

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH (17th) CONGRESS
First Regular Session

HOUSE BILL NO. 397

HOUSE OF REPRESENTATIVES

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Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

EXPLANATORY NOTE

The bill entitled, "*An Act Enhancing the Inclusiveness and Strengthening the Disaster Risk Reduction-Climate Change Adaptation Linkages, Thereby Amending Republic Act No. 10121 or the Philippine Disaster Risk Reduction Management Act of 2010, Increasing Appropriations Therefor and for Other Purposes*", was originally filed as House Bill No. 6341 in the 16th Congress by Rep. Arlene Bag-ao, Rep. Isidro Ungab and this representation to enhance or improve on Republic Act No. 10121, or the Philippine Disaster Risk Reduction and Management Act of 2010.

Five years from the passage of RA 10121, there is now ample experience on the ground to evaluate and improve on the current measure.

The civil society organizations, led by Partnership of Philippine Support Service Agencies (PHILSSA), Aksyon sa Kahandaan sa Kalamidad at Klima (AKKMA), and the Caucus of Development NGO Networks (CODE-NGO) supported by Christian Aid through Scaling Up Resilience in Governance (SURGE), a consortium composed of Christian Aid, Handicap International, Oxfam and Plan International, which aims to build and increase the resilience of high-risk communities by promoting inclusive community-based disaster risk reduction practices and taking the learning to other communities in the Philippines, took upon themselves to conduct their own sunset review process. This proposed measure is the outcome of such efforts.

The review undertaken by civil society organizations resulted in the realization that the enhancement of disaster risk management policies and practices must be made by the successful experiences on inclusive community-based disaster risk reduction (ICBDRR) lessons, especially those from the aftermath of Typhoon Haiyan. ICBDRR puts premium on the role of local stakeholders—LGUs and grassroots organizations—in increasing community resilience in confronting disaster risks and climate change impacts. National DRRM institutions must not stifle ICBDRR practices and should instead support enhancing local capacities.

Learnings from successful ICBDRR should be integrated in more, if not all local Disaster Risk Reduction Management plans and processes offices, preferably through peer-to-peer mentoring methodologies. Local government units (LGUs) and DRRM champions should be enabled to hand-over their knowledge and skills on ICBDRR to more LGUs.

Diverse experiences should be supported to voice their views and have meaningful participation. Experiences of women and men, girls and boys, persons with disabilities, older persons and other individuals who have been rendered vulnerable by structural and practical barriers, must be integrated in DRRM processes. Inclusive processes must respect each person's dignity, capacities and resources with a collectively strengthened community.

Towards this end, the proposed measure fine-tunes the key provisions of Republic Act 10121 by inserting specific amendments therein addressing the following concerns identified by the CSO sunset review process, particularly the following:

- **Improving the current institutional structure for better implementation of the law** since, at present, the vulnerable sectors are not represented in the various disaster and risk reduction management councils in local government units and that mainly, only NGOs are represented despite the fact that it is the peoples' organizations (POs) of these vulnerable sectors that are the frontline organizations in the communities; CSO (NGO & PO) participation in many LGUs is still a token participation and not really as development partners;
- **Clarifying the various elements for a successful effort in preparedness** as, in the present day, planning and the resultant plans are usually given the "copy and paste" treatment from sample templates sometimes without consideration of the vulnerable sectors; an information campaign is necessary to ensure that the community is aware of all aspects of the DRRM Plan (evacuation/safe areas, things to do, etc.) and that drills and other related activities are not institutionalized and are only done as a project or initiative rather than a requirement on a weekly basis and vulnerability-mapping is still not widely done by the LGUs;
- **Setting out other what other elements need to be looked into when it comes to response.** For example, baseline data is not readily available, making response difficult in communities; the LGU-level protocol on response is not also standard or is absent at all and response prioritization is still vague;
- **Identifying further measures in adaptation and mitigation** to address the current situation where data on ecological services are not available making it harder to take into account the contribution of these ecosystem services to the resilience of the community (availability of crops or fish stocks after disaster; hence relief goods are not the first priority); what must also be taken into account is that LGUs have rarely prioritized the implementation of environmental laws, many of which laws or ordinances, where available, could help in the adaptation and mitigation action of the communities; what must also be noted is the fact that early warning systems are not readily available in many LGUs particularly the most vulnerable ones and climate change adaptation measures are rarely heard in LGUs as most still do not understand how it is to be done;
- **Improved rehabilitation and recovery** by institutionalizing rights-based approach to rehabilitation and recovery and more specifically, making housing efforts apt or responsive to people's needs and livelihood is only given token attention in rehabilitation and recovery planning efforts as most of the

livelihood programs are only limited to cash for work which is temporary

- **Making funding and its mechanisms more responsive** to the needs of the community since 4th, 5th and 6th class municipalities that are most likely to be the most vulnerable have the lowest funding for DRR-CCA plans, programs and activities; then there is the issue of procurement, which is strictly implemented even during calamities making it very difficult for LGUs to source materials to respond to communities; on top of these concerns, there is a need to strike a balance between fast tracking the release of funds but at the same time safeguarding against possible corruption and to address this, even the long-standing Civil Code provision on liability for tort and/or damages of province, cities and municipalities in case of defective infrastructure and civil works in their respective jurisdictions is updated to take into account the need to adequately prepare for these hazards.

As the Philippines actively participated in the recently-concluded 4th World Conference on Disaster Risk Reduction last March 2015 in Sendai, Japan, the key elements of the SENDAI FRAMEWORK OF ACTION, a successor framework to the Hyogo Framework of Action to which RA 10121 took into account, is likewise incorporated in this proposed measure.

A high priority accorded to these proposals by the House of Representatives would be proper since proper preparation and planning for disasters not only save money and misery, they also save lives.

In view of the foregoing, immediate approval of this bill is earnestly sought.





