

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 MAR -7 P4 :00

SENATE

S. No. 1972

RECEIVED BY: _____

INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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

EXPLANATORY NOTE

The Philippines' geographic location and topography contributes to its high vulnerability to natural disasters and climate change impacts. Its location being along the boundary of major tectonic plates and at the center of a typhoon belt, it is regularly impacted by floods, typhoons, landslides, earthquakes, volcanoes, and droughts. Based on World Risk Report 2022, out of 193 countries, the Philippines has the highest disaster risk, jumping from its 2018 record of being third in rank. Moreover, according to a Harvard-based study entitled, "Perceptions of Disaster Resilience and Preparedness in the Philippines," 9.29 million Filipinos have been affected by a disaster in a span of five (5) years and 42% of the respondents reported that their homes had been partially destroyed due to a disaster (Bollettino, et.al, 2018). Said study highlighted that a significant portion of the population impacted by disasters expressed difficulties coping psychologically with the trauma. It also reported that only a small portion of the population received housing and relocation assistance: 5 percent in Eastern Visayas, 9 percent in Central Luzon, and 6 percent in Northern Mindanao. Clearly, disaster occurrences aggravate the existing housing poverty in the country.

Filipinos are self-reliant and resilient when it comes to challenges brought by disasters. However, the national government should not keep on counting on individuals' spirit of *Bayanihan* alone as a response to hazardous events. Joint efforts

by the government and the citizens are necessary and there must also be a framework for resilient housing and human settlements to establish a pathway for developing a responsive and resilient human settlement in the country.

Section 5(e) of Republic Act No. 11201, otherwise known as the Department of Human Settlements and Urban Development (DHSUD) Act, mandates the DHSUD to craft a **Framework Strategy for Resilient Human Settlements**. Said provision states that the DHSUD has the power to “formulate a framework for resilient housing and human settlements as a basis for the mechanisms 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”.

Thus, this bill aims to determine a responsive land use plan in disaster risk areas. The creation National Comprehensive Framework On Resilient Housing And Human Settlements Program will ensure quick rehabilitations of vulnerable Filipinos challenged by various disasters by providing access to safe, secure, and sustainable housing with access to livelihood and social services. A National Framework shall serve as the basis for measures or mechanisms 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.

In light of the foregoing, the immediate passage of this bill is earnestly sought.



JOSEPH VICTOR G. EJERCITO

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

1 Section 1. *Short Title.*- This Act shall be known as the "*Resilient Housing and*
2 *Human Settlements Act.*"

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

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

17 As a state party to United Nations International Covenant on the Economic,
18 Social and Cultural Rights (ICESCR) and the UN Sustainable Development Goals, we

1 will pursue Sustainable Development Goal 1 (Make cities inclusive, safe, resilient and
2 sustainable) and the Rights-Based Approach.

3 Pursuant to Article 13, Section 16 of the 1987 Philippine Constitution, the right
4 of the people and their organizations to elective and reasonable participation at all
5 levels of social, political, and economic decision-making shall not be abridged. The
6 State shall, by law, facilitate the establishment of adequate consultation mechanisms.

7 It is the policy of the State to complement and supplement the provisions of
8 Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management Act
9 of 2010 and in consonance with the Climate Change Act of 2009 (as amended by
10 Republic Act No. 10174) and other existing laws related to climate change adaptation
11 and DRRM in relation to upholding the people's constitutional rights to life and property
12 by addressing the root causes of vulnerabilities to disasters and building the resilience
13 of local communities to climate change impacts, and in terms of mainstreaming climate
14 change adaptation in development processes such as policy formulation, budgeting,
15 and governance particularly with respect to housing and land use, it is hereby declared
16 the policy of the State to work for the attainment of a more inclusive, safe, resilient,
17 and sustainable human settlements.

18 Towards this end, the government shall pursue a comprehensive, rights-based,
19 gender-responsive, participatory and sustainable approach to resilient human
20 settlements.

21 This Act declares the following as guiding principles:

22 a. The Right to Adequate Housing according to the ICESCR covers the following
23 elements: accessibility; affordability; habitability; security of tenure; cultural
24 adequacy; resiliency; suitability of location; access to essential services such as health
25 and education and respect for safety standards aimed at reducing damage in cases of
26 future disasters.

27 b. The State bears the primary responsibility for protecting the people, infrastructure,
28 and other national assets from the impact of disasters and will mobilize adequate and
29 make efficient use of existing resources, including financial, scientific, and
30 technological means in nurturing resiliency.

31 c. The building achievement fulfillment of resilient human settlements require that
32 responsibilities be shared by the national and local government units and relevant

1 national authorities, sectors, stakeholders and communities. This entails the
2 development and strengthening of institutions, mechanisms and capacities at all
3 levels, in particular at the community level that can systematically contribute to
4 building resiliency. Convergence of resources and involvement of various stakeholders
5 are essential to the supply of housing and infrastructure in the overall context of
6 sustainable development and resilient human settlements.

7 d. Ensure accountability and transparency of all sectors to monitor and evaluate
8 programs and initiatives.

9 e. Uphold gender equity and equality, cultural diversity and the rights of vulnerable
10 groups such as children, elderly and people with disabilities when planning for resilient
11 and sustainable settlements development.

