

SENATE OF THE PHILIPPINES  
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EDACT meeting presided by President Ramos Wednesday morning in Malacañang.

In a six-page paper entitled *Notes on Recent Economic Performance and Outlook*, he cited "incisive analyses" by unnamed independent objective analysts "confirming our own arguments" why the country will not go the way of its hapless Southeast Asian neighbor.

Habito argued: "Thailand has come to rely heavily on short-term borrowings (50 percent of total loans), while we have kept the share to within 15 percent."

"Our exchange rate is flexible and market-determined, while Thailand has essentially been on a fixed exchange rate system, making it prone to the same pressures that built up in the case of Mexico before."

"Thailand's current account deficit to Gross Domestic Product ratio is about twice that of ours."

"Our vacancy rate in condominium units has been steady at about two percent, while Thailand's has grown to over 15 percent."

"Our infrastructure base continues to

larly the blowdown at the local bourse and the crisis besetting Thailand.

The indicators include:

- "Hefty growth" in output of electrical machinery, wood and wood products, non-metallic minerals, and furniture and fixtures

- "Month-on-month manufacturing growth presents an encouraging picture"

- "First-quarter agricultural growth figures just released by the Bureau of Agricultural Statistics are also very encouraging."

- "Still another encouraging indicator is the reported first-quarter earnings of major companies."

Habito states that "all of these point to a robust first-quarter growth performance, which is likely to improve further in the latter quarters as the troubled manufacturing sectors get of their transitory difficulties," adding:

"We see the full-year GNP growth target of seven to eight percent to be attainable at this point."

According to Habito, both inflation and the growth in the merchandise trade deficit have slowed down.

Habito stated: "The current account deficit as a ratio to GNP has risen in the neighborhood of four percent, a rate well within what is considered manageable. The overall balance of payments has been in surplus by \$4.1 billion ....

"Thus, a balance of payments crisis is a rather remote possibility at this time."

Despite such rosy observations on trends of the economy, Habito stated that "we certainly cannot afford to let our guard down."

**Bright note**

He concluded the paper on a bright note:

"Certainly, our optimism must be tempered with caution and persistence to stay the course of reform. On the other hand, being overly alarmist does not help any, and can only run the risk of being self-fulfilling and needlessly destructive."

In other words, Habito advises that it is better to see the silver lining rather than the dark clouds in the economic horizon since what we expect to happen does really in a strange twist of fate happen, as sociologists explain self-fulfilling prophecy.

Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
Department of Justice  
Manila  
**RULES AND REGULATIONS TO IMPLEMENT REPUBLIC ACT NO. 8177**

Pursuant to Section 3 of Republic Act No. 8177 entitled "AN ACT DESIGNATING DEATH BY LETHAL INJECTION AS THE METHOD OF CARRYING OUT CAPITAL PUNISHMENT, AMENDING FOR THE PURPOSE ARTICLE 81 OF THE REVISED PENAL CODE, AS AMENDED BY SECTION 24 OF REPUBLIC ACT NO. 7659," the undersigned, in coordination with the Secretary of Health and the Director of Corrections, hereby issues the following Rules to govern the implementation of said Act:

SECTION 1. **OBJECTIVES.** — These Rules seek to ensure the orderly and humane execution of the death penalty by lethal injection.

SEC. 2. **DEFINITION OF TERMS.** — As used in these Rules, unless the context otherwise requires-

- "Death Convict" or "Convict" shall refer to a prisoner whose death penalty imposed by a Regional Trial Court is affirmed by the Supreme Court *en banc*;
- "Lethal Injection" refers to sodium thiopental, pancuronium bromide, potassium chloride and such other lethal substances as may be specified by the Director of Corrections that will be administered intravenously into the body of a convict until said convict is pronounced dead;
- "Bureau" refers to the Bureau of Corrections;
- "Director" refers to the Director of the Bureau of Corrections;
- "Secretary" refers to the Secretary of the Department of Justice;

SEC. 3. **PRINCIPLES.** — The following principles shall be observed in the implementation of these Rules:

- There shall be no discrimination in the treatment of a death convict on account of race, color, religion, language, politics, nationality, social origin, property, birth or other status.
- In the execution of a death penalty, the death convict shall be spared from unnecessary anxiety or distress.
- The religious beliefs of the death convict shall be respected.

SEC. 4. **PRISON SERVICES.** — Subject to the availability of resources, a death convict shall enjoy the following services and privileges to encourage and enhance his self-respect and dignity:

- Medical and Dental;
- Religious, Guidance and Counseling;
- Exercise;
- Visitation; and
- Mail.

SEC. 5. **CONFINEMENT.** — Whenever practicable, the death convict shall be confined in an individual cell in a building that is exclusively assigned for the use of death convicts. The convict shall be provided with a bunk, a steel/wooden bed or mat, a pillow or blanket and mosquito net.

SEC. 6. **RELIGIOUS SERVICES.** — Subject to security conditions, a death convict may be visited by the priest of his faith and given such available religious materials which he may require.

SEC. 7. **EXERCISE.** — A death convict shall be allowed to enjoy regular exercise periods under the supervision of a guard.

SEC. 8. **MEAL SERVICES.** — Meals shall, whenever practicable, be served individually to a death convict inside his cell. Mess utensils shall be made of plastic. After each meal, said utensils shall be collected and accounted.

SEC. 9. **VISITATION.** — A death convict shall be allowed to be visited by his immediate family and reputable friends at regular intervals and during designated hours subject to security procedures.

