

1 SEC. 2. *Declaration of Policy.* – It is hereby declared
2 the policy of the State, as enshrined in the Constitution, to
3 value the dignity of every person, and guarantee full
4 respect for human rights, including rights of indigenous
5 cultural communities and other vulnerable groups such as
6 women and children, at all times. It is also declared policy
7 of the State to provide compensation or reparation to the
8 internally-displaced persons (IDPs) of the 2017 Marawi
9 Siege whose damaged or demolished property and
10 possessions cannot be recovered.

11 The State shall also fulfill its obligations under
12 international human rights and humanitarian laws, thus,
13 it recognizes the basic principles and guidelines on the
14 right to remedy and reparation for victims of gross human
15 rights violations.

16 The State is likewise obligated to recognize the
17 essence of providing reparation and compensation for
18 persons and families whose rights were violated and whose
19 economic, social, and cultural rights were unfulfilled as a
20 result of armed conflicts.

1 SEC. 3. *Definition of Terms.* – The following terms as
2 used in this Act shall mean:

3 (a) *Residential Property* refers to any building or
4 structure that is used exclusively or partially for
5 residential purposes;

6 (b) *Marawi Siege* refers to the 2017 armed conflict
7 between Philippine Government security forces and
8 terrorist groups that occurred in Marawi City, Lanao del
9 Sur;

10 (c) *Cultural Property and Facilities* refer to
11 mosques, madaris, schools and colleges, hospitals and
12 other health facilities;

13 (d) *Commercial Property* refers to any building or
14 structure that is used exclusively for commercial or
15 business purposes;

16 (e) *Other Properties* refer to house appliances,
17 jewelries, machineries, rice mills, and other equipment of
18 value;

1 (f) *Main Affected Areas* or *MAA* refer to the main
2 affected barangays in Marawi City during the Marawi
3 siege consisting of twenty-four (24) barangays, namely:

- 4 1. Lumbac Madaya
- 5 2. South Madaya
- 6 3. Raya Madaya 1
- 7 4. Raya Madaya 2
- 8 5. Sabala Amanao
- 9 6. Sabala Amanao Proper
- 10 7. Tolali
- 11 8. Daguduban
- 12 9. Norhaya Village
- 13 10. Banggolo Poblacion
- 14 11. Bubong Madaya
- 15 12. Lilod Madaya
- 16 13. Dansalan
- 17 14. Datu Sa Dansalan
- 18 15. Sangkay Dansalan
- 19 16. Moncado Colony
- 20 17. Moncado Kadilingan

- 1 18. Marinaut West
- 2 19. Marinaut East
- 3 20. Kapantaran
- 4 21. Wawalayan Marinaut
- 5 22. Lumbac Marinaut
- 6 23. Tuca Marinaut
- 7 24. Datu Naga

8 (g) *Other Affected Areas* or *OAA* refer to the other
9 affected barangays in Marawi City during the Marawi
10 siege, namely:

- 11 1. Saduc Proper
- 12 2. Panggao Saduc
- 13 3. Raya Saduc
- 14 4. Lilod Saduc
- 15 5. Datu Saber
- 16 6. Bangon
- 17 7. Fort
- 18 8. Wawalayan Calocan

19 SEC. 4. *Entitlement to Monetary Compensation.* – Any
20 owner of a residential, cultural, commercial structures, and

1 other properties in Marawi's MAA or OAA qualified under
2 this Act shall receive compensation from the State, free of
3 tax, as herein prescribed: *Provided*, That in case the claim
4 is for a property covered by insurance, the compensation
5 receivable under this Act shall only be to the extent not
6 covered by insurance: *Provided, further*, That for the
7 deceased owner of said properties, the legal heirs as
8 provided for in the Code of Muslim Personal Laws of the
9 Philippines or the Civil Code of the Philippines, whichever
10 is applicable, or such other person named by the executor
11 or administrator of the deceased owner's estate in that
12 order, shall be entitled to receive such compensation:
13 *Provided, furthermore*, That no special power of attorney
14 shall be recognized in the actual disbursement of the
15 award, and only the owner or the aforesaid successor(s)-in-
16 interest shall be entitled to personally receive said
17 compensation from the Marawi Compensation Board,
18 unless the owner involved is shown to be incapacitated to
19 the satisfaction of the Marawi Compensation Board:
20 *Provided, finally*, That the compensation received under

1 this Act shall be considered as a complete satisfaction of
2 the loss or destruction of the properties sustained by the
3 owner thereof, unless Congress provides for additional
4 monetary compensation to the said owner(s).

5 The heirs of those who died and legally presumed
6 dead are also entitled to compensation in accordance with
7 the requirements under this Act, its implementing rules
8 and regulations, and other applicable laws, rules and
9 regulations.

