



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



House Bill No. 5432

Introduced by CIBAC Party-List Representative
EDUARDO “BRO. EDDIE” C. VILLANUEVA

EXPLANATORY NOTE

The right to due process and a fair trial, guaranteed under the 1987 Constitution, obliges the State to ensure the effective administration of justice. Central to this is the protection of witnesses, whose testimony is indispensable in the prosecution of administrative, criminal, and legislative cases. Without their cooperation, uncovering the truth often becomes impossible. Yet, the decision to testify frequently comes at a steep personal cost—witnesses and their families may be exposed to threats, harassment, intimidation, and even violence. It is therefore the duty of the State to safeguard their lives, property, reputation, and welfare.

In 1991, Congress enacted Republic Act No. 6981, or the Witness Protection, Security and Benefit Act, to address these risks. Its effectiveness is reflected in recent data: for Calendar Year 2023, the Program reported a 95.65% success rate in the prosecution of cases involving state witnesses.¹ This achievement highlights the law’s crucial role in strengthening justice and upholding the rule of law. Still, evolving challenges demand further reforms to ensure stronger, more comprehensive protection for witnesses.

This proposed measure seeks to amend Republic Act No. 6981 by:

- a) Extending protection to the early stages of investigation – ensuring that potential witnesses are shielded even before a case is formally filed, thereby encouraging them to assist law enforcement without fear of reprisal;
- b) Enhancing benefits for witnesses and their families – expanding educational support for children and providing income replacement allowances in cases where employment is disrupted due to participation in the Program. These measures affirm that choosing to tell the truth should not mean sacrificing the ability to provide for one’s family;

¹ Congressional Policy and Budget Research Department. Department of Justice Agency Budget Notes for FY2025. Published in September 2024. Available at <https://cpbrd.congress.gov.ph/wpcontent/uploads/2024/09/ABN2024-27-DOJ-FY2025.pdf> (Accessed on 3 July 2025)

- c) Ensuring accountability – requiring reimbursement of protection expenses in cases where a witness unjustifiably refuses to testify after receiving program benefits; and
- d) Strengthening deterrence – imposing stiffer penalties against those who harass, intimidate, or attempt to obstruct witnesses from fulfilling their duty under the Program.

By expanding benefits and bolstering safeguards, this bill ensures that witnesses can cooperate fully in the pursuit of truth and justice without undue risk. Its passage is a necessary step in fortifying the rule of law and reinforcing public trust in the justice system.

In view of the foregoing, the immediate passage of this bill is earnestly sought.


EDUARDO "BRO. EDDIE" C. VILLANUEVA



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AN ACT
STRENGTHENING THE WITNESS PROTECTION, SECURITY AND BENEFIT PROGRAM, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 6981, OTHERWISE KNOWN AS THE "WITNESS PROTECTION, SECURITY AND BENEFIT ACT," APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "*Enhanced Witness*
2 *Protection Act.*"

3
4 **SEC. 2.** Section 3 of Republic Act No. 6981, otherwise known as the "Witness
5 Protection, Security and Benefit Act," is hereby amended to read as follows:

6
7 "SEC. 3. Admission into the Program. - Any person who has witnessed
8 or has knowledge or information on the commission of a crime and has
9 testified or is testifying or about to testify before any judicial or quasi-
10 judicial body, or before any investigating authority, may be admitted into
11 the Program: Provided, That:

- 12 a) The offense [in] **FOR** which [his] **THE** testimony will be used is a
13 grave felony as defined under the Revised Penal Code, or its
14 equivalent under special laws;
15 b) [his] **THE** testimony can be substantially corroborated in its
16 material points;
17 c) [he] **THE WITNESS** or any member of [his] **THE WITNESS'** family
18 within the second civil degree of consanguinity or affinity is
19 subjected to threats to life or bodily injury or there is a likelihood
20 [he] **THE WITNESS** will be killed, forced, intimidated, harassed or
21 corrupted [to prevent him] **SO AS TO BE PREVENTED** from
22 testifying, or to testify falsely or evasively, because or on account
23 of [his] **THE** testimony **GIVEN**; and

