

Republic of the Philippines  
Congress of the Philippines  
Metro Manila

Seventeenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand eighteen.

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[ JOINT RESOLUTION NO. 04 ]

JOINT RESOLUTION EXTENDING THE MAINTENANCE, AVAILABILITY, AND RELEASE OF THE FUNDS INTENDED FOR VICTIMS OF HUMAN RIGHTS VIOLATIONS UNTIL DECEMBER 31, 2019, AUTHORIZING THE BUREAU OF THE TREASURY AND THE LAND BANK OF THE PHILIPPINES TO RELEASE THE FUNDS AND ENSURE THE PAYMENT OF CLAIMS, AND THE COMMISSION ON HUMAN RIGHTS TO ADMINISTER THE EFFECTIVE DISTRIBUTION OF THE FUNDS TO QUALIFIED VICTIMS OR THEIR HEIRS OR REPRESENTATIVES, AS PROVIDED UNDER REPUBLIC ACT NO. 10368, OTHERWISE KNOWN AS THE "HUMAN RIGHTS VICTIMS REPARATION AND RECOGNITION ACT OF 2013", AS AMENDED BY REPUBLIC ACT NO. 10766

WHEREAS, Republic Act (RA) No. 10368, otherwise known as the "Human Rights Victims Reparation and Recognition Act

of 2013”, provides for an institutionalized mechanism on how human rights victims during the Marcos regime will be compensated, and Section 7 thereof identifies the principal source of the funds, *viz.*:

“SEC. 7. *Source of Reparation.* – The amount of Ten billion pesos (P10,000,000,000.00) plus accrued interest which form part of the funds transferred to the government of the Republic of the Philippines by virtue of the December 10, 1997 Order of the Swiss Federal Supreme Court, adjudged by the Supreme Court of the Philippines as final and executory in Republic vs. Sandiganbayan on July 15, 2003 (G.R. No. 152154) as Marcos ill-gotten wealth and forfeited in favor of the Republic of the Philippines, shall be the principal source funds for the implementation of this Act.”

WHEREAS, Section 29 of RA No. 10368 stipulates a sunset provision thereby providing a period within which the Human Rights Victims Claims Board (HRVCB) shall complete its work, which is two (2) years from the effectivity of the Implementing Rules and Regulations that the said Board promulgates;

WHEREAS, RA No. 10766 was enacted into law on 19 April 2016 to practically extend the effectivity of RA No. 10368 from 12 May 2014 to 12 May 2018;

WHEREAS, as of 11 May 2018, the HRVCB had been able to approve and duly recognize a total of 11,103 legitimate claimants out of more than 75,000 applicants and was able to completely resolve 6,737 appeals on 06 May 2018, or six (6) days before the above deadline. The checks issued by the HRVCB for the human rights victims were valid only up to three (3) months from issuance;

WHEREAS, as of 28 June 2018, the HRVCB account with the Land Bank of the Philippines reported a balance of P792.628 million, which can only be maintained as such until 11 August 2018, after which the balance will revert to the Bureau of the Treasury;

WHEREAS, the Commission on Human Rights (CHR) and the HRVCB have created a transition team to assist the


claimants in the remaining months. However, there have been reports from several approved claimants' relatives that they were not able to encash the checks even with the issuance of Special Power of Attorney. Many of the claimants are concerned of the time constraint to process matters relating to the distribution of monetary claims until 11 August 2018;

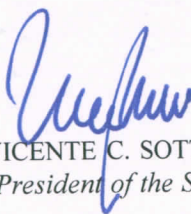
WHEREAS, the HRVCB had issued a total of four hundred fifty-one (451) so-called "problematic" checks to the victims, two hundred ninety-one (291) checks of which amounted to Two hundred thirty-nine million one hundred ninety-eight thousand eight hundred thirty-six pesos (P239,198,836.00), representing unreleased checks and one hundred sixty (160) checks amounting to One hundred ten million nine hundred thirty-one thousand four hundred sixty pesos (P110,931,460.00), representing checks issued to payees who are now deceased;

WHEREAS, it is the sense of the Senate and the House of Representatives that the funds be effectively distributed, especially to the approved and qualified claimants, as duly processed and determined by the HRVCB, and that the concerned government agencies and institutions namely, among others, the Commission on Audit, the Land Bank of the Philippines and the Bureau of the Treasury coordinate and cooperate with the CHR to ensure the distribution of the valid claims and the receipt thereof: Now, therefore, be it

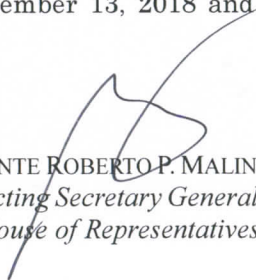
*Resolved, as it is hereby resolved, That the Senate and the House of Representatives extend the maintenance, availability and release of the funds created pursuant to Republic Act No. 10368, as amended by Republic Act No. 10766, until December 31, 2019; authorize the Bureau of the Treasury and the Land Bank of the Philippines to release the funds; and authorize the Commission on Human Rights to administer the effective distribution thereof.*


Approved,

  
 GLORIA MACAPAGAL-ARROYO  
*Speaker of the House  
 of Representatives*

  
 VICENTE C. SOTTO III  
*President of the Senate*


This Joint Resolution which is a consolidation of Senate Joint Resolution No. 13 and House Joint Resolution No. 26 was passed by the Senate and the House of Representatives on December 13, 2018 and December 12, 2018, respectively.

  
DANTE ROBERTO P. MALING  
*Acting Secretary General  
House of Representatives*

  
MYRA MARIE D. VILLARICA  
*Secretary of the Senate*

Approved: FEB 22 2019



  
RODRIGO ROA DUTERTE  
*President of the Philippines*

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