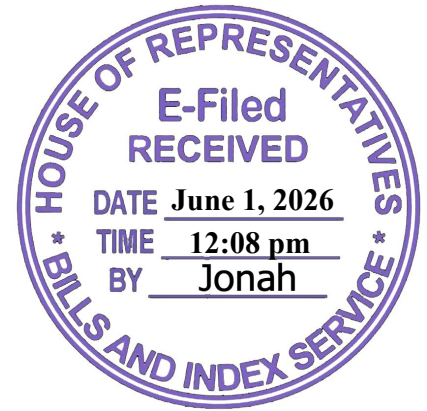


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City
Twentieth Congress
First Regular Session



House Bill No. 9583

Introduced by Honorable Representatives
JOSE MANUEL TADEO “CHEL” I. DIOKNO (Akbayan Partylist)
PERCIVAL V. CENDAÑA (Akbayan Partylist)
DADAH KIRAM ISMULA (Akbayan Partylist)
KAKA J. BAG-AO (Dinagat Islands)

AN ACT
AMENDING REPUBLIC ACT NO. 6981, OTHERWISE KNOWN
AS THE WITNESS PROTECTION, SECURITY AND BENEFIT
ACT

EXPLANATORY NOTE

Republic Act No. 6981, otherwise known as the *Witness Protection, Security and Benefit Act*, was enacted on April 24, 1991 to ensure that individuals who possess material knowledge of crimes are afforded protection, security, and support in exchange for their testimony. It is designed to encourage individuals with knowledge of criminal activities to come forward and testify. To achieve this, the Department of Justice (DOJ) is responsible for developing and implementing the Witness Protection, Security and Benefit Program.

Three decades on, the law has fallen behind the evolving nature of crime and the heightened risks faced by those who dare to testify. The structural and operational gaps have undermined the State’s power to secure convictions in serious cases. Without immediate reform, these gaps will continue to weaken prosecutions, discourage cooperation, and entrench impunity in our justice system.

First, the current law does not provide a mechanism for the perpetuation and preservation of the testimony of witnesses who are elderly, seriously ill, under threat, or otherwise unable to testify during trial. In high-risk cases, justice can be derailed by delay. When a witness dies, becomes incapacitated, or is silenced before trial, critical evidence is permanently lost. Without a clear statutory authority for timely perpetuation of testimony, prosecutions of grave crimes may collapse—not for lack of truth, but for lack of preserved evidence.

Second, Section 3 (d) excludes members of the Philippine National Police, the Armed Forces of the Philippines, and other law enforcement agencies from joining the program.¹ This blanket exclusion weakens the fight against corruption and syndicated crimes, particularly those involving state actors. Honest officers who are willing to testify against wrongdoing within their own ranks are left vulnerable and unprotected. This exclusion not only discourages whistleblowing but also undermines the constitutional guarantee of equal protection by denying protection solely on the basis of institutional affiliation.²

Finally, and equally urgent, the provision on financial assistance under Section 8 (b) of the law is inadequate. The current text merely provides that the DOJ shall, “whenever practicable,” assist the witness in obtaining a means of livelihood and that financial assistance shall be granted “in such amount and for such duration as the Department shall determine.” This language provides no minimum guarantee, no clear standard, and no mechanism for periodic adjustment. In practice, this may result in inconsistent support, prolonged uncertainty, and financial insecurity for witnesses and their families.

Witnesses who are relocated often lose employment, housing, and community support. Without sufficient and predictable financial assistance, they may face economic hardship that discourages cooperation or exposes them to renewed risk. Protection must be meaningful and sustainable; otherwise, the very objectives of the Program are undermined.

Hence, this bill which seeks to: (1) expressly authorize the perpetuation of testimony of witnesses admitted into the Program by allowing the filing of petitions before the Regional Trial Court; (2) extend the coverage of the

¹ Rep. Act No. 6981, Sec. 3(d).

² Section 1, Article III, 1987 Constitution.

