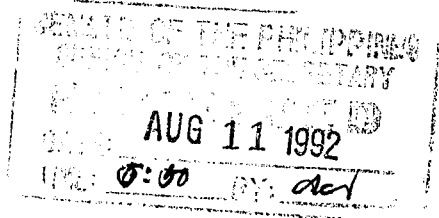


Congress of the Philippines)
Ninth Congress)
First Regular Session)

SENATE
S. No. 587



Introduced by Senators SHAHANI, MERCADO and BIAZON

EXPLANATORY NOTE

This bill seeks to repeal R.A. No. 1700, otherwise known as the Anti-Subversion Act.

R.A. No. 1700 was enacted into law on June 20, 1957, declaring the Partido Komunista ng Pilipinas (PKP) and its military arm, the Hukbong Magpapalaya sa Bayan (HMB, or the "HUKBALAHAPs" or "HUKS"), as illegal and outlawed associations for the reason that their aim was to overthrow the government of the Republic of the Philippines in order to establish a totalitarian state.

R.A. No. 1700 was amended to include as an outlawed organization the Communist Party of the Philippines (CPP), its military arm, the New People's Army (NPA) and its political arm and any of its successor.

The late President Ferdinand E. Marcos further amended R.A. No. 1700 by issuing Presidential Decree 885, declaring as illegal and subversive organizations which surfaced during the martial law period and were not covered by the provisions of R.A. No. 1700. These laws were enacted to protect the government of the Republic of the Philippines and the people from the influence of such subversive political parties, groups or associations.

11


In his State of the Nation Address, the President impressed upon both Houses of Congress and the entire Filipino nation, that these political parties and other similar organizations "shall no longer be outlawed, but allowed to compete freely, openly and peacefully in the political, economic and social arena of Philippine Society, in accordance with the laws of the land".

The repeal of R.A. No. 1700 will legalize the Communist Party of the Philippines and enable it to peacefully participate in the electoral process as a political party. The CPP members shall no longer be subject to prosecution for subversion. Nobody will be exempted, however, from prosecution for violations of the Revised Penal Code if the crime committed is totally unrelated to subversive acts or activities.

Immediate approval of this bill is earnestly urged.

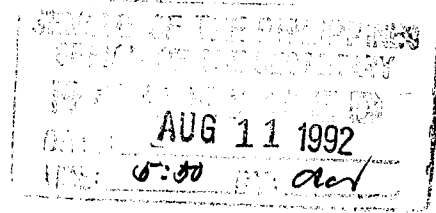

 LETICIA RAMOS-SHAHANI
 Senator


 ORLANDO S. MERCADO
 Senator


 RODOLFO S. BIAZON
 Senator

Congress of the Philippines)
Ninth Congress)
First Regular Session)

SENATE
S. No. 587



Introduced by Senators Shahani, Mercado and Biazon

AN ACT
REPEALING REPUBLIC ACT NO. 1700
OTHERWISE KNOWN AS THE ANTI-SUBVERSION ACT
AS REVIVED UNDER EXECUTIVE ORDER NO. 167,
AS AMENDED, AND FOR OTHER PURPOSES

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

SECTION 1. It is the policy of this Act to legalize the Communist Party of the Philippines (CPP) and other illegal and subversive organizations and enable them to peacefully participate in the electoral process with other political parties in accordance with the laws of the land, and to provide their members the opportunity to return and live in a normal and free society and be contributing and responsible members thereof.

SECTION 2. Republic Act Numbered One Thousand Seven Hundred (R.A. No. 1700) entitled "An Act to Outlaw the Communist Party of the Philippines and Similar Associations, Penalizing Membership Therein, and for Other Purposes", as amended by Executive Order Numbered Two Hundred Seventy-Six (EO 276), is hereby repealed.

SECTION 3. All persons convicted under the provisions of R.A. No. 1700, and who are already serving sentence, shall be released from prison provided that they are not

serving sentence for some other crime or offense totally unrelated to subversion.

SECTION 4. Nothing in this act, however, shall be construed as to exempt from prosecution any member of the Communist Party of the Philippines and its military arm, the New People's Army, or other subversive organizations, who have committed any offense punishable under the Revised Penal Code or special laws.

SECTION 5. Upon the effectivity of this Act, all cases for violation of Republic Act No. 1700, as amended, pending in any court shall ipso jure be terminated, and any person under detention pending investigation for said violation shall be forthwith released from custody and the investigation against him abandoned, unless he is detained or charged for other crimes or offenses punishable under the Revised Penal code or special laws. The Secretary of Justice shall promulgate such rules and regulations as may be necessary to implement the provisions of this Section and Section 4 hereof.

SECTION 6. All other laws, decrees, issuances and orders, and the rules and regulations issued pursuant thereto, which are inconsistent with the provisions hereof are hereby likewise repealed.

SECTION 7. This Act shall take effect after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

APPROVED.