

SENATE

'17 AUG 24 P 3:00

S.B. No. 1567

RECEIVED BY: 

Introduced by Sen. Juan Miguel F. Zubiri

AN ACT
APPROPRIATING THE AMOUNT OF TEN BILLION PESOS
FOR THE REHABILITATION AND RECONSTRUCTION OF MARAWI CITY AND
OTHER MUNICIPALITIES IN THE PROVINCE OF LANA DEL SUR
AFFECTED BY THE ARMED CONFLICT IN THE AREA

EXPLANATORY NOTE

On May 23, following a failed attempt by the Army to capture militant commander Isnlon Hapilon, the leader of the Islamic State group in the Philippines, gunmen loyal to the commander besieged the city of Marawi, taking hostages and burning buildings along the way.

After a continuous clash between government security forces trying to regain control of the city and Maute terrorists attempting to establish a "daesh" or an Islamic State province in Marawi, President Rodrigo Roa Duterte placed the entire island of Mindanao under Martial Law.

The warfare has caused heavy damage to many parts of the area and has affected all of the 96 barangays of Marawi City and 20 other municipalities of Lanao del Sur. As of July 2016, there have been 45 civilians killed by terrorists and 1,723 civilians rescued by government troops. There have also been 394 fatalities from the side of the terrorists and 87 government personnel killed in action.

The President has announced that he is allocating the sum of 20 billion pesos for the rehabilitation and reconstruction of Marawi City and other affected areas. The Department of Budget and Management has already allocated an initial 15 billion pesos to cover all rehabilitation efforts for the next two years. About 5 billion pesos will initially be released for rehabilitation, an amount which will be taken from the 2017 calamity fund and savings from 2016. This will be followed by an allocation of 10 billion pesos to be sourced from the 2018 calamity fund. However, it is important to note that the 20 billion peso rehabilitation fund for Marawi is earmarked for public properties only.¹

A lot of people who were helplessly caught between the warfare are uncertain about how they can recover from the damages of the war. Aside from the loss of hundreds of lives, the conflict has also resulted in massive destruction

¹ <http://www.gmanetwork.com/news/news/nation/619299/marawi-rehab-plan-useless-if-residents-suffering-not-addressed-lanao-del-sur-official/story/>

of public infrastructure like roads, bridges and other government buildings as well as private properties like houses and business establishments.

Thousands of individuals have lost their homes, livelihood and properties due to the conflict and it would take a long time before they are able to get things back to normal considering that up until now, the conflict in Marawi has not yet been concluded. There are still several buildings that remain to be under the terror group's control, and the Armed Forces have yet to announce that the city is free from explosives and other threats caused by warfare.

Once the city is cleared, it is important to ensure that the citizens who will be coming back are equipped with the capacity to build and to reclaim the lives that they were forced to abandon due to the conflict. Aside from assisting in the provision of their basic needs like food and health care, it is also imperative that they receive assistance to rebuild their homes and recover the properties that they have lost.

This bill seeks to assist individuals caught in the crossfire by addressing their needs for reconstruction and recovery from the damages brought by the conflict in Marawi and other affected areas.

In view of the foregoing, passage of this bill is earnestly sought.



JUAN MIGUEL F. ZUBIRI

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

3
4 **SECTION 1. Short Title.** – This Act shall be known as the “*Tabang Marawi*
5 *Fund of 2017*”.

6
7 **SECTION 2. Appropriation.** – An amount of **TEN BILLION PESOS (PHP**
8 **10,000,000,000.00)** is hereby appropriated for the rehabilitation and reconstruction
9 of Marawi City and other municipalities in the Province of Lanao del Sur which
10 were affected by the conflict in the area, particularly by the clashes between
11 government security forces and Maute terrorists in Marawi City.

12
13 It shall be called the Tabang Marawi Fund or the “Fund.”

14
15 The amount herein appropriated shall be over and above the regular
16 appropriations for the abovementioned province to be provided for under the 2018
17 General Appropriations Act.

18
19 This amount may be increased with donations from the private sector,
20 foreign governments and development aid agencies.

21
22 **SECTION 3. Use of Funds.** – The amount shall cover the rehabilitation,
23 repair and reconstruction of roads, bridges, irrigation systems, school buildings,
24 government buildings, government hospitals, and other infrastructures; purchase
25 of school desks, textbooks and workbooks, hospital equipment, supplies and
26 medicines; purchase of resettlement sites and construction of housing units;
27 livelihood programs and support to farmers and fishermen, and other agricultural
28 support programs.