10 SEC. 5. *Compensation for Private Properties affected*
11 *by the Marawi Recovery, Rehabilitation, and*
12 *Reconstruction Program.* – The government shall
13 compensate owners of private properties demolished
14 pursuant to the implementation of the Marawi Recovery,
15 Rehabilitation, and Reconstruction Program (MRRRP)
16 under the following rules:

17 (a) MRRRP, Debris Management Programs, and
18 programs that require the demolition of private property
19 for the search and recovery of Unexploded Ordnance (UXO)
20 shall be treated as national government projects and shall

1 be compensated in accordance to Republic Act No. 10752
2 otherwise known as the “Right of Way Act”.

3 (b) The implementing agency shall offer to the
4 property owner concerned, as compensation price, the sum
5 of the current market value of the land and the
6 replacement cost of structures and improvements therein.

7 To determine the appropriate price offer, the
8 implementing agency may engage the services of a
9 government financial institution with adequate experience
10 in property appraisal, or an independent property
11 appraiser accredited by the Bangko Sentral ng Pilipinas
12 (BSP) or a professional association of appraisers recognized
13 by the BSP to be procured by the implementing agency
14 under the provisions of Republic Act No. 9184, otherwise
15 known as the “Government Procurement Reform Act” and
16 its implementing rules and regulations pertaining to
17 consulting services.

18 The Bangsamoro government and the national
19 government shall ensure the protection of the rights of the
20 victims of the siege and undertake programs for their

1 rehabilitation and development. The Bangsamoro
2 government, in coordination with the national government,
3 the local government units where these IDPs are located,
4 and the appropriate national government agencies, shall
5 ensure continued access to livelihood assistance, skills and
6 training programs, loan assistance, and other related
7 activities to assist the recovery of lost income streams of
8 businesses affected by the Marawi siege.

9 In the absence of baseline data or the required
10 documents, the validated cost estimates and data utilized
11 for the Post Conflict Needs Assessment (PCNA) mandated
12 under the MRRRP may be used to determine just
13 compensation. The OCD, in coordination with the TFBM,
14 shall update the PCNA report within three (3) months
15 after the effectivity of this Act for purposes of assessing the
16 degree of damage and present the actual or estimated
17 valuation of such damage to each structure caused by the
18 siege and implementation of MRRRP. In updating the PCNA
19 report, the agencies shall also consider additional
20 information from the post-siege social cartography

1 activities of the Department of Environment and Natural
2 Resources and information on the damages and losses
3 incurred from areas that have become accessible only after
4 the mitigation of security threats.

5 The updated PCNA report shall produce information
6 to be used in assessing replacement cost for residential and
7 commercial structures, programing housing sector
8 interventions commensurate to the updated needs and in
9 designing livelihood asset restoration and assistance
10 projects roughly proportionate to the losses.

11 (c) Property owners granted the appropriate
12 replacement cost shall not be precluded from receiving and
13 benefitting from the MRRRP Land Titling Program, which
14 intends to return real property to the owner in the form of
15 new land titles.

16 (d) In consonance with the compensation provisions
17 of Republic Act No. 10752, structure owners who built on
18 land not belonging to them or on land being claimed by
19 other parties, shall also be compensated for the damage
20 sustained as a result of the siege: *Provided, That*

1 unresolved disputes as to the true owners of land shall not
2 affect the entitlement to compensation of owners of
3 structures damaged or demolished during the siege and as
4 a result of post-siege actions of the government.

5 (e) Compensation for land and/or damaged or
6 demolished structures under this Act and under Republic
7 Act No. 10752 shall not disqualify persons from
8 participating in the government's socialized housing
9 programs.

10 For the purpose of this section, all government
11 programs for which corresponding benefits have been
12 granted to the claimants shall be deducted to the total
13 amount of compensation to be awarded under this Act.

14 *SEC. 6. Appropriations.* – The amount necessary for
15 the initial implementation of this Act shall be charged
16 against the current year's appropriations of the National
17 Disaster Risk Reduction and Management Fund for the
18 MRRRP. Thereafter, such amount as may be necessary for
19 the implementation of this Act shall be included in the
20 annual General Appropriations Act.

CHAPTER II

THE MARAWI COMPENSATION BOARD

SEC. 7. *Creation and Composition of the Marawi Compensation Board.* – There is hereby created an independent and quasi-judicial body to be known as the Marawi Compensation Board (MCB), hereinafter referred to as the Board. It shall be composed of nine (9) members, who shall possess the following qualifications:

(a) Must be of known probity, competence and integrity;

(b) Must have a deep and thorough understanding and knowledge of compensation as a concept in international law and Philippine law;

(c) At least three (3) of them must be members of the Philippine Bar, preferably Maranao lawyers, who have been engaged in the practice of law for at least five (5) years; and

(d) Two (2) representatives of civil society organizations at least one of whom is either a *Sharia* lawyer or a Muslim traditional leader.

