

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

HOUSE BILL NO. _____

THE CITIZEN PROTECTION ACT OF 2010
Through "Indirect Initiative", Sections 3(b) and 11 of R.A. 6735
or the Initiative and Referendum Act

Introduced by the Pro-Life Philippines Foundation, Inc., Alyansang Bayanihan ng mga Magsasaka, Manggagawang-Bukid at Mangingisda (ABA), Ang Kapatiran Party, et al

EXPLANATORY NOTE

With malice towards none and with charity for all, this Citizen Protection Act of 2010 makes the harmless act of carrying a gun or any deadly weapon in public places a criminal offense (mala prohibita) before such harmless act turns into a crime. It is worth to remember: "An ounce of prevention is worth more than a pound of cure."

The possession in public places of firearms and deadly weapons should be authorized only for those directly and primarily engaged in police, military, or security services; they alone have the need and reason to carry on their persons such firearms in public places. And even then, only to enforce the law under strict and clearly defined guidelines.

THE STATE

"The prime duty of the government is to serve and protect the people. . . 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. (Philippine Constitution, Art. II, Sec. 4 & 5).

This Act will help the police fight crime and violence on the streets, isolate and easily identify outlaws and violators of this Act, thus facilitating their arrest and confiscation of their weapons. Concerned citizens can blow their whistle without fear they are pointing to the wrong person. Without this Act, it is difficult to distinguish criminals from plainclothesmen or from those with permit to carry, or from bodyguards. Sometimes, criminals pretend to be plainclothesmen, at other times plainclothesmen pretend to be criminals. It is about time to separate the grain from the chaff.

The practical effect of this Citizen Protection Act of 2010 has been satisfactorily demonstrated when the "Comelec gun ban" was successfully implemented by the Philippine National Police and the Armed Forces of the Philippines in the May 10, 2010 elections. If the "Comelec gun ban" was successful during the election period from Jan 10 to June 9, 2010, there is no reason why a similar gun ban or gun control cannot be implemented during the off-election period.

In order to control crime, you have to control the criminal, and to control the criminal you have to control the gun.

PEACE AND ORDER

A principal concern of Filipinos and foreigners residing in the Philippines today is peace and order. The proliferation of firearms, whether licensed or unlicensed, affect their personal safety and security. We are in a virtual lottery where the likelihood of anyone getting victimized through gun violence grows every day.

Guns in this country do not just kill Filipinos and foreigners, they also kill the country's standing and reputation. Each massacre, each killing undermines the Philippines in the eyes of the international community and acts as a serious disincentive for foreign investors. With every senseless burst of gunfire, the Philippines looks more dangerous and unreliable.

With gun control, we remove the circumstances or conditions that give rise to temptations or problems. Many gun-related deaths and injuries over traffic and other incidents could have been avoided if no "permit to carry" was issued by the PNP. As Noel Andres said: *"Kung walang permit to carry si Inocencio Gonzales, hindi niya sana dinala ang kanyang baril, at buhay pa sana ang aking asawa. At si Gonzales wala sana sa kulungan ngayon."*

Arming the law-abiding is no solution. Arm the people? God forbid. Arming the people for self-defense can only be a madman's idea of a peaceful society. The law of the jungle must not apply to human society. We cannot live simply to serve our own individual ends, for our safety, or for our own individual well-being. Our self-interest can only be protected in common with others. This is made clear by this Filipino song composed by Fr. Ed Hontiveros, S.J.: *"Walang sinuman ang nabubuhay para sa sarili lamang, walang sinuman ang namamatay para sa sarili lamang. Tayong lahat ay may pananagutan sa isa't isa."*

Noteworthy are statements from the Philippine National Police culled from newspaper reports as follows:

The Philippine Star
August 03, 2009

<http://www.philstar.com/Article.aspx?articleid=492530>

PNP: Loose firearms used in 97% of gun-related crimes

- *Philippine National Police (PNP) chief Director General Jesus Verzosa expressed alarm over statistics showing that from 2004 to 2008, 97.7 percent of gun-related crimes involved loose firearms, making the Philippines 10th in gun homicide rates worldwide.*
- *Verzosa said the control of firearms remains to be one of the greatest obstacles in the government's fight against crime and lawlessness.*
- *He said the PNP has been exerting efforts to account for over one million loose firearms, and the latest is the gun amnesty from Oct. 1 to 31 in a bid to minimize crimes during the runup to the May 2010 polls.*