- 1 d) [he] THE WITNESS is not a law enforcement officer, [even if he
2 would be testifying] UNLESS THE TESTIMONY TO BE GIVEN
3 WILL BE against other law enforcement officers). [In such a case;
4 only the immediate members of his family may avail themselves of
5 the protection provided for under this Act.]
6

7 **IF, UPON THE DETERMINATION OF LAW ENFORCERS, THERE IS**
8 **A NECESSITY TO PROVIDE PROTECTION TO A POTENTIAL WITNESS**
9 **DURING THE INITIAL STAGES OF INVESTIGATION, THE LAW**
10 **ENFORCEMENT AGENCY MAY RECOMMEND TO THE DEPARTMENT**
11 **THE TEMPORARY ADMISSION OF SUCH POTENTIAL WITNESS.**
12

13 If the Department, after examination of said applicant and other
14 relevant facts, is convinced that the requirements of this Act and its
15 implementing rules and regulations have been complied with, it shall admit
16 said applicant to the Program, require said witness to execute a sworn
17 statement detailing [his] **THE WITNESS'** knowledge or information on the
18 commission of the crime, and thereafter issue the proper certification. For
19 purposes of this Act, any such person admitted to the Program shall be
20 known as the Witness.”
21

22 **SEC. 3.** Section 5 of Republic Act No. 6981 is hereby amended to read as
23 follows:
24

25 “SEC. 5. Memorandum of Agreement (MOA) with the Person to be
26 Protected. - Before a [person is provided] **WITNESS CAN AVAIL OF THE**
27 protection under this Act, he/**SHE** shall [first execute] **ENTER INTO** a
28 memorandum of agreement **WITH THE DEPARTMENT**, which shall set
29 forth his/**HER SPECIFIC** responsibilities including:
30

- 31 a) To testify before and provide information to all appropriate law
32 enforcement officials concerning all appropriate proceedings in
33 connection with or arising from the activities involved in the offense
34 charged;
35 b) To avoid the commission of a crime;
36 c) To take all necessary precautions to avoid detection by others of
37 the facts concerning the protection provided under this Act;
38 d) To comply with legal obligations and civil judgments against
39 him/**HER**;
40 e) To cooperate with respect to all reasonable requests of officers
41 and employees of the Government who are providing protection
42 under this Act; [and]
43 f) To regularly inform the appropriate program official of his/**HER**
44 current activities and address [.]
45 **g) TO NOT COMMUNICATE WITH ANY ADVERSE PARTY, OR**
46 **NEGOTIATE FOR OR ENTER INTO, AN AMICABLE**
47 **SETTLEMENT ON THE CIVIL OR CRIMINAL ASPECT OF THE**
48 **OFFENSE SUBJECT OF THE CASE OR INVESTIGATION; AND**

1 h) TO COMPLY WITH SUCH OTHER CONDITIONS AS THE
2 SECRETARY OF JUSTICE MAY DEEM PROPER TO IMPOSE
3 FOR THE SUCCESSFUL INVESTIGATION OR PROSECUTION
4 OF THE CASE OR TO PRESERVE THE INTEGRITY OF THE
5 PROGRAM."
6
7

8 SEC. 4. Section 6 of Republic Act No. 6981 is hereby amended to read as
9 follows:
10

11 "SEC. 6. Breach of the Memorandum of Agreement. - Substantial
12 breach of the memorandum of agreement shall be a ground for the
13 IMMEDIATE termination of the BENEFITS AND protection provided under
14 this Act [:Provided, however, That before terminating such protection]. The
15 Secretary of Justice shall send a WRITTEN notice to the person involved of
16 the termination of the BENEFITS AND protection provided under this Act,
17 stating therein the reason for such termination."
18