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

SIXTEENTH (17th) CONGRESS
First Regular Session

HOUSE BILL NO. 397

Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

AN ACT

ENHANCING THE INCLUSIVENESS AND STRENGTHENING THE DISASTER RISK REDUCTION-CLIMATE CHANGE ADAPTATION LINKAGES, THEREBY AMENDING REPUBLIC ACT NO. 10121, OR THE PHILIPPINE DISASTER RISK REDUCTION MANAGEMENT ACT OF 2010, INCREASING APPROPRIATIONS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Title.* - This Act shall be known as the "**Enhancing the Inclusiveness of the Philippine Disaster Risk Reduction and Management System Act of 2016**".

SEC. 2. **Secs. 2 (c) and (f)** of the Act, *Declaration of Policy*, is hereby amended as follows:

(c) Incorporate internationally accepted principles of disaster risk management, ESPECIALLY THE SENDAI FRAMEWORK OF ACTION AND THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE ON DISASTER RISK REDUCTION-CLIMATE CHANGE ADAPTATION AND LOSS AND DAMAGE, in the creation and implementation of national, regional and local sustainable development and poverty reduction strategies, policies, plans and budgets;

(f) Adopt and implement a coherent, comprehensive, integrated, efficient and responsive disaster risk reduction program incorporated in the development plan THAT IS FORMULATED IN A PARTICIPATORY AND INCLUSIVE MANNER AND IS FUNDED ADEQUATELY at various levels of government GIVING PRIORITY TO LOCAL GOVERNMENT UNITS THAT ARE HIGHLY VULNERABLE, GEOGRAPHICALLY ISOLATED AND BELONGING TO THE POOREST OF THE POOR LOCAL GOVERNMENT UNITS adhering to the principles of good governance such as CITIZEN'S PARTICIPATION transparency

1 and accountability within the context of poverty alleviation and environmental
2 protection

3 **SEC. 3.** **Sec. 3**(ee) of the Act, *Definition of Terms*, is hereby amended as follows :

4 (ee) "*Rehabilitation AND RECOVERY*" - measures that ensure the ability of affected
5 communities/areas to restore their FUNCTIONALITY by rebuilding AS A MATTER
6 OF PRIORITY APPROPRIATE livelihood and damaged infrastructures
7 PARTICULARLY SHELTER and increasing the communities' organizational
8 capacity TO ENHANCE THEIR EARNING ABILITY; RECOVERY EFFORTS
9 SHALL GIVE PRIORITY TO OPPORTUNITIES TO BUILD BACK BETTER,
10 ENABLING GREATER RESILIENCY OF COMMUNITIES TO DISASTERS

11 **SEC. 4.** **Sec. 4** of the Act, on *Scope*, is hereby amended as follows:

12 Sec. 4 - This Act provides for the development of policies and plans and the
13 implementation of actions and measures pertaining to all aspects of disaster risk
14 reduction and management, including good governance, risk assessment and early
15 warning, knowledge building and awareness raising, reducing underlying risk factors,
16 and preparedness for effective response and early recovery AND REHABILITATION
17 INCLUDING ADAPTATION AND MITIGATION.

18 **SEC. 5.** **Sec. 5** (hh) of Republic Act 10121, on *National Disaster Risk Reduction and*
19 *Management Council*, is hereby amended, as follows:

20 Sec. 5. - The present National Disaster Coordinating Council or NDCC shall
21 henceforth be known as the National Disaster Risk Reduction and Management
22 Council, hereinafter referred to as the NDRRMC or the National Council.

23 The National Council shall be headed by the Secretary of the Department of National
24 Defense (DND) as Chairperson with the Secretary of the Department of the Interior
25 and Local Government (DILG) as Vice Chairperson for Disaster Preparedness, the
26 Secretary of the Department of Social Welfare and Development (DSWD) as Vice
27 Chairperson for Disaster Response, the Secretary of the Department of Science and
28 Technology (DOST) as Vice Chairperson for Disaster Prevention and Mitigation, and
29 the Director-General of the National Economic and Development Authority (NEDA)
30 as Vice Chairperson for Disaster Rehabilitation and Recovery.

31 The National Council's members shall be the following:

32 “(hh) REPRESENTATIVES FROM THE FOLLOWING BASIC SECTORS:

- 33 (1) FARMERS AND LANDLESS RURAL WORKERS;
- 34 (2) ARTISANAL FISHERFOLK;
- 35 (3) URBAN POOR;
- 36 (4) INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS
- 37 PEOPLES;
- 38 (5) WORKERS IN THE FORMAL SECTOR AND MIGRANT
- 39 WORKERS;
- 40 (6) WORKERS IN THE INFORMAL SECTOR;

- (7) WOMEN;
- (8) YOUTH AND STUDENTS;
- (9) PERSONS WITH DISABILITIES;
- (10) VICTIMS OF DISASTERS AND CALAMITIES;
- (11) SENIOR CITIZENS;
- (12) NONGOVERNMENT ORGANIZATIONS (NGOS);
- (13) CHILDREN; AND
- (14) COOPERATIVES.

PROVIDED THAT, THE VULNERABLE SECTORS AND THEIR ORGANIZATIONS ARE GIVEN PRIORITY IN THE SELECTION OF THESE REPRESENTATIVES.”

