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SENATE

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P. S. Res. No. 950

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

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**RESOLUTION**  
**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF THE IMPLEMENTATION OF PRESIDENTIAL DECREE (P.D.) NO. 856, OTHERWISE KNOWN AS "CODE ON SANITATION OF THE PHILIPPINES" IN PUBLIC SCHOOLS, FOR THE PURPOSE OF DETERMINING THE CHALLENGES AND ISSUES IN ITS ENFORCEMENT, WITH THE END VIEW OF PROPOSING LEGISLATIONS THAT WOULD FURTHER STRENGTHEN EXISTING LAWS ON SANITATION AND PROTECT THE FILIPINO YOUTH**

1 WHEREAS, Section 15, Article II of the Constitution provides that, "[t]he  
2 State shall protect and promote the right to health of the people and instill health  
3 consciousness among them";

4 WHEREAS, Section 16, Article II of the same states that, "[t]he State shall  
5 protect and advance the right of the people to a balanced and healthful ecology in  
6 accord with the rhythm and harmony of nature.";

7 WHEREAS, Section 13, Article II of the Constitution also provides that, "[t]he  
8 State recognizes the role of the youth in nation-building and shall promote and  
9 protect their physical, moral, spiritual, intellectual and social well-being.";

10 WHEREAS, Presidential Decree (P.D.) No. 856, otherwise known as the "Code  
11 on Sanitation of the Philippines", provides that "there arises the need for updating  
12 and codifying our scattered sanitary laws to ensure that they are keeping with  
13 modern standards of sanitation and provide a handy reference and guide for their  
14 enforcement";

15 WHEREAS, Section 41 (d), Chapter VI of P.D. 856 states that, "The school  
16 population shall be provided with potable water, sewage and waste disposal systems  
17 shall likewise conform to the requirements prescribed in this Code.";

1           WHEREAS, Section 4 (g), entitled Water, Sanitation, and Hygiene (WASH) of  
2 Republic Act no. 11037, also known as “*Masustansyang Pagkain para sa Batang*  
3 *Pilipino Act*” posits that “[t]he National Government Agencies (NGAs), in  
4 coordination with the Department of Health (DOH) and Local Government Units  
5 (LGUs), shall establish and maintain water and sanitation facilities, promote good  
6 hygiene and safe food preparation of forfeited meals under the Program”;

7           WHEREAS, 2016 COA reports on the implementation of the Code on  
8 Sanitation (P.D. no. 856) on Region X, particularly in Cagayan de Oro City, revealed  
9 that the Code has not been strictly enforced in schools and it was further observed  
10 that there was an apparent lack of accessible water and sanitation facilities in many  
11 schools, and if there is, it is mostly badly maintained and not well-ventilated<sup>1</sup>;

12           WHEREAS, a United Nations Report entitled “Progress on Drinking Water,  
13 Sanitation and Hygiene: 2017 Update and Sustainable Development Goal Baselines”,  
14 stated that there are still a lot of schools which lack soap and water for handwashing,  
15 which in return, puts the health of children at risk<sup>2</sup>;

16           WHEREAS, according to the 2012 statistics of the Department of Education’s  
17 (DepEd) Basic Education Information System, the toilet-pupil ratio is 1:55 in the  
18 elementary level and 1:93 in high school which are lower than the set and identified  
19 global standards by the World Health Organization (WHO) and the United Nations  
20 Children’s Fund (UNICEF) of 1:50 for males and 1:25 for females, and even lower  
21 than the norm set by the Philippine Sanitation Code, which is also 1:50 for boys and  
22 1:30 for girls<sup>3</sup>;

23           WHEREAS, as of 2016, there are around 3,628 public schools in the country,  
24 both elementary and secondary, that have no regular access to safe and clean water<sup>4</sup>;

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<sup>1</sup> Commission on Audit. Department of Education, Division of Cagayan de Oro. *A Citizen Participatory Audit*. Retrieved from [https://www.coa.gov.ph/phocadownloadpap/userupload/citizen-participatory-audit-report/WASH-Project/WASH\\_Program\\_CDO.pdf](https://www.coa.gov.ph/phocadownloadpap/userupload/citizen-participatory-audit-report/WASH-Project/WASH_Program_CDO.pdf)

<sup>2</sup> Imran, Myra. The News. More than 2 billion people lack drinking water at home around world. 15 May 2017. Retrieved from <https://www.thenews.com.pk/print/216629-More-than-2-billion-people-lack-drinking-water-at-home-around-world>

<sup>3</sup> Bolido, Linda B., Inquirer.net. *Brigada focuses on school sanitation*. 27 May 2012. Retrieved from <https://newsinfo.inquirer.net/201589/brigada-focuses-on-school-sanitation>

<sup>4</sup> Alunan, Michael Makabenta. Business Mirror. *Boracay warning: Clean ‘right behind’ or be left behind*. Retrieved from <https://businessmirror.com.ph/boracay-warning-clean-right-behind-or-be-left-behind/>

