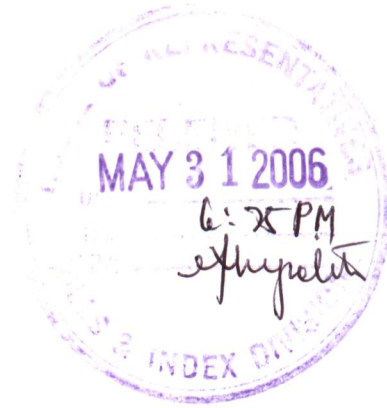


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



THIRTEENTH CONGRESS
Second Regular Session

House Bill No. 5502

Introduced by **SALACNIB F. BATERINA** and **ROQUE R. ABLAN**

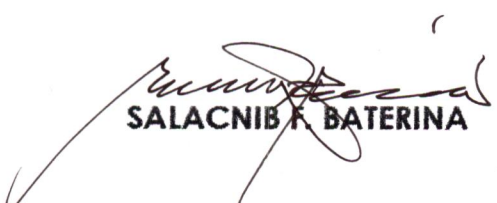
EXPLANATORY NOTE

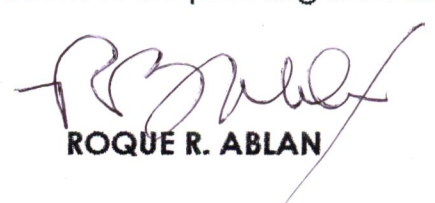
This bill seeks to amend Sec. 63, par. (b), Chapter 14 of Republic Act No. 6657, otherwise known as the "Comprehensive Agrarian Reform Law of 1988" to enable the human rights victims during the administration of former President Ferdinand E. Marcos to apply financial assistance in an amount not exceeding Two Hundred Fifty Thousand Pesos (P250,000.00) Pesos for each person verified, ascertained and declared by the Human Rights Commission after hearing a human rights victim of the Marcos Administration. The funding for this purpose shall be sourced from the alleged ill-gotten wealth or assets recovered and/or acquired by the Presidential Commission on Good Government (PCGG).

Pursuant to the Decision date 15 July 2003 of the Supreme Court in the case of Republic vs. Sandiganbayan, 406 SCRA 190, the PCGG acquired the estimated aggregate amount of US \$ 658,175,373.60 as of January 31, 2002 plus interest.

The present government has no legal obligation to compensate the alleged human rights victims of the Marcos administration but for humanitarian consideration, may allocate a certain amount from the assets/funds recovered and/or acquired by the PCGG. It is understood that this humanitarian act of the State should not be and cannot be the basis for any cause of action of whatever kind and nature to make the government liable for any alleged violations of human rights of any person.

Since the funding is sourced from the receipts or sales of wealth recovered/acquired by the PCGG, the beneficiaries shall be limited to the alleged victims of human rights under the Marcos administration duly determined, ascertained and declared by Commission on Human Rights in accordance with the rules and regulations to be promulgated therein.


SALACNIB F. BATERINA


ROQUE R. ABLAN

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
Second Regular Session

House Bill No. 5502

Introduced by Rep. **SALACNIB F. BATERINA** and **ROQUE R. ABLAN**

AN ACT AMENDING SECTION 63, PARAGRAPH (B) CHAPTER XIV, OF REPUBLIC ACT NO. 6657 TO ASSIST AND BENEFIT THE VICTIMS OF HUMAN RIGHTS VIOLATIONS DURING THE MARCOS ADMINISTRATION

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

1 SECTION 1. Sections 63, sub-par. (b) of RA 6657, otherwise known as the
2 "Comprehensive Agrarian Reform Law of 1988", is hereby amended to read as
3 follows:

4 "(b) All receipts from the assets recovered and from the sales of ill-gotten
5 wealth recovered through the Presidential Commission on Good Government
6 (PCGG) provided that the sum of US Dollars: One Hundred Fifty Million
7 (\$150,0000,000.00) from the US \$658,175,373.60 acquired by PCGG by virtue of
8 the Supreme Court Decision, dated 15 July 2003, in the case of Republic vs.
9 Sandiganbayan (406 SCRA 190) shall be allocated to constitute a sinking fund to
10 extend financial assistance to human rights victims during the Marcos

1 administration as ascertained and declared by the Commission on Human
2 Rights.

3 SEC. 2. The Commission on Human Rights shall promulgate rules and
4 regulations to ascertain that the applicant for financial assistance was a
5 human rights victim during the Marcos administration.

6 SEC. 3. Every human rights victim declared by the Commission on Human
7 Rights, shall be entitled to a financial assistance not exceeding P 250,000.00
8 taking into consideration the circumstances on how his/her rights was violated
9 and the gravity and seriousness of the violation committed. The Decision of the
10 Commission on Human Rights shall be final and executory unless
11 restrained/enjoined by the Court of Appeals and/or Supreme Court in a petition
12 for certiorari under Rule 65 of the Rules of Court.

13 SEC. 4. All laws, decrees, executive orders or rules and regulations contrary
14 to or inconsistent with the provision of this Act are hereby repealed or modified
15 accordingly.

16 SEC. 5. This Act shall take effect upon approval and shall have retroactive
17 effect.

Approved,