(kk) REPRESENTATIVE FROM THE SCIENTIFIC COMMUNITY

SEC. 6. **Sec. 6** (a), *Powers and Functions of the NDRRMC*, is hereby amended as follows:

“Sec. 6. - The National Council, being empowered with policy-making, coordination, integration, supervision, monitoring and evaluation functions, shall have the following responsibilities:

(a) Develop a NDRRMF which shall provide for a comprehensive, all-hazards AND VULNERABILITY RISK ASSESSMENT, PREPAREDNESS, RESPONSE, REHABILITATION & RECOVERY, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management. The Framework shall serve as the principal guide to disaster risk reduction and management efforts in the country and shall be reviewed on a five(5)-year interval, or as may be deemed necessary, in order to ensure its relevance to the times;

(a) SUPPORT AND FUND LGU EFFORTS IN HAZARD, RISK AND VULNERABILITY ASSESSMENT, PREPAREDNESS, RESPONSE, ADAPTATION AND MITIGATION, AND, REHABILITATION AND RECOVERY, AS SPELLED OUT IN THIS ACT

SEC. 7. **Sec. 10**, first paragraph, of Republic Act 10121, on *Disaster Risk Reduction and Management Organization at the Regional Level*, is hereby amended, as follows

The current Regional Disaster Coordinating Councils TO WHICH SHALL BE INCLUDED THE SAME BASIC SECTOR, PRIVATE AND SCIENTIFIC COMMUNITY REPRESENTATIVES AS THE NDRRMC, shall henceforth be known as the Regional Disaster Risk Reduction and Management Councils (RDRRMCs) which shall coordinate, integrate, supervise, and evaluate the activities of the LDRRMCs. The RDRRMC shall be responsible in ensuring disaster sensitive regional development plans, and in case of emergencies shall convene the different regional line agencies and concerned institutions and authorities.

SEC. 8. **Sec. 11** (a) (17) of Republic Act 10121 is hereby amended as follows

(17) REPRESENTATIVES FROM THE FOLLOWING BASIC SECTORS:

- 1 (A) FARMERS AND LANDLESS RURAL WORKERS;
2 (B) ARTISANAL FISHERFOLK;
3 (C) URBAN POOR;
4 (D) INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS
5 PEOPLES;
6 (E) WORKERS IN THE FORMAL SECTOR AND MIGRANT WORKERS;
7 (F) WORKERS IN THE INFORMAL SECTOR;
8 (G) WOMEN;
9 (H) YOUTH AND STUDENTS;
10 (I) PERSONS WITH DISABILITIES;
11 (J) VICTIMS OF DISASTERS AND CALAMITIES;
12 (K) SENIOR CITIZENS;
13 (L) NONGOVERNMENT ORGANIZATIONS (NGOS);
14 (M) CHILDREN; AND
15 (N) COOPERATIVES.

16 PROVIDED THAT, THE VULNERABLE SECTORS AND THEIR
17 ORGANIZATIONS ARE GIVEN PRIORITY IN THE SELECTION OF THESE
18 REPRESENTATIVES.”

19 **SEC. 9. Sec. 12** (c) of Republic Act 10121, on *Local Disaster Risk Reduction and*
20 *Management Office (LDRMO)*, is hereby amended, as follows:

21 “(c) The provincial, city and municipal DRRMOs or BDRRMCs shall perform the
22 following functions with impartiality given the emerging challenges brought by
23 disasters of our times, WITH CLEARLY-DEFINED ROLES TO CSOs and POs
24 RELATING TO THE PLANNING, IMPLEMENTATION, MONITORING AND
25 EVALUATION OF PROGRAMS INVOLVING ANY OF THE TASKS
26 ENUMERATED BELOW WITH ADEQUATE FINANCIAL SUPPORT TO THESE
27 CSOs and POs SO THAT CAPACITY-BUILDING ACTIVITIES ON ANY OF
28 THESE FUNCTIONS MAY BE REGULARLY CONDUCTED:

- 29 (1) Design, program, and coordinate disaster risk reduction and
30 management activities consistent with the National Council's standards
31 and guidelines;
32 (2) Facilitate and support risk assessments and contingency planning
33 activities at the local level;
34 (3) Consolidate local disaster risk information which includes natural
35 hazards, vulnerabilities, and climate change risks, and maintain a local
36 risk map;
37 (4) Organize and conduct training, orientation, and knowledge
38 management activities on disaster risk reduction and management at
39 the local level;
40 (5) Operate a multi-hazard early warning system, linked to disaster risk
41 reduction to provide accurate and timely advice to national or local
42 emergency response organizations and to the general public, through
43 diverse mass media, particularly radio, landline communications, and
44 technologies for communication within rural communities;
45 (6) Formulate and implement a comprehensive and - integrated LDRMP
46 in accordance with the national, regional and provincial framework,

- and policies on disaster risk reduction in close coordination with the local development councils (LDCs);
- (7) Prepare and submit to the local sanggunian through the LDRRMC and the LDC the annual LDRRMO Plan and budget, the proposed programming of the LDRRMF, other dedicated disaster risk reduction and management resources, and other regular funding source/s and budgetary support of the LDRRMO/BDRRMC;
 - (8) Conduct continuous disaster monitoring and mobilize instrumentalities and entities of the LGUs, CSOs, private groups and organized volunteers, to utilize their facilities and resources for the protection and preservation of life and properties during emergencies in accordance with existing policies and procedures;
 - (9) Identify, assess and manage the hazards vulnerabilities and risks that may occur in their locality;
 - (10) Disseminate information and raise public awareness about those hazards, vulnerabilities and risks, their nature, effects, early warning signs and counter-measures;
 - (11) Identify and implement cost-effective risk reduction measures/strategies;
 - (12) Maintain a database of human resource, equipment, directories, and location of critical infrastructures and their capacities such as hospitals and evacuation centers;
 - (13) Develop, strengthen and operationalize mechanisms for partnership or networking with the private sector, CSOs, and volunteer groups;
 - (14) Take all necessary steps on a continuing basis to maintain, provide, or arrange the provision of, or to otherwise make available, suitably-trained and competent personnel for effective civil defense and disaster risk reduction and management in its area;
 - (15) Organize, train, equip and supervise the local emergency response teams and the ACDVs, ensuring that humanitarian aid workers are equipped with basic skills to assist mothers to breastfeed;
 - (16) Respond to and manage the adverse effects of emergencies and carry out recovery activities in the affected area, ensuring that there is an efficient mechanism for immediate delivery of food, shelter and medical supplies for women and children, endeavor to create a special place where internally-displaced mothers can find help with breastfeeding, feed and care for their babies and give support to each other;
 - (17) Within its area, promote and raise public awareness of and compliance with this Act and legislative provisions relevant to the purpose of this Act;
 - (18) Serve as the secretariat and executive arm of the LDRRMC;
 - (19) Coordinate other disaster risk reduction and management activities;
 - (20) Establish linkage/network with other LGUs for disaster risk reduction and emergency response purposes;
 - (21) Recommend through the LDRRMC the enactment of local ordinances consistent with the requirements of this Act;
 - (22) Implement policies, approved plans and programs of the LDRRMC consistent with the policies and guidelines laid down in this Act;

