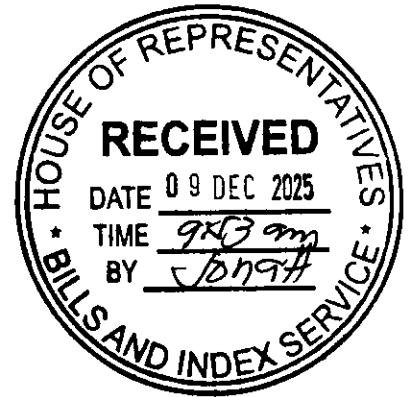


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **6686**



Introduced by Representatives
LEILA M. DE LIMA
RENEE LOUISE M. CO
SARAH JANE I. ELAGO
EDGAR R. ERICE
CIELO KRISSEL B. LAGMAN
ELIJAH R. SAN FERNANDO
ANTONIO L. TINIO
ALFONSO V. UMALI, JR.

**AN ACT
ESTABLISHING THE TRUTH COMMISSION ON EXTRAJUDICIAL KILLINGS,
GRANTING IT INVESTIGATIVE, SUBPOENA, AND CONTEMPT POWERS,
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Every democracy stands or falls on one defining truth: *no State has the right to take a life outside the rule of law.* Yet in our own country, thousands have been killed without trial, without due process, and without the slightest chance to defend themselves. These deaths, numbered in the thousands, feared to be in the tens of thousands, constitute one of the darkest human rights crises in our contemporary history.

Article II, Section 11 of the 1987 Constitution declares that “[t]he State values the dignity of every human person and guarantees full respect for human rights.” Moreover, Article III, Section 12 further prohibits “[t]orture, force, violence, threat, intimidation, or any other means which vitiate the free will” against persons under investigation. These constitutional guarantees reflect the Philippines’ longstanding commitment to uphold human dignity and the right to life, commitments reinforced by our ratification of the Universal Declaration of Human Rights and nearly all major international human rights treaties.

Congress has also enacted key statutes, such as Republic Act No. 9745 or the "Anti-Torture Act of 2009", Republic Act No. 10353, or the "Anti-Enforced Disappearance Act of 2012", and Republic Act No. 10368 or the "Human Rights Victims Reparation and Recognition Act of 2013". Yet despite these legal safeguards, a culture of violence and impunity persists.

In recent years, extrajudicial killings (EJKs) marked the Philippine government's anti-drug operations, its counter-insurgency campaigns, and its efforts to silence human rights and environmental defenders, labor organizers, activists, journalists, and political critics.

Extrajudicial killings (EJKs), initially defined in Republic Act No. 11188, or the "Special Protection of Children in Situations of Armed Conflict Act", have become disturbingly commonplace in recent years. While this law provides a basic definition of EJKs, it neither elaborates on their nature nor establishes accountability mechanisms.

During the administration of former President Rodrigo Duterte, EJKs rose to unprecedented levels. From July 2016 to December 2018 alone, over 5,000 individuals were killed in anti-drug operations, based on Philippine Drug Enforcement Agency data¹. By 2022, the Philippine National Police acknowledged 6,200 deaths of suspects in the anti-drug campaign, while official government reports cited 6,248 drug-related deaths².

Independent estimates paint an even grimmer picture. Human rights groups and the International Criminal Court prosecutor estimate up to 30,000 killings³, while the Commission on Human Rights (CHR) believes deaths in the early years of the campaign could have reached 27,000, a number obscured by inadequate documentation and survivors' fear of retaliation⁴.

This so-called "War on Drugs" left a scar on the national consciousness that demands not just healing, but historical clarity. For years, the official state narrative, propagated through the #RealNumbersPH campaign⁵, claimed that only 4,279 drug suspects were killed in legitimate operations, dismissing all conflicting data as "false" or "misinformation"⁶.

