

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8029



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

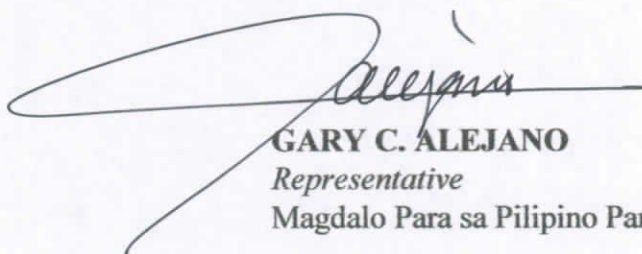
EXPLANATORY NOTE

The poorest of Filipinos are ignominiously subjected to a life of squalor inside their *barung-barong*—houses which are poorly constructed and at best are temporary one-room shelters. Inside these decrepit structures, families endure the sweltering heat, the extremely unsanitary conditions, and various natural or man-made hazards, which, had they been provided safer and high-quality housing, they would have been protected from.

In a 2015 survey sponsored by the World Food Programme, it was revealed that most poor households, if not shanties, are made of light and cheap materials. 44% of households among the poorest provinces were *barung-barong* types, while 47% were poorly constructed semi-permanent or temporary houses. The rest are made of light and cheap materials. Most of the surveyed houses were unpainted, dilapidated, or in need of repair. Many of them are located in slum districts or rural areas.

Given this unfortunate reality, the Government is hard-pressed to find effective solutions to address the severe lack of affordable and high-quality housing for Filipinos in dire need. It must ensure the protection, promotion, and fulfillment of the right to adequate housing as a component of the people's right to an adequate standard of living—concomitant with the goal of enhancing the resiliency of communities to disasters.

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


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
INSTITUTING A NATIONAL COMPREHENSIVE FRAMEWORK ON RESILIENT
HOUSING AND HUMAN SETTLEMENTS, APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES

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

1 **SEC. 1. Short Title.-** This Act shall be known as the “Resilient Housing and Human
2 Settlements Act of 2018.”

3
4 **SEC. 2. Declaration of Principles and State Policies.-** Pursuant to Article 2, Sections 5
5 and 11 of the Philippine Constitution which states that the maintenance of peace and order, the
6 protection of life, liberty, and property, and the promotion of the general welfare are essential for
7 the enjoyment by all the people of the blessings of democracy; the State values the dignity of
8 every human person and guarantees full respect for human rights.

9
10 To protect, promote, and fulfill the right to adequate housing as a component of the
11 people’s right to an adequate standard of living- concomitant with the goal of enhancing the
12 resiliency of communities to disasters- the State shall undertake, in cooperation with the private
13 sector, a comprehensive and continuing Resilient Housing and Human Settlements Program,
14 which shall, among other things, lay out a clear and concrete plan to ensure that Filipinos who
15 will experience disasters will be quickly rehabilitated in safe, secure, and sustainable housing,
16 with attendant basic service and access to livelihood.

17
18 As a state party to United Nations International Covenant on the Economic, Social and
19 Cultural Rights (ICESCR) and the UN Sustainable Development Goals, we will pursue
20 Sustainable Development Goal 11 (Make cities inclusive, safe, resilient and sustainable) and the
21 Rights-Base Approach.

22
23 Pursuant to Article 13, Section 16 of the Philippine Constitution, the right of the people
24 and their organizations to effective and reasonable participation at all levels of social, political,
25 and economic decision-making shall not be abridged. The State shall, by law, facilitate the
26 establishment of adequate consultation mechanisms.

27
28 It is the policy of the State to complement and supplement the provisions of the
29 Philippine Disaster Risk Reduction and Management Act of 2010 (Republic Act No. 10121), and
30 in consonance with the Climate Change Act of 2009 (as amended by Republic Ac No. 10174)
31 and other existing laws related to climate change adaptation and DRRM in relation to upholding
32 the people’s constitutional rights to life and property by addressing the root causes of
33 vulnerabilities to disasters and building the resilience of local communities to climate change
34 impacts; and in terms of mainstreaming climate change adaptation in development processes
35 such as policy formulation, budgeting, and governance particularly with respect to housing and
36 land use, it is hereby declared the policy of the State to work for the attainment of a more
37 inclusive, safe, resilient, and sustainable human settlements.