Manila Bulletin
May 27, 2010

<http://www.mb.com.ph/node/259331/npn->

PNP seeks extension of election gun ban

- *Gun-related road rage cases and the culture of violence in troubled areas, especially in Mindanao, will be used by the Philippine National Police (PNP) in asserting the need for the extension of firearms ban in the country.*

- *Director General Jesus Verzosa, PNP chief, said the data on gun-related criminal incidents will be backed by statistics on the improvement of peace and order in the country at the span of the implementation of the nationwide gun ban since the start of the election period last January 10.*
- *Amid strong opposition on the proposed gun ban extension, the PNP appeared to be bent on supporting it, citing the significant decrease in crime incidents due to such policy as one of the reasons.*
- *“A number of people are scared because we term it as a gun ban, actually it is not a total gun ban because some persons are still allowed to carry guns but under circumstances or control,” said Verzosa.*
- *“What we want to implement are measures to control if not eradicate the presence of firearms in the streets and unauthorized areas or places because we cannot allow our country to have a proliferation of firearms of which we all know are the main instruments of violence here in the Philippines,” he added.*
- *“Not only violence but also the main instruments being used by threat groups that are around, like the CPP-NPA (Communist Party of the Philippines-New People’s Army), the renegade MNLF (Moro National Liberation Front) and MILF (Moro Islamic Liberation Front), the ASG (Abu Sayyaf Group), you name it. And even the syndicates,” said Verzosa.*
- *“There now appears to be some sectors that do not want a gun ban maybe let’s check the background of these sectors or these individuals that are giving unnecessary comments,” said Verzosa.*
- *“I hope we will be together in coming up with a gun control program of which we will all be participating,” he added.*

The Philippine Star

June 07, 2010

<http://www.philstar.com/Article.aspx?articleId=582020&publicationSubCategoryId=65>

PNP bats for stiffer penalties for gun-related crimes

- *The Philippine National Police (PNP) will push a proposal for stiffer penalties for crimes related to firearms during the 15th Congress.*
- *PNP chief Director General Jesus Verzosa said the stiffer penalties would be one of the measures for an effective firearm control program.*
- *Verzosa noted that PNP’s effective firearms control program would surely help improve peace and order situation in the country. PNP statistics show 97 percent of crimes involved loose firearms.*
- *Stiffer penalties for crimes related firearms measure on firearms control could help the PNP in the campaign in police operations against partisan armed groups and other criminal groups.*
- *The PNP proposal indicated that illegal possession of firearms should have imprisonment of maximum of 10 years for low-powered firearms while high-powered firearms should be reclusion perpetua.*

Philippine Daily Inquirer

July 24, 2010

<http://newsinfo.inquirer.net/breakingnews/nation/view/20100724-282915/PNP-claims-70-drop-in-crime-credits-election-gun-ban>

PNP claims 70% drop in crime, credits election gun ban

- *The incidence of crime in the country fell by nearly 70 percent during the first half of the year as compared to the same period in 2009.*
- *From 502,655 reported crimes in the first semester of 2009, this year's total crime volume sharply dropped to 157,674 cases nationwide.*
- *Data from the PNP Directorate for Investigation and Detective Management disclosed that murders and homicides went down to 6,111 cases in the first six months of the year from 14,295 incidents during the same period in 2009, or a reduction of almost 57 percent.*
- *Non-index crimes such as robbery and theft also decreased by more than 71 percent, from 200,962 cases last year to only 57,637 in the first half of 2010.*
- *To avoid doubt, the crime statistics were gathered through the PNP's much-improved National Crime Reporting System.*
- *The 68.6-percent decline in the occurrence of crimes was mainly due to the imposition of the five-month gun ban in connection with the May 10 elections.*
- *"What is very noticeable here is the direct effect of the gun ban to the peace and order situation, particularly the (decrease in) gun-related crimes," the PNP Chief General Jesus Verzosa said.*
- *"The crimes were effectively prevented when the instruments of crime were virtually taken away from the hands of criminal elements," he said.*
- *Verzosa had earlier expressed his (support) for various groups calling for a permanent ban on the carrying of firearms in public places, noting the gun ban's effects on the PNP's crime prevention efforts.*
- *In a gathering of anti- and pro-gun groups at Camp Crame last month (June 2010), the PNP presented a survey it commissioned which showed that 7 out of 10 residents of Metro Manila supported the implementation of a permanent gun ban.*

Gun control stops gun violence before it begins; it promotes a safe and wholesome environment; it saves endangered species *homo sapiens*; it abates gun pollution.