¹ Tomacruz, S. (31 December 2018). Duterte gov't tally: 'Drug war' deaths breach 5,000-mark before 2019. Retrieved from: <https://www.rappler.com/philippines/220013-duterte-government-tally-killed-war-on-drugs-november-2018/>

² Reuters (11 March 2025). What happened in Philippine drug war that led to Rodrigo Duterte's arrest?. Retrieved from: <https://www.reuters.com/world/asia-pacific/what-happened-philippine-drug-war-that-led-dutertes-arrest-2025-03-11/>

³ Regencia, T. (11 March 2025). Arrested on ICC warrant: What was Duterte's 'war on drugs'?. Retrieved from: <https://www.aljazeera.com/news/2025/3/11/arrested-on-icc-warrant-what-was-dutertes-war-on-drugs>

⁴ Maru, D. (05 December 2018). CHR chief: Drug war deaths could be as high as 27,000. Retrieved from: <https://www.abs-cbn.com/focus/12/05/18/chr-chief-drug-war-deaths-could-be-as-high-as-27000>

⁵ Dangerous Drugs Board. #RealNumbersPH Campaign. Retrieved from: <https://ddb.gov.ph/realnumbersph/>

⁶ Felipe, C.S (11 June 2018). PNP: 22,983 deaths under inquiry since drug war launched. Retrieved from: <https://www.philstar.com/headlines/2018/06/11/1823545/pnp-22983-deaths-under-inquiry-drug-war-launched>

However, this sanitized statistic stands in stark contrast to the records of the Philippine National Police (PNP) itself. Data from the PNP Directorate for Investigation and Detective Management (DIDM) reveals that from July 1, 2016, to May 21, 2018, a staggering 22,983 cases classified as “Deaths Under Inquiry” (DUI) were recorded, an average of 33 killings per day⁷. While authorities attempted to decouple these “Homicide Cases Under Investigation” from the anti-drug campaign, the sheer volume of these unexplained deaths suggests a systematic attempt to mask state-sponsored violence behind bureaucratic terminology⁸.

In the 2017 Human Rights Watch report “*License to Kill*”, contrary to claims that the campaign targeted high-value drug lords, the violence was overwhelmingly directed against the country’s most vulnerable: the urban poor, slum dwellers, and the unemployed⁹. The investigation revealed a chilling methodology where police officers routinely falsified reports to claim “self-defense” (*nanlaban*), planted evidence on unarmed suspects, and coordinated with vigilante death squads¹⁰.

Because existing institutions have systematically obstructed the truth, whitewashing over 18,000 deaths as mere “inquiries”, the true number of victims remains unknown, and their identities reduced to statistics.

Beyond anti-drug operations, EJKs and violent attacks have been used to intimidate critics, human rights defenders (HRDs), environmental advocates, labor organizers, journalists, and political opposition. On November 28, 2016, just months after his election, Duterte threatened to have human rights defenders (HRDs) killed, accusing them of obstructing his anti-drug campaign and allowing the number of drug users in the country to multiply¹¹. Human rights group Frontline Defenders claimed in its March 2017 report that 15 HRDs working on various issues have been killed in a span of just three (3) months¹². On March 7, 2021, in the middle of the COVID-19 pandemic, a bloody crackdown by police authorities and the military in Region 4-A resulted in the deaths of nine (9) activists and six (6) arrests¹³. By the end of the Duterte administration, a total of 422 activists and HRDs were killed, according to human rights group Karapatan¹⁴.

⁷ *ibid*

⁸ *ibid*

⁹ Human Rights Watch (2 March 2017). “License to Kill” Philippine Police Killings in Duterte’s “War on Drugs”. Retrieved from: <https://www.hrw.org/report/2017/03/02/license-kill/philippine-police-killings-dutertes-war-drugs>

¹⁰ *ibid*

¹¹ Ramos, M. (29 November 2019). Duterte threatens to kill rights activists if drug problem worsens. Retrieved from: <https://newsinfo.inquirer.net/848933/duterte-threatens-to-kill-human-rights-activists-if-drug-problem-worsens>

¹² Frontline Defenders (10 March 2017). Philippines: Spate of killings of human rights defenders. Retrieved from: <https://www.frontlinedefenders.org/fa/node/3274>

