



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

EIGHTEENTH CONGRESS
Third Regular Session



COMMITTEE REPORT NO. 1103

Submitted by the Committees on Disaster Resilience and Appropriations on
August 4, 2021

Re : **House Bill No. 9925**

Recommending its approval in substitution of House Bills Numbered 3418, 3543 and 3922

Sponsors: Representatives Lucy Torres-Gomez, Ansaruddin Abdul Malik Adiong, Mujiv Hataman, Amihilda Sangcopan, Yasser Alonto Balindong, Mohamad Khalid Dimaporo and Eric Go Yap

Mr. Speaker:

The Committees on Disaster Resilience and Appropriations, to which were referred

House Bill No. 3418, introduced by **Rep. Ansaruddin Abdul Malik Adiong**, entitled:

“An Act

Providing For Monetary Compensation For The Loss Or Destruction Of Residential And Commercial Properties During The Marawi Siege In The City Of Marawi, Province Of Lanao Del Sur, Appropriating Funds Therefor And For Other Purposes,”

House Bill No. 3543, introduced by **Reps. Mujiv Hataman and Amihilda Sangcopan**, entitled:

“An Act

Providing For Compensation For Loss Or Destruction Of Properties In Marawi City During The 2017 Siege Of Marawi, Appropriating Funds Therefor And For Other Purposes,”

House Bill No. 3922 introduced by **Rep. Yasser Alonto Balindong**, entitled:

“An Act

Providing For Monetary Reparation For The Loss Or Destruction Of Residential Houses, Commercial Buildings And Other Properties In Marawi And Affected Areas In Lanao Del Sur During The 2017 Siege Of Marawi, Appropriating Funds Therefor And For Other Purposes,”

have considered the same and recommend that the attached House Bill No.

9925, entitled:

AN ACT

PROVIDING MONETARY COMPENSATION TO QUALIFIED CLAIMANTS, THROUGH THE TASK FORCE BANGON MARAWI, FOR THE LOSS OR DESTRUCTION OF RESIDENTIAL AND COMMERCIAL PROPERTIES AS A RESULT OF THE 2017 ARMED CONFLICT BETWEEN THE ARMED FORCES OF THE PHILIPPINES AND TERRORIST GROUPS IN MARAWI CITY, LANA DEL SUR, AND APPROPRIATING FUNDS THEREFOR

Be approved in substitution of House Bills Numbered 3418, 3543 and 3922, with Reps. *Ansaruddin Abdul Malik .A. Adiong, Mujiv S. Hataman, Amihilda J. Sangcopan, Yasser Alonto Balindong, Lucy Torres-Gomez, Mohamad Khalid Q. Dimaporo, Eric Go Yap, Deogracias Victor “DV” B. Savellano, Sharon Garin, Cristal L. Bagatsing, Adriano Ebcas, Sergio C. Dagooc, Rashidin Matba, Ferdinand L. Hernandez, Glona Labadlabad, Divina Grace Yu, Lawrence “Law” H. Fortun, Eddiebong G. Plaza, Joselito “Joel” Sacdalan, Christian S. Unabia, Jonathan Keith Flores, Cesar “Jawo” L. Jimenez, Joel Mayo Almario, Jose “Bong”J. Teves, Jr., Isagani Amatong, Peter John D. Calderon, Lolita Javier, Jorge Bustos, Paul Ruiz Daza, Alfred C. Delos Santos, Maria Fe Abunda, Manuel DG. Cabochan, Argel Joseph Cabatbat, Wilfredo “Willy” S. Caminero, Aloy Lim, Rogelio Neil P. Roque, Jocelyn Tulfo, Naealla Bainto-Aguinaldo, Rowena Niña Taduran, Shernee Tan, Presley De Jesus, Geraldine Roman, Edgar Chatto, Eduardo Gullas, Claudine Diana Bautista, Erico Aristotle Aumentado, Lorna Bautista-Bandigan, Jose “Ping-Ping” Tejada, Rogelio “Ruel” Pacquiao, Paz C. Radaza, Alberto “Bobby” Pacquiao, Janice Salimbangon, Emmarie “Lolypop” Ouano-Dizon, Rodrigo A. Abellanosa, Sonny Lagon, Diego “Nonoy” C. Ty, Francisco “Kiko” Benitez, Gerardo P. Valmayor, Jr. , Carlito Marquez, Joseph Stephen “Caraps” S. Paduano, Godofredo Guya, Carlos Isagani T. Zarate , Ferdinand Gaité, Eufemia “Ka Femia”Cullamat, Arlene Brosas, France Castro, Sarah Jane Elago, Jose L. Atienza, Michael Edgar Aglipay, Sabiano S. Canama, Jose Gay Padiernos, Virgilio Lacson, Anna Marie Villaraza-Suarez, Conrado M. Estrella, Michael Romero, Antonio “Tonytpet” Albano, Ma. Victoria V. Umali, Ria Christina Fariñas, Florencio Noel, Eduardo “Bro. Eddie” C. Villanueva, Irene Gay Saulog, Domingo C. Rivera, Alredo Garbin, Marlyn “Len” B. Alonte, Enrico Pineda, Ron Salo, Raymond Democrito Mendoza, Angelica Natasha Co, Bienvenido Abante, Raneo Abu, Rose Marie “Baby” Arenas, Paolo Duterte, Evelina Escudero, Dan Fernandez, Pablo John Garcia, Neptali Gonzales, Prospero Pichay, Johnny Ty Pimentel, Ferdinand Martin Romualdez, Josephine Ramirez-Sato, Jose Christopher Belmonte, Henry Oaminal, Loren Legarda, Luis Raymund “LRay” Villafuerte, Lord Allan*