29
30 Infrastructure projects under this program shall be implemented by the
31 Department of Public Works and Highways, which may delegate the same to local
32 government units with the capability to implement the abovementioned projects by

1 administration or by contract, through the execution of a Memorandum of
2 Agreement.

3
4 Release of funds shall be made directly to the implementing agencies in
5 accordance with the approval of the President of the Philippines.

6
7 **SECTION 4.** *Term of the Fund.* – The fund shall be valid until the allocated
8 amount has been exhausted and spent for the approved projects.

9
10 **SECTION 5.** *Creation of a Tabang Marawi Fund Commission.* – The
11 Tabang Marawi Fund Commission is hereby created, hereinafter referred to as the
12 “Commission,” to be composed of the Secretary of the Department of Public
13 Works and Highways (DPWH) as Chairman, the Governor of Lanao del Sur, one
14 representative each from the Department of Budget and Management (DBM),
15 Department of Agriculture (DA), Department of Education (DepEd), Department of
16 Health (DOH), Department of Social Welfare and Development (DSWD),
17 Department of Trade and Industry (DTI), Housing and Urban Development
18 Coordinating Council (HUDCC), Office of Civil Defense (OCD) and Mindanao
19 Development Authority (MinDA) as members to be appointed by their respective
20 Secretaries, two (2) members from the private sector and two (2) members from
21 non-governmental organizations(NGOs)/civil society. The representatives from
22 the private sector and NGOs/civil society are to be appointed by the President.

23
24 The members of the Commission shall not receive any remuneration or
25 compensation in relation to their tasks in the Commission.

26
27 **SECTION 6.** *Powers and Functions of the Commission.* – The Commission
28 shall conduct and finalize a post-conflict needs assessment (PCNA) and identify
29 the programs and projects to be covered by the Fund based on the result of the
30 PCNA.

31
32 The Commission shall lead the PCNA and conduct consultations with the
33 different sectors in the affected areas. The stakeholders, such as but not limited to
34 the local government units, other government agencies, private sector, non-
35 governmental organizations and people’s organizations, may recommend to the
36 Commission programs and projects to be covered by the Fund.

37
38 All projects identified shall be submitted to the President for approval.

39
40 After the President has approved the programs and projects submitted by
41 the Commission, it shall publish such list on the internet through a website created
42 for the purpose, in the local governments units’ posting areas and in the Philippine
43 Information Agency’s website.

44
45 The Commission shall identify the programs and projects to be covered by
46 the Fund within two (2) years upon the effectivity of this Act and *functus officio*
47 cease to exist upon full implementation of the programs and projects as approved
48 by the President.

49
50 Implementation of specific programs and projects approved by the
51 President shall be done by the concerned national government agencies in
52 coordination with the Provincial Government of Lanao del Sur.

53

1 **SECTION 7. Quorum.** – Six (6) members of the Commission shall
2 constitute a quorum to transact business. The decision of the majority of members
3 constituting a quorum shall be carried.
4

5 **SECTION 8. Secretariat of the Commission.** – The Secretariat of the
6 Commission shall be the Office of the Secretary of Public Works and Highways.
7 The Secretariat shall assist the Commission in carrying out its functions.
8

9 **SECTION 9. Administrative Fund of the Commission.** – An amount of Fifty
10 Million Pesos (PHP50,000,000.00) from the Fund is hereby allocated for the
11 administrative expenses of the Commission. The President may provide additional
12 funding for the operation of the Commission from the budget of the Office of the
13 President.
14

15 **SECTION 10. Reportorial Requirements.** – The Commission shall submit to
16 the Congress of the Philippines, through the Chairmen of the Committee on
17 Appropriations, in the case of the House of Representatives, and Committee on
18 Finance, in the case of the Senate, an itemized list of projects to be covered by the
19 Fund within thirty days from the approval of the President.
20

21 The Commission shall also monitor the implementation of the projects
22 approved by the President and submit a semi-annual status or progress report to
23 the President, and to the Congress of the Philippines. It shall likewise submit a
24 terminal report to the President, and to the Congress of the Philippines upon
25 completion of the projects.
26

27 **SECTION 11. Repealing Clause.** All laws, presidential decrees and
28 issuances, executive orders, rules and regulations or parts thereof inconsistent
29 with the provisions of this Act are hereby repealed or modified accordingly.
30

31 **SECTION 12. Separability Clause.** If, for any reason or reasons, any part
32 or provision of this Act shall be held to be unconstitutional or invalid, other parts or
33 provisions hereof which are not affected thereby shall continue to be in full force
34 and effect.
35

36 **SECTION 13. Effectivity.** – This Act shall take effect fifteen (15) days after
37 its publication in two national newspapers of general circulation.
38

39 Approved,