Witness Protection, Security and Benefit Program to allow the participation of law enforcement personnel who may serve as material witnesses against their own agencies; (3) comprehensively establish and strengthen the rights and privileges of witnesses before, during, and after the giving of testimony; (4) grant witnesses the right to receive livelihood and skills training, including appropriate technical and vocational training from the Technical Education and Skills Development Authority (TESDA); (5) provide a guaranteed minimum monthly allocation of One Hundred Thousand Pesos (P100,000) as financial assistance with a provision for periodic review and adjustment indexed to inflation; and (6) strengthen safeguards against intimidation and retaliation by increasing the penalty for harassment of witnesses to a fine of not more than Two Hundred Thousand Pesos (P200,000.00), without prejudice to imprisonment and perpetual disqualification from public office in the case of public officers.

These reforms are not merely procedural improvements; they are necessary safeguards to ensure that justice is neither delayed nor denied. By institutionalizing testimony preservation, expanding eligibility, and securing reliable funding, this measure fortifies the Witness Protection, Security and Benefit Program against present realities and emerging threats.



JOSE MANUEL TADEO "CHEL" I. DIOKNO

Akbayan Representative



PERCIVAL V. CENDAÑA
Akbayan Representative



DADAH KIRAM ISMULA
Akbayan Representative



KAKA BAG-AO
Dinagat Islands Representative

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AN ACT
AMENDING REPUBLIC ACT NO. 6981, OTHERWISE KNOWN AS
THE WITNESS PROTECTION, SECURITY AND BENEFIT ACT

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

1 *Sec. 1. Declaration of Principles. –*

2 a. Preserving witness testimony under lawful procedures is essential to
3 securing justice.

4 b. All material witnesses, including law enforcement personnel, should be
5 eligible for protection without arbitrary exclusion.

6 c. Adequate and sustainable financial support is necessary to encourage
7 witness participation and safeguard their welfare.

8 *Sec. 2.* Section 3 of Republic Act No. 6981 is hereby amended to read as follows:

9 “Section 3. Admission into the Program. – Any person who has witnessed
10 or has knowledge or information on the commission of a crime and has

1 testified or is testifying or about to testify before any judicial or quasi-
2 judicial body, or before any investigating authority, may be admitted into
3 the Program:

4 Provided, That:

5

6 ~~[D) "HE IS NOT A LAW ENFORCEMENT OFFICER, EVEN IF HE~~
7 ~~WOULD BE TESTIFYING AGAINST THE OTHER LAW~~
8 ~~ENFORCEMENT OFFICERS. IN SUCH A CASE, ONLY THE~~
9 ~~IMMEDIATE MEMBERS OF HIS FAMILY MAY AVAIL THEMSELVES~~
10 ~~OF THE PROTECTION PROVIDED FOR UNDER THIS ACT."]~~

11 **Sec. 3.** New sections to be denominated as Sections 3-A and 3-B are hereby
12 inserted in Republic Act No. 6981 to read as follows:

13 **SEC. 3-A. PERPETUATION OF TESTIMONY OF WITNESSES**
14 **UNDER THE PROGRAM. – A WITNESS ADMITTED UNDER THE**
15 **PROGRAM SHALL HAVE THE RIGHT TO HAVE HIS OR HER**
16 **TESTIMONY PERPETUATED BY FILING WITH THE REGIONAL**
17 **TRIAL COURT OF THE CITY OR PROVINCE WHERE HE OR SHE**
18 **RESIDES, A PETITION TO PERPETUATE TESTIMONY,**
19 **IMPLEADING AS RESPONDENTS ALL PERSONS WHOM THE**
20 **WITNESS INCRIMINATES IN THE JUDICIAL AFFIDAVIT**
21 **ATTACHED TO THE PETITION.**

22 **WITH THE CONSENT OF THE WITNESS, THE DEPARTMENT OF**
23 **JUSTICE MAY FILE THE PETITION ON HIS OR HER BEHALF.**

24 **SEC. 3-B. ACCEPTANCE OF PERPETUATED TESTIMONY. –**

25 **(A) IF THE REGIONAL TRIAL COURT IS SATISFIED THAT**

1 THE TESTIMONY OF THE WITNESS WILL AID IN THE
2 PROSECUTION OF CASES, IT SHALL GRANT THE
3 PETITION AND TAKE THE TESTIMONY OF THE WITNESS,
4 WITH NOTICE TO THE RESPONDENTS AND
5 REASONABLE OPPORTUNITY FOR THE LATTER TO
6 CROSS-EXAMINE THE WITNESS. THE EXAMINATION
7 SHALL PROCEED NOTWITHSTANDING THE ABSENCE OF
8 THE RESPONDENT, PROVIDED THAT HE OR SHE WAS
9 DULY NOTIFIED OF THE HEARING.