Velasco, Joaquin Chipeco, Datu Roonie Sinsuat, Sr., Jose “Jun” L. Ong, Juan Miguel Macapagal Arroyo, Wilton “Tonton” Kho, Jocelyn Limkaichong, Edcel Lagman, Joey Salceda, Horacio P. Suansing, Jr., Faustino Michael Carlos Dy, Esmael Mangudadatu, Elpidio Barzaga, Micaela Violago, Michael John Duavit, Alan 1 B. Ecleo, Allan Ty, Junie E. Cua, Eleandro Jesus Madrona, Leonardo Babasa, Joy Myra Tambunting and Juliet Marrie Ferrer as authors thereof.

Respectfully submitted:



ERIC GO YAP
Chairperson

Committee on Appropriations



LUCY TORRES-GOMEZ
Chairperson

Committee on Disaster Resilience

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 9925
(IN SUBSTITUTION OF HOUSE BILL NUMBERED 3418, 3543 and 3922)

Introduced by Representatives Ansaruddin Abdul Malik .A. Adiong, Mujiv S. Hataman, Amihilda J. Sangcopan, Yasser Alonto Balindong, Lucy Torres-Gomez, Mohamad Khalid Q. Dimaporo, Eric Go Yap, Deogracias Victor “DV” B. Savellano, Sharon Garin, Cristal L. Bagatsing, Adriano Ebcas, Sergio C. Dagooc, Rashidin Matba, Ferdinand L. Hernandez, Glona Labadlabad, Divina Grace Yu, Lawrence “Law” H. Fortun, Eddiebong G. Plaza, Joselito “Joel” Sacdalan, Christian S. Unabia, Jonathan Keith Flores, Cesar “Jawo” L. Jimenez, Joel Mayo Almario, Jose “Bong” J. Teves, Jr., Isagani Amatong, Peter John D. Calderon, Lolita Javier, Jorge Bustos, Paul Ruiz Daza, Alfred C. Delos Santos, Maria Fe Abunda, Manuel DG. Cabochan, Argel Joseph Cabatbat, Wilfredo “Willy” S. Caminero, Aloy Lim, Rogelio Neil P. Roque, Jocelyn Tulfo, Naealla Bainto-Aguinaldo, Rowena Niña Taduran, Shernee Tan, Presley De Jesus, Geraldine Roman, Edgar Chatto, Eduardo Gullas, Claudine Diana Bautista, Erico Aristotle Aumentado, Lorna Bautista-Bandigan, Jose “Ping-Ping” Tejada, Rogelio “Ruel” Pacquiao, Paz C. Radaza, Alberto “Bobby” Pacquiao, Janice Salimbangon, Emmarie “Lolypop” Ouano-Dizon, Rodrigo A. Abellanosa, Sonny Lagon, Diego “Nonoy” C. Ty, Francisco “Kiko” Benitez, Gerardo P. Valmayor, Jr. , Carlito Marquez, Joseph Stephen “Caraps” S. Paduano, Godofredo Guya, Carlos Isagani T. Zarate , Ferdinand Gaité, Eufemia “Ka Femia” Cullamat, Arlene Brosas, France Castro, Sarah Jane Elago, Jose L. Atienza, Michael Edgar Aglipay, Sabiano S. Canama, Jose Gay Padiernos, Virgilio Lacson, Anna Marie Villaraza-Suarez, Conrado M. Estrella, Michael Romero, Antonio “Tonypet” Albano, Ma. Victoria V. Umali, Ria Christina Fariñas, Florencio Noel, Eduardo “Bro. Eddie” C. Villanueva, Irene Gay Saulog, Domingo C. Rivera, Alredo Garbin, Marlyn “Len” B. Alonte, Enrico Pineda, Ron Salo, Raymond Democrito Mendoza, Angelica Natasha Co, Bienvenido Abante, Raneo Abu, Rose Marie “Baby” Arenas, Paolo Duterte, Evelina Escudero, Dan Fernandez, Pablo John Garcia, Neptali Gonzales, Prospero Pichay, Johnny Ty Pimentel, Ferdinand Martin Romualdez, Josephine Ramirez-Sato, Jose Christopher Belmonte, Henry Oaminal, Loren Legarda, Luis Raymun “LRay” Villafuerte, Lord Allan Velasco, Joaquin Chipeco, Datu Roonie Sinsuat, Sr., Jose “Jun” L. Ong, Juan Miguel Macapagal Arroyo, Wilton “Tonton” Kho, Jocelyn Limkaichong, Edcel Lagman, Joey Salceda, Horacio P. Suansing, Jr., Faustino Michael Carlos Dy, Esmael Mangudadatu, Elpidio Barzaga, Micaela Violago, Michael John Duavit , Alan 1 B. Ecleo, Allan Ty,

