

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

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4640



Introduced by Honorable Rodante D. Marcoleta

EXPLANATORY NOTE

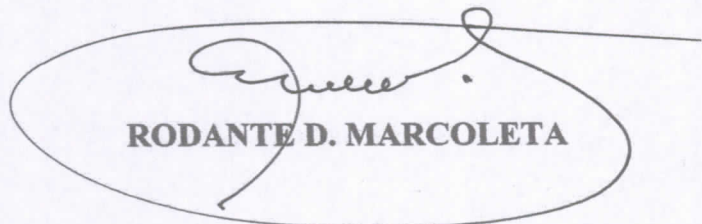
Recent history has seen a number of civilians caught in the crossfire in law enforcement and military operations. The emotional trauma would be too much to handle on the part of those who unnecessarily suffer physical impairment. Worse, the gratuitous loss of a loved one offends the sensibilities in ways that are unfathomable. One begins to marvel at how Filipinos seem to just wink at this phenomenon.

Antithetically, the issue of a dog being killed in the Indie film-2016 MMFF entry "Oro" has spurred the senses of the Filipinos and stirred quite a discussion even engendering full-blown official investigations.

The life of a human being definitely has more import. Anyone should not just go quietly into the night. What would it benefit a man even if he gains the whole world yet loses his life?

Hence, there should be a reasonable recompense for those who have fallen victims of collateral damage in military and law enforcement operations.

In view of the foregoing, the immediate passage of this urgent bill is most earnestly sought.


RODANTE D. MARCOLETA

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AN ACT
PROVIDING COMPENSATION TO VICTIMS OF COLLATERAL DAMAGE
DURING LAW ENFORCEMENT AND MILITARY OPERATIONS AND
APPROPRIATING FUNDS THEREFOR

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

SECTION 1. This Act shall be known as the "Collateral Damage Act."

SEC. 2. Collateral damage is any death, injury, or other damage inflicted that is an unintended result of military operations.

SEC 3. The State shall uphold the general welfare of civilians and ensure their safety at all times and guarantee restitution in the event that they become victims of collateral damage in law enforcement and military operations.

SEC. 4. In the interest of justice and to effectively protect the well-being of civilians or private citizens, a system of restitution is hereby instituted in the event that they fall victims of collateral damage in law enforcement and military operations.

SEC. 5. The restitution shall be effected as follows:

- a. If the unintended target sustains a minor injury, he or she must be paid the amount not less than P50,000.00;
- b. If the unintended target is physically harmed in a manner in which he

or she would be rendered permanently disabled, he or she must be paid the amount not less than P500,000.00;

- c. If the unintended target is physically harmed as to cause his or her death, the bereaved family must be paid the amount not less than P1,000,000.00.

SEC 6. Within sixty (60) days from the effectivity of this Act, the Secretary of National Defense shall, in consultation with the Department of Social Welfare and Development and the Philippine National Police, promulgate the necessary rules and regulations for the effective implementation of this Act.

SEC. 7. The amount necessary to carry out the provisions of this Act shall be charged against the current appropriations for the Department of National Defense. Thereafter, such sum as may be necessary for its operation and maintenance shall be included in the annual General Appropriations Act.

SEC 8. This Act shall take effect fifteen (15) days after publication in the Official Gazette and in at least two (2) newspapers of general circulation.

Approved,