This Act is hereby filed before the 15th Congress under provisions of R.A. 6735, the Initiative and Referendum Act, which states:

- Section 2. Statement of Policy. — The power of the people under a system of initiative and referendum to directly propose, enact, approve or reject, in whole or in part, the Constitution, laws, ordinances, or resolutions passed by any legislative body upon compliance with the requirements of this Act is hereby affirmed, recognized and guaranteed.
- Section 3(b). — "Indirect initiative" is the exercise of initiative by the people through a proposition sent to Congress or the local legislative body for action.
- Sec. 11. Indirect Initiative. — Any duly accredited people's organization, as defined by law, may file a petition for indirect initiative with the House of Representatives, and other legislative bodies. The petition shall contain a summary of the chief purposes and contents of the bill that the organization proposes to be enacted into law by the legislature.

The procedure to be followed on the initiative bill shall be the same as the enactment of any legislative measure before the House of Representatives except that the said initiative bill shall have precedence over the pending legislative measures on the committee.

THE CITIZEN PROTECTION ACT OF 2010

Significantly, the Citizen Protection Act of 2010 has the same objective as the “Anti-Deadly Weapons Act of 1991” that was certified as urgent on October 4, 1991 by President Corazon C. Aquino for immediate enactment by Congress following the murder of Eldon Maguan by Rolito Go on July 2 of the same year and subsequent murders of Maureen Hultman and companion, 13 days later by Claudio Teehankee.

The “Anti-Deadly Weapons Act of 1991” was a consolidation of SB 1792 sponsored by Senators Aquilino Pimentel Jr. and Alberto Romulo and HB 34057 sponsored by Congressman Bonifacio Gillego. Both bills were inspired by the Gunless Society.

In response to President Corazon Aquino’s message, the Senate acted swiftly to pass the bill, but in the House the bill was “gunned down” by the committee on public order and safety. Had the House passed the bill, President Aquino could have signed the bill into law in 1991, shortly before the end of her term as President. Thousands more would still be alive today.

This Citizen Protection Act of 2010 also draws relevant provisions from Comelec Resolution No. 8714 (*2010 Elections Gun Ban*) which is based on Republic Act 7166 of 1991 (*Synchronized National and Local Elections and Electoral Reforms*).

This Act does not in any way impair the privilege of responsible and qualified citizens to keep licensed firearms at home or sports clubs.

The only way to end the war on gun violence is to start with the truth: that guns are made to kill and gun violence leads to more violence.

Hence, approval of this Act is earnestly sought.

SIGNATORIES

signed

Reynaldo “Nandy” Pacheco
Founder, Gunless Society

signed

Ramon B. Magsaysay, Jr.
Former Senator of the Philippines

signed

Manolo K. Dayrit
Chairman, Ang Kapatiran Party

signed

Eric B. Manalang
President, Ang Kapatiran Party

signed

Edgardo J.T. Tirona
President, Sangguniang Laiko ng Pilipinas

signed

Raul Imperial
Former Chief/Director General
Philippine National Police

signed

Arturo Macapagal
Olympic Shooter

signed

Leonardo Q. Montemayor
Chairman – ABA Party-list

We, the undersigned, support the Citizen Protection Act of 2010 that makes the harmless act of carrying a gun or any deadly weapon in public places a criminal offence (*mala prohibita*) before such harmless act turns into a crime. This, too, was the objective of the Comelec gun ban which was successfully implemented by the PNP and AFP during the election period from Jan. 10 to Jun. 9, 2010. The Citizen Protection Act is based on R.A. 6735 which empowers the people to propose laws.

signed

Frank Padilla + 34 other members

President, CFC-FFL/Couples for Christ Foundation, Inc.

signed

Lorenzo G. Veloso

President, Brotherhood of Christian Businessmen and Professionals

signed

Melba P. Maggay

President, Institute for Studies in Asia Church and Culture

signed

Sr. Pilar Verzosa, RGS + 9 other members

Founder, Prolife Philippines Foundation Inc.

signed

Sr. Mary Lawrence, OCD

Carmelites of Cebu

signed

Sr. Mary Josephine, OCD

Carmelites of Cebu

signed

Aquilino Pimentel Jr.