AN ACT
PROVIDING MONETARY COMPENSATION TO QUALIFIED CLAIMANTS,
THROUGH THE TASK FORCE *BANGON MARAWI*, FOR THE LOSS OR
DESTRUCTION OF RESIDENTIAL AND COMMERCIAL PROPERTIES AS A
RESULT OF THE 2017 ARMED CONFLICT BETWEEN THE ARMED FORCES OF
THE PHILIPPINES AND TERRORIST GROUPS IN MARAWI CITY, LANA DEL
SUR, AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* – This Act shall be known as the “Marawi Compensation Act.”

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State, as enshrined in the Constitution, to value the dignity of every person, and guarantee full respect for human rights, including rights of indigenous cultural communities and other vulnerable groups such as women and children, at all times. It is also declared the policy of the State to provide compensation or reparation to the internally-displaced persons (IDPs) of the 2017 Marawi Armed Conflict whose damaged or demolished property and possessions cannot be recovered.

The State shall also fulfill its obligations under international human rights and humanitarian laws, thus, it recognizes the basic principles and guidelines on the right to remedy and reparation for victims of gross human rights violations.

The State is likewise obligated to recognize the essence of providing reparation and compensation for persons and families whose rights were violated and whose economic, social, and cultural rights were unfulfilled as a result of armed conflicts.

SEC. 3. *Definition of Terms.* – As used in this Act:

(a) Commercial Property refers to any building or structure that is used exclusively for commercial or business purposes.

(b) Marawi Armed Conflict refers to the 2017-Armed conflict between the Philippine Government security forces and terrorist groups that occurred in Marawi City, Lanao del Sur;

(c) Residential Property refers to any building or structure that is used exclusively or partially for residential purposes;

SEC. 4. Creation of Task Force Bangon Marawi (TFBM). - The Task Force Bangon Marawi, established by virtue of Administrative Order No. 3 Series of 2017, and Administrative Order No. 9 Series of 2017, as amended, is hereby institutionalized to achieve the objectives set in the Marawi Recovery, Rehabilitation, and Reconstruction Program (MRRRP). The TFBM and its subcommittees shall function until the completion of the MRRRP and the fulfillment of the provisions of this Act.