¹³ Bolledo, J. (08 March 2021). Leaders lost: The 9 activists killed by Duterte gov’t on ‘Bloody Sunday’. Retrieved from: <https://www.rappler.com/newsbreak/iq/names-activists-killed-by-duterte-government-bloody-sunday-march-7-2021/>

¹⁴ Villeza M.E (15 January 2024). Karapatan condemns dismissal of grave threats case vs Duterte. Retrieved from: <https://www.philstar.com/headlines/2024/01/15/2325855/karapatan-condemns-dismissal-grave-threats-case-vs-duterte>

This sustained pattern of EJKs demonstrates a profound institutional failure to uphold accountability and prevent recurrence. The absence of a comprehensive, independent fact-finding mechanism has left the full truth obscured and countless families without justice.

Around the world, countries confronting widespread human rights violations have established truth commissions — official, time-bound, non-judicial bodies tasked with determining the facts, causes, and consequences of past abuses¹⁵. Notable examples include those of Argentina (1983), Guatemala (1994), South Africa (1995), Peru (2001), and Timor-Leste (2001). These bodies have played crucial roles in restoring public trust, advancing accountability, and safeguarding non-recurrence. Truth commissions are non-judicial or quasi-judicial investigative bodies, which map patterns of past violence, and unearth causes and consequences of these destructive events.¹⁶

The late President Benigno Simeon Aquino III created the Philippine Truth Commission (PTC) in 2010 through Executive Order No. 1. Its main purpose is to investigate major reports of graft and corruption by public officials and private individuals during the preceding administration, and to recommend actions to ensure justice. However, the Supreme Court, in its ruling in *Biraogo v. Philippine Truth Commission*¹⁷, struck down the initiative on equal protection grounds, highlighting the need for legislative authorization, clear parameters, and constitutional safeguards.

This bill, that delves on the EJK phenomenon, responds to that need.

The proposed measure creates an independent truth commission mandated to investigate extrajudicial killings in the Philippines; uncover their causes, patterns, and consequences; complement existing accountability mechanisms such as the Ombudsman, Department of Justice (DOJ), CHR, and the courts; and recommend institutional reforms to guarantee that such violations never happen again.

As search for truth is an indispensable requirement for justice and national healing, it is the urgent mandate of the State to determine not only how many were truly killed among the thousands reported deaths, but who they were, how they were executed, the operational structures that enabled the killings, who were the perpetrators, who gave the orders, and who bears the ultimate command responsibility for this humanitarian crisis.

By establishing this truth commission through a legislative measure, we strengthen the constitutional promise that every Filipino's life has value, that justice remains attainable, and that no abuse of power should ever be beyond scrutiny. This bolsters the assertion that the right to the truth about gross human rights violations and serious violations of human rights laws as an inalienable and autonomous right,


¹⁵International Center for Translational Justice (2013). Truth Seeking: Elements of Creating an Effective Truth Commission. Retrieved from: <https://www.ictj.org/sites/default/files/ICTJ-Book-Truth-Seeking-Chapter2-2013-English.pdf>

¹⁶ Guidance Note of the Secretary General: United Nations Approach to Transitional Justice (2010). Retrieved from: https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/TJ_Guidance_Note_March_2010FINAL.pdf

¹⁷ G.R. No. 192935, 07 December 2010

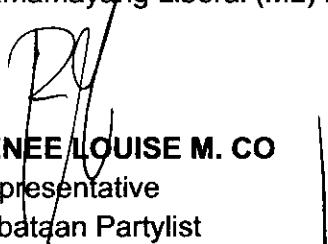
that is linked to the duty and obligation of the State to protect and guarantee human rights, to conduct effective investigations and to guarantee effective remedy and reparations.¹⁸

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



LEILA M. DE LIMA
Representative
Mamamayang Liberal (ML) Partylist

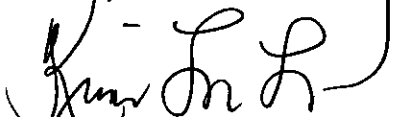
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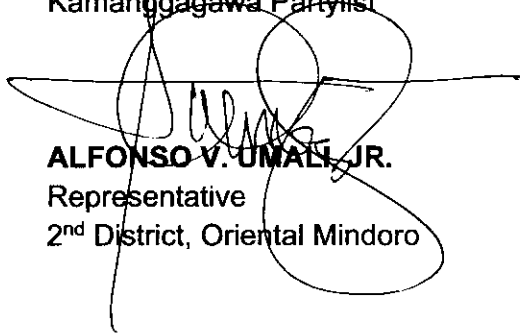
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¹⁸ UN Commission on Human Rights, "Promotion and Protection of Human Rights: Study on the Right to the Truth, Report of the Office of the UN High Commissioner for Human Rights, E/CN.4/2006/91, 8 February 2006.