19 SEC. 5. Section 7 of Republic Act No. 6981 is hereby amended to read as follows:
20

21 "SEC. 7. Confidentiality [of Proceedings]. - All [proceedings]
22 MATTERS involving [application for] admission [into] AND COVERAGE
23 UNDER the Program [and the action taken thereon] shall be confidential in
24 nature, INCLUDING, BUT NOT LIMITED TO, THE WITNESS IDENTIFY,
25 SUBJECT MATTER OF DISCLOSURE, AND PERSON TO WHOM SUCH
26 DISCLOSURE IS MADE. No information or documents [given or submitted
27 in support thereof] RELATIVE THERETO shall be released except upon
28 written order of the Department or the proper court. Any person who violates
29 [the confidentiality of said proceedings] THIS PROVISION shall, upon
30 conviction, be punished with imprisonment of not less than [one (1) year]
31 FOUR (4) YEARS but not more than six (6) years and deprivation of the
32 right to hold a public office or employment for a period of five (5) years.
33

34 NO INJUNCTION OR TEMPORARY RESTRAINING ORDER SHALL
35 BE ISSUED BY ANY COURT ENJOINING THE ADMISSION OF THE
36 WITNESS IN THE PROGRAM BY THE DEPARTMENT."
37

38 SEC. 6. Section 8 of Republic Act No. 6981 is hereby amended to read as
39 follows:
40

41 "SEC. 8. Rights and Benefits. - The witness shall have the RIGHTS
42 TO SECURITY AND PROTECTION AS WELL AS THE following [rights
43 and] benefits:
44

- 45 a) To have a secure housing facility until [he] THE WITNESS has
46 testified or until the threat, intimidation or harassment disappears or
47 is reduced to a manageable or tolerable level. When the
48 circumstances warrant, the Witness shall be entitled to relocation
49 and/or change of personal identity at the expense of the Program.
50 This right TO A SECURE HOUSING FACILITY AND

1 **RELOCATION** may be extended to any member of the family of the
2 Witness within the second [civil] degree of consanguinity or affinity
3 **UPON SATISFACTION OF THE REASONABLE CONDITIONS**
4 **THE DEPARTMENT SHALL SET FORTH IN THE**
5 **IMPLEMENTING RULES AND REGULATIONS OF THIS ACT.**
6

7 b) **TO HAVE A CHANGE OF PERSONAL IDENTITY, WHICH MAY**
8 **INCLUDE A CHANGE IN PHYSIOLOGICAL APPEARANCE OR**
9 **CHANGE OF NAME. THE DEPARTMENT, UPON APPLICATION**
10 **OF THE WITNESS COVERED UNDER THE PROGRAM AND IN**
11 **ACCORDANCE WITH THE RULES WHICH THE DEPARTMENT**
12 **SHALL HEREAFTER PROMULGATE, MAY ORDER A CHANGE**
13 **OF THE FIRST NAME, MIDDLE NAME, AND/OR FAMILY NAME**
14 **OF THE WITNESS COVERED, WITHOUT NEED OF A**
15 **SEPARATE JUDICIAL ORDER OR ADMINISTRATIVE**
16 **PROCEEDING, WITH PROPER COORDINATION WITH**
17 **CONCERNED GOVERNMENT AGENCIES. PURSUANT TO**
18 **SUCH ORDER, THE DEPARTMENT MAY DIRECT ALL**
19 **CONCERNED AGENCIES OF THE GOVERNMENT TO MAKE**
20 **THE NECESSARY ENTRIES IN SUCH A MANNER THAT**
21 **ENSURES THE CONFIDENTIALITY OF THE PROCEEDINGS**
22 **AND AVOID A DISCLOSURE OF THE IDENTITY OF THE**
23 **WITNESS.**
24

25 c) The Department shall, whenever practicable, assist the Witness in
26 obtaining a means of livelihood. The Witness relocated pursuant to
27 this Act shall be entitled to a financial assistance from the Program
28 for his/**HER** support and that of his/**HER** family in such amount and
29 for such duration as the Department shall determine.
30

31 d) In no case shall the Witness be removed from or demoted in work
32 because or on account of [his] **THE WITNESS'** absences due to
33 [his] attendance before any judicial or quasi-judicial body or
34 investigating authority, including legislative investigations in aid of
35 legislation, in going thereto and in coming therefrom: Provided, That
36 [his] **THE WITNESS'** employer is notified through a certification
37 issued by the Department, within a period of thirty (30) days from
38 the date when the Witness last reported for work: Provided, further,
39 That in the case of prolonged transfer or permanent relocation, the
40 employer shall have the option to remove the Witness from
41 employment after securing clearance from the Department, upon
42 the recommendation of the Department of Labor and Employment
43 (DOLE).