SEC. 5. Compensation for Private Properties affected by the MRRRP. - In accordance with Section 9, Article III of the Constitution all properties demolished as part of the implementation of the MRRRP shall be compensated for:

(a) Amendment to RA 10752. – Section 3 of Republic Act No. 10752 otherwise known as the “Right of Way Act,” is hereby amended to include the MRRRP, Debris Management Programs, and programs that require the demolition of private property for the search and recovery of Unexploded Ordnance (UXO);

(b) Determination of Replacement Cost. - Private property owners shall be granted a Replacement Cost for loss or destruction of property as a result of the MRRRP. The replacement cost shall be based on the current market value of the improvements and structures as determined by:

- (i) The implementing agency;
- (ii) A government financial institution with adequate experience in property appraisal; or
- (iii) An independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP).

In the absence of baseline data or the required documents, the cost estimates and data utilized for the Post Conflict Needs Assessment (PCNA) mandated under the MRRRP may be used to determine just compensation.

(c) Entitlement to New Land Titles. – Property owners granted the appropriate replacement cost shall not be precluded from receiving and benefitting from the MRRRP Land Titling Program, which intends to return real property to the owner in the form of new land titles.

SEC. 6. The TFBM Claims and Compensation Subcommittee. – In addition to the existing TFBM subcommittees on Reconstruction, Housing, Peace and Order, Health and Social Welfare, Business and Livelihood, and Land Resource Management, there is hereby created a Subcommittee on Claims and Compensation, herein referred to as the Subcommittee, which shall be tasked to process claims in line with the spirit of Republic Act No. 10368, otherwise known as the “Human Rights Victims Reparation and Recognition Act of 2013”. The Subcommittee shall be attached to yet independent from the TFBM.

(a) The Subcommittee shall be chaired by the Chairperson of the Commission of Human Rights (CHR), co-chaired by the Head of the Bangsamoro Human Rights Commission (BCHR), and composed of five (5) members organic to the CHR and BHRC organization that comply with Section 8 of RA 10368;

(b) Honoraria and other operational expenses of the Subcommittee shall be provided by the TFBM, notwithstanding that the Subcommittee may seek funding assistance from international governing bodies or foreign aid;

(c) The Subcommittee shall be assisted by existing personnel of the CHR and BHRC without prejudice that the TFBM may hire additional personnel to accommodate the volume of work required. Likewise, the TFBM may source fund augmentation from International Governing Bodies, Foreign Aid, the Bangsamoro Autonomous Regional Government, or the Local Governments subject to existing laws, rules and regulations.

SEC. 7. Powers and Functions. – The Claims and Compensation Subcommittee shall have the following powers and functions:

- (a) Receive all claims under this Act together with the pertinent documents to such claims;
- (b) Investigate, process, and determine the validity of all claims filed;
- (c) Conduct independent administrative hearings and resolve or deny applications for compensation;
- (d) Disburse any and all compensation to qualified claimants at the earliest possible time;
- (e) Promulgate rules and regulations to carry out the objectives of this Act; and
- (f) Perform such other functions as may be necessary for the implementation of this Act.

SEC. 8. Resolution of Claims. – The Subcommittee shall resolve a claim for compensation within thirty (30) working days after the receipt of the application.

SEC. 9. Claimants. – Lawful owners or possessors who have become internally displaced persons (IDPs) as a result of the demolition or destruction of their private properties due to the 2017 Marawi Armed Conflict may file a claim in accordance with the provisions of this Act:

Provided, That if the owner of the properties is deceased, the legal heirs as provided for in the Code of Muslim Personal Laws of the Philippines or the Civil Code of the Philippines, whichever is applicable, or such other person named by the executor or administrator of the deceased owner's estate in that order, shall be entitled to receive such compensation.

SEC. 10. *Determination of Monetary Compensation.* - The compensation for claims under this Act shall be patterned after Republic Act No. 10368.

The Commission on Human Rights *en banc* shall have the authority to determine the point allocation to victims whose properties have been destroyed as a result of armed conflict, in congruence with Section 19 of RA 10368: *Provided*, That the monetary award for claimants under this Act shall be equivalent and shall not exceed the monetary amount granted to the human rights victims recognized by RA 10368.

SEC. 11. *Consolidation of Claims.* – The Subcommittee shall determine the final budgetary requirement to award all claims which shall be submitted to the Department of Budget and Management (DBM) through the TFBM.

SEC. 12. *Awarding of Monetary Compensation* – The award of monetary compensation shall take effect upon its reflection in the Annual General Appropriations Act and upon the Subcommittee’s completion and approval with finality of each eligible claim pending before it, and after due publication of such legitimate claim: *Provided*, That any pending appeal filed by an aggrieved claimant before the Subcommittee must be resolved by it within sixty (60) days after concluding the final list of claimants and monetary amount to be granted.

