intrinsic dignity of every human being. It obliges the State to uphold and protect human rights, particularly the right to life, liberty, and property. These protections are meaningless if violations committed outside the justice system go unpunished. The State has a legal and moral duty to prevent such abuses and respond decisively when they occur.

Extrajudicial killings defined in this bill as the taking of life without the sanction of a lawful judicial process, pose a serious challenge to democratic institutions and erode public confidence in the justice system. When perpetrators are not held accountable, impunity thrives and the most basic human rights are rendered hollow.

This measure proposes to explicitly define and criminalize EJK, ensuring that all individuals, whether public officials or private actors, who commit, order, or permit such killings can be prosecuted and penalized accordingly. By codifying EJK as a distinct and punishable offense, the bill intends to provide a strong legal foundation for addressing such violations through proper investigative and judicial processes.

This measure affirms the country's commitment to international human rights obligations, including the International Covenant on Civil and Political Rights (ICCPR), which mandates State parties to safeguard the right to life and protect individuals from arbitrary deprivation of life.

In order to reinforce an institutional response to these violations, the bill likewise seeks to establish the Extrajudicial Killing Claims Board. This body shall

administer reparations to victims' families and develop mechanisms to investigate and prevent future occurrences of EJK.

A 2022 report released by the Commission on Human Rights, titled "Report on Investigated Killings in Relation to the Anti-Illegal Drug Campaign," recorded a total of 846 drug-related EJK victims investigated between 2016 and 2022. Of these, 577 were attributed to law enforcement agents while 269 were attributed to unknown assailants and other actors. These figures underscore the urgent need for legislation that enforces accountability and offers redress.


While financial compensation can never fully restore what has been lost, it serves as a modest form of justice and a recognition of the harm inflicted. More importantly, this measure will help build a culture of accountability and demonstrate that the State does not condone killings committed outside legal boundaries.

A version of this bill was filed during the 19th Congress and was deliberated on in two hearings conducted by the Committee on Justice of the House of Representatives.

In light of the above, the swift enactment of this bill is strongly urged.



DAVID "JAY-JAY" C. SUAREZ




BEINVENIDO M. ABANTE JR



ZIA ALONTO ADIONG



FRANCISCO PAOLO C. ORTEGA



ERNESTO M. DIONISIO, JR.



RAMON RODRIGO L. GUTIERREZ



LORDAN G. SUAN



JEFFERSON P. KONGHUN



GERVILLE "KINKY BITRICS" R. LUISTRO



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AN ACT
CLASSIFYING AND PENALIZING EXTRAJUDICIAL KILLING AS A HEINOUS CRIME,
PROVIDING REPARATION FOR THE VICTIMS, AND STRENGTHENING THE MECHANISM
FOR ITS PREVENTION

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

SEC. 1. **Short Title.**- This Act shall be known as the "Anti-Extrajudicial Killing Act."

SEC. 2. **Declaration of Policy.** – It is the policy of the State to value the dignity of every human person and guarantee full respect for human rights. The State likewise guarantees that no person shall be deprived of life, liberty, and property without due process of law. The State honors its solemn obligation under the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the European Covenant on Civil and Political Rights to respect, promote and protect human rights. Toward this end, the State shall classify and penalize extrajudicial killing as a heinous crime, provide reparations for the victims, and strengthen the mechanism for the prevention of extrajudicial killing.

SEC 3. **Definition of Terms.**-

a. Extrajudicial Killing (EJK) refers to any killing other than the imposed by the State pursuant to the provisions of the Constitution an heinous crimes or a deliberate and arbitrary killing of any person not authorized by a previous judgment pronounced by a competent court affording all the judicial guarantees which are recognized as indispensable by civilized peoples. It may be committed a public officer, person in authority, or agent of pa person in authority, or any person who is acting under the actual apparent authority of the State.

b. Administrative Negligence refers to the inaction of any public officer,

person in authority or agent of a person in authority to prevent the commission of extrajudicial killing in one's area of responsibility.

SEC. 4. *Extrajudicial Killing as a Heinous Crime.* – Extrajudicial killing committed by a public officer, person in authority, agent of a person in authority, or any person who is acting under the actual or apparent authority of the State, is hereby classified as a heinous crime.

The penalty of life imprisonment shall be imposed upon a public officer, person of authority, agent of a person in authority, or any person who is acting under the actual or apparent authority of the State, who commits an extrajudicial killing or who orders the extrajudicial killing.