44 Any Witness who failed to report for work because of witness duty
45 shall be [paid-his] **GIVEN AN ALLOWANCE BY THE**
46 **DEPARTMENT** equivalent **TO THE WITNESS'** salaries or wages
47 corresponding to the number of **THE WITNESS'** days of absence
48 **FROM WORK** occasioned by the Program. **IF THE EMPLOYER**
49 **REMOVES THE WITNESS FROM EMPLOYMENT UPON**
50 **SECURING A CLEARANCE FROM THE DEPARTMENT DUE TO**

1 **PROLONGED TRANSFER OR PERMANENT RELOCATION,**
2 **THE DEPARTMENT SHALL GIVE AN ADDITIONAL**
3 **ALLOWANCE EQUIVALENT TO ONE (1) MONTH PAY OR ONE**
4 **(1) MONTH FOR EVERY YEAR OF SERVICE, WHICHEVER IS**
5 **HIGHER.** For purposes of this Act, any fraction of a day shall
6 constitute a full day [salary or wage]. This provision shall be
7 applicable to both government and private employees.
8

- 9 e) To be provided with reasonable travelling expenses and
10 subsistence allowance by the Program in such amount as the
11 Department may determine for his attendance in the court, body or
12 authority where [his] **THE WITNESS'** testimony is required, as well
13 as conferences and interviews with prosecutors or investigating
14 officers.
15
- 16 f) To be provided with **NECESSARY** free medical **ATTENTION,**
17 treatment, hospitalization and medicines, **PARTICULARLY** for any
18 injury, [or] illness **OR ANY OTHER MEDICAL CONDITION** incurred
19 or suffered by [him because of] **THE WITNESS OR BY HIS/ HER**
20 **SPOUSE AND MINOR OR DEPENDENT CHILDREN WHILE ON**
21 **witness duty OR WHILE IN THE TEMPORARY SHELTER**
22 **PROVIDED BY THE PROGRAM** in any private or public hospital,
23 clinic, or at any such institution at the expense of the Program.
24

25 **WITNESS DUTY SHALL INCLUDE THE ATTENDANCE OF THE**
26 **WITNESS IN THE COURT, BODY OR AUTHORITY WHERE THE**
27 **TESTIMONY IS REQUIRED, AS WELL AS CONFERENCES,**
28 **INTERVIEWS, AND/OR INVESTIGATIONS WITH**
29 **PROSECUTORS OR INVESTIGATING OFFICERS. A WITNESS**
30 **WHO IS RELOCATED TO AN ACCREDITED WITNESS**
31 **PROTECTION, SECURITY AND BENEFIT PROGRAM**
32 **TEMPORARY SHELTER SHALL BE CONSIDERED TO BE**
33 **UNDER WITNESS DUTY FOR THE DURATION OF HIS/HER**
34 **STAY IN SAID TEMPORARY SHELTER.**
35

- 36 g) If a Witness is killed[,] because of participation in the Program, [his]
37 **THE WITNESS'** heirs shall be entitled to a burial benefit of not less
38 than [Ten Thousand pesos (P10,000.00)] **FIVE HUNDRED**
39 **THOUSAND PESOS (P500,000.00)** from the Program exclusive of
40 any other similar benefits [he] **THE WITNESS** may be entitled to
41 under other existing laws.
42
- 43 h) [(g) In case of death or permanent incapacity, his] **THE WITNESS'**
44 minor or dependent children shall be entitled to free education
45 **AND/OR EDUCATIONAL ASSISTANCE,** from primary to college
46 level in any state, or private school, college or university [as may be
47 determined by the Department,] as long as they shall have qualified
48 thereto. **THE EDUCATIONAL BENEFITS HEREIN PROVIDED**
49 **CAN BE AVAILED OF BY THE WITNESS' MINOR OR**