The CHR and the BCHR shall develop procedures for the awarding of monetary compensation to rightful claimants in accordance with national laws, policies, and regulations respecting at all times the right to self-determination of the Bangsamoro afforded by Republic Act No. 11054 or the Bangsamoro Organic Law. A special audit shall be conducted by the Commission on Audit upon the termination of the existence of the TFBM.

SEC. 13. *Publication.* – The Subcommittee shall set the period for the commencement and termination of applications by property owners and cause the publication of a formal announcement about such application: *Provided*, That such period shall be effective fifteen (15) days after its publication in two (2) newspapers of general circulation.

SEC. 14. *Period for Filing Claims; Waiver.* – Claims for compensation may be filed with the Subcommittee within one (1) year after it has been duly organized, and in accordance with the rules and regulations to be promulgated to implement this Act: *Provided*, That the failure to file an application within said period shall be deemed a waiver of the right to file the same.

SEC. 15. *Appeal.* – Any aggrieved claimant or oppositor to a claim may file an appeal within fifteen (15) calendar days from the receipt of the decision of the

Subcommittee, otherwise, the Subcommittee's decision shall become final and executory.

SEC. 16. Penalties, Applicability of the Revised Penal Code. – Fraud committed in the course of availing of the compensation provided by this Act shall be referred to the appropriate government office for prosecution. In addition to any penalty imposed by the competent court, the person who committed or caused the commission of the fraud shall be disqualified from public office and employment and shall be deprived of the right to vote and be voted for in any national or local election, even after the service of the sentence unless granted absolute pardon.

Any member of the Subcommittee and its Secretariat, public officer, employee of an agency or any private individual mandated to implement this Act, who shall embezzle, misappropriate, or otherwise misuse funds provided under this Act or who shall commit fraud in the processing of documents and applications of claimants, or shall conspire with any individual to commit the same, shall also be prosecuted accordingly.

SEC. 17. Appropriations. - The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the National Disaster Risk Reduction and Management Fund for the Marawi Recovery, Rehabilitation and Reconstruction Program. Thereafter, such amount as may be necessary for the implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 18. Implementing Rules and Regulations (IRR) and Guidelines. – The Chairperson of the CHR, Secretary of Finance, Secretary of Budget and Management, Head of the Bangsamoro Human Rights Commission, Chairperson of the TFBM, and the Secretary of the National Economic and Development Authority (NEDA) shall promulgate the implementing rules and regulations (IRR) within sixty (60) days after the effectivity of this Act.

In implementing this Act and in formulating the corresponding rules and regulations, and to ensure that all applications are properly screened, the Subcommittee must provide for:

- (a) Transparency in the processing of the claims;
- (b) A procedure that allows any concerned party to oppose an application or claim on the grounds that it is fraudulent, fictitious, or spurious and gives that party the opportunity to question the same and to present evidence in support thereof; and
- (c) A procedure that is speedy and expeditious without sacrificing any of the parties' fundamental rights.

The Rules and Regulations shall be effective fifteen (15) days after its publication in two (2) national newspapers of general circulation.

SEC. 19. *Joint Congressional Oversight Committee.* - There is hereby created a Joint Congressional Oversight Committee to oversee, monitor and evaluate the implementation of this Act.

The Oversight Committee shall be composed of five (5) members each from the Senate and from the House of Representatives, to be designated by the Senate President and the Speaker, respectively, including the Chairpersons of the Committees on Disaster Resilience, and Human Rights of both Houses: *Provided*, That at least two (2) members from each House shall be Members from the Minority.

SEC. 20. *Mandatory Evaluation and Review.* - Three (3) years after the effectivity of this Act, the Subcommittee shall conduct a mandatory review and submit a status report on the implementation of this Act to Congress.

SEC. 21. *Sunset Clause.* – Upon the completion of the MRRRP but not exceeding five (5) years after the effectivity of this Act, the TFBM and all its subcommittees shall cease to exist and this Act shall have no further official authority or legal effect.

SEC. 22. *Separability Clause.* - If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, such other sections or provisions not affected thereby shall remain in full force and effect.