EDGAR R. ERICE

Representative

2nd District, Caloocan City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 6686

Introduced by Representatives
LEILA M. DE LIMA
RENEE LOUISE M. CO
SARAH JANE I. ELAGO
EDGAR R. ERICE
CIELO KRISSEL B. LAGMAN
ELIJAH R. SAN FERNANDO
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AN ACT
ESTABLISHING THE TRUTH COMMISSION ON EXTRAJUDICIAL KILLINGS,
GRANTING IT INVESTIGATIVE, SUBPOENA, AND CONTEMPT POWERS,
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 “*Truth Commission*
2 *on Extrajudicial Killings Act*”.

3
4 SEC. 2. *Declaration of Policy.* – The State values the dignity of every human
5 person and guarantees full respect for human rights. It is the policy of the State to
6 uphold the sanctity of life, ensure the right to due process, and guarantee access to
7 justice for all.

8
9 Linked to the right and duty of the State to respect and fulfill human rights is the
10 right to the truth about gross human rights violations and serious violations of human
11 rights law. Likewise, the State acknowledges that the search for truth is an
12 indispensable requirement for justice and national healing. Consistent with the
13 principles of transitional justice, the State recognizes its duty to investigate serious

1 violations of human rights, including extrajudicial killings, to document the historical
2 record, and to provide adequate reparation to victims and their survivors.

3
4 To this end, the State shall establish an independent and time-bound truth-
5 seeking mechanism. This body shall serve not only to exact accountability from
6 perpetrators but to identify the systemic failures that allowed such violations to occur,
7 thereby ensuring their non-recurrence and restoring the faith of the people in the rule
8 of law.

9
10 SEC. 3. *Definition of Terms.* – For purposes of this Act, the following terms shall
11 mean as indicated:

- 12
- 13 a) *Extrajudicial killings (EJKs)* - refers to the unlawful, and deliberate killing of
14 targeted individuals or groups thereof, carried out by agents of the State and
15 under its order or acquiescence in lieu of arrest, investigation, and
16 prosecution. EJK includes summary killing perpetrated by private individuals
17 or groups for purposes of carrying out execution in the context of a
18 campaign or policy of the State or State actors pursuant to a widespread or
19 systematic attack on civilian population.
 - 20
 - 21 b) *Commission* - refers to the Truth Commission established under Section 4
22 of this Act.
 - 23
 - 24 c) *Victim* - refers to a person who is killed in the circumstances described in
25 Section 3(a).
 - 26
 - 27 d) *Survivor* - refers to the next-of-kin, dependent, spouse, partner (including
28 common-law relationships), family member, or legal representative of a
29 victim of extrajudicial killing, who has suffered harm, including physical,
30 mental, or emotional injury, or economic loss, as a direct result of the
31 violation. Survivors shall be considered "victims" for the purpose of
32 reparations and the right to perpetuate testimony.
 - 33
 - 34 e) *Whistleblower* - refers to a person who comes forward and possesses
35 personal knowledge of: (i) acts, orders, or omissions by state agents, public
36 officers, or private individuals that may constitute, facilitate, or conceal
37 extrajudicial killings; or (ii) the financial flows, rewards, or operational
38 structures used to fund or support such violations.
 - 39
 - 40 f) *State agent* - refers to any member of the Armed Forces of the Philippines
41 (AFP), Philippine National Police (PNP), local police, National Bureau of
42 Investigation (NBI), Philippine Drug Enforcement Agency (PDEA), other law
43 enforcement officers, civilian auxiliaries, and public officer, or employee,
44 acting in an official capacity or under the color of law.