1 **DEPENDENT CHILDREN FOR PRIMARY, SECONDARY AND**
2 **TERTIARY EDUCATION: PROVIDED, THAT FOR TERTIARY**
3 **EDUCATION, THE EDUCATIONAL ASSISTANCE SHALL IN NO**
4 **CASE EXCEED FIVE (5) YEARS." PROTECTION AND**
5 **SECURITY IN ACCORDANCE WITH INTERNATIONALLY**
6 **RECOGNIZED BEST PRACTICES.**

7
8 **SEC. 7.** Section 10 of Republic Act No. 6981 is hereby amended to read as
9 follows:

10
11 "SEC. 10. [State Witness] **ADMISSION OF OFFENDERS.** - Any
12 person who has participated in the commission of a crime and desires to be
13 a witness for the State, can apply and, if qualified as determined in this Act
14 and by the Department, shall be admitted into the Program whenever the
15 following circumstances are present:

- 16 a) The offense in which [his] **THE** testimony will be used is a grave
17 felony as defined under the Revised Penal Code or its equivalent
18 under special laws;
19 b) There is absolute necessity for [his] **THE** testimony;
20 c) There is no other direct evidence available for the proper prosecution
21 of the offense committed;
22 d) [his] **THE** testimony can be substantially corroborated on its material
23 points;
24 e) [his] **THE PERSON** does not appear to be most guilty; and [he] **THE**
25 **PERSON** has not at any time been convicted of any crime involving
26 moral turpitude.

27
28 **FOR THE AVOIDANCE OF DOUBT, THE ADMISSION OF A**
29 **PERSON TO THE PROGRAM IS SEPARATE AND DISTINCT FROM THE**
30 **DISCHARGE OF AN ACCUSED FROM AN INFORMATION OR**
31 **CRIMINAL COMPLAINT BY THE COURT IN ORDER THAT SAID**
32 **ACCUSED MAY BE A STATE WITNESS, PURSUANT TO SECTION 17**
33 **OF RULE 119 OF THE REVISED RULES OF COURT.**

34
35 An accused discharged from an information or criminal complaint by
36 the court in order that [he] **THE ACCUSED** may be a State Witness pursuant
37 to [Section 9 and 101 SECTION 17 of Rule 119 of the Revised Rules of
38 Court may, upon [his] petition, be admitted to the Program [if he complies]
39 **UPON COMPLIANCE** with the other requirements of this Act. Nothing in
40 this Act shall prevent the discharge of an accused **QUALIFIED TO ACT** as
41 a State Witness under **SECTION 17**, Rule 119 of the Revised Rules of
42 Court."

43
44 **SEC. 8.** Section 12 of Republic Act No. 6981 is hereby amended to read as
45 follows:

46
47 "SEC. 12. Effect of Admission of a Witness into the Program. - The
48 certification of admission into the Program by the Department shall be given
49 full faith and credit by the provincial or city prosecutor who is required not to
50 include the Witness in the criminal complaint or information and if included

1 therein, to petition the court for [his] **THE** discharge **PURSUANT TO THIS**
2 **ACT** in order that he/**SHE** can be utilized as a State Witness. The Court
3 shall order the discharge and exclusion of the said accused from the
4 information.

5
6 Admission into the Program shall **AUTOMATICALLY** entitle such
7 State Witness to immunity from criminal prosecution for the offense or
8 offenses in which [his] **THE** testimony will be given or used and all the rights
9 and benefits provided under Section 8 hereof."

10
11 **SEC. 9.** A new Section 12-A is hereby inserted to read as follows:

12
13 **"SEC. 12-A. PERPETUATION OF TESTIMONY. - A WITNESS,**
14 **ONCE ADMITTED INTO THE PROGRAM, SHALL PERPETUATE**
15 **HIS/HER TESTIMONY PURSUANT TO RULE 134 OF THE REVISED**
16 **RULES OF COURT."**

17
18 **SEC. 10.** Section 13 of Republic Act No. 6981 is hereby deleted in its entirety
19 and replaced with the following new Section 13:

