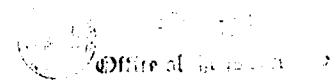


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )



24 SEP 17 25 59

**SENATE**

**S. No. 2828**

RECEIVED

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INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 11696, OTHERWISE KNOWN AS THE**  
**"MARAWI SIEGE VICTIMS COMPENSATION ACT OF 2022"**

**EXPLANATORY NOTE**

Republic Act No. 11696 or the "Marawi Siege Victims Compensation Act of 2022" was passed into law in 2022. The law identifies and categorizes the barangays that bore the brunt of the armed conflict as either Main Affected Areas (MAA) or Other Affected Areas (OAA). Under the MAA category, there are twenty-four (24) named barangays, while under the OAA category there are eight (8).

As Chairperson of the Senate Special Committee on Marawi City Rehabilitation and Victims' Compensation, I was saddened to learn that one barangay in Marawi City that was also affected by the Marawi Siege, Brgy. Bubonga Marawi, was not included in the list of either the MAA or the OAA.

Upon consultation with the community of Bubonga Marawi, the City Government of Marawi, as well as with the Marawi Compensation Board (MCB), this legislative measure aims to include Brgy. Bubonga Marawi in the list of Other Affected Areas (OAA). In doing so, the community can claim the reparation and compensation they so rightly deserve, not by some act of pity which is fleeting, but by force of law – structural, organized, and prescriptive.

In addition, Section 15 of RA 11696 mandated the MCB to award monetary compensation for the damaged or demolished structures to the lawful owner based on whichever is lower of the fair market value or the value of its total area per storey equivalent to an amount to be determined in the implementing rules and regulations of the law.

During the implementation of the aforementioned provision, the MCB has received numerous letters from both claimants and civil society organizations

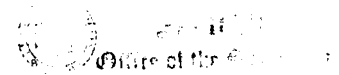
appealing for the reconsideration of the application of fair market value in determining monetary compensation. As in most cases, it was reported that the fair market value resulted in an almost insignificant amount of monetary compensation, highlighting several concerns over its application. These concerns contradict the legislative intent of the compensation and reparation under RA 11696 as a matter of financial assistance as well as a crucial element of justice, addressing the material needs of victims and contributing to their recovery and reintegration into society.

As such, to provide a more equitable and just approach in compensating the internally displaced persons of Marawi City, the proposed bill seeks to amend Section 15 of RA 11696 to remove the fair market value as basis for the compensation award of lawful claimants.

I fervently hope for the swift passage of this bill into law.

  
**RONALD "BATO" DELA ROSA**

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* )



24 SEP 17 P5:59

**SENATE**

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**AN ACT**  
**AMENDING REPUBLIC ACT NO. 11696, OTHERWISE KNOWN AS THE**  
**"MARAWI SIEGE VICTIMS COMPENSATION ACT OF 2022"**

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

1       Section 1. Section 3 (g) of Republic Act No. 11696 or the "Marawi Siege Victims  
2       Compensation Act of 2022" is hereby amended to read as follows:

3       "Sec. 3. Definition of Terms. – As used in this Act:

4       (a) xxx

5       (b) xxx

6       (c) xxx

7       (d) xxx

8       (e) xxx

9       (f) xxx

10       (g) *Other Affected Areas* or *OAA* refer to the other affected barangays in Marawi  
11       City during the Marawi Siege, namely:

12       (1) Saduc Proper;

13       (2) Panggao Proper;

14       (3) Raya Saduc;

15       (4) Lilod Saduc;

16       (5) Datu Saber;

17       (6) Bangon;

18       (7) Fort; ~~(and)~~

1 (8) Wawaylan Caloocan; **AND**

2 **(9) BUBONGA MARAWI."**

3 Sec. 2. Section 15 of Republic Act No. 11696 or the "Marawi Siege Victims  
4 Compensation Act of 2022" is hereby amended to read as follows:

5 "Sec. 15. *Determination of Monetary Compensation.* -

6 (a) The Board shall determine the monetary compensation and award  
7 of the lawful owner(s)[, whichever is the lower amount of either the  
8 fair market value of the residential, cultural, commercial structures,  
9 or other real properties or the value of its total area per storey  
10 equivalent to an amount to be determined in the implementing rules  
11 and regulations of this Act] **BASED ON THE VALUE OF THE**  
12 **TOTAL AREA PER STOREY OF THE RESIDENTIAL, CULTURAL,**  
13 **COMMERCIAL STRUCTURES, OR OTHER REAL**  
14 **PROPOERTIES EQUIVALENT TO REPLACEMENT OR REPAIR**  
15 **COST AS DETERMINED IN THE IMPLEMENTING RULES AND**  
16 **REGULATIONS OF THIS ACT.** In case of claims for loss or  
17 destruction of personal properties, the claimant shall present  
18 competent evidence of the loss or destruction, ownership[, as well  
19 as the fair market value] of the personal properties.

20 (b) xxx."

21 Sec. 3. *Retroactive Effect.* – The new basis for the monetary compensation and  
22 award shall have retroactive effect for all those claimants who already received their  
23 awards from the Monetary Compensation Board prior to the effectivity of this Act.

24 Sec. 4. *Separability Clause.* – If any portion or provision of this Act is declared  
25 unconstitutional, the remainder of this Act or any provisions not affected thereby shall  
26 remain in force and effect.

27 Sec. 5. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations and  
28 executive orders contrary to or inconsistent with this Act are hereby repealed or  
29 modified accordingly.

30 Sec. 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
31 publication in at least one (1) national newspaper of general circulation.

Approved,