Institute of Leadership and Governance, University of Makati

signed

Wigberto E. Tañada

Philippine Rural Reconstruction Movement / Fair Trade Alliance

signed

Jose V. Abueva

President, Kalayaan College / Convenor, Movement for a Nonkilling Philippines

signed

Fr. Anton Pascual

President, Radio Veritas

signed

Fr. Francis Gustilo, SDB

Don Bosco

signed

Pedro and Ma. Lora C. Garcia

851. Oroquieta St., Sta. Cruz, Manila

signed

Manuel K. Dayrit + 7 other members
Chairman, Ang Kapatiran Party

signed

Hector Amantillo
Family Life Ministry / CFL

signed

Delmer P. Dilig
Media

signed

Bong Tano
Broadcast Executive

signed

Ricardo J. Cardinal Vidal, D.D.
Archbishop of Cebu

signed

Gaudencio B. Cardinal Rosales, D.D.
Archbishop of Manila

signed

Most Rev. Jose F. Advincula, D.D.
Bishop of San Carlos

signed

Most Rev. Guillermo V. Afable, D.D.
Bishop of Digos

signed

Most Rev. Gerardo A. Alminaza, D.D.
Auxiliary-Bishop elect of Jaro

signed

Most Rev. Patricio H. Alo, D.D.
Bishop of Mati

signed

Most Rev. Prudencio P. Andaya, D.D.
Vicar Apostolic of Tabuk

signed

Most Rev. Paciano B. Aniceto, D.D.
Archbishop of San Fernando (Pampanga)