1
2 Towards this end, the government shall pursue a comprehensive, rights-based, gender-
3 responsive, participatory and sustainable approach to resilient human settlements.
4

5 This Act declares the following as guiding principles:
6

- 7 a) The Right to Adequate Housing according to the ICESCR covers the following
8 elements: accessibility, affordability; habitability; security of tenure; cultural
9 adequacy; resiliency; suitability of location; access to essential services such as health
10 and education; and respect for safety standards aimed at reducing damage in case of
11 future disasters.
12
- 13 b) The State bears the primary responsibility for protecting the people, infrastructure,
14 and other national assets from the impact of disasters and will mobilize adequate and
15 make efficient use of existing resources, including financial, scientific, and
16 technological means in nurturing resiliency.
17
- 18 c) The building/achievement/fulfillment of resilient human settlements requires that
19 responsibilities be shared by the national and local government units and relevant
20 national authorities, sectors, stakeholders and communities. This entails the
21 development and strengthening of institutions, mechanisms and capacities at all
22 levels, in particular at the community level that can systematically contribute to
23 building resiliency. Convergence of resources and involvement of various
24 stakeholders are essential to the supply of housing and infrastructure in the overall
25 context of sustainable development and resilient human settlements.
26
- 27 d) Ensure accountability and transparency of all sectors to monitor and evaluate
28 programs and initiatives.
29
- 30 e) Uphold gender equity and equality, cultural diversity and the rights of vulnerable
31 groups such as children, elderly and, people with disabilities when planning for
32 resilient and sustainable settlements development.
33

34 **SEC.3. General Objectives.-** This Act seeks to:
35

- 36 a) Provide a framework for resilient housing and human settlements;
37
- 38 b) Guide various stakeholders to take well-planned, concerted, transparent, inclusive,
39 livable, safe, resilient, sustainable, and pro-poor housing initiatives in the best
40 possible manner;
41
- 42 c) Strengthen the participation of all sectors especially communities and civil society
43 in the planning of resilient housing and human settlements;
44
- 45 d) Build synergy, convergence and integration of housing-related and livelihood
46 intervention for the attainment of resilient and sustainable human settlements;
47
- 48 e) Foster policy and program coherence related to poverty alleviation, income
49 generation and employment, and delivery channels to achieve the overall
50 objective of housing for all and the attainment of resilient and sustainable
51 development of human settlements;
52
- 53 f) Support innovation and research and development into new, indigenous, low-cost
54 resilient and sustainable human settlements;

1 **SEC.4. Definition of Terms.-** As used in this Act, the following terms shall mean:

2
3 a) *“Adequate housing”*- defined as that which affords its occupants the following
4 conditions:

- 5
6 1. legal security of tenure, including protection against forced evictions;
7 2. available services and infrastructure (access to water, energy for cooking,
8 heating, and lighting; sanitation and washing facilities; food storage; and
9 waste disposal (solid, septage and sewerage); communication and
10 information; sufficient road networks especially for emergencies and so on);
11 3. affordable housing costs and financing options such that the attainment of
12 other basic needs is not threatened;
13 4. habitability in the sense of adequate spaces, security, physical safety, and
14 protection from cold, damp, heat, rain, wind, structural hazards, and disease
15 vectors;
16 5. sufficient accessibility that disadvantaged or vulnerable groups such as
17 persons with disabilities, elderly, children and women are not left without
18 shelter appropriate to their particular needs;
19 6. a physical location allowing proximate access to employment and livelihood
20 options, health care services, schools, child-care centers and other social
21 facilities and avoiding risks from pollution sources;
22 7. available, resilient, environmentally-friendly and appropriate construction
23 materials, settlement design and process with respect to the expression of
24 cultural and religious identity and geographical location;
25 8. compliance with safety and resilience standards aimed at minimizing damage
26 from future disasters.

