

SENATE

'17 OCT 25 11:51

P. S. RES. NO. 535

RECEIVED BY *SMA*

Introduced by **SENATOR LEILA M. DE LIMA**

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON URBAN PLANNING, HOUSING AND RESETTLEMENT TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE LIVING CONDITIONS OF, AND THREAT OF EVICTION AGAINST, RESETTLED FAMILIES IN NORTHVILLE AND SOUTHVILLE RELOCATION SITES, WITH THE END IN VIEW OF CRAFTING LEGISLATIVE MEASURES AND OTHER APPROPRIATE INTERVENTIONS THAT AIM TO SECURE, FULFILL AND PROTECT THEIR RIGHTS, PARTICULARLY THEIR RIGHT TO HOUSING AND OTHER ECONOMIC, SOCIAL AND CULTURAL RIGHTS

WHEREAS, the Constitution, Article XIII, Section 9 mandates the State “to undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available at affordable cost, decent housing and basic services to under-privileged and homeless citizens in urban centers and resettlement areas”;

WHEREAS, Article 25 of the Universal Declaration of Human Rights (UDHR) to which the Philippines is an original signatory, states that “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control”;

WHEREAS, Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which the Philippines is a state party, recognizes “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”;

WHEREAS, Article II, Section 2 of the Constitution states, in part, that “[t]he Philippines ... adopts the generally accepted principles of international law as part of the law of the land...”;

WHEREAS, from 2005 to 2014, more than 600,000 informal settler families (ISF) from Metro Manila and the provinces of Bulacan, Pampanga, Rizal, Cavite and Laguna, who were living along railroad tracks affected by the Northrail and Southrail projects, were relocated to sixty-nine (69) Northville and Southville resettlement areas of the National Housing Authority (NHA);

WHEREAS, during a consultation meeting conducted last 7 October 2017, leaders of the Homeowners' Federation of Northville and Southville Inc. (HFNSI) revealed that most housing units in these relocation sites are substandard and lack basic facilities, such as water, electricity, streetlights, sewerage and access roads;

WHEREAS, thousands of Northville and Southville families are also in danger of being evicted from their respective relocation areas due to the issuance by the NHA of Memorandum Circular (M.C.) No. 2506, which aims to remove "illegal occupants" from NHA housing units;

WHEREAS, M.C. No. 2506 defines "illegal occupants" in NHA resettlement sites as those whose contracts were cancelled due to arrearages of more than three (3) months, and those with contracts that matured or expired but who have not fully settled their obligations;

WHEREAS, it was previously reported by *Inquirer* that "only 10 percent of settlers have been paying their respective housing amortization"¹;

WHEREAS, in the same report, the residents who were relocated said that they were not informed that they were supposed to pay and that, as a result, the residents have incurred arrears and penalties;

WHEREAS, HFNSI officials also stated that many of the relocated families, especially those who were resettled in far-flung areas, do not have access to basic services, such as health, education, and livelihood or employment opportunities, which adversely affects their standard of living and particularly their capacity to pay their housing loan amortization;

WHEREAS, NHA has resorted to securing the services of collection agencies and law firms to improve the collection rates;

WHEREAS, these collection agencies and law firms do not consider the challenges the residents are facing, most of which arose from, or are directly related to, their relocation to these remote areas;

WHEREAS, due to the strict implementation of the penalties due to amortization arrears, most of the Northville and Southville residents are facing an increasing debt that are fast becoming insurmountable given their current conditions;

¹ NHA reminds ex-squatters relocation isn't free. *Inquirer.net* (1 September 2011) Retrieved from: <http://newsinfo.inquirer.net/51501/nha-reminds-ex-squatters-relocation-isn%E2%80%99t-free> Accessed on 18 October 2017.

WHEREAS, there is a need to investigate the living conditions that hamper the development of our countrymen in these relocation sites;

WHEREAS, there is also a need to investigate the looming debt crisis that is threatening to deprive our countrymen of their residences, and to look into possible legislative measures that would assist them in complying with their financial obligations to the NHA, including considering the feasibility of empowering the NHA to condone outstanding debts under certain conditions, and perhaps even reconsidering whether existing policies, such as compounding the financial woes of indigent families by imposing the further burden of pecuniary fines as penalty for failure to pay arrears, are the best, most appropriate and most responsive solutions to the problem;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to direct the Senate Committee on Urban Planning, Housing and Resettlement to conduct an inquiry, in aid of legislation, into the living conditions of, and threats of eviction against, resettled families in Northville and Southville relocation sites, with the end in view of crafting legislative measures and other appropriate interventions that aim to secure, fulfill and protect their rights, particularly their right to housing and other economic, social and cultural rights.

Adopted,


LEILA M. DE LIMA