

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE



'18 OCT 10 P 2 :24

COMMITTEE REPORT NO. 495

Submitted jointly by the Committees on Justice and Human Rights; and Finance on
OCT 10 2018.

Re: Senate Joint Resolution No. 13

Recommending its approval without amendment taking into consideration Senate Joint Resolution No. 14 and House Joint Resolution No. 26.

Sponsor: Senator Richard J. Gordon

MR. PRESIDENT:

The Committees on Justice and Human Rights; and Finance, to which were referred **Senate Joint Resolution No. 13**, introduced by Senators Escudero and Recto, entitled:

"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"

taking into consideration **Senate Joint Resolution No. 14**, introduced by Senator Risa Hontiveros entitled:

"JOINT RESOLUTION

EXTENDING THE VALIDITY AND AVAILABILITY OF THE FUND FOR THE MARCOS HUMAN RIGHTS VIOLATION VICTIMS WITH LAND BANK OF THE PHILIPPINES AND AUTHORIZING THE COMMISSION ON HUMAN RIGHTS (CHR) TO ADMINISTER THE EFFECTIVE DISTRIBUTION OF THE FUNDS TO QUALIFIED VICTIMS OR THEIR HEIRS OR REPRESENTATIVES UNTIL DECEMBER 2019, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. (R.A. No.) 10368 AND REPUBLIC ACT NO. (R.A. No.) 10766"

and **House Joint Resolution No. 26**, introduced by Representative Zarate, entitled:

"JOINT RESOLUTION

EXTENDING THE PERIOD OF AVAILABILITY OF FUNDS INTENDED FOR VICTIMS OF HUMAN RIGHTS VIOLATIONS DURING THE MARCOS REGIME UNTIL DECEMBER 31, 2019, AUTHORIZING THE BUREAU OF TREASURY AND THE LAND BANK OF THE PHILIPPINES TO RELEASE THE FUNDS AND ENSURE THE PAYMENT OF CLAIMS, AND THE COMMISSION ON HUMAN RIGHTS TO ADMINISTER THE EFFECTIVE DISTRIBUTION OF THE FUNDS TO QUALIFIED VICTIMS OR THEIR HEIRS OR REPRESENTATIVES, AS PROVIDED UNDER REPUBLIC ACT NO. 10368, OTHERWISE KNOWN AS THE HUMAN RIGHTS VICTIMS REPARATION AND RECOGNITION ACT OF 2013, AS AMENDED BY REPUBLIC ACT NO. 10766"

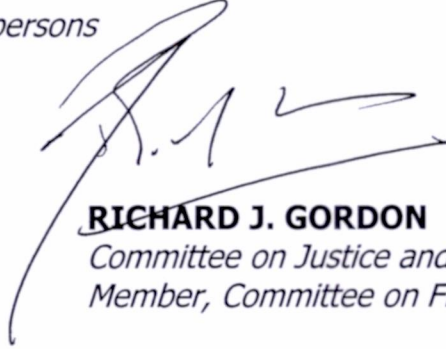
has considered the same and has the honor to report it back to the Senate with the recommendation that it be approved without amendment.

Respectfully submitted:

Chairpersons




LOREN B. LEGARDA
Committee on Finance



RICHARD J. GORDON

*Committee on Justice and Human Rights
Member, Committee on Finance*

Vice-Chairpersons



CYNTHIA A. VILLAR
Committee on Finance



PANFILO M. LACSON

*Committee on Justice and Human Rights
Committee on Finance*



SONNY ANGARA

Committee on Finance

PAOLO BENIGNO "BAM" AQUINO IV

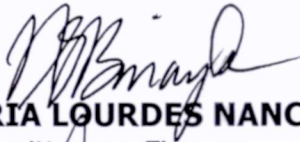
Committee on Finance



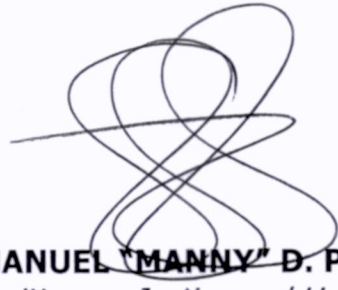
JOSEPH VICTOR G. EJERCITO

Committee on Finance

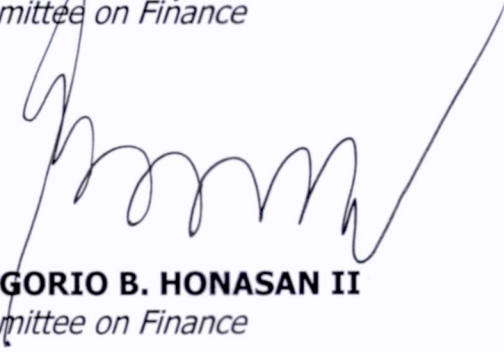
Members



MARIA LOURDES NANCY S. BINAY
Committee on Finance



EMMANUEL "MANNY" D. PACQUIAO
Committee on Justice and Human Rights



GREGORIO B. HONASAN II
Committee on Finance

GRACE POE
Committee on Justice and Human Rights
Member, Committee on Finance




WIN GATCHALIAN
Committee on Finance



FRANCIS "KIKO" PANGILINAN
Committee on Justice and Human Rights
Member, Committee on Finance

JOEL VILLANUEVA
Committee on Finance


RISA HONTIVEROS
Committee on Justice and Human Rights
Member, Committee on Finance



FRANCIS "CHIZ" G. ESCUDERO
Committee on Finance

ANTONIO "SONNY" TRILLANES IV
Committee on Finance



AQUILINO "KOKO" PIMENTEL III
Committee on Finance

Ex Officio Members

RALPH G. RECTO
President Pro Tempore



JUAN MIGUEL "MIGZ" F. ZUBIRI
Majority Leader



FRANKLIN M. DRILON
Minority Leader

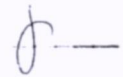
VICENTE C. SOTTO III
Senate President

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SENATE

Joint Resolution No. **13**

REV.



Introduced by **Senator FRANCIS G. ESCUDERO**

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 (RA) 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 RA 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, RA No. 10766 was enacted into law on 19 April 2016 to practically extend the *effectivity* of RA 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 RESOLVED, AS IT IS HEREBY RESOLVED, that the Senate and the House of Representatives *extend* 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.

Adopted,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.