(23) Establish a Provincial/City/Municipal/Barangay Disaster Risk Reduction and Management Operations Center;

(24) Prepare and submit, through the LDRRMC and the LDC, the report on the utilization of the LDRRMF and other dedicated disaster risk reduction and management resources to the local Commission on Audit (COA), copy furnished the regional director of the OCD and the Local Government Operations Officer of the DILG; and

(25) Act on other matters that may be authorized by the LDRRMC.

SEC 10. Insert and renumber Secs. 15, 16, 17, 18 and 19 of Republic Act 10121, to read as follows:

SEC. 15. HAZARD, RISK AND VULNERABILITY ASSESSMENT – THE LOCAL GOVERNMENT UNITS SHALL CONDUCT AN INCLUSIVE HAZARD, RISK AND VULNERABILITY ASSESSMENT THAT IS GEOGRAPHY-SPECIFIC, MULTI-HAZARD AND CLEARLY LINKED TO CLEAR PLANS AND BUDGET, INCORPORATING RELEVANT AND UPDATED SCIENTIFIC KNOWLEDGE AND APPROPRIATE INDIGENOUS KNOWLEDGE OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE LOCALITY

(A) POLICIES, STRATEGIES AND METHODOLOGIES FOR DISASTER RISK REDUCTION AND MANAGEMENT MUST BE PEOPLE-CENTERED AND BASED ON CONSULTATIVE AND PARTICIPATORY PROCESSES WHICH INCLUDE ALL STAKEHOLDERS, WITH PROPORTIONAL REPRESENTATION OF WOMEN AND MEN FROM DIVERSE GROUPS

(B) DISAGGREGATE THE INTERVENTIONS FOR VICTIMS OF DISASTERS BETWEEN THOSE WHO ARE VICTIMS OF NATURAL CALAMITIES, HUMAN-INDUCED AND VICTIMS OF ARMED CONFLICT

(C) INCLUSION OF GENDER-BASED ASPECTS OF AGE, SEX, DISABILITY, ACCESS TO INFORMATION, MOBILITY AND ACCESS TO INCOME, AND OTHER RESOURCES IN THE KEY DETERMINANTS OF VULNERABILITY

(D) IDENTIFICATION AND INCLUSION OF WOMEN’S AND MEN’S NEEDS, CONCERNS AND KNOWLEDGE IN THE COMMUNITY VULNERABILITY ASSESSMENTS CONDUCTED FOR ALL RELEVANT NATURAL HAZARDS

(E) INVOLVEMENT OF BOTH WOMEN AND MEN IN THE DEVELOPMENT OF RISK AND HAZARD MAPS AND ENSURE THE INCLUSION OF:

1. GENDER-DIFFERENTIATED IMPACTS OF RISK
2. GENDER-DIFFERENTIATED VULNERABILITY AND CAPACITY

SEC. 16. PREPAREDNESS – ALL LOCAL GOVERNMENT UNITS SHALL AIM TO ACHIEVE A HIGH LEVEL OF READINESS ON THE FOLLOWING, SO IT MAY BE ABLE TO WITHSTAND THE CHALLENGES OF AN IMPENDING DISASTER :

1 (A) PLANNING SHOULD RESULT TO A COMPREHENSIVE
2 PREPAREDNESS PLAN THAT INCLUDES ALL SECTORS OF SOCIETY,
3 PARTICULARLY THE VULNERABLE SECTORS IN
4 GEOGRAPHICALLY-SPECIFIC AREAS, ALSO TAKING INTO ACCOUNT
5 GENDER AND CULTURAL SENSITIVITY, SUCH AS:

- 6
- 7 1. GENDER-INCLUSIVE RISK ASSESSMENT AND VULNERABILITY
- 8 AND/OR CAPACITY ANALYSIS
- 9 2. COMMUNITY-BASED RISK MANAGEMENT PROCEDURES AND
- 10 ACTIVITIES FOR PREPAREDNESS AND RESPONSE
- 11 3. DEVELOPMENT OF ACTION PLANS FOR POST-DISASTER
- 12 RECOVERY
- 13 4. EARLY MONITORING AND/OR WARNING ACTIVITIES
- 14

15 (B) PLANS SHALL BE FORMULATED IN ACCORDANCE WITH THE TYPE
16 OF HAZARDS THAT ARE ANTICIPATED TO OCCUR IN A LOCAL
17 GOVERNMENT UNIT AND NOT BE GENERIC IN NATURE OR WHAT IS
18 CALLED THE "ONE SIZE FITS ALL" TYPE;

19

20 (C) AN EFFECTIVE INFORMATION, EDUCATION AND COMMUNICATION
21 CAMPAIGN THAT IS REGULAR AND CONSISTENT TO ENSURE THAT
22 THE COMMUNITIES ARE ENABLED AND CAPACITATED;

- 23
- 24 1. CONDUCT OF COMMUNITY AWARENESS-RAISING ACTIVITIES
- 25 (ESPECIALLY FOR VILLAGE/COMMUNITY LEADERS AND MEN'S
- 26 GROUPS) IN TYPHOON-AFFECTED AREAS ON THE FOLLOWING:
 - 27 i. PROTECTION AGAINST GBV, HUMAN TRAFFICKING, AND
 - 28 CHILD ABUSE AND EXPLOITATION
 - 29 ii. THE ROLES OF COMMUNITY MEMBERS/WATCH GROUPS
 - 30 TO PROTECT WOMEN AND CHILDREN
 - 31 iii. REPORTING CHANNELS AND MECHANISMS
- 32