10 (B) THE TESTIMONY TAKEN PURSUANT TO THIS
11 SECTION SHALL AUTOMATICALLY FORM PART OF THE
12 TRIAL AND SHALL BE CONSIDERED AS EVIDENCE BY
13 THE COURT HANDLING THE CASE.”

14 **Sec. 4.** Section 8 of Republic Act No. 6981 is hereby amended to read as follows:

15 ~~[Section 8. Rights and Benefits. — The witness shall have the following~~
16 ~~rights and benefits:]~~

17 “SEC. 8. RIGHTS AND BENEFITS OF A WITNESS UNDER THE
18 PROGRAM. – A WITNESS ADMITTED INTO THE PROGRAM
19 SHALL HAVE THE FOLLOWING RIGHTS AND BENEFITS:

20 (A) BEFORE THE GIVING OF TESTIMONY

21 1. ~~[(A) TO HAVE A]~~ THE RIGHT TO A SAFE AND secure
22 housing facility ~~[UNTIL HE HAS TESTIFIED OR UNTIL THE~~
23 ~~THREAT, INTIMIDATION OR HARASSMENT DISAPPEARS OR~~
24 ~~IS REDUCED TO A MANAGEABLE OR TOLERABLE LEVEL]~~
25 AND SUFFICIENT SECURITY PROTECTION FOR

1 HIMSELF OR HERSELF AND MEMBERS OF HIS OR HER
2 FAMILY. This RIGHT may be extended, to any member of the
3 family of the Witness within the second civil degree of
4 consanguinity or affinity, AND IN EXTREME CASES, ALSO TO
5 OTHER RELATIVES WHOSE SECURITY MAY BE
6 ENDANGERED BY REASON OF THE WITNESS'S
7 PARTICIPATION IN THE PROGRAM;

8 ~~[(B) THE DEPARTMENT SHALL, WHENEVER PRACTICABLE,~~
9 ~~ASSIST THE WITNESS IN OBTAINING A MEANS OF LIVELIHOOD.~~
10 ~~THE WITNESS RELOCATED PURSUANT TO THIS ACT SHALL BE~~
11 ~~ENTITLED TO FINANCIAL ASSISTANCE FROM THE PROGRAM~~
12 ~~FOR HIS SUPPORT AND THAT OF HIS FAMILY IN SUCH AMOUNT~~
13 ~~AND FOR SUCH DURATION AS THE DEPARTMENT SHALL~~
14 ~~DETERMINE,]~~

15 2. THE RIGHT TO ADEQUATE FINANCIAL
16 ASSISTANCE NECESSARY FOR THE WITNESS'S
17 SECURITY, SUBSISTENCE, AND PARTICIPATION IN THE
18 PROGRAM, WITH A MINIMUM MONTHLY ALLOCATION
19 OF ONE HUNDRED THOUSAND PESOS (P100,000.00). THE
20 MINIMUM ALLOCATION FOR FINANCIAL ASSISTANCE
21 SHALL BE SUBJECT TO REVIEW EVERY FIVE (5) YEARS
22 AND ADJUSTED AS MAY BE NECESSARY TO ADAPT TO
23 INFLATION AND ENSURE THE SOCIOECONOMIC
24 STABILITY OF WITNESSES; AND

25
26 3. THE RIGHT TO HAVE HIS OR HER TESTIMONY
27 PERPETUATED PURSUANT TO SECTIONS 3-A AND 3-B OF

1 THIS ACT. A WITNESS WHOSE TESTIMONY HAS BEEN
2 PERPETUATED SHALL BE DEEMED TO HAVE
3 FULFILLED THE OBLIGATION TO TESTIFY UNDER THIS
4 ACT;