20
21 **"SEC. 13. FAILURE OR REFUSAL OF THE WITNESS TO**
22 **COOPERATE OR TESTIFY. - A WITNESS COVERED UNDER THE**
23 **PROGRAM WHO UNJUSTLY FAILS OR REFUSES TO COOPERATE OR**
24 **TESTIFY IN THE INVESTIGATION OR PROSECUTION OF A CASE OR**
25 **WHO GIVES FALSE OR MISLEADING TESTIMONY SHALL BE**
26 **CRIMINALLY PROSECUTED AND SHALL, UPON CONVICTION,**
27 **SUFFER THE PENALTY OF IMPRISONMENT OF NOT LESS THAN**
28 **FOUR (4) YEARS BUT NOT EXCEEDING SIX (6) YEARS. THE WITNESS**
29 **SHALL ALSO BE REQUIRED TO RESTITUTE ALL THE EXPENSES**
30 **INCURRED RELATIVE TO HIS/HER AND HIS/HER FAMILY'S**
31 **COVERAGE UNDER THE PROGRAM, WITHOUT PREJUDICE TO**
32 **PROSECUTION FOR CONTEMPT AND OTHER CRIMES UNDER**
33 **EXISTING LAWS."**

34
35 **SEC. 11.** Section 17 of Republic Act No. 6981 is hereby amended to read as

36
37 **"SEC. 17. Penalty for Harassment of Witness. - Any person who**
38 **harasses a Witness [and thereby hinders, delays, prevents or dissuades all**
39 **BY REASON OF THE SWORN STATEMENT OR TESTIMONY GIVEN BY**
40 **THE LATTER, OR ATTEMPTS TO HINDER, DELAY, PREVENT OR**
41 **DISSUADE THE** Witness from:

- 42 a) Attending or testifying before any judicial or quasi-judicial body or
43 investigating authority;
44 b) Reporting to a law enforcement officer or judge the commission or
45 possible commission of an offense, or a violation of conditions or
46 probation, parole, or release pending judicial proceedings;
47 c) Seeking the arrest of another person in connection with the
48 offense;

- 1 d) Causing a criminal prosecution, or a proceeding for the revocation
2 of a parole or probation; or
3 e) Performing and enjoying the rights and benefits under this Act,
4 shall be fined not more than [Three thousand pesos (P3,000.00)]
5 **TWENTY THOUSAND PESOS** (P20,000.00) or suffer
6 Imprisonment of not less than [six (6) months] **TWO (2) YEARS**
7 but not more than [one (+ year)] **FOUR (4) YEARS**, or both, and he
8 shall also suffer the penalty of perpetual disqualification from
9 holding public office in case of a public officer."

10
11 **SEC. 12.** A new Section 17-A is hereby inserted to read as follows:
12

13 **"SEC. 17-A. CONSTRUCTION OF PROVISIONS - IN CASE OF**
14 **DOUBT, THE PROVISIONS OF THIS ACT SHALL BE CONSTRUED IN**
15 **FAVOR OF THE ADMISSION OF THE WITNESS INTO THE PROGRAM."**
16

17 **SEC. 13. Appropriations.** - The amount necessary for the initial implementation
18 of this Act shall be charged against the current year's appropriations of the Department
19 of Justice (DOJ). Thereafter, such sums as may be necessary for the continued
20 implementation of this Act shall be included in the annual General Appropriations Act.
21

22 **SEC. 14. Implementing Rules and Regulations.** - Within sixty (60) days from
23 the effectivity of this Act, the DOJ, in consultation with appropriate government
24 agencies and other relevant stakeholders, shall promulgate the necessary rules and
25 regulations to effectively implement the provisions of this Act.
26

27 **SEC. 15. Separability Clause.** – If any portion or provision of this Act is declared
28 unconstitutional, the remainder hereof or any provisions not affected thereby shall
29 remain in force and effect.
30

31 **SEC. 16. Repealing Clause.** – Any law, presidential decree or issuance,
32 executive order, letter of instruction, rule, or regulation inconsistent with the provisions
33 of this Act is hereby repealed or modified accordingly.
34

35 **SEC. 17 Effectivity.** – This Act shall take effect fifteen (15) days after its
36 complete publication in the Official Gazette or in a newspaper of general circulation.
37

38 *Approved,*