33 (D) INSTITUTIONALIZED IMPLEMENTATION OF DRILLS, LIKE
34 EARTHQUAKE AND FIRE DRILLS, SEARCH AND RESCUE, ETC., WITH
35 TRUE PARTICIPATION FROM VULNERABLE MEMBERS OF SOCIETY
36 ON A CONSISTENT BASIS, ALSO TAKING INTO CONSIDERATION THE
37 COPING STRATEGIES ESPECIALLY FOR WOMEN AND GIRLS (E.G.
38 SWIMMING LESSONS IN FLOOD PRONE AREAS, PREPARATION OF
39 GO-BAGS IN EARTHQUAKE PRONE AREAS);

40

41 (E) THERE SHALL BE SUFFICIENT DATA AND MAPPING TOOLS
42 AVAILABLE WITH CLEAR IDENTIFICATION OF WHAT IS
43 APPROPRIATE IN EVERY LGU THAT SHOULD INCLUDE PAST DATA
44 ON THE AREA'S VULNERABILITIES, INCLUDING COMPREHENSIVE
45 INFORMATION ON EXISTING CAPACITIES;

46

47 (F) INCLUSION OF EARLY WARNING SYSTEMS CASCADED FOR USE BY
48 THE LOCAL GOVERNMENT UNITS WITH PROVISION FOR EQUAL

1 ACCESS OF WOMEN AND MEN TO GENDER-SENSITIVE NATURAL
2 HAZARD EARLY WARNING SYSTEMS USING COMMUNICATION
3 CHANNELS THAT ARE EASILY UNDERSTOOD AND USED AND ALSO
4 SENSITIVE TO THE NEEDS OF THE DIFFERENTLY-ABLED,
5 PREGNANT WOMEN, CHILDREN AND SENIOR CITIZENS;

6 SEC. 17. RESPONSE – ALL LOCAL GOVERNMENT UNITS SHALL HAVE
7 THE FOLLOWING IN ORDER THAT IT WILL BE ABLE TO DELIVER
8 EFFECTIVE, TIMELY AND APPROPRIATE DISASTER RESPONSE :

9 (A) BASELINE DATA SUCH AS GEOGRAPHIC LOCATION, POPULATION,
10 VULNERABLE GROUPS, ETC. MUST ALWAYS BE AVAILABLE AND
11 UPDATED TO ENSURE THAT IN TIMES OF CALAMITIES IT IS EASIER
12 TO DETERMINE RESPONSE MEASURES

13
14 (B) THE LGU-LEVEL PROTOCOL MUST BE SET BY THE LGU WITH CSOS
15 CONTRIBUTING TO THE PROTOCOL DEVELOPMENT; IT SHALL BE
16 MADE READILY AVAILABLE AS WELL SO THAT DURING THE
17 RESPONSE PHASE, ALL STAKEHOLDERS (WHETHER LOCAL OR
18 FOREIGN) ARE AWARE OF WHAT TO DO AND WITH WHOM OR
19 WHAT TO COORDINATE;

20
21 (C) THE FOLLOWING SHALL BE THE PRIORITY CONCERNS AND ACTION
22 POINTS DURING THE RESPONSE PHASE STRICTLY IN ACCORDANCE
23 WITH NATIONAL AND INTERNATIONAL STANDARDS, AS
24 APPROPRIATE:

25
26 1. ACCESS TO FOOD AID, FOOD PRODUCTION SUPPLY OF SEEDS,
27 HEALTH AND NUTRITION INTERVENTION

28 i. CHILDREN UNDER 5 YEARS OLD, SICK AND
29 MALNOURISHED, PREGNANT AND LACTATING MOTHER
30 AND OTHER VULNERABLE GROUPS TO BE GIVEN
31 PRIORITY FOR FEEDING

32 ii. SECURE EQUAL ACCESS TO DISASTER RELIEF
33 ASSISTANCE FOR WOMEN AND MEN

34 2. SHELTER OPTIONS

35 3. MANDATORY ESTABLISHMENT OF WOMEN- AND CHILDREN-
36 FRIENDLY SPACES IN ALL EVACUATION CENTERS IN THE
37 COUNTRY. IN DESIGNING RELATED INFRASTRUCTURE
38 FACILITIES, IT SHOULD TAKE INTO ACCOUNT GENDER-BASED
39 VIOLENCE (GBV) CONCERNS. FACILITIES SHOULD PROVIDE
40 FOR:

41 i. SEPARATE AND SEGREGATE TOILETS AND BATHING
42 FACILITIES FOR GIRLS AND BOYS THAT ARE LOCATED IN
43 SAFE AREAS AGE- AND CULTURALLY APPROPRIATE,
44 WITH ADEQUATE LIGHTING, LOCKS FROM INSIDE AND
45 INCLUDE FACILITIES FOR DISPOSAL OF SANITARY
46 CLOTHS