SEC. 23. *Repealing Clause.* – Section 3 of Republic Act No. 10752 otherwise known as the Right of Way Act is hereby amended. All other laws, decrees, executive orders, rules and regulations or parts thereof inconsistent with any of the provisions of this Act, are hereby repealed or amended accordingly.

SEC. 24. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

FACT SHEET

House Bill No. 9925

(In Substitution of House Bills Numbered 3418, 3543 and 3922)

AN ACT

PROVIDING MONETARY COMPENSATION TO QUALIFIED CLAIMANTS, THROUGH THE TASK FORCE BANGON MARAWI, FOR THE LOSS OR DESTRUCTION OF RESIDENTIAL AND COMMERCIAL PROPERTIES AS A RESULT OF THE 2017 ARMED CONFLICT BETWEEN THE ARMED FORCES OF THE PHILIPPINES AND TERRORIST GROUPS IN MARAWI CITY, LANA DEL SUR, AND APPROPRIATING FUNDS THEREFOR

Introduced by: ANSARUDDIN ABDUL MALIK A. ADIONG, MUJIV S. HATAMAN, AMIHILDA J. SANGCOPAN, YASSER ALONTO BALINDONG, LUCY TORRES-GOMEZ, MOHAMAD KHALID Q. DIMAPORO, DEOGRACIAS VICTOR "DV" B. SAVELLANO, SHARON GARIN, CRISTAL L. BAGATSING, ADRIANO EBCAS, SERGIO C. DAGOOC, RASHIDIN MATBA, FERDINAND L. HERNANDEZ, GLONA LABADLABAD, DIVINA GRACE YU, LAWRENCE "LAW" H. FORTUN, EDDIEBONG G. PLAZA, JOSELITO "JOEL" SACDALAN, CHRISTIAN S. UNABIA, JONATHAN KEITH FLORES, CESAR "JAWO" L. JIMENEZ, JOEL MAYO ALMARIO, JOSE "BONG" J. TEVES, JR., ISAGANI AMATONG, PETER JOHN D. CALDERON, LOLITA JAVIER, JORGE BUSTOS, PAUL RUIZ DAZA, ALFRED C. DELOS SANTOS, MARIA FE ABUNDA, MANUEL DG. CABOCHAN, ARGEL JOSEPH CABATBAT, WILFREDO "WILLY" S. CAMINERO, ALOY LIM, ROGELIO NEIL P. ROQUE, JOCELYN TULFO, NAEALLA BAINTO-AGUINALDO, ROWENA NIÑA TADURAN, SHERNEE TAN, PRESLEY DE JESUS, GERALDINE ROMAN, EDGAR CHATTO, EDUARDO GULLAS, CLAUDINE DIANA BAUTISTA, ERICO ARISTOTLE AUMENTADO, LORNA BAUTISTA-BANDIGAN, JOSE "PING-PING" TEJADA, ROGELIO "RUEL" PACQUIAO, PAZ C. RADAZA, ALBERTO "BOBBY" PACQUIAO, JANICE SALIMBANGON, EMMARIE "LOLYPOP" OUANO-DIZON, RODRIGO A. ABELLANOSA, SONNY LAGON, DIEGO "NONOY" C. TY, FRANCISCO "KIKO" BENITEZ, GERARDO P. VALMAYOR, JR. , CARLITO MARQUEZ, JOSEPH STEPHEN "CARAPS" S. PADUANO, GODOFREDO GUYA, CARLOS ISAGANI T. ZARATE , FERDINAND GAITE, EUFEMIA "KA FEMIA" CULLAMAT, ARLENE BROSAS, FRANCE CASTRO, SARAH JANE ELAGO, JOSE L. ATIENZA, MICHAEL EDGAR AGLIPAY, SABIANO S. CANAMA, JOSE GAY PADIERNOS, VIRGILIO LACSON, ANNA MARIE VILLARAZA-SUAREZ, CONRADO M. ESTRELLA, MICHAEL ROMERO, ANTONIO "TONYPET" ALBANO, MA. VICTORIA V. UMALI, RIA CHRISTINA FARIÑAS, FLORENCIO NOEL, EDUARDO "BRO. EDDIE" C. VILLANUEVA, IRENE GAY SAULOG, DOMINGO C. RIVERA, ALREDO GARBIN, MARLYN "LEN" B. ALONTE, ENRICO PINEDA, RON SALO, RAYMOND DEMOCRITO MENDOZA, ANGELICA NATASHA CO, BIENVENIDO ABANTE, RANEO ABU, ROSE MARIE "BABY" ARENAS, PAOLO DUTERTE, EVELINA ESCUDERO, DAN FERNANDEZ, PABLO JOHN GARCIA, NEPTALI GONZALES, PROSPERO PICHAY, JOHNNY TY PIMENTEL, FERDINAND MARTIN ROMUALDEZ, JOSEPHINE RAMIREZ-SATO, JOSE CHRISTOPHER BELMONTE, HENRY OAMINAL, LOREN LEGARDA, LUIS RAYMUN "LRAY" VILLAFUERTE, LORD ALLAN VELASCO, JOAQUIN CHIPECO, DATU ROONIE SINSUAT, SR., JOSE "JUN" L. ONG, JUAN MIGUEL MACAPAGAL ARROYO, WILTON "TONTON" KHO, JOCELYN LIMKAICHONG, EDCEL LAGMAN, JOEY SALCEDA, HORACIO P. SUANSING, JR., FAUSTINO MICHAEL CARLOS DY, ESMAEL MANGUDADATU, ELPIDIO BARZAGA, MICAELA VIOLAGO, MICHAEL JOHN DUAVIT , ALAN 1 B. ECLEO, ALLAN TY, JUNIE E. CUA, ELEANDRO JESUS MADRONA, LEONARDO BABASA, JOY MYRA TAMBUNTING AND JULIET MARIE FERRER