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SEC. 4. *Establishment of the Truth Commission.* - There is hereby created a *Truth Commission on Extrajudicial Killings*, an independent fact-finding body tasked to investigate, document, and uncover the truth regarding extrajudicial killings, identify the perpetrators thereof, and recommend institutional reforms and redress for victims and survivors.

The Commission shall exist for a period of three (3) years from the effectivity of this Act, unless extended by law.

SEC. 5. *Composition and Appointment.* -

- a) The Commission shall be composed of five (5) members, none of whom shall be incumbent government officials, as follows:
 - i. Chairperson - A retired member of the judiciary;
 - ii. A prominent and well-respected human rights defender or advocate;
 - iii. An expert in the field of criminal investigation or forensic analysis, preferably a respected former officer of the National Bureau of Investigation (PNP) or the Philippine National Police (PNP);
 - iv. A respected academician with expertise in the field of psychology, sociology or social work; and
 - v. A person coming from the sector of the victims/survivors of the extra-judicial killings.
- b) The Members of the Commission shall be appointed by the President of the Philippines, with a term of three (3) years and may once be reappointed. Any member may be removed for cause pursuant to law.
- c) Each member shall be of good moral character, unquestionable integrity, known probity, patriotism, and with recognized competence in their respective fields.
- d) In case of vacancy due to death, resignation, or removal of any member, the vacancy shall be filled by the appointment of a new member to complete the unexpired term of the member concerned.

SEC. 6. *Secretariat.* — The Commission shall create a Secretariat to provide technical, administrative, and research support to the Commission. The Secretariat shall be headed by an Executive Director to be appointed by the President upon the recommendation of the Commission. The Executive Director must have extensive experience in the field of human rights, criminal justice, or public administration.

The Executive Director, under the supervision and control of the Chairperson, shall execute and administer the policies and decisions of the Commission and manage the day-to-day operations thereof.

1
2 The Commission, through the Chairperson and upon the recommendation of
3 the Executive Director, shall appoint the Secretariat personnel.
4

5 **SEC. 7. Powers and Functions.** - The Commission shall:
6

7 a) Conduct expeditious investigations, *motu proprio* or upon verified
8 complaint, into cases of extrajudicial killings (EJKs) in the Philippines and
9 look into the nature, causes, extent, and impact of EJKs;
10

11 b) Obtain full and unrestricted access to all government records, including
12 police operational logs (blotters), mission orders, intelligence reports,
13 medico-legal findings, forensic results, COPLANs (Case Operation Plans),
14 and official correspondence: *Provided*, That access to such records shall
15 be subject to full compliance with the Republic Act No. 10173, or the Data
16 Privacy Act;
17

18 c) Identify state agents, public officers, private persons, facilitators,
19 networks, and institutions who authorized, directed, acquiesced in,
20 participated in, or facilitated EJKs, including those who provided financial
21 support or rewards for such acts;
22

23 d) Administer oath and take testimony;
24

25 e) Issue *subpoena duces tecum* for the production and submission of
26 records, books, documents, police operational records, intelligence
27 records, forensic reports, medico-legal findings, crime scene investigations,
28 government budgets, administrative records, and any other relevant
29 materials from state agencies, local government units or other persons;
30

31 f) Cite persons in contempt for refusal to obey lawful orders or subpoenas;
32

33 g) Issue orders recommending to the Department of Justice (DOJ) the
34 immediate grant of witness protection and immunity to any person who
35 provides material information essential to the investigation;
36

37 The Commission shall ensure the witness's endorsement into the Witness
38 Protection, Security and Benefit Program in accordance with Republic Act
39 No. 6981. Pending the formal admission into the DOJ program, the
40 Commission may coordinate with the Commission on Human Rights (CHR)
41 or designated sanctuary providers to secure the safety of the witness;
42