27
28 b) *“Adequate open spaces”*- which includes road, green spaces, areas for persons
29 with disabilities, elderly, children and materials recovery facilities

30
31 c) *“Climate-resilient housing”*- Refers to housing that is equipped and structurally-
32 designed to resist, absorb and accommodate the effects of climate hazards like heat
33 waves, extreme weather variabilities without significant changes to its basic functions.
34

35 d) *“Comprehensive Resilient Housing Program for Disaster Survivors”*- Refers to
36 the delivery of resources and activities in the rehabilitation and reconstruction of
37 damaged and destroyed housing and development of other new permanent housing
38 options for persons and families affected by disasters. It shall follow humanitarian
39 standards for their protection and their rights to adequate housing through the provision
40 of safe, habitable emergency and transitional shelter during displacement and permanent
41 housing that meets the basic standards of adequacy and decency. Providing for a
42 comprehensive, multi-sectoral, inter-agency, and community-based approach to post-
43 disaster housing rehabilitation, reconstruction, and recovery.
44

45 e) *“Gender equity and equality”*- Refers to the principle asserting the equality of
46 men and women and their right to enjoy equal conditions realizing their full human
47 potentials to contribute to and benefit from the results of development, and with the State
48 recognizing that all human beings are free and equal in dignity and rights. Gender equity
49 refers to the policies, instruments, programs, services, and actions that address the
50 disadvantaged position of women in society by providing preferential treatment and
51 affirmative action. Such temporary special measures aimed at accelerating de facto
52 equality between men and women shall not be considered discriminatory but shall in no
53 way entail as a consequence the maintenance of unequal or separate standards.
54

f) “*Land-Use Planning*”- the process undertaken by national and local government authorities, communities, private sector, and civil society to identify, evaluate, and decide on different options for the use of land, including consideration of long-term economic, social and environmental objectives and the implications for different communities and interest group, and the subsequent formulation and promulgation of plans that describe the permitted or acceptable uses. *People’s Plan* – a resettlement option and community development plan formulated by POs, with or without the support of NGOs, LGUs and NGAs

g) “*Post-Disaster Recovery*”- the restoration and improvement where appropriate, of facilities, livelihood, and living condition of disaster-affected communities, including efforts to reduce disaster risk factors and enhancing resiliency, in accordance with the principles of “build back better,” as defined in Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management Act of 2010.

h) “*Resilience*”- the capacity of a system, community or society exposed to hazards to resist, adapt, and transform to an acceptable level of functioning and structure. This is determined by the degree to which the system is capable of organizing itself to increase this capacity by learning from experiences for better future protection and to improve risk reduction measures.

SEC.5. National Framework for Resilient Housing and Human Settlements.- This is the National Framework for Resilient Human Settlements (hereinafter referred to as the Framework) to be formulated by the Housing and Urban Development Coordinating Council (HUDCC) within six (6) months from the effectivity of this Act in coordination and in partnership with the following:

- a) The HUDCC and its attached agencies;
- b) National Economic and Development Authority (NEDA);
- c) Climate Change Commission (CCC);
- d) Office of Civil Defense (OCD);
- e) Government Service Insurance Service System (GSIS);
- f) Department of Social Welfare and Development (DSWD);
- g) Department of Science and Technology (DOST)
- h) Department of Environment and Natural Resources (DENR);
- i) Department of Public Works and Highways (DPWH);
- j) Department of Labor and Employment (DOLE);
- k) Department of Trade and Industry (DTI);
- l) Department of Budget and Management (DBM);
- m) Department of Interior and Local Government (DILG);
- n) Office of Presidential Adviser on Peace Process (OPAPP);
- o) National Commission on Indigenous Peoples (NICP);
- p) National Anti-Poverty Commission (NAPC);
- q) Insurance Commission (IC);
- r) Union of Local Authorities of the Philippines (ULAP);
- s) Built environment and disaster-resilient housing design experts;
- t) Academe;
- u) Civil society;
- v) Communities and other concerned public and private entities.

The Framework shall serve as the basis for measure or mechanism for post-disaster housing and resiliency planning, research and development, extension, monitoring and evaluation of programs, projects, and activities to protect vulnerable communities from the adverse effects of climate change and disasters.

1 The Framework shall describe how the State and all relevant stakeholders can work
2 together to achieve adequate and resilient housing for all, including and most especially those
3 affected by disasters; and chart the new direction that our national and local housing programs
4 and efforts must take in order to make human settlements and communities more inclusive, safe,
5 resilient, and sustainable.