*Primary Committee Referral: **COMMITTEE ON DISASTER RESILIENCE***

*Committee Chairperson: **REP. LUCY TORRES-GOMEZ***

*Secondary Committee Referral: **COMMITTEE ON APPROPRIATIONS***

*Committee Chairperson: **REP. ERIC GO YAP***

OBJECTIVE:

To provide compensation to persons whose properties were damaged, destroyed or demolished as a result of the 2017-armed conflict in Marawi City, Lanao del Sur.

KEY PROVISION:

- Creates and institutionalizes the Task Force Bangon Marawi to achieve the objectives set in the Marawi Recovery, Rehabilitation, and Reconstruction Program (MRRRP). The TFBM and its subcommittees shall function until the completion of the MRRRP and the fulfillment of the provisions of this Act;
- Compensates all private properties demolished as part of the implementation of the MRRRP;
- Grants private property owners a Replacement Cost for loss or destruction of property resulting from the MRRRP. The Replacement Cost shall be based on the current market value of the improvements and structure as determined by the implementing agency, a government financial institution with adequate experience in property appraisal, or an independent property appraiser accredited by the Bangko Sentral ng Pilipinas (BSP);
- Creates the Task Force Bangon Marawi (TFBM) Claims and Compensation Subcommittee, herein referred to as the Subcommittee, that shall be tasked to process claims in line with the spirit of Republic Act 10368, otherwise known as the "Human Rights Victims Reparation and Recognition Act of 2013". It shall be attached to, yet be independent from the TFBM;
- States that the Subcommittee shall be co-chaired jointly by the Chairperson of the Commission on Human Rights (CHR) and the Head of the Bangsamoro Human Rights Commission (BCHR) and shall be composed of five (5) members organic to the CHR and the BCHR;
- Allows the Subcommittee to seek funding assistance from international governing bodies or foreign aid;
- States that the Subcommittee shall be assisted by existing personnel of the CHR and the BHRC;
- Allows the TFBM to hire additional personnel to accommodate the volume of work;
- Allows the TFBM to source fund augmentation from international governing bodies, foreign aid, the Bangsamoro Autonomous Regional Government, or the local governments subject to existing laws, rules, and regulations;