43 h) Recommend to the Department of Justice (DOJ) or the Office of the
44 Ombudsman (OMB), as the case may be, the prosecution of any public
45 official, government employee, or private individual found to be involved in
46 EJKs for violations of the Revised Penal Code (RPC) and other applicable
47 laws;
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i) Initiate appropriate cases and refer verified complaints and official reports to appropriate administrative or quasi-judicial body for purposes of appropriate action, enforcement, or regulations against violations of relevant non-penal statutes, executive and administrative issuances;

j) Take custody of, preserve, analyze, and store relevant records and materials, commission forensic or expert examinations in coordination with appropriate agencies and compile databases, statistics and mapping of EJK incidents;

k) Transfer evidence and findings, from time to time, to the appropriate prosecutorial authorities for expeditious prosecution, by means of a special or interim report and recommendation, when the Commission finds, in the course of its investigation, that there is reasonable ground to believe that individuals are criminally liable;

l) Order the immediate preventive suspension, subject to constitutional limitations, of any government official, member of the uniformed services, or public officer involved in extrajudicial killings or the obstruction of justice related thereto: *Provided*, That such preventive suspension may be issued only upon a *prima facie* showing that:

- i) the evidence of guilt is strong;
- ii) the continued stay of the public officer or employee in office may prejudice the investigation, tamper with evidence, influence witnesses, or otherwise obstruct the proceedings; or
- iii) the public officer or employee's position or authority was used to commit the acts complained of.

Provided, further, That preventive suspension shall be imposed for a period not exceeding six (6) months;

m) Propose institutional reforms, legislative amendments, and accountability mechanisms to prevent the future occurrence of EJKs;

n) Propose rehabilitation, compensation, memorialization and restitution for victims and survivors;

o) Ensure public dissemination of its findings, in consideration of the protection of victims' security;

p) Monitor the government's implementation of its recommendations and issue periodic status updates;

q) Conduct public education, outreach programs and community consultations on victims' rights, impunity, institutional reform, accountability, and human rights in the context of EJKs; and

1 r) Promulgate such rules and regulations, including rules of procedure, as
2 may be necessary to efficiently and effectively carry out the objectives of
3 the Commission, consistent with the provisions of law.
4

5 **SEC. 8. *Right to Perpetuate the Testimony of Whistleblowers and Survivors.* —**
6

- 7 a) *Right of Perpetuation of Testimony.* — Whistleblowers and survivors shall
8 have the right to have their testimonies perpetuated by filing with the
9 Regional Trial Court (RTC) of the city or province where they reside a
10 petition to perpetuate their testimony, impleading as respondents all
11 persons whom the whistleblower incriminates in the judicial affidavit
12 attached to the petition.
- 13 b) *Acceptance of Perpetuated Testimony.* — If the RTC is satisfied that the
14 testimony will aid in the investigation or prosecution of extrajudicial killings,
15 the RTC shall grant the petition and take the testimony of the witnesses,
16 with notice to the respondents and reasonable opportunity for cross-
17 examination. The examination shall proceed notwithstanding the absence
18 of the respondent provided they were duly notified.
- 19
- 20 c) *Admissibility.* — The testimony taken shall automatically form part of the
21 records and shall be considered as admissible evidence by any court or
22 body handling subsequent criminal, civil, or administrative cases, ensuring
23 the preservation of truth should the witness later become unavailable.
24

25 **SEC. 9. *Relationship with Existing Institutions.* - Herein defined are the**
26 **Commission's relationships with existing institutions:**
27

- 28 a) As a fact-finding and recommendatory body, the Commission shall not
29 replace or usurp the functions of the Ombudsman (OMB), Department of
30 Justice (DOJ), Commission on Human Rights (CHR), the courts, or other
31 constitutional or statutory bodies.
32
- 33 b) The Commission's findings and recommendations shall not be construed
34 as binding decisions in criminal, administrative or civil cases. It shall not
35 itself prosecute or adjudicate claims and shall only refer matters to the
36 appropriate body for action, subject to due process and applicable law.
37 Nothing in this Act shall impair ongoing criminal or administrative
38 investigations or prosecutions.
39
- 40 c) State agencies, local governments, and law enforcement agencies shall
41 cooperate with the Commission, provide access to relevant records and
42 data, and act on the Commission's recommendations in good faith,
43 subject to the law.
44

1 d) The Commission shall coordinate with local government units, barangays,
2 non-government organizations, human rights organizations and victims'
3 groups to facilitate outreach activities, documentation, and community
4 participation.