- ii. WOMEN'S COMMUNAL SPACES IN SAFE AND ACCESSIBLE LOCATIONS – VENUE FOR WOMEN TO BREASTFEED IN PRIVATE, PARTICIPATE IN CONFIDENTIAL PSYCHOSOCIAL COUNSELLING SESSIONS, AND ACCESS TO INFORMATION AND REFERRAL SERVICES FOR GBV SURVIVORS IN A CONFIDENTIAL SETTING
 - iii. PAVEMENTS AND STREETLAMPS THAT WOULD ALLOW WOMEN AND GIRLS TO MOVE AROUND AND TRAVEL SAFELY IN THE RELOCATION AND RECONSTRUCTED SITES
4. ACCESS TO CLEAN WATER, WASH SERVICES
5. ACCESS TO PSYCHOLOGICAL SUPPORT INCLUDING STRESS DEBRIEFING
6. IMMEDIATE RE-ESTABLISHMENT OF COMMUNITY SERVICES, PROTECTION SERVICES, ESPECIALLY AS REGARDS VULNERABLE GROUPS, PEACE AND ORDER, SCHOOLS AND THE LIKE
7. COLLECTION OF AGE- AND SEX-DISAGGREGATED DATA
8. PROVISION OF GENDER-RESPONSIVE HEALTH SERVICES AND PROGRAMMES
 - i. FACILITATE ACCESS TO SEXUAL AND REPRODUCTIVE HEALTH SERVICES INCLUDING HIV/AIDS PROGRAMS, FAMILY PLANNING, PSYCHOSOCIAL COUNSELLING, CLINICAL MANAGEMENT AND GBV SURVIVORS
 - ii. MAKE ESSENTIAL DRUGS, BASIC EQUIPMENT AND SUPPLIES AVAILABLE BASED ON THE RECOMMENDED STANDARDS OF THE DEPARTMENT OF HEALTH (DOH)
 - iii. PROVISION OF SANITARY MATERIALS AND HYGIENE KITS INCLUDING "DIGNITY KITS" TO WOMEN AND GIRLS, PREGNANT WOMEN AND BREASTFEEDING MOTHERS
 - iv. DESIGN HEALTH FACILITIES TO ACCOMMODATE WOMEN'S NEED FOR PRIVACY AND IMPLEMENT CONFIDENTIALITY AND SECURITY OF ALL CLIENT INFORMATION
 - v. AS MUCH AS POSSIBLE, FOR FEMALE DOCTORS AND HEALTH STAFF TO ATTEND TO WOMEN AND GIRL CLIENTS

SEC. 18. ADAPTATION AND MITIGATION - THE FOLLOWING ARE ADDITIONAL ACTIONS THAT THE LGUS MAY UNDERTAKE TO ADAPT TO AND MITIGATE THE ADVERSE IMPACTS OF DISASTERS:

- (A) BASELINE DATA ON ECOLOGICAL SERVICES MUST BE ATTEMPTED TO BE COMPILED WHERE FEASIBLE SO THEY MAY BE MADE AVAILABLE TO THE LGU OFFICIALS CONCERNED TO ENSURE THAT RESPONSE MEASURES ARE RESPONSIVE TO THE NEEDS OF AFFECTED COMMUNITIES AND AVOID UNNECESSARY WASTAGE;

(B) LGUs SHOULD STRICTLY ENFORCE RA 9003, OR THE SOLID WASTE MANAGEMENT ACT, THE CLEAN AIR ACT AND OTHER RELEVANT ENVIRONMENTAL LAWS SUCH AS THE ORGANIC AGRICULTURE ACT AND AIM TO INNOVATE ON ALL ASPECTS OF THESE ENVIRONMENTAL LAWS, SUCH AS ON WASTE MATERIALS AND MODELLING FARMS; DESIGNED WITH DRR-CCA CONCEPTS, WATER CATCHMENTS, WINDBREAKS, CLIMATE RESISTANT CROPS, SEED BANKING, INCLUDING ALLOCATED LOTS FOR PLANNING IN SUBDIVISIONS;

(C) THE DOST SHALL ACCELERATE EFFORTS TO TRANSFER APPROPRIATE CLIMATE AND DISASTER MITIGATION TECHNOLOGIES TO LGUs WHICH SHOULD INCLUDE CAPACITY DEVELOPMENT OF LGU PERSONNEL SO THEY MAY BE ABLE TO OPERATE AND MAINTAIN THESE TECHNOLOGIES;

(D) PLANNING UNITS WITHIN LGUs SHALL BE CAPACITATED SO THEY CAN COME UP WITH EFFECTIVE AND RESPONSIVE ADAPTATION MEASURES, LAND USE PLANS AND BUILDING CODES, INCLUDING BUT NOT LIMITED TO THE CREATION OF ZONES FOR SETTLEMENT, COMMUNAL SPACE FOR GARDENING IN SUBDIVISIONS, URBAN BARANGAYS AND COMMUNITIES, AND CREATE SCIENCE-BASED MAPPING OF HAZARD AREAS ZONES UTILIZING CULTURE AND HISTORY

SECTION 19. PREREQUISITES FOR ACTIONS OF LOCAL GOVERNMENT UNITS IN RELATION TO DANGER ZONES – THE DETERMINATION BY THE LOCAL GOVERNMENT UNITS OF A PUBLIC INTEREST RATIONALE FOR THE DESIGNATION OF DANGER ZONES SHALL BE APPROPRIATE AND NECESSARY AND SHALL BE IN ACCORDANCE WITH AN ORDINANCE DULY-APPROVED BY THE SANGGUNIAN CONCERNED AND SHALL BE IMPLEMENTED ONLY IN THE PRESENCE OF ALL THE FOLLOWING REQUISITES:

(A) CONDUCT OF A THOROUGH STUDY SUBJECT TO THE PRECAUTIONARY PRINCIPLE SUCH THAT THE LACK OF FULL SCIENTIFIC CERTAINTY SHALL RESULT IN THE LOCAL GOVERNMENT UNIT FROM NOT PROCEEDING IN THE ACTION;

(B) CONSIDERATION OF APPROPRIATE ENGINEERING SOLUTIONS; AND

(C) A SOUND RELOCATION ACTION PLAN WITH CLEAR BUDGET

SEC. 11. The succeeding sections shall be renumbered accordingly.