Any superior military, police or law enforcement officer or senior government official who issued an order to any lower ranking personnel to commit an extrajudicial killing for whatever purpose shall be equally liable as principals.

SEC. 5. *Monetary Reparation for Victims.* – In addition to any right of the legal heirs of victims of EJK to claim for monetary compensation and reparation as provided for under Republic Act No. 7309, or "*An Act Creating a Board of Claims Under the Department of Justice for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes and for Other Purposes*") the legal heirs may also claim for compensation under this Act in the amount of Two hundred fifty thousand pesos (P250,000.00) to Five hundred thousand pesos (P500,000.00) per victim, depending on circumstances of each death.

SEC. 6. *Nonmonetary Reparation.*– The Department of Health, Department of Social Welfare and Development, the Department of Education, the Commission on Higher Education, the Technical Education and Skills Development Authority, and other government agencies shall render the necessary services as nonmonetary reparation to the victims and or their families, as may be determined by the Extrajudicial Killings Claims Board, hereinafter created.

SEC. 7. *Extrajudicial Killing Claims Board.*– There is hereby created a body to be known as the Extrajudicial Killings Claims Board, hereinafter referred to as the Board under the Commission on Human Rights (CHR). It shall be composed of nine (9) members who possess the following qualifications:

- a. Must be of known probity competence, and integrity;
- b. Must have a deep and thorough understanding and knowledge of human rights and involvement in efforts against human rights violations;
- c. At least three (3) of them must be members of the Philippine Bar who have been engaged in the practice of law for at least ten (10) years; and
- d. Must have a clear and adequate understanding and commitment to human rights protection, promotions, and advocacy.

The Board shall organize itself within thirty days from the effectivity of this Act.

The President shall appoint the nine (9) members of the Board from a list of nominees recommended by human rights organization and the CHR.

The members of the Board shall have a term of office of six (6) years.

SEC. 8. Powers and Function of the Board. – The Board shall act as a claims board to victims of EJKs and exercise the following functions:

- a. Receive, evaluate, process, and investigate applications for claims under this Act;
- b. Conduct independent administrative proceedings and resolve disputes over claims;
- c. Approve with finality all eligible claims under this Act;
- d. Deputize appropriate government agencies to assist in the performance of its functions;
- e. Refer family members of the EJK victims to the proper government agency such as the Department of Social Welfare and Development and the National Center for Mental Health for psycho-social rehabilitation;
- f. Promulgate such rules as may be necessary to carry out the purposes of this Act, including rules of procedure in the conduct of its proceedings, with the Revised Rules of Court of the Philippine having supplementary application

SEC. 9. Presumption of Administrative Negligence.– Except in areas declared by the proper government authority as areas of conflict or combat zones, any public officer in charge of public order and safety and the local chief executive are presumed administratively negligent if there is an increase in the number of extrajudicial killings in their area of responsibility, as determined by the CHR, despite the continuous allocation and disbursement of peace and order, intelligence funds or other similar allocations to such public officer.

Public officials in charge of investigating or prosecuting cases who fail to prevent, investigate, or file necessary actions in court against those suspected of having committed and EJK shall be administratively liable under applicable laws.

SEC. 10. Preventive Suspension.– The Proper disciplining authority may, pending investigation, preventively suspend the public officer of any person under one's command for a period of one hundred twenty (120) days if the charges against such officer involve inaction to prevent the commission of extrajudicial killing.

SEC. 11. Imprescriptibility. – The prosecution for EJK shall not prescribe.

SEC. 12. Supplementary Applications. – The pertinent provisions of the Revised Penal Code shall have supplementary application.

SEC. 13. Appropriations. – The amount necessary for the initial implementation of this Act shall be charged to the current year's appropriations of the Commission on Human Rights. Thereafter, such sum as may be necessary for the effective implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 14. **Implementing Rules and Regulations.**- Within sixty (60) days from the formation of the Board, the Board shall, in coordination with the CHR, issue the necessary rules and regulations for the effective implementation of this Act.

SEC 15. **Separability Clause.** – If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, such as other sections or provisions not affected shall remain in full force and effect.

SEC. 16. **Repealing Clause.**- All other laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. **Effectivity.**- This Ach shall take effect fifteen (15 days) after its publication in the Official Gazette or in newspaper of general circulation.

Approved,