1 There should be one (1) licensed physician, one (1)
2 certified public accountant, one (1) educator and one (1)
3 licensed civil engineer.

4 The Board shall organize itself within thirty (30) days
5 from the completion of appointment of its members and
6 shall thereafter organize its Secretariat.

7 SEC. 8. *Appointment to the Board.* – The President
8 shall appoint the Chairperson and the other eight (8)
9 members of the Board: *Provided*, That organizations of
10 traditional leaders, professionals, the Ulama and civil
11 society organizations may submit nominations to the
12 President.

13 SEC. 9. *Powers and Functions of the Board.* – The
14 Board shall have the following powers and functions:

15 (a) Receive, evaluate, process and investigate
16 applications for claims under this Act;

17 (b) Issue subpoenas ad testificandum and subpoenas
18 duces tecum;

19 (c) Conduct independent administrative proceedings
20 and resolve disputes over claims;

1 (d) Approve with finality all eligible claims under
2 this Act;

3 (e) Disburse any and all compensation to qualified
4 claimants at the earliest possible time;

5 (f) Promulgate such rules as may be necessary to
6 carry out the purposes of this Act, including rules of
7 procedure in the conduct of its proceedings, with the
8 Revised Rules of Court of the Philippines having
9 suppletory application;

10 (g) Exercise administrative control and supervision
11 over its Secretariat;

12 (h) At its discretion, may consult the organizations
13 mentioned in Section 8 herein; and

14 (i) Perform such other duties, functions and
15 responsibilities as may be necessary to effectively attain
16 the objectives of this Act.

17 SEC. 10. *Emoluments.* – The Chairperson and
18 members of the Board shall have the rank, salary,
19 emoluments and allowances equivalent to a Presiding

1 Justice and Associate Justice of the Court of Appeals,
2 respectively.

3 SEC. 11. *Secretariat of the Board.* – The Board shall
4 be assisted by a Secretariat which shall come from the
5 existing personnel of the Department of Human
6 Settlements and Urban Development (DHUD), without
7 prejudice to the hiring of additional personnel as
8 determined by the Board to accommodate the volume of
9 required work. The following shall be the functions of the
10 Secretariat:

11 (a) Receive, evaluate, process and investigate
12 applications for claims under this Act;

13 (b) Recommend to the Board the approval of
14 applications for claims;

15 (c) Assist the Board in technical functions; and

16 (d) Perform other duties that shall be assigned by
17 the Board.

18 The Chairperson of the Board shall appoint a Board
19 Secretary who shall head the Secretariat for the duration
20 of the existence of the Board. The Board Secretary shall

1 have a Technical Staff composed of legal and
2 administrative personnel wherein the staff plantilla
3 positions and salaries shall be determined in the
4 Implementing Rules and Regulations or IRR. When
5 necessary, the Board may hire additional personnel
6 consistent with issuances of the Civil Service Commission.

7 SEC. 12. *Proper Disposition of Funds.* – The Board
8 shall ensure that funds appropriated or those which may
9 become available as compensation for rightful claimants
10 are properly disbursed in accordance with the policies
11 stated by Congress and relevant government rules,
12 regulations and accounting procedures.

13 The Board shall develop procedures for the awarding
14 of monetary compensation to rightful claimants in
15 accordance with national laws, policies, and regulations
16 respecting at all times the right to self-determination of
17 the Bangsamoro afforded by Republic Act No. 11054 or the
18 Bangsamoro Organic Law. In addition to the Annual
19 Audit, a special audit shall be conducted by the
20 Commission on Audit (COA) three (3) years from the time

1 is the lower amount of either the fair market value of the
2 residential, cultural, commercial structures, or other real
3 properties or the value of its total area per storey
4 equivalent to an amount to be determined in the
5 implementing rules and regulations of this Act. In case of
6 claims for loss or destruction of personal properties, the
7 claimant shall present competent evidence of the loss or
8 destruction, ownership, as well as the fair market value of
9 the personal properties.

10 (b) Within thirty (30) days after the Board has
11 approved with finality each eligible claim pending before it
12 and after due publication of such legitimate claim, the
13 award of monetary compensation shall take effect:
14 *Provided*, That any pending appeal filed by an aggrieved
15 claimant before the board must be resolved by the Board
16 not later than sixty (60) days before it becomes functus
17 officio.