5
6 e) After the tenure of the Commission, its monitoring and public education
7 functions shall be transferred to CHR.

8
9 SEC. 10. *Reporting.* - The Commission shall issue periodic reports of its
10 findings and recommendations to Congress and the President every six (6) months,
11 submit a final report at the end of its tenure, and make these reports available to the
12 public, subject to data privacy and confidentiality requirements.

13 SEC. 11. *Prohibition on the Issuance of Temporary Restraining Orders and*
14 *Injunctions.* - No court, except the Supreme Court, shall issue any temporary
15 restraining order (TRO), preliminary injunction, or preliminary mandatory injunction
16 against the Commission, its members, and the Secretariat, with respect to any matter
17 or acts within the Commission's mandate, including the conduct of hearings, pursuit
18 of investigations, and the referral or filing of cases. Any TRO or injunction issued in
19 violation of this provision is null and void.

20
21 SEC. 12. *Dissolution and Preservation of Records.* -

22
23 a) *Transfer of Records.* — In the event of the dissolution of the Commission,
24 all investigative documents, records, and pieces of evidence shall be fully
25 accounted for, archived, and immediately endorsed to the DOJ or CHR, as
26 the case may be.

27
28 b) *Perpetuation of the Registry of Victims.* — Prior to its dissolution, the
29 Commission shall finalize the Official Registry of Victims and Survivors and
30 turn it over to the CHR for perpetual maintenance. This Registry shall serve
31 as the authoritative historical record of violations to honor the memory of
32 the victims, facilitate future reparations, and prevent historical revisionism.

33
34 c) *Historical Archiving.* — To ensure historical preservation, the Commission
35 shall designate its Secretariat to ensure protection of all physical and digital
36 records. The Commission shall preserve and store a duplicate of the
37 records, including the Registry, with the University of the Philippines Law
38 Center (UPLC) and cause the publication of rules on access to these
39 records.

40
41 d) *Penalties for destruction or failure to preserve records.* - Any person that
42 either destroys or fails to preserve the records of the Commission shall be
43 liable for the offense of removal, concealment, or destruction of documents

1 under Article 226 of the Revised Penal Code, as amended by R.A No.
2 10951, whether or not the offender is a public officer.

3
4 SEC. 13. *Sunset Review.* – Before the expiration of the three (3) year period or
5 as the need arises, the Congress, through the appropriate committees, shall conduct
6 a sunset review. For purposes of this Act, the term “sunset review” shall mean a
7 systemic evaluation by the Congress of the accomplishment and impact of this Act, as
8 well as the performance and organizational structure of the Commission, for purposes
9 of determining remedial legislation.

10
11 SEC. 14. *Appropriations.* - The amount necessary for the initial implementation
12 of this Act shall be charged against available appropriations of the current GAA,
13 subject to existing budgeting, accounting, and auditing laws, rules, and regulations.
14 Thereafter, the amount needed for the continued implementation of this Act shall be
15 included in the annual GAA, subject to the usual budget preparation process and
16 authorization by the Congress: *Provided*, That the approved annual appropriations of
17 the Commission shall be automatically and regularly released by the DBM.

18
19 SEC. 15. *Implementing Rules and Regulations.* - The Commission shall issue
20 the rules and regulations immediately after the effectivity of this Act.

21
22 SEC. 16. *Separability Clause.* - If any provision of this Act is declared invalid or
23 unconstitutional, the provisions not affected thereby shall continue to be in full force
24 and effect.

25
26 SEC. 17. *Repealing Clause.* - All laws, executive orders, presidential decrees,
27 presidential proclamations, letters of instruction, rules and regulations or parts thereof
28 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
29 accordingly.

30
31 SEC. 18. *Effectivity.* - This Act shall take effect fifteen (15) days following its
32 publication in the Official Gazette or in two (2) newspapers of general circulation in the
33 Philippines.

Approved,