signed

Most Rev. Ramon C. Arguelles, D.D.
Archbishop of Lipa

signed

Most Rev. Pedro D. Arigo, D.D.
Vicar Apostolic of Puerto Princesa

signed

Most Rev. Ricardo L. Baccay, D.D.
Auxiliary Bishop of Tuguegarao

signed

Most Rev. Filomeno G. Bactol, D.D.
Bishop of Naval

signed

Most Rev. Jose Colin M. Bagaforo, D.D.
Auxiliary Bishop of Cotabato

signed

Most Rev. Sofronio A. Bancud, SSS, D.D.
Bishop of Cabanatuan

signed

Most Rev. Arturo M. Bastes, D.D.
Bishop of Sorsogon

signed

Most Rev. Joel Z. Baylon, D.D.
Bishop of Legaspi

signed

Most Rev. Rodolfo F. Beltran, D.D.
Vicar Apostolic of Bontoc-Lagawe

signed

Most Rev. Patricio A. Buzon, SDB, D.D.
Bishop of Kabankalan

signed

Most Rev. Antonieto D. Cabajog, D.D.
Bishop of Surigao

signed

Most Rev. Jose Cabantan, D.D.
Bishop-Elect of Malaybalay

signed

Most Rev. Warlito I. Cajandig, D.D.
Vicar Apostolic of Calapan

signed

Most Rev. Precioso D. Cantillas, D.D.
Bishop of Maasin

signed

Most Rev. Fernando R. Capalla, D.D.
Archbishop of Davao

signed

Most Rev. Carlito J. Cenzon, CICM, D.D.
Bishop of Baguio

signed

Most Rev. Florentino F. Cinense, D.D.
Bishop of Tarlac

signed

Most Rev. Bernardino C. Cortez, D.D.
Auxiliary Bishop of Manila

signed

Most Rev. Pablo S. David, D.D.
Auxiliary Bishop of San Fernando, Pampanga

signed

Most Rev. Romulo T. Dela Cruz, D.D.
Bishop of Kidapawan

signed

Most Rev. Francisco M. De Leon, D.D.
Auxiliary Bishop of Antipolo

signed

Most Rev. Edwin A. Dela Peña, D.D.
Bishop Prelate of Marawi

signed

Most Rev. Manolo A. De los Santos, D.D.
Bishop of Virac

signed

Most Rev. Jesus A. Dosado, CM, D.D.
Archbishop of Ozamiz

signed

Most Rev. Leo M. Drona, SDB, D.D.
Bishop of San Pablo

signed

Most Rev. John F. Du, D.D.
Bishop of Dumaguete

signed

Most Rev. Reynaldo G. Evangelista, D.D.
Bishop of Boac

signed

Most Rev. Buenaventura M. Famadico, D.D.
Bishop of Gumaca

signed

Most Rev. Elenito R. Galido, D.D.
Bishop of Iligan

signed

Most Rev. Camilo D. Gregorio, D.D.
Bishop Prelate of Batanes

signed

Most Rev. Deogracias S. Iñiguez, Jr., D.D.
Bishop of Kalookan

signed

Most Rev. Leopoldo C. Jaucian, SVD. D.D.
Bishop of Bangued

signed

Most Rev. Jacinto A. Jose, D.D.
Bishop of Urdaneta

signed

Most Rev. Edgardo S. Juanich, D.D.
Vicar Apostolic of Taytay

signed

Most Rev. Martin S. Jumoad, D.D.
Bishop Prelate of Isabela de Basilan

signed

Most Rev. Angel N. Lagdameo, D.D.
Archbishop of Jaro

signed

Most Rev. Angelito R. Lampon, OMI, D.D.
Vicar Apostolic of Jolo

signed

Most Rev. Jose Romeo O. Lazo, D.D.
Bishop of San Jose, Antique

signed

Most Rev. Antonio J. Ledesma, SJ. D.D.
Archbishop of Cagayan de Oro

signed

Most Rev. Roberto C. Mallari, D.D.
Auxiliary Bishop of San Fernando, Pampanga

signed

Most Rev. Jose R. Manguiran, D.D.
Bishop of Dipolog

signed

Most Rev. Emilio Z. Marquez, D.D.
Bishop of Lucena

signed

Most Rev. Renato P. Mayugba, D.D.
Auxiliary Bishop of Lingayen-Dagupan

signed

Most Rev. Leonardo Y. Medroso, D.D.
Bishop of Tagbilaran

signed

Most Rev. Jesse Eugenio Mercado, D.D.
Bishop of Parañaque

signed

Most Rev. Joseph A. Nacua, D.D.
Bishop of Ilagan

signed

Most Rev. Vicente M. Navarra, D.D.
Bishop of Bacolod

signed

Most Rev. Jose F. Oliveros, D.D.
Bishop of Malolos

signed

Most Rev. Honesto F. Ongtioco, D.D.
Bishop of Cubao

signed

Most Rev. Broderick S. Pabillo, D.D.
Auxiliary Bishop of Manila

signed

Most Rev. Antonio P. Palang, SVD, D.D.
Bishop of San Jose de Mindoro

signed

Most Rev. Jose S. Palma, D.D.
Archbishop of Palo

signed

Most Rev. Marlo M. Peralta, D.D.
Bishop of Alaminos

signed

Most Rev. Juan De Dios M. Pueblos, D.D.
Bishop of Butuan

signed

Most Rev. Orlando B. Quevedo, OMI, D.D.
Archbishop of Cotabato

signed

Most Rev. Gabriel V. Reyes, D.D.
Bishop of Antipolo

signed

Most Rev. Artemio L. Rillera, SVD, D.D.
Bishop of San Fernando, La Union

signed

Most Rev. George B. Rimando, D.D.
Auxiliary Bishop of Davao

signed

Most Rev. Jose R. Rojas, D.D.
Bishop Prelate of Libmanan

signed

Most Rev. Ernesto A. Salgado, D.D.
Archbishop of Nueva Segovia

signed

Most Rev. Francisco C. San Diego, D.D.
Bishop of Pasig

signed

Most Rev. Ruperto C. Santos, D.D.
Bishop of Balanga

signed

Most Rev. Luis Antonio G. Tagle, D.D.
Bishop of Imus

signed

Most Rev. Diosdado A. Talamayan, D.D.
Archbishop of Tuguegarao

signed

Most Rev. Jose Corazon T. Tala-oc, D.D.
Bishop of Romblon

signed

Most Rev. Rolando J. Tria Tirona, OCD, D.D.
Bishop Prelate of Infanta

signed

Most Rev. Antonio R. Tobias, D.D.
Bishop of Novaliches

signed

Most Rev. Julius S. Tonel, D.D.
Bishop of Ipil

signed

Most Rev. Emmanuel C. Trance, D.D.
Bishop of Catarman

signed

Most Rev. Leopoldo S. Tumalak, D.D.
Military Ordinary

signed

Most Rev. Sergio L. Utleg, D.D.
Bishop of Laoag

signed

Most Rev. Romulo G. Valles, D.D.
Archbishop of Zamboanga

signed

Most Rev. Crispin B. Varquez, D.D.
Bishop of Borongan

signed

Most Rev. Mylo Hubert C. Vergara, D.D.
Bishop of San Jose, Nueva Ecija

signed

Most Rev. Socrates B. Villegas, D.D.
Archbishop of Lingayen-Dagupan

signed

Most Rev. Ramon B. Villena, D.D.
Bishop of Bayombong