18 CHAPTER IV

19 GENERAL PROVISIONS

1 SEC. 16. *Period of Filing Claims; Waiver.* – Claims for
2 compensation shall be filed with the Board within one (1)
3 year after it has been duly organized, and in accordance
4 with the rules and regulations to be promulgated to
5 implement this Act: *Provided*, That failure to file an
6 application within the said period shall be deemed a
7 waiver of the right to file the same: *Provided, further*, That
8 the Board shall publish in two (2) newspapers of general
9 circulation the period of commencement and termination of
10 applications by property owners.

11 SEC. 17. *Appeal.* – Any aggrieved claimant or
12 oppositor may file an appeal within fifteen (15) calendar
13 days from receipt of the decision of the Board, otherwise,
14 the Board’s decision shall become final and executory.

15 SEC. 18. *Penalties, Applicability of the Revised Penal*
16 *Code.* – Any claimant who is found by the Board, after
17 due hearing, to have filed a fraudulent claim shall be
18 referred to the appropriate office for prosecution. In
19 addition to any penalty imposed by the competent court,
20 the person who committed or caused the commission of the

1 fraud shall be disqualified from public office and
2 employment, and shall be prohibited from being voted
3 upon in any national or local election, even after the
4 service of the sentence unless granted absolute pardon.

5 Any member of the Board and its Secretariat, public
6 officer, employee of an agency or any private individual
7 mandated to implement this Act, who shall misuse,
8 embezzle or misappropriate the funds for monetary
9 compensation under this Act or who shall commit fraud in
10 the processing of documents and applications of claimants,
11 or shall conspire with any individual to commit the same,
12 shall also be prosecuted.

13 CHAPTER V

14 FINAL PROVISIONS

15 SEC. 19. *Implementing Rules and Regulations (IRR)*
16 *and Guidelines.* – The Board, in consultation with the
17 Department of Finance, Department of Budget and
18 Management, Bangsamoro Human Rights Commission,
19 Task Force Bangon Marawi, and the National Economic
20 and Development Authority (NEDA) shall promulgate the

1 implementing rules and regulations (IRR) within sixty (60)
2 days after the effectivity of this Act.

3 In implementing this Act and in formulating the
4 corresponding rules and regulations, and to ensure that all
5 applications are properly processed, the Board must
6 provide for:

7 (a) Transparency in the processing of the claims;

8 (b) A procedure that allows any concerned party to
9 oppose an application or claim on the ground that it is
10 fraudulent, fictitious or spurious and gives that party the
11 opportunity to question the same and to present evidence
12 in support thereof; and

13 (c) A procedure that is speedy and expeditious
14 without sacrificing any of the fundamental rights of the
15 parties.

16 The IRR shall be effective fifteen (15) days after its
17 publication in two (2) newspapers of general circulation.

18 SEC. 20. *Congressional Oversight Committee.* – There
19 is hereby created a Joint Congressional Oversight

1 Committee to oversee, monitor, and evaluate the
2 implementation of this Act.

3 The Oversight Committee shall be composed of five
4 (5) members each from the Senate and the House of
5 Representatives, to be designated by the Senate President
6 and the Speaker, respectively: *Provided*, That at least two
7 (2) members from each House shall be from the Minority.

8 SEC. 21. *Mandatory Evaluation and Review.* – Three
9 (3) years after the effectivity of this Act, the Board shall
10 conduct a mandatory review and submit a status report on
11 the implementation of this Act to Congress and the COA.

12 SEC. 22. *Work Period; Sunset Clause.* – The Board
13 shall complete its work within five (5) years from the
14 effectivity of the IRR. After such period, it shall become
15 *functus officio*.

16 To protect the interests of claimants whose
17 compensation have not been awarded without their fault,
18 the DHUD shall continue to exercise the powers and
19 functions of the Board to disburse and process any and all
20 pending compensation due to qualified claimants pursuant

1 to the criteria set by the Board. For this purpose, the
2 assets, properties and funds of the Board shall be
3 transferred to the DHUD.

4 SEC. 23. *Separability Clause.* – If, for any reason, any
5 section or provision of this Act is declared unconstitutional
6 or invalid, such other sections or provisions not affected
7 thereby shall remain in full force and effect.

8 SEC. 24. *Repealing Clause.* – All laws, decrees,
9 executive orders, rules and regulations or parts thereof
10 inconsistent with any of the provisions of this Act are
11 hereby repealed, amended or modified accordingly.

12 SEC. 25. *Effectivity.* – This Act shall take effect fifteen
13 (15) days after its publication in the *Official Gazette* or in
14 at least two (2) newspapers of general circulation.

15 Approved,