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SENATE  
P.S. RES. NO. 319

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Introduced by SENATOR VICENTE C. SOTTO III

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RESOLUTION

**URGING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE EFFECTIVENESS OF THE CRITERIA FOR IDENTIFYING THE QUALIFIED WITNESSES AND DETERMINING IF ITS PURPOSE HAVE BEEN ATTAINED AT THE MOST REASONABLE COST TO THE GOVERNMENT**

*WHEREAS*, Article II, Section 5 of the Constitution expressly provides that "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;

*WHEREAS*, Article II, Section 28 of the Constitution expressly provides that subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest;

*WHEREAS*, the Witness Protection Program, established under Republic Act No. 6981, otherwise known as "The Witness Protection, Security and Benefit Act", seeks to encourage a person who has witnessed or has knowledge of the commission of a crime to testify before a court or quasi-judicial body, or before an investigating authority, by protecting him from reprisals and from economic dislocation;

*WHEREAS*, under the existing law, the screening, approval and implementation of the program is under the absolute control of the Department of Justice;

*WHEREAS*, Section 8 of R.A. No.6981 provides that witnesses shall have the following rights and benefits: 1) security protection and escort services, 2) immunity from criminal prosecution and not be subjected to any penalty or forfeiture for any transaction, matter or thing concerning his compelled testimony or books, documents or writings produced, 3) secure housing facility, 4) assistance in obtaining a means of livelihood, reasonable travelling expenses and subsistence allowance while acting as a witness, 5) free medical treatment, hospitalization and medicine for any injury or illness incurred or suffered while acting as a witness, 6) burial benefits not less than Ten Thousand Pesos,

(P10,000.00) if the witness is killed because of his participation in the program, 7) free education from primary to college level for the minor or dependent children of a witness who dies or is permanently incapacitated, non-removal or demotion in work because of absences due to his being a witness and payment of full salary or wage while acting as witness;

**WHEREAS**, the Witness Protection Security and Benefit Program (WPSBP) has admitted 148 witnesses for the period of January 1, 2009 to December 31, 2009;

**WHEREAS**, according to the 2009 Department of Justice Annual Report, witnesses often decline proposal to testify for the prosecution not only because of fear of physical harm but more often because of economic dislocation;

**WHEREAS**, there is a need to inquire as to the efficacy of the screening process so as to ensure that only qualified, credible and genuine witnesses are afforded the rights and benefits under the Witness Protection Program;

**WHEREAS**, there are reports of inequality in the assessment of the intended beneficiaries of the witness protection program and/ or excessive and inappropriate benefits for some of the present beneficiaries of the program;

**WHEREAS**, Section 3 of R. A. 6981 specifically provides that law enforcement officers are not covered by the Witness Protection Program;

**NOW, THEREFORE, BE IT RESOLVED**, as it is hereby resolved, to urge the Senate Committee on Justice and Human Rights to conduct an inquiry, in aid of legislation, on the effectiveness of the criteria for identifying the qualified witnesses and determining if its purpose have been attained at the most reasonable cost to the government.

Adopted,

  
VICENTE C. SOTTO III