5 (B) DURING THE GIVING OF TESTIMONY

6 1. ~~[(e) IN NO CASE SHALL THE WITNESS]~~ THE RIGHT
7 NOT TO be removed from or demoted in work because or on
8 account of his absences due to his attendance before any judicial or
9 quasi-judicial body or investigating authority, including legislative
10 investigations in aid of legislation, in going thereto and in coming
11 therefrom: Provided, That his employer is notified through a
12 certification issued by the Department, within a period of thirty (30)
13 days from the date when the Witness last reported for work:
14 Provided, further, That in the case of prolonged transfer or
15 permanent relocation, the employer shall have the option to remove
16 the Witness from employment after securing clearance from the
17 Department upon the recommendation of the Department of Labor
18 and Employment.

19
20 Any Witness who failed to report for work because of witness duty
21 shall be paid his equivalent salaries or wages corresponding to the
22 number of days of absence occasioned by the Program. For purposes
23 of this Act, any fraction of a day shall constitute a full day salary or
24 wage. This provision shall be applicable to both government and
25 private employees[-];

26
27 2. ~~[(d) TO BE PROVIDED WITH REASONABLE~~

1 ~~TRAVELLING EXPENSES AND SUBSISTENCE ALLOWANCE~~
2 ~~BY]~~ THE RIGHT TO RECEIVE REASONABLE
3 TRANSPORTATION, SUBSISTENCE ALLOWANCE, AND
4 OTHER FINANCIAL ASSISTANCE FROM the Program [~~IN~~
5 ~~SUCH AMOUNT AS THE DEPARTMENT MAY DETERMINE]~~ for
6 his attendance in the court, body or authority where his testimony
7 is required, as well as conferences and interviews with prosecutors
8 or investigating officers[-];

9
10 **3. THE RIGHT TO BE PROVIDED WITH SUFFICIENT**
11 **SECURITY WHILE GOING TO AND FROM, AND DURING,**
12 **ANY PROCEEDING IN WHICH THE WITNESS IS CALLED**
13 **TO TESTIFY;**

14
15 **4. [(e)] THE RIGHT to be provided with free medical treatment,**
16 **hospitalization and medicines for any injury or illness incurred or**
17 **suffered by him because of witness duty in any private or public**
18 **hospital, clinic, or at any such institution at the expense of the**
19 **Program[-], AT ANY TIME DURING HIS OR HER**
20 **TESTIMONY;**

21
22 **5. THE RIGHT TO RECEIVE LIVELIHOOD AND SKILLS**
23 **TRAINING, INCLUDING APPROPRIATE TECHNICAL AND**
24 **VOCATIONAL TRAINING FROM THE TECHNICAL**
25 **EDUCATION AND SKILLS DEVELOPMENT AUTHORITY**
26 **(TESDA), TO ENABLE THE WITNESS TO ACQUIRE**
27 **SUSTAINABLE LIVELIHOOD OPPORTUNITIES. THIS**
28 **RIGHT MAY BE EXTENDED TO ANY MEMBER OF THE**

1 FAMILY OF THE WITNESS WITHIN THE SECOND CIVIL
2 DEGREE OF CONSANGUINITY OR AFFINITY, AND IN
3 EXTREME CASES, ALSO TO OTHER RELATIVES WHOSE
4 SECURITY MAY BE ENDANGERED BY REASON OF THE
5 WITNESS'S PARTICIPATION IN THE PROGRAM;