SEC. 12. Section 15, last paragraph, of Republic Act 10121, renumbered as section 20, is hereby amended as follows:

The NDRRMC and intermediary LDRRMCs shall always act as support to LGUs which have the primary responsibility as first disaster responders. Private sector and

1 civil society groups shall work in accordance with the coordination mechanism and
2 policies set by the NDRRMC and concerned LDRRMCs MINDFUL THAT LOCAL
3 LEADERSHIP AND INSTITUTIONS SHALL NOT BE SET ASIDE IN SUCH
4 COORDINATION.

5 **SEC. 13.** Insert and renumber Sec. 23 of Republic Act 10121, to read as follows:

6 SEC. 23 REHABILITATION AND RECOVERY – THE AFFECTED LOCAL
7 GOVERNMENT UNITS SHALL UNDERTAKE THE FOLLOWING DURING
8 THE REHABILITATION AND RECOVERY PHASE:

9 (A) REHABILITATION MUST TAKE INTO ACCOUNT THAT DISPLACED
10 PERSONS NEED TO HAVE THEIR RIGHTS TO LIFE, LIVELIHOOD, ETC.
11 THAT MUST BE MADE PART OF CONSIDERATIONS IN DECIDING TO
12 CREATE A NEW SETTLEMENT FOR THEM;

13
14 (B) THERE SHALL BE DECENT AND SECURE SHELTER IN A SAFE ZONE
15 THAT IS APT FOR THE LOCATION AND CULTURE, AND SUITABLE TO
16 THE NEEDS AND ASPIRATIONS OF BENEFICIARIES, WITH ACCESS TO
17 COMPLETE SERVICES.

18 1. PRIORITIZE VULNERABLE WOMEN, PARTICULARLY
19 HOUSEHOLD HEADED BY WOMEN, BELOW-POVERTY AND
20 UNEMPLOYED WOMEN, AND SOCIALLY MARGINALIZED
21 WOMEN

22 2. CONSULTATION AND INVOLVEMENT OF WOMEN IN THE
23 PLANNING, DESIGN AND CONSTRUCTION OF SHELTER/HOUSES
24 AND OTHER INFRASTRUCTURE FACILITIES TAKING INTO
25 CONSIDERATION THEIR PRIMARY RESPONSIBILITY FOR
26 HOUSEHOLD CHORES, NEED OF PRIVACY, PROTECTION AND
27 SECURITY, AND OTHER WOMEN/GIRLS CONCERNS

28
29 (C) LIVELIHOOD MUST BE APPROPRIATE TO THE CAPACITY OF EACH
30 FAMILY, INCLUDING WOMEN, CHILDREN, AND OTHER
31 VULNERABLE SECTORS; TRAINING AS WELL AS CONTINUOUS
32 UPDATING MUST BE GIVEN TO THE BENEFICIARIES TO ENSURE
33 AND MAINTAIN THEIR EARNING CAPABILITIES;

34 1. CONSIDER FEMALE-HEADED HOUSEHOLDS, BELOW POVERTY
35 AND UNEMPLOYED WOMEN, ADOLESCENT GIRLS AND BOYS,
36 DISPLACED WOMEN AND MEN, ELDERLY PERSONS, SURVIVORS
37 OF GBV, ETC.

38
39 (D) THERE SHOULD ALSO BE CLEAR COORDINATION WITH DIFFERENT
40 FUNDING AGENCIES BOTH PUBLIC AND PRIVATE ARE IMPORTANT
41 TO ENSURE THAT PRODUCTS AND SERVICES ARE UTILIZED
42 THEREBY GIVING INCOME TO THE DISPLACED INDIVIDUALS

43
44 Provided that DISASTER RISK REDUCTION EFFORTS SHALL BE
45 INTEGRATED INTO DEVELOPMENT MEASURES SUCH THAT THE
46 RECOVERY, REHABILITATION AND RECONSTRUCTION PHASES

1 GIVE OPPORTUNITIES TO BUILD BACK BETTER, ENABLING
2 GREATER RESILIENCY OF COMMUNITIES TO DISASTERS.
3 THE EFFORTS OF THE LGUs SHALL BE INTEGRATED AND
4 MAINSTREAMED IN THE LOCAL DEVELOPMENT PLANS, PROGRAMS
5 AND BUDGET
6

7 **SEC. 14.** The succeeding sections shall be renumbered accordingly.

8 **SEC. 15.** Insert and renumber Secs. 25, 26, 27 of Republic Act 10121, to read as follows:

9 **SEC. 25 - GREATER UNDERSTANDING OF MULTI-HAZARD DISASTER**
10 **RISK** - THE NDRRMC SHALL ALLOCATE FUNDING FOR RESEARCH AND
11 EXPERIMENTATION THAT WILL FOSTER INCREASED UNDERSTANDING
12 OF DISASTER RISK IN ALL ITS DIMENSIONS OF VULNERABILITY,
13 CAPACITY, EXPOSURE OF PERSONS AND ASSETS, HAZARD
14 CHARACTERISTICS AND THE ENVIRONMENT, GIVING PARTICULAR
15 EMPHASIS TO CLEARLY IDENTIFYING DISASTER RISK REDUCTION AND
16 CLIMATE CHANGE ADAPTATION CHALLENGES FOR THE COUNTRY AS A
17 WHOLE AND IN SPECIFIC REGIONS OF THE COUNTRY. TOWARDS THIS
18 END, THE RESULTS OF THIS RESEARCH AND EXPERIMENTATION
19 EFFORT SHALL LEAD TO PROMOTION OF REAL-TIME ACCESS TO
20 RELIABLE DATA; PERIODIC ASSESSMENT OF DISASTER RISKS,
21 INCLUDING EXISTING, EMERGING AND NEW SOURCES OF DISASTER
22 RISK AND TO PROMOTION OF NATIONAL STRATEGIES TO STRENGTHEN
23 PUBLIC EDUCATION AND AWARENESS IN MULTI-HAZARD DRRM.