SEC. 10. **LIST OF VISITORS.** — A list of persons who may visit a death convict shall be compiled and maintained by the prison authorities. The list may include the members of the convict's immediate family such as his parents, step parents, foster parents, brothers and sisters, wife or husband and children. The list may, upon the request of the convict, include his grandparents, aunts, uncles, in-laws and cousins. Other visitors may, after investigation, be included in the list if it will assist in raising the morale of the convict.

SEC. 11. **INTERVIEWS OF CONVICTS.** — Television, radio and other interviews by media of a death convict shall not be allowed.

SEC. 12. **HANDLING OF INMATE MAIL.** — The sending and receiving of mail by a death convict shall be controlled to prevent illicit communication. Mail shall be censored in accordance with existing prison rules.

SEC. 13. **OUTSIDE MOVEMENT.** — A death convict may be allowed to leave his place of confinement only for diagnosis of a life-threatening situation or treatment of a serious ailment, if the diagnosis cannot be done or the treatment provided in the prison hospital.

SEC. 14. **COURT APPEARANCE.** — A death convict shall not be brought outside the penal institution where he is confined for appearance or attendance in any court except when the Supreme Court authorizes, upon proper application, said outside movement. A judge who requires the appearance or attendance of a death convict in any judicial proceeding shall conduct such proceeding within the premises of the penal institution where the convict is confined.

SEC. 17. **HOW LETHAL INJECTION IS TO BE ADMINISTERED.** — The execution of the death sentence by lethal injection shall be done under the authority of the Director who shall

**HOUSING AND LAND USE REGULATORY BOARD**

2nd Floor, HLURB Bldg., Kalayaan Ave.,

Diliman Quezon City

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SEC. 17. HOW LETHAL INJECTION IS TO BE ADMINISTERED. — The execution of the death sentence by lethal injection shall be done under the authority of the Director who shall endeavor to mitigate the sufferings of the convict prior to and during the execution.

SEC. 16. NOTIFICATION AND EXECUTION OF THE SENTENCE AND ASSISTANCE TO THE CONVICT. — The court shall designate a working day for the execution of the death penalty but not the hour thereof. Such designation shall only be communicated to the convict after sunrise of the day of the execution, and the execution shall not take place until after the expiration of at least eight (8) hours following the notification, but before sunset. During the interval between the notification and execution, the convict shall, as far as possible, be furnished such assistance as he may request in order to be attended in his last moments by a priest or minister of the religion he professes and to consult his lawyers, as well as in order to make a will and confer with members of his family or of persons in charge of the management of his business, of the administration of his property, or of the care of his descendants.

SEC. 17. SUSPENSION OF THE EXECUTION OF THE DEATH SENTENCE. — Execution by lethal injection shall not be inflicted upon a woman within the three years next following the date of the sentence or while she is pregnant, nor upon any person over seventy (70) years of age. In this latter case, the death sentence shall be commuted to the penalty of *reclusion perpetua* with the accessory penalties provided in Article 40 of the Revised Penal Code.

SEC. 18. PLACE OF EXECUTION. — The execution by lethal injection shall take place in the prison establishment and space thereat as may be designated by the Director. Said place shall be closed to public view.

SEC. 19. EXECUTION PROCEDURE. — Details of the procedure prior to, during and after administering the lethal injection shall be set forth in a manual to be prepared by the Director. The manual shall contain details of, among others, the sequence of events before and after the execution; procedures in setting up the intravenous line; the administration of the lethal drugs; the pronouncement of death; and the removal of the intravenous system.

Said manual shall be confidential and its distribution shall be limited to authorized prison personnel.

SEC. 20. QUANTITY AND SAFEKEEPING OF DRUGS PURCHASED. — The exact quantities of the drugs needed for an execution of a death penalty shall be purchased by the Director pursuant to existing rules and regulations not earlier than ten (10) days before the scheduled date of execution. The drugs shall be kept securely at the office of the superintendent of the prison where the death sentence is to be executed. All unused drugs shall be inventoried and disposed of properly under the direct supervision of the Director.

SEC. 21. ADMINISTERING LETHAL DRUGS. — The injection of the lethal drugs to a death convict shall be made by a person designated by the Director.

SEC. 22. IDENTITY OF PERSON ADMINISTERING LETHAL INJECTION. — The identity of the person who is designated to administer the lethal injection shall be kept secret.

SEC. 23. PERSONS WHO MAY WITNESS EXECUTION. — The execution of a death convict shall be witnessed only by the priest or minister assisting the offender and by his lawyers, and by his relatives, not exceeding six, if the convict so desires, by the physician and the necessary personnel of the penal establishment, and by such persons as the Director may authorize. A person below eighteen (18) years of age shall not be allowed to witness an execution.

SEC. 24. EXPULSION OF WITNESS. — Any person who makes unnecessary noise or displays rude or improper behavior during an execution shall be expelled from the lethal injection chamber.

SEC. 25. NON-RECORDING OF EXECUTION. — The Director shall not allow the visual, sound or other recording of the actual execution by media or by any private person or group.

SEC. 26. DISPOSITION OF CORPSE OF CONVICT. — Unless claimed by his family, the corpse of a death convict shall, upon the completion of the legal proceedings subsequent to the execution, be turned over to an institution of learning or scientific research first applying for it, for the purpose of study and investigation, provided that such institution shall take charge of the decent burial of the remains. Otherwise, the Director shall order the burial of the body of the convict at government expense, granting permission to be present thereat to the members of the family of the convict and the friends of the latter. In no case shall the burial of a death convict be held with pomp.

SEC. 27. EFFECTIVITY. — These Rules shall take effect fifteen (15) days after publication in a newspaper of general circulation.

APPROVED.

28 April 1997

TEOFISTO T. GUINGONA, JR.  
Secretary