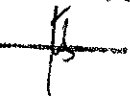


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

10 JUL -8 AIO:56

SENATE

RECEIVED BY: 

S. No. 949

Introduced by Senator Manuel "Lito" M. Lapid

EXPLANATORY NOTE

Article II, Section 3 of the 1987 Constitution states, "**Civilian authority is, at all times supreme over the military.**" The Armed Forces of the Philippines is the protector of the people and the State. As such, its goal is to secure the sovereignty of the State and the integrity of the national territory.

Sections 4 and 5 of the same article likewise provide that "**the prime duty of the government is to serve and protect the people**" and 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 employment by all the people of the blessings of democracy.

It is sad to note that while said provisions have been incorporated in the Constitution with the end I view of securing, among others, the safety of the people, this objective has not been attained and remains illusive until the present.

In the light of incidents of killings and reports on the displacement of many Filipinos as a result of the military counter insurgency-efforts, there is a need to alleviate the sufferings of civilians brought about by the armed conflict between the military and the rebel forces.

If indeed civilian authority is supreme over the military, this measure is just but one mode of easing the hardships endured by civilians caught in the crossfire as a result of the armed conflict between the military and rebel forces.

The early passage of this bill is earnestly sought.


MANUEL "LITO" M. LAPID
Senator

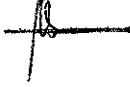
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**AN ACT
TO PROVIDE COMPENSATION, REIMBURSEMENT FOR
HOSPITALIZATION EXPENSES AND OTHER BENEFITS TO CIVILIANS
CAUGHT IN THE CROSSFIRE BETWEEN REBELS AND THE MILITARY,
AND FOR OTHER PURPOSES**

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

SECTION 1. Short Title. - This Act shall be known and cited as the "*Civilian Compensation Act of 2010*".

SEC. 2. Civilian Compensation Fund. - The Civilian Compensation Fund is hereby established which shall be administered by the Commission on Human Rights (CHR), hereafter referred to as the Commission.

SEC. 3. Definition of Terms. - As used in this Act---

- a. The "military" refers to the Armed Forces of the Philippines;
- b. A "rebel" is a person who opposes or takes up arms against the government or its duly constituted authorities;
- c. A "civilian" is a resident of the country who is neither a rebel nor a member of the military.

SEC. 4. Compensation. - Any civilian, as defined in Section 4 hereof, who is killed or injured in the crossfire between rebels and the military shall be entitled to---

- a. an indemnity in the amount not exceeding One Hundred Thousand Pesos (Php100,000.00), in case of death;
- b. a reimbursement for the necessary expenses incurred for hospitalization, medical treatment, loss of wage, and the like, in case of injury: *Provided*, That in case said civilian is compelled by the military to leave his or her residence prior to a military campaign, the Commission shall provide emergency housing, food and medical benefits to said civilian: *Provided further*, That in case said civilian incurs material loss, the Commission shall indemnify the former the necessary amount to cover said loss.

SEC. 5. Claim Period. - Any civilian, his or her family, or any other person dependent upon said civilian for support may file a claim with the Commission: *Provided*, That the claim must be filed within six (6) months after the date of the death, injury, compulsory abandonment of one's residence, or occurrence of other similar events that resulted to material loss.

SEC. 6. Implementing Rules and Regulations (IRR). - The Commission shall promulgate the rules and regulation necessary to effectively implement this Act.

SEC. 7. Appropriation. - The amount of Twenty Million Pesos (Php20,000,000.00) is hereby authorized from the funds of the National Treasury not otherwise appropriated. Thereafter, such amount shall form part of the regular budget of the Commission on Human Rights (CHR).

SEC. 8. Repealing Clause. - All laws, decrees, executive orders or parts thereof which are inconsistent with the provisions of this Act hereby repealed or amended accordingly.

SEC. 9. Separability Clause. - If any provision of this Act is declared unconstitutional, the other provisions not affected thereby shall remain valid.

SEC. 10. Effectivity Clause. - This Act shall take effect following its complete, publication in the Official Gazette or in two newspaper of general circulation.

Approved,