24 **SEC. 26 - STRENGTHENING DISASTER RISK GOVERNANCE TO**
25 **MANAGE DISASTER RISK** - AT THE NATIONAL AND LOCAL LEVELS,
26 THERE SHALL BE WORK UNDERTAKEN TOWARDS THE
27 MAINSTREAMING AND INTEGRATION OF DISASTER RISK REDUCTION
28 WITHIN AND ACROSS ALL SECTORS; THE ADOPTION AND
29 IMPLEMENTATION OF NATIONAL AND LOCAL DISASTER RISK
30 REDUCTION STRATEGIES AND PLANS, ACROSS DIFFERENT TIMESCALES
31 WITH TARGETS, INDICATORS AND TIME FRAMES; AND THE
32 ESTABLISHMENT, AND STRENGTHENING OF GOVERNMENT
33 COORDINATION FORUMS, SUCH AS THE REGIONAL AND LOCAL
34 DEVELOPMENT COUNCILS AND OTHER RELATED COUNCILS DEALING
35 WITH CLIMATE CHANGE, ETC., COMPOSED OF RELEVANT
36 STAKEHOLDERS AT NATIONAL AND LOCAL LEVELS, WITH THEIR
37 DESIGNATED FOCAL POINTS FOR IMPLEMENTING THE POST-2015
38 FRAMEWORK.

39 **SEC. 27 - INVESTMENT IN DISASTER RISK REDUCTION FOR**
40 **RESILIENCE**, THE NDRRMC SHALL PROMOTE AND FACILITATE PUBLIC
41 AND PRIVATE INVESTMENT IN DISASTER RISK PREVENTION AND
42 REDUCTION THROUGH STRUCTURAL AND NON-STRUCTURAL
43 MEASURES ARE ESSENTIAL TO ENHANCE THE ECONOMIC, SOCIAL,
44 HEALTH AND CULTURAL RESILIENCE OF PERSONS, COMMUNITIES,
45 COUNTRIES AND THEIR ASSETS, AS WELL AS THE ENVIRONMENT
46 WHILE DEVELOPING AT THE SAME TIME APPROPRIATE FINANCIAL

INSTRUMENTS THAT WILL DEAL WITH LOSS AND DAMAGE FROM
SLOW-ONSET IMPACTS ARISING FROM CLIMATE CHANGE.

SEC. 16. The succeeding sections shall be renumbered accordingly.

SEC. 17. Sec. 19 (a) of Republic Act 10121, is hereby amended and renumbered as Sec. 28, as follows:

(a) Dereliction of duties OF PUBLIC OFFICIALS, EMPLOYEES AND OTHER DUTY-BOUND PERSONS which leads to destruction, loss of lives, critical damage of facilities and misuse of funds, INCLUDING MISAPPROPRIATION AND DIVERSION OF FUNDS BEING FAST-TRACKED FOR SUPPORTING DISASTER RISK REDUCTION AND MANAGEMENT ACTIVITIES;

SEC. 18. Sec. 22 (c) of Republic Act 10121, is hereby amended and renumbered as follows:

(c) Of the amount appropriated for the NDRRM Fund, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for relief and recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, calamities, epidemics, or complex emergencies, may be normalized as quickly as possible; AND SEVENTY PERCENT MAY BE USED TO AUGMENT THE FUNDS OF HIGHLY-VULNERABLE 4TH, 5TH AND 6TH-CLASS MUNICIPALITIES FOR THEIR ACTIVITIES IN SECS. 15 TO 18 AND 23 OF THIS ACT.

SEC. 19. The succeeding sections shall be renumbered accordingly.

SEC. 20. Sec. 324 (d) of Republic Act 7160, as amended by Republic Act 8185, is hereby further amended, as follows:

(E) Five percent (5%) of the estimated revenue from regular sources shall be set aside as an annual lump sum appropriation for unforeseen expenditures arising from the occurrence of calamities. Provided, however, That such appropriation shall be used only in the area, or a portion thereof, of the local government unit or other areas declared by the President in a state of calamity; PROVIDED FURTHER, THAT 4th, 5TH AND 6th CLASS MUNICIPALITIES AND GEOGRAPHICALLY ISOLATED COMMUNITIES MAY BE PROVIDED AUGMENTED FUNDING FROM THE FIVE PERCENT (5%) OF THE PROVINCE TO WHICH THEY ARE A CONSTITUENT PART.

Calamity shall be defined as a state of extreme distress or misfortune, produced by some adverse circumstance or event or any great misfortune or cause or loss or misery caused by natural forces.

In case of fire or conflagration the calamity fund shall be utilized only for relief operations.

1 The local development council shall monitor the use and disbursement of the local
2 calamity funds.
3

4 **SEC. 21. Art. 2189 of Republic Act No. 386**, the Civil Code of the Philippines, is hereby
5 amended, as follows :

6 Art. 2189. Provinces, cities and municipalities shall be liable for damages for the
7 death of, or injuries suffered by any person by reason of the defective condition of
8 roads, streets, bridges, public buildings, and other public works under their control or
9 supervision. THE SAME LIABILITY ATTACHES IN CASE THE DAMAGE TO
10 THESE PUBLIC WORKS IS CAUSED BY EXTREME WEATHER EVENTS
11 WHICH WERE NOT ADEQUATELY ANTICIPATED AND INCLUDED IN THE
12 PLANS AND PROGRAMS OF THE PROVINCES, CITIES AND
13 MUNICIPALITIES CONCERNED.

14 **SEC. 22.** – If, for any reason, any section or provision of this Act is declared as
15 unconstitutional or invalid, the other sections or provisions hereof shall not be affected
16 thereby.
17

18 **SEC. 23. Repealing Clause.** – All laws, ordinances, rules and regulations and other issuances
19 or parts thereof which are inconsistent with this Act are hereby repealed or modified
20 accordingly.
21

22 **SEC 24. Effectivity Clause.** – This Act shall take effect after fifteen (15) days following its
23 complete publication in at least two (2) national newspapers of general circulation.
24
25

26 *Approved,*