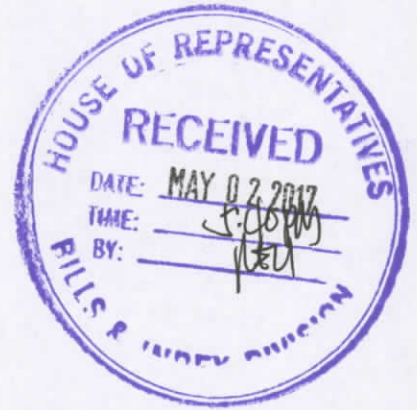


SEVENTEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
House Bill No. **5507**

Introduced by REPRESENTATIVE AMADO T. ESPINO, JR.

AN ACT
DECLARING AS UNLAWFUL THE MEMBERSHIP IN ANY PHILIPPINE COURT
PROSCRIBED OR UNITED NATIONS SECURITY COUNCIL-DESIGNATED
TERRORIST ORGANIZATION AND PROVIDING PENALTIES THEREFOR

EXPLANATORY NOTE

The prime duty of the government is to serve and protect its people. Article II, Section 5 of the 1987 Constitution states that, "*The maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.*" The people rely on the government for their safety and security.

Terrorism is a global phenomenon and is a major security issue in the Philippines. The Global Peace Index of 2016¹ reported that deaths from terrorism increased by eighty per cent (80%) from 2015.

Terrorist groups use their extremist ideology to motivate individuals to use violence and intimidation in furtherance of political or social objectives. While the country faces the widespread of terrorism, it is imperative to create a policy that will declare unlawful membership in organizations deemed to threaten the security of the nation and its people.

This bill seeks to penalize unlawful membership in terrorist organizations mainly persons who, with his knowledge, becomes or express his/her intention to become a member of any Philippine court proscribed or United Nations Security Council-Designated Terrorist Organization shall suffer the penalty of *reclusion perpetua*.

In view of the foregoing, immediate passage of this bill is earnestly requested.


AMADO T. ESPINO, JR.
5th District, Pangasinan

¹ <http://visionofhumanity.org/indexes/global-peace-index/>

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6 HOUSE OF REPRESENTATIVES

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8 House Bill No. 5507
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13 AN ACT

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15 **DECLARING AS UNLAWFUL THE MEMBERSHIP IN ANY PHILIPPINE COURT**
16 **PROSCRIBED OR UNITED NATIONS SECURITY COUNCIL-DESIGNATED**
17 **TERRORIST ORGANIZATION AND PROVIDING PENALTIES THEREFOR**
18

19 *Be it enacted by the Senate and House of Representatives of the Philippines in Congress*
20 *assembled:*
21

22 SECTION. 1. *Short Title.* – This Act shall be known as the “Unlawful Membership in Terrorist
23 Organizations Act of 2017.”
24

25 SEC. 2. *Unlawful Membership in Terrorist Organizations.* – It shall be unlawful for any person
26 to knowingly become a member or manifest his/her intention to become a member of any
27 Philippine court proscribed or United Nations Security Council-Designated Terrorist
28 Organization.
29

30 SEC. 3. *Penalty.* – Any person found guilty under this Act shall suffer the penalty of *reclusion*
31 *perpetua*.
32

33 SEC. 4. *Period of Detention without Judicial Warrant of Arrest.* – The provisions of Article
34 125 of the Revised Penal Code to the contrary notwithstanding, any police or law enforcement
35 personnel, who, having been duly authorized in writing by the Anti-Terrorism Council has taken
36 custody of a person charged with or suspected of violating Section 2 of this Act, shall without
37 incurring any criminal liability for delay in the delivery of detained persons to proper judicial
38 authority within a period of three (3) days counted from the moment the said charged or
39 suspected person has been apprehended or arrested, detained, and taken into custody by the said
40 police, or law enforcement personnel.
41

42 Sec. 5. *False Testimony or Evidence.* – Any person who knowingly furnishes false evidence in
43 any action brought under this Act shall be punished by *prision correccional*.
44

45 SEC 6. *Evidentiary Requirement.* – No person shall be convicted of any of the offenses
46 penalized herein unless on the testimony of at least two (2) witnesses to the same overt act or
47 confession of the accused in open court.
48

49 SEC. 7. *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid,
50 the other provisions not otherwise affected shall remain full force and effect.
51

1 SEC. 8. *Repealing Clause.* –All laws, executive orders, letters of instruction, rules and
2 regulations, or provisions thereof which are inconsistent with the provisions of this Act are
3 hereby repealed, amended, or modified accordingly.
4

5 SEC. 9. *Effectivity* – This Act shall take fifteen (15) days after its publication in the Official
6 Gazette or in at least two (2) newspaper of general circulation.
7

8 Approved,