



SENATE

S. Jt. Res. No. 13

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INTRODUCED BY SENATORS ESCUDERO, RECTO AND DE LIMA

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JOINT RESOLUTION EXTENDING THE MAINTENANCE, AVAILABILITY AND RELEASE OF THE FUNDS CREATED PURSUANT TO REPUBLIC ACT NO. 10368, AS AMENDED BY REPUBLIC ACT NO. 10766, SPECIFICALLY SUCH FUNDS IN THE LAND BANK OF THE PHILIPPINES, UNTIL DECEMBER 2019 TO ENSURE PAYMENT OF QUALIFIED HUMAN RIGHTS VIOLATIONS VICTIMS AND AUTHORIZING THE COMMISSION ON HUMAN RIGHTS TO ADMINISTER THE EFFECTIVE DISTRIBUTION THEREOF

WHEREAS, Republic Act (R. A.) No. 10368, otherwise known as the "Human Rights Victims Reparation and Recognition Act of 2013", provides for an institutionalized mechanism on how human rights victims during the Marcos regime will be compensated, and Section 7 thereof identifies the principal source of the funds, *viz*:

"SEC. 7. *Source of Reparation.* – The amount of Ten billion pesos (P10,000,000,000.00) plus accrued interest which form part of the funds transferred to the government of the Republic of the Philippines by virtue of the December 10, 1997 Order of the Swiss Federal Supreme Court, adjudged by the Supreme Court of the

Philippines as final and executory in Republic vs. Sandiganbayan on July 15, 2003 (G.R. No. 152154) as Marcos ill-gotten wealth and forfeited in favor of the Republic of the Philippines, shall be the principal source funds for the implementation of this Act.”

WHEREAS, Section 29 of R. A. No. 10368 stipulates a sunset provision thereby providing a period within which the Human Rights Victims Claims Board (HRVCB) shall complete its work, which is two (2) years from the effectivity of the Implementing Rules and Regulations that the said Board promulgates.

WHEREAS, R. A. No. 10766 was enacted into law on 19 April 2016 to practically extend the effectivity of R. A. No. 10368 from 12 May 2014 to 12 May 2018.

WHEREAS, as of 11 May 2018, the HRVCB had been able to approve and duly recognize a total of 11,103 legitimate claimants out of more than 75,000 applicants and was able to completely resolve 6,737 appeals on 06 May 2018, or six (6) days before the above deadline;

WHEREAS, as of 28 June 2018, the HRVCB account with the Land Bank of the Philippines reported a balance of P792.628 million, which can only be maintained as such until 11 August 2018, after which the balance will revert to the Bureau of Treasury;

WHEREAS, the Commission on Human Rights (CHR) and the HRVCB have created a transition team to assist the claimants in the remaining months. However, there have been reports from several approved claimants' relatives that they are not able to encash the checks even with the issuance of Special Powers of Attorney. Many of the claimants are concerned of the time constraint to process matters relating to the distribution of monetary claims until 11 August 2018;

“WHEREAS, it is the sense of the Senate and the House of Representatives that the funds be effectively distributed, especially to the approved and qualified claimants, as duly processed and determined by the HRVCB, and that the concerned government agencies and institutions namely, among others, the Commission on Audit, the Land Bank of the Philippines and the Bureau of Treasury coordinate and cooperate with the CHR to ensure the distribution of the valid claims and the receipt thereof: Now, therefore, be it

1           *Resolved, as it is hereby resolved,* That the Senate and  
2 the House of Representatives extend the maintenance,  
3 availability and release of the funds created pursuant to  
4 R. A. No. 10368, as amended by R. A. No. 10766,  
5 specifically such funds in the Land Bank of the  
6 Philippines, until December 2019 to ensure payment of  
7 qualified human rights violations victims and authorizing  
8 the CHR to administer the effective distribution thereof.

Adopted,