

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

TWENTIETH CONGRESS
First Regular Session

HOUSE RESOLUTION NO. 198



Introduced by Representative LEILA M. DE LIMA

RESOLUTION

URGING THE SPECIAL COMMITTEE ON PERSONS WITH DISABILITIES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION AND/OR OVERSIGHT FUNCTIONS, INTO THE IMPLEMENTATION OF ALL LAWS, ISSUANCES, POLICIES, PROGRAMS, INTERNATIONAL COMMITMENTS, AND CONSTITUTIONAL MANDATES AFFECTING PERSONS WITH DISABILITIES (PWDs) IN THE PHILIPPINES

1 **WHEREAS**, the State recognizes persons with disabilities (PWDs) as equal
2 members of society who are afforded the same rights and opportunities as everyone
3 else;

4
5 **WHEREAS**, Article II, Section 11 of the 1987 Constitution provides that, “[t]he
6 State values the dignity of every human person and guarantees full respect for human
7 rights”;

8
9 **WHEREAS**, Article III, Section 1 of the 1987 Constitution provides that, “[n]o
10 person shall be deprived of life, liberty, or property without due process of law, nor
11 shall any person be denied the equal protection of the laws”;

12
13 **WHEREAS**, Article XIII, Section 11 of the 1987 Constitution provides that, “[t]he
14 State shall adopt an integrated and comprehensive approach to health development
15 which shall endeavor to make essential goods, health and other social services
16 available to all the people at affordable cost. There shall be priority for the needs of
17 the underprivileged sick, elderly, disabled, women, and children. The State shall
18 endeavor to provide free medical care to paupers”;

19
20 **WHEREAS**, Article XIII, Section 13 of the 1987 Constitution provides that, “[t]he
21 State shall establish a special agency for disabled persons for rehabilitation, self-
22 development and self-reliance, and their integration into the mainstream of society”;

1 **WHEREAS**, Article XIV, Section 1 of the 1987 Constitution provides that, “[t]he
2 State shall protect and promote the right of all citizens to quality education at all levels
3 and shall take appropriate steps to make such education accessible to all”;

4
5 **WHEREAS**, Article XIV, Section 2 (1) of the 1987 Constitution provides that,
6 “[t]he State shall: (1) [e]stablish, maintain, and support a complete, adequate, and
7 integrated system of education relevant to the needs of the people and society”;

8
9 **WHEREAS**, Article XV, Section 3 (2) of the 1987 Constitution provides that,
10 “[t]he State shall defend: (2) [t]he right of children to assistance, including proper care
11 and nutrition, and special protection from all forms of neglect, abuse, cruelty,
12 exploitation, and other conditions prejudicial to their development”;

13
14 **WHEREAS**, the Philippines has been a State Party to the United Nations (UN)
15 Convention on the Rights of Persons with Disabilities (CRPD) since April 15, 2008,
16 committing to protect and support the full and equal enjoyment of all human rights by
17 persons with disabilities;

18
19 **WHEREAS**, in a meeting of State Parties to the UN CRPD on June 12, 2018,
20 Philippines’ permanent representative to the UN Teodoro L. Locsin, Jr. reaffirmed the
21 country’s commitment to promote the rights and freedoms of persons with disabilities,
22 protect their dignity, and ensure they fully enjoy all their human rights and
23 opportunities¹;

24
25 **WHEREAS**, on November 12, 2018, the Philippines formally endorsed the
26 Marrakesh Treaty, which aims to facilitate access to published works for individuals
27 who are blind, visually impaired, or otherwise unable to engage with printed content²;

28
29 **WHEREAS**, at the 2018 Global Disability Summit, the Philippine National
30 Council on Disability Affairs (NCDA) made 13 commitments centered on ensuring that
31 PWDs live in a barrier-free and inclusive society and have access to education,
32 employment, and social security, among others³;

¹ Permanent Mission of the Republic of the Philippines to the United Nations. (12 June 2018). PH reaffirms commitment to implement CRPD, advance rights of persons with disabilities. Retrieved from: [https://www.un.int/philippines/activities/ph-reaffirms-commitment-implement-crpd-advance-rights-personsdisabilities0#:~:text=Rights%20of%20Persons%20with%20Disabilities%20\(CRPD\)%20on,to%20the%20United%20Nations%20Ambassador%20Teodoro%20L](https://www.un.int/philippines/activities/ph-reaffirms-commitment-implement-crpd-advance-rights-personsdisabilities0#:~:text=Rights%20of%20Persons%20with%20Disabilities%20(CRPD)%20on,to%20the%20United%20Nations%20Ambassador%20Teodoro%20L).

² Department of Foreign Affairs. (18 January 2019). PH Adopts Treaty to Benefit the Blind. Retrieved from: <https://dfa.gov.ph/dfa-news/news-from-our-foreign-service-postsupdate/19152-ph-adopts-treaty-to-benefit-the-blind#:~:text=Benefit%20the%20Blind,PH%20Adopts%20Treaty%20to%20Benefit%20the%20Blind,in%20Geneva%20Ambassador%20Evan%20P>.

