

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**FIFTEENTH CONGRESS
Second Regular Session**

House Bill No. **5225**

**Introduced by Representatives
DIOSDADO MACAPAGAL ARROYO and GLORIA MACAPAGAL ARROYO**

**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**

EXPLANATORY NOTE

Article II, Section 3 of the 1987 Constitution states that "*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. Its primordial duty is to secure the sovereignty of the State and the integrity of the national territory.

Sections 4 and 5 of the same article likewise provides 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.

While said provisions have been incorporated in the Constitution to secure, among others, the safety of the people, it is quite lamentable that this objective has not been attained and remains elusive until the present.

Amidst numerous incidents of killings and inevitable displacement of many Filipinos due to military counter insurgency-efforts, there is an urgent need to

alleviate the sufferings of innocent civilians caught in the crossfire brought about by the continued armed conflict between the military and rebel forces.

To uphold what is being espoused in our Constitution that civilian authority is supreme over the military, this humble proposal is one mode of easing the hardships endured by civilians who get caught in the middle and exposed to imminent danger due to the continued fighting between our military and rebel forces.

In view of the foregoing, we are therefore urging our colleagues to ensure the immediate passage of this bill.



DIOSDADO MACAPAGAL ARROYO
Second District, Camarines Sur

GLORIA MACAPAGAL ARROYO
Second District, Pampanga

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

SECTION 1. – This Act shall be known and cited as the "Civilian Compensation Act of 2011."

SECTION 2. *Civilian Compensation Fund.* – The Civilian Compensation Fund is hereby established which shall be administered by the Commission on Human Rights, hereafter referred to as the Commission.

SECTION 3. *Definition of Terms.* – As used in this Act, the term:

- 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,

SECTION 4. 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 Thirty Thousand Pesos (P30,000.00), 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.

SECTION 5. 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.

SECTION 6. *Implementing Rules and Regulations.* – The Commission shall promulgate the rules and regulation necessary to effectively implement this Act.

SECTION 7. *Appropriations.* – The amount of Five Million Pesos (P5,000,000.00) 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 Committee.

SECTION 8. *Separability Clause.* – If any provision of this Act shall be declared invalid or unconstitutional, the remaining part or provisions not otherwise affected shall remain in force and effect.

SECTION 9. *Repealing Clause.* – All laws, decrees, executive orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SECTION 10. *Effectivity.* – This Act shall take effect after fifteen (15) days following the completion of its publication in the Official Gazette and in at least two (2) newspapers of general circulation.

Approved,