- Specifies the powers and functions of the Subcommittee, among others:
 - Receive all claims under this Act together with the pertinent documents to such claims;
 - Investigate, process, and determine the validity of all claims filed;
 - Conduct independent administrative hearings and resolve or deny applications for compensation; and
 - Disburse any and all compensation to qualified claimants at the earliest possible time.
- Mandates the Subcommittee to resolve the claim for compensation within thirty (30) working days after the receipt of the application;
- Allows lawful owners or possessors who have become Internally Displaced Persons (IDPs) as a result of the demolition or destruction of their private properties due to the 2017 Marawi Siege to file a claim in accordance with the provisions of this Act;
- Entitles the legal heirs, as provided for in the Code of the Muslim Personal Laws of the Philippines or the Civil Code of the Philippines, whichever is applicable, or such other person named by the executor or administrator of the deceased owner's estate in that order, to receive such compensation;
- Authorizes the Commission on Human Rights *en banc* to determine the point allocation to victims whose properties have been destroyed resulting from armed conflict, in congruence to Section 19 of RA 10368. The monetary award for claimants under this Act shall be equivalent and shall not exceed the monetary amount granted to the human rights victims recognized under RA 10368;
- Authorizes the Subcommittee to determine the final budgetary requirement to award all claims which shall be submitted to the Department of Budget and Management (DBM) through the TFBM;
- Sets the effectivity period and procedure of the awarding of monetary compensation;
- Authorizes the CHR and the BCHR, in accordance with Republic Act 11054, or the "Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao", to develop a mechanism to award compensation to claimants;
- Authorizes the Commission on Audit (COA) to conduct a special audit upon completion of the task provided to the Subcommittee;
- Authorizes the Subcommittee, after having duly convened, to set the period for the commencement and termination of applications by property owners, and it shall cause the publication of the same. The period shall be effective fifteen (15) days after its publication in two (2) newspapers of general circulation;
- Sets a period of one (1) year to file claims for compensation with the Sub-Committee after it has been duly organized, and in accordance with the implementing rules and regulations (IRR) of this Act. Failure to file an application within said period shall be deemed a waiver of the right to file the same;
- Allows any aggrieved claimant or oppositor to a claim to file and appeal within fifteen (15) calendar days from receipt of the decision of the Subcommittee, otherwise, the latter's decision shall then become final and executory;

- Provides penal provisions for the following offenses:
 - Fraud committed while availing of the compensations provided in this Act shall be referred to the appropriate government office for prosecution. The person who committed or caused the commission of the fraud shall be disqualified from public office and employment and shall be deprived of the right to vote or be voted for in any national or local election;
 - Any member of the Subcommittee and its Secretariat, public officer, employee of an agency or any private individual mandated to implement this Act who shall embezzle, misappropriate, or misuse of funds provided under this Act, or who shall commit of fraud in the processing of documents and applications of claimants, or conspires with any individual to commit the same shall be prosecuted.
- Charges the amount necessary for the initial implementation of this Act against the current year's appropriations of the National Disaster Risk Reduction and Management Fund for the Marawi Recovery, Rehabilitation, Reconstruction Program. Thereafter, such amount shall be included in the Annual General Appropriations Act;
- Directs the Chairperson of the CHR, the Secretary of Finance, the Secretary of Budget and Management, the Head of the Bangsamoro Human Rights Commission, the Chairperson of the Task Force Bangon Marawi, and the Secretary of the National Economic and Development Authority to promulgate the implementing rules and regulations within sixty (60) days after the effectivity of this Act;
- Creates a Joint Congressional Oversight Committee to oversee, monitor, and evaluate the implementation of this Act. Including the Chairpersons of the Committees on Disaster Resilience and the Human Rights of both Houses, the Congressional Oversight Committee shall be composed of five (5) members each from the Senate of the Philippine and the House of Representatives, to be designated by the Senate President and the Speaker of the House, respectively. At least two (2) Members from each House shall be from the Minority;
- Directs the Subcommittee to conduct a mandatory review three (3) years after the effectivity of this Act and to submit to Congress a status report on the implementation of this Act;
- Terminates the TFBM and all its subcommittees upon the completion of the MRRRP and the provisions of this Act, but not exceeding five (5) years after the effectivity of this Act. The TFBM and all its subcommittees shall cease to exist and this Act shall have no further official authority or legal effect.

RELATED LAWS:

Republic Act No. 11054, otherwise known as the "Organic Law for the Bangsamoro Autonomous Region in Muslim Mindanao" (17 July 2018)

Republic Act No. 10752, otherwise known as the "Right of Way Act" (07 March 2016)

Republic Act No. 10368, otherwise known as the "Human Rights Victims Repatriation and Recognition Act of 2013" (25 February 2013)

Administrative Order No. 09 - Amending Administrative Order No. 3 (S. 2017), Creating an Inter-Agency Task Force for the Recovery, Reconstruction, and Rehabilitation of the City of Marawi and Other Affected Localities (27 October 2017)