³ Jenkins O. et.al. (03 June 2021). Disability inclusion in the Philippines. Retrieved from: <https://sddirect.org.uk/sites/default/files/202307/Query%20No.%2061%20%20Disability%20Inclusion%20in%20the%20Philippines>

1 **WHEREAS**, the Philippines expressed appreciation for the World Health
2 Organization (WHO) Global Report on Health Equity for Persons with Disabilities at
3 the 76th World Health Assembly (WHA) in Geneva in May 2023 and affirmed a strong
4 commitment to implement strategies and initiatives aimed at ensuring that PWDs have
5 equal access to health care⁴;

6
7 **WHEREAS**, the State, in accordance with its Constitutional mandates and
8 commitments to international conventions and treaties, have passed several laws,
9 issuances and other legislative measures to protect the rights of PWDs and ensure
10 their full and equal access and participation in society;

11
12 **WHEREAS**, Batas Pambansa Blg. 344, otherwise known as the “Accessibility
13 Law,” mandates that certain buildings, institutions, businesses, and public utilities
14 install facilities and other devices, such as sidewalks, ramps, or railings, to enhance
15 the mobility of PWDs. The law also mandates the accessibility of public transportation
16 and prohibits discrimination against PWDs;

17
18 **WHEREAS**, Republic Act No. 7277, otherwise known as the “Magna Carta for
19 Disabled Persons,” serves as the cornerstone of disability rights in the country and
20 affirms the rights of PWDs to rehabilitation, self-development, and integration into
21 mainstream society. The law creates mechanisms for inclusion and equal
22 opportunities in essential areas, such as employment, education, health, and
23 accessibility;

24
25 **WHEREAS**, Republic Act No. 9442, amending RA 7277, provides PWDs with
26 additional rights and benefits, such as a 20% discount on some goods and service,
27 and prohibits verbal and non-verbal ridicule and vilification against PWDs;

28
29 **WHEREAS**, Republic Act No. 10070, amending RA 7277, mandates that local
30 government units (LGUs) organize and establish a Persons with Disability Affairs
31 Office (PDAO) or in fourth (4th), fifth (5th), and sixth (6th) class municipalities with budget
32 restraints, designate a focal person to perform the functions of the PDAO. The PDAO
33 is tasked with carrying out several functions, including formulating and implementing
34 policies and programs for the promotion of the welfare of PWDs, coordinating the
35 implementation of the provisions of relevant national and local laws affecting PWDs,
36 and recommending and enjoining the participation of nongovernment organizations
37 (NGOs) and people’s organizations (POs) in the implementation of all disability-related
38 laws and policies, among others;

⁴ Department of Foreign Affairs. (08 July 2023). Philippines Pushes for Greater Collaboration to Address Global Health Inequities at 76th World Health Assembly. Retrieved from: <https://dfa.gov.ph/dfa-news/news-from-our-foreign-service-postupdate/32615-philippines-pushes-for-greater-collaboration-to-address-global-health-inequities-at-76th-world-health-assembly>

1 **WHEREAS**, Republic Act No. 10366 guarantees the unprejudiced political
2 participation of PWDs and elderly people by creating accessible polling places and
3 implementing methods and processes to allow PWDs and elderly people to register
4 and vote independently;

5
6 **WHEREAS**, Republic Act No. 10524, amending RA 7277, mandates that at
7 least one percent (1%) of all positions in all government agencies, offices, or
8 corporations shall be reserved for PWDs and encourages private corporations with
9 more than one hundred (100) employees to reserve at least one percent (1%) of all
10 positions for PWDs;

11
12 **WHEREAS**, Republic Act No. 10754, amending RA 7277, expands the benefits
13 and privileges available to PWDs, primarily through discounts and tax breaks on a
14 variety of goods and services, such as a 20% discount on additional goods and
15 services not covered by RA 9442 and exemption from Value Added Tax (VAT). The
16 law also provides educational assistance to PWDs pursuing primary, secondary,
17 tertiary, post-tertiary, and vocational or technical education in both public and private
18 schools and authorized technical vocational institutions through the provision of
19 scholarships, grants, financial aid, subsidies, and other incentives to qualified PWDs;

20
21 **WHEREAS**, Republic Act No. 11106 makes Filipino Sign Language (FSL) the
22 official language for government business with the deaf and the national sign language
23 of the Filipino deaf, requiring its use in schools, broadcast media, and workplaces to
24 help the deaf feel welcome and accessible;

25
26 **WHEREAS**, Republic Act No. 11228, amending RA 7277, provides mandatory
27 Philippine Health Insurance Corporation (PhilHealth) coverage for all PWDs under
28 PhilHealth's National Health Insurance Program (NHIP);

29
30 **WHEREAS**, Republic Act No. 11650 develops Inclusive Learning Resource
31 Centers (ILRCs) to ensure access to good education for learners with disabilities;

32
33 **WHEREAS**, despite all these Constitutional mandates, statutes, international
34 commitments, and other measures aimed at ensuring that PWDs are able to fully and
35 equally exercise all their human rights, enjoy unencumbered access to opportunities,
36 and guarantee full participation in society, especially in the areas of education,
37 employment, mobility, and social services, the reality remains that PWDs in the
38 Philippines are still unable to fully and equally take part in an inclusive society;

39
40 **WHEREAS**, mindful of this continuous struggle towards a more inclusive
41 society for PWDs, there is a need to identify and address the legislative gaps in
42 existing laws and/or in their implementation:

1 **NOW, THEREFORE, BE IT RESOLVED**, to urge the Special Committee on
2 Persons with Disabilities to conduct an inquiry, in aid of legislation and/or oversight
3 functions, into the implementation of all laws, issuances, policies, programs,
4 international commitments, and constitutional mandates affecting persons with
5 disabilities (PWDs) in our country.

Adopted,


LEILA M. DE LIMA