1           WHEREAS, there are still many schools in Davao that lack proper sanitation  
2 for the school year 2017-2018. According to the City Health Office Chief, Doctor  
3 Josephine Villafuerte, public school canteens are the usual violators of sanitation  
4 requirements where their school personnel usually do not wear hair nets as required  
5 and their used utensils and kitchen wares were just seen stacked in the sink area<sup>5</sup>;

6           WHEREAS, the 2014 Commission on Audit (COA) report on the Department  
7 of Education's hand washing and sanitation program revealed that the P22-million  
8 handwashing facilities "were mostly not functional [and] not fully utilized" which in  
9 return defeats the program's very purpose of preventing flus and other infectious  
10 diseases<sup>6</sup>;

11           WHEREAS, in connection with occurring effects of unsanitary practices, last  
12 18 August 2017, about more than 160 high school students from Sta. Lucia High  
13 School in Novaliches were rushed to different hospitals after experiencing stomach  
14 aches, headaches, and vomiting upon buying and drinking fruit shake from their  
15 canteen, which according to the students "tasted bitter and like soap"<sup>7</sup>;

16           WHEREAS, a similar incident happened a year earlier in Makati wherein 126  
17 students were likewise rushed to the health center after intaking snacks bought from  
18 their school canteen. This resulted to the suspension of the operations of the canteen  
19 due to alleged "food poisoning"<sup>8</sup>;

20           WHEREAS, last 21 December 2015, in a public school in Negros Occidental, a  
21 five-year old girl was killed while 26 others were hospitalized after drinking coconut  
22 juice during their Christmas party. It was suspected that food poisoning was the  
23 cause of the incident. Reports stated that the preparations done for the refreshment  
24 were unsanitary, and to make things worse, the food handlers failed to wash their  
25 hands during the process<sup>9</sup>;

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<sup>5</sup> Castillo, Bomie Lane, S., Sunstar. *Davao Public School Canteens lack of proper sanitation*. Retrieved from <https://www.sunstar.com.ph/article/153148>

<sup>6</sup> The Manila Times. *DepEd Sanitation Facilities not functional*. 25 January 2014. Retrieved from <https://www.manilatimes.net/depeds-sanitation-facilities-not-functional/70679/>

<sup>7</sup> San Juan, Alexandria Dennise. *Manile Bulletin. Tainted shake sends 160 students to hospital*. 19 August 2017. Retrieved from <https://news.mb.com.ph/2017/08/19/tainted-shake-sends-160-students-to-hospital/>

<sup>8</sup> Cepeda, Mara. *Rappler. 126 students suffer from 'food poisoning'*. 14 January 2016. Retrieved from <https://www.rappler.com/nation/119030-students-food-poisoning-makati>

<sup>9</sup> Espina, Marchel. *Rappler. Food poisoning: Girl dead, 26 sick after Negros Occidental party*. 21 October 2015. Retrieved from <https://www.rappler.com/nation/116736-food-poisoning-christmas-party-negros-occidental>

1           WHEREAS, according to UNICEF, health problems like intestinal worms,  
2 frequent stomach aches and diarrhea are signs of poor sanitation which needs to be  
3 addressed especially in learning environments like the schools because these diseases  
4 reduces the child’s capability to “concentrate and learn”<sup>10</sup>;

5           WHEREAS, according to the UNICEF Executive Director, Anthony Lake,  
6 “[s]afe water, effective sanitation and hygiene are critical to the health of every child  
7 and every community, and thus are essential to building stronger, healthier, and  
8 more equitable societies”<sup>11</sup>;

9           WHEREAS, the deplorable hygiene and sanitation have been a long-standing  
10 problem and issue in the country and yet solutions to this still seems farfetched;

11           WHEREAS, such poor hygiene and sanitation facilities, especially in learning  
12 environments like the school, are detrimental to the lives and health of the Filipino  
13 youth and failure of the government to provide one of the basic necessities in life  
14 constitutes a grave moral deficiency and reckless disregard for their lives and safety;

15           WHEREAS, there is an utmost need to conduct a re-assessment of the  
16 implementation and level of compliance of public schools regarding P.D. 856  
17 considering that it has been 43 years since its implementation;

18           NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved, to direct the  
19 appropriate Senate Committee, to conduct an inquiry, in aid of legislation, on the  
20 status and level of compliance on Presidential Decree (P.D.) No. 856, otherwise  
21 known as the “Code on Sanitation of the Philippines”, with the end in view of  
22 proposing legislations that would further strengthen existing laws on sanitation and  
23 protect the Filipino youth.

*Adopted,*

  
LEILA M. DE LIMA

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<sup>10</sup> *Supra Ibid 2*

<sup>11</sup> World Health Organization (WHO). *2.1 billion people lack safe drinking water at home, more than twice as many lack safe sanitation*. 12 July 2017. Retrieved from <http://www.who.int/news-room/detail/12-07-2017-2-1-billion-people-lack-safe-drinking-water-at-home-more-than-twice-as-many-lack-safe-sanitation>