6
7 The Framework shall include, but not limited to, the following components:

- 8
9 a) National Resilient Housing Agenda, which shall be derived from the threats, hazards,
10 and vulnerabilities identified; adaptation needs and requirements; risk and resiliency
11 assessment for the Philippines housing sector;
12
13 b) National and local resilient housing priorities; outline the most efficient and cost
14 effective housing projects that will best meet the short-term and long-term resilient
15 housing needs of individuals and households;
16
17 c) National Standards for Resilient Housing Design and Construction;
18
19 d) National Post-Disaster Housing Recovery Strategy, which shall focus on how best to
20 restore, rehabilitate, redevelop, and revitalize disaster-impacted communities;
21 restoring livelihoods; effectively preventing the recurrence of disasters and
22 harnessing conditions for future development;
23
24 e) Promotion of local government rehabilitation and recovery plans;
25
26 f) Rules and Guidelines for Post-Disaster Housing Rehabilitation, Reconstruction, and
27 Relocation;
28
29 g) Comprehensive Resilient Housing Program for Disaster Survivors;
30
31 h) Investment and financing requirements;
32
33 i) Institutional arrangements, including public-private partnership; national government
34 roles; local government support functions; and private sector responsibilities;
35
36 j) Implementation arrangements;
37
38 k) Reporting, monitoring, and evaluation.
39

40 **SEC.6. Monitoring of Compliance with this Act-** HUDCC shall take the lead to
41 periodically monitor the compliance with this Act. Other agencies will participate in the
42 monitoring such agencies of HUDCC; DILG; Office of Civil Defense; NEDA; and CCC. There
43 shall be a mechanism for civil society to participate in the monitoring process.
44

45 **SEC.7. Joint Congressional Oversight Committee.-** There is hereby created a Joint
46 Congressional Oversight Committee to monitor the implementation of this Act. The Oversight
47 Committee shall be composed of five (5) Senators and five (5) Representatives to be appointed
48 by the Senate President and the Speaker of the House of Representatives, respectively.
49

1 The Oversight Committee shall be co-chaired by a Senator and a Representative to be
2 designated by the Senate President and the Speaker of the House of Representatives,
3 respectively. Its funding requirement shall be charged against the appropriations of Congress.
4

5 **SEC.8. Annual Report.-** The HUDCC shall submit to the President, Senate President and
6 House of Speaker not later than March 30 of every year following the effectivity of this Act, or
7 upon the request of the Congressional Oversight Committee, a report giving a detailed account of
8 the status of the implementation of this Act, a progress report on the implementation of the
9 National Resilient Housing and Human Settlements Action Plan, policy gaps, and recommended
10 legislation, where applicable and necessary. LGUs shall submit annual progress on the
11 implementation of their respective local action plan to HUDCC within the first quarter of the
12 following year.
13

14 **SEC.9. Appropriations.-** The amount necessary for the initial implementation of this Act
15 shall be charged against the current appropriation of the HUDCC. Thereafter, the amount needed
16 for the continued implementation of this Act shall be included in the annual General
17 Appropriations Act.
18

19 **SEC.10. Implementing Rules and Regulations.-** Within ninety (90) days from the
20 effectivity of this Act, the [key shelter agencies] shall, upon consultation and coordination with
21 pertinent government agencies, LGUs, private sector, NGOs, POs, build environment expert and
22 professionals, promulgate the necessary rules and regulations for the effective implementation of
23 this Act: *Provided*, That failure to issue rules and regulations shall not in any manner affect the
24 executory nature of the provisions of this Act.
25

26 **SEC.11. Separability Clause.-** If, for any reason, any provision or part of this Act is
27 declared invalid of unconstitutional, the remaining parts or provisions not affected thereby shall
28 remain in full force and effect.
29

30 **SEC. 12. Repealing Clause.-** All laws, executive orders, presidential decrees, issuances,
31 rules and regulations or part thereof inconsistent with any provision of this Act are hereby
32 modified, amended, or repealed accordingly.
33

34 **SEC.13. Effectivity.-** This Act shall take effect fifteen (15) days after its publication in
35 the Official Gazette or in a newspaper of general circulation.
36

37 *Approved,*