

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )



24 AUG 12 A9:20

**SENATE**  
**S. No. 2777**

RECEIVED BY: 

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Introduced by Senator Robinhood Padilla

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**AN ACT**  
**TO FURTHER STRENGTHEN REPUBLIC ACT NO. 8353 OTHERWISE KNOWN AS**  
**THE ANTI-RAPE LAW OF 1997, AMENDING FOR THE PURPOSE ACT NO. 3815,**  
**AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE, AND FOR**  
**OTHER PURPOSES**

**EXPLANATORY NOTE**

No less than the highest law of the land stipulates the value that the State gives in protecting the dignity of every person and in guaranteeing full respect to human rights. The 1987 Constitution likewise provided the duty of Congress to give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, among others.

International laws recognize rape and sexual assault as serious and violent crimes that trample on the dignity of the victim. Republic Act 8353, otherwise known as the Anti-Rape Law of 1997, which amended the Revised Penal Code, expanded its scope by introducing a provision that do not limit victims to women alone, along with the corresponding penalties. This, indeed, was a step in the right direction, as studies over the years, show that men do really experience sexual violence as well.

One of such was the study of the Council for the Welfare of Children and the United Nations Children's Fund (UNICEF) in 2017 which showed that more males within the age of 13 to 24 years old experience sexual violence than females. The study also revealed

that "prevalence of forced consummated sex is higher among males below the age of 18 than females".

Despite the penalties under RA 8353, this representation still finds it compelling to increase the punishment for any person who shall commit an act of rape as stated under Paragraph 2, Article 266-A of the Revised Penal Code, as amended by RA 8353. By doing so, we can be more certain that our laws are stronger, more gender-responsive, and progressive especially in these changing times.

It is for these reasons that the passage of this proposed measure is earnestly sought.



**ROBINHOOD C. PADILLA**  
*Senator*

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1 Section 1. Article 266-B of Act No. 3815, as amended, otherwise known as the  
2 Revised Penal Code, is hereby amended to read as follows:

3 "Article 266-B. Penalties. – Rape under paragraph 1 of the next preceding  
4 article shall be punished by reclusion perpetua.

5 xxx xxx

6 Rape under paragraph 2 of the next preceding article shall be punished by [~~prison~~  
7 ~~mayor~~] **RECLUSION PERPETUA.**

8 Whenever the rape is committed with the use of a deadly weapon or by two or  
9 more persons, the penalty shall be [~~prison mayor to~~] reclusion [~~temporal~~]  
10 **PERPETUA TO DEATH.**

11 When by reason or on the occasion of the rape, the victim has become insane, the  
12 penalty shall be reclusion [~~temporal~~] **PERPETUA TO DEATH.**

13 When the rape is attempted and a homicide is committed by reason or on the  
14 occasion thereof, the penalty shall be [~~reclusion temporal to~~] reclusion perpetua  
15 **TO DEATH.**

16 When by reason or on the occasion of the rape, homicide is committed, the penalty  
17 shall be reclusion perpetua **TO DEATH.**

1        ~~[Reclusion-temporal]~~ **DEATH** shall also be imposed if the rape is committed with  
2        any of the ten aggravating/qualifying circumstances mentioned in this article."

3        Sec. 2. Separability Clause. If any part of this Act is held invalid or unconstitutional,  
4        the other parts or provisions thereof shall remain valid and effective.

5        Sec. 3. Repealing Clause. All laws, orders, issuances, rules and regulations or part  
6        thereof inconsistent with the provisions of this Act are hereby repealed, modified or  
7        amended accordingly.

8        Sec. 4. Effectivity Clause. This Act shall take effect fifteen (15) days after its  
9        publication in at least two (2) newspapers of general circulation.

*Approved,*