6 (C) AFTER THE GIVING OF TESTIMONY

7 1. [WHEN THE CIRCUMSTANCES WARRANT, THE
8 WITNESS SHALL BE ENTITLED TO RELOCATION AND/OR
9 CHANGE OF PERSONAL IDENTITY AT THE EXPENSE OF THE
10 PROGRAM.] THE RIGHT TO RELOCATION AND/OR
11 CHANGE OF PERSONAL IDENTITY AT THE EXPENSE OF
12 THE PROGRAM WHENEVER THE CIRCUMSTANCES
13 WARRANT. This RIGHT may be extended, to any member of the
14 family of the Witness within the second civil degree of
15 consanguinity or affinity, AND IN EXTREME CASES, ALSO TO
16 OTHER RELATIVES WHOSE SECURITY MAY BE
17 ENDANGERED BY REASON OF THE WITNESS'S
18 PARTICIPATION IN THE PROGRAM;

19
20 2. [(f)] If a Witness is killed, because of his participation in the
21 Program, his heirs shall be entitled to a burial benefit of not less
22 than [Ten thousand pesos (P10,000.00)] ONE HUNDRED
23 THOUSAND PESOS (P100,000.00) from the Program exclusive
24 of any other similar benefits he may be entitled to under other
25 existing laws.

26
27 3. [(g)] In case of death or permanent incapacity, his minor or

1 dependent children shall be entitled to free education, from primary
2 to college level in any state, or private school, college or university
3 as may be determined by the Department, as long as they shall have
4 qualified thereto[-]; AND

5
6 **4. SUCH OTHER RIGHTS AND BENEFITS AS MAY BE**
7 **PROVIDED IN THE PREVIOUS SECTIONS AND UNDER**
8 **THE RULES AND REGULATIONS IMPLEMENTING THIS**
9 **ACT.”**

10 **Sec. 5.** Section 9 of Republic Act No. 6981 is hereby amended to read as follows:

11 “Section 9. Speedy Hearing or Trial. - In any case where a Witness
12 admitted into the Program shall testify, the judicial or quasi-judicial body,
13 or investigating authority shall assure a speedy hearing or trial and shall
14 **TAKE ALL NECESSARY STEPS TO FINISH** [~~ENDEAVOR TO~~
15 ~~FINISH THE PROCEEDING~~] said proceeding within three (3) months
16 from the filing of the case.”

17 **Sec. 6.** Section 17(e) of Republic Act No. 6981 is hereby amended to read as
18 follows:

19 Section 17. Penalty for Harassment of Witness. - Any person who
20 harasses a Witness and thereby hinders, delays, prevents or dissuades a
21 Witness from:

22

23 (e) performing and enjoying the rights and benefits under this Act or
24 attempts to do so, shall be fined not more than [~~THREE THOUSAND~~
25 ~~PESOS—(P3,000.00)]~~ **TWO HUNDRED THOUSAND PESOS**
26 **(P200,000)** or suffer imprisonment of not less than six (6) months but not

1 more than one (1) year, or both, and he shall also suffer the penalty of
2 perpetual disqualification from holding public office in case of a public
3 officer.

4 **Sec. 7.** Section 18 of Republic Act No. 6981 is hereby amended to read as follows:

5 Section 18. Rules and Regulations. - The Department shall promulgate,
6 AND AMEND ~~[such]~~ EXISTING rules and regulations as may be
7 necessary to implement the intent and purposes of this Act. Said rules
8 and regulations shall be published in two (2) newspapers of general
9 circulation.

10 **Sec. 8. Appropriations.** – This Act will be implemented initially within the
11 framework of the budget of the Department of Justice, for the year it is enacted
12 into law. As far as practicable, the funds required will be drawn from its
13 appropriations for policy formulation, program planning, standards
14 development, and instructional materials development. Thereafter, the
15 amounts as may be necessary for the implementation of this Act will be included
16 in the budget of the Department of Justice in the annual General Appropriations
17 Act.

18 **Sec. 9. Separability Clause.** – If any provision or part of this Act is declared
19 invalid or unconstitutional, the remaining parts or provisions not affected
20 thereby will remain in full force and effect.

21 **Sec. 10. Repealing Clause.** – All laws, decrees, orders, rules, regulations, and
22 other issuances or parts thereof which are inconsistent with this Act are hereby
23 repealed or amended accordingly.

24 **Sec. 11. Effectivity.** – This Act takes effect fifteen (15) days after its publication
25 in the Official Gazette or in a newspaper of general circulation.