12 *Sec. 3 General Objectives.* - This Act seeks to:

13 a. Provide a framework for resilient housing and human settlements;

14 b. Guide various stakeholders to take well-planned, concerted, transparent, inclusive,
15 livable, safe, resilient, sustainable, and pro-poor housing initiatives in the best possible
16 manner;

17 c. Strengthen the participation of all sectors especially communities and civil society
18 in the planning of resilient housing and human settlements;

19 d. Build synergy, convergence and integration of housing-related and livelihood
20 intervention for the attainment of resilient and sustainable human settlements;

21 e. Foster policy and program coherence related to poverty alleviation, income
22 generation and employment, and delivery channels to achieve the overall objective of
23 housing for all and the attainment of resilient and sustainable development of human
24 settlements;

25 f. Support innovation and research and development into new, indigenous, low cost
26 resilient and sustainable human settlements.

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

29 a. Adequate housing is defined as that which affords its occupants the following
30 conditions:

31 1. Legal security of tenure, including protection against forced evictions;

1 2. Available services and infrastructure (access to water; energy for cooking,
2 heating, and lighting; sanitation and washing facilities, food storage; and waste
3 disposal (solid, septage and sewerage); communication and information; sufficient
4 road networks especially for emergencies and so on);

5 3. Affordable housing costs and financing options such that the attainment of
6 other basic needs is not threatened;

7 4. Habitability in the sense of adequate spaces, security, physical safety, and
8 protection from cold, damp, heat, rain, wind, structural hazards, and disease vectors;

9 5. Sufficient accessibility that disadvantaged or vulnerable groups such as
10 persons with disabilities, elderly, children and women are not left without shelter
11 appropriate to their particular needs;

12 6. A physical location allowing proximate access to employment and livelihood
13 options, health care services, schools, child-care centers, and other social facilities and
14 avoiding risks from pollution sources;

15 7. Available, resilient, environmentally-friendly and appropriate construction
16 materials, settlements design and process with respect to the expression of cultural
17 and religious identity and geographical location;

18 8. Compliance with safety and resilience standards aimed at minimizing damage
19 from future disasters.

20 b. Adequate open spaces - which includes roads, green spaces, areas for persons with
21 disabilities, elderly, children and materials recovery facilities.

22 c. Climate-resilient housing refers to housing that is equipped and structurally
23 designed to resist, absorb and accommodate the effects of climate hazards like heat
24 waves, extreme weather variabilities without significant changes to its basic functions.

25 d. Comprehensive Resilient Housing Program for Disaster Survivors - refers to the
26 delivers of resources and activities in the rehabilitation and reconstruction of damaged
27 and destroyed housing and development of other new permanent housing options for
28 persons and families affected by disasters. It shall follow humanitarian standards for
29 their protection and their rights to adequate housing through the provision of safe.
30 habitable emergency and transitional shelter during displacement and permanent
31 housing that meets the basic standards of adequacy and decency. Providing for a

1 comprehensive, multisectoral, interagency, and community-based approach to post-
2 disaster housing rehabilitation, reconstruction, and recovery.

3 e. Gender equity and equality - refers to the principle asserting the equality of men
4 and women and their right to enjoy equal conditions realizing their full human potential
5 to contribute to and benefit from the results of development, and with the State
6 recognizing that all human beings are free and equal in dignity and rights. Gender
7 equity refers to the policies, instruments, programs, services, and actions that address
8 the disadvantaged position of women in society by providing preferential treatment
9 and affirmative action. Such temporary special measures aimed at accelerating de
10 facto equality between men and women shall not be considered discriminatory but
11 shall in no way entail as a consequence the maintenance of unequal or separate
12 standards.

13 f. Land-Use Planning - the process undertaken by national and local government
14 authorities, communities, private sector, and civil society to identify, evaluate, and
15 decide on different options for the use of land, including consideration of long-term
16 economic, social and environmental objectives and the implications for different
17 communities and interest group, and the subsequent formulation and promulgation of
18 plans that describe the permitted or acceptable uses.

19 g. People's Plan - a resettlement option and community development plan formulated
20 by POs, with or without the support of NGOs, LGUs and NGAs.

21 h. Post-Disaster Recovery - the restoration and improvement where appropriate, of
22 facilities, livelihood, and living condition of disaster-affected communities, including
23 efforts to reduce disaster risk factors and enhancing resiliency, in accordance with the
24 principles of "build back better" as defined in Republic Act No. 10121 or the Philippine
25 Disaster Risk Reduction and Management Act of 2010.

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

31 *Sec. 5. National Framework for Resilient Housing and Human Settlements.-* This
32 is the National Framework for Resilient Human Settlements (hereinafter referred to as

- 1 the Framework) to be formulated by the Department of Human Settlements and Urban
2 Development (DHSUD) within six (6) months from the effectivity of this Act in
3 coordination and in partnership with the following:
- 4 a. The DHSUD and its attached agencies;
 - 5 b. National Economic and Development Authority (NEDA);
 - 6 c. Climate Change Commission (CCC);
 - 7 d. Office of Civil Defense (OCD);
 - 8 e. Government Service Insurance Service System (GSIS);
 - 9 Department of Social Welfare and Development (DSWD);
 - 10 g. Department of Science and Technology (DOST);
 - 11 h. Department of Environment and Natural Resources (DENR);
 - 12 i. Department of Public Works and Highways (DPWH);
 - 13 j. Department of Labor and Employment (DOLE);
 - 14 k. Department of Trade and Industry (DTI);
 - 15 l. Department of Budget and Management (DBM);
 - 16 m. Department of Interior and Local Government (DILG);
 - 17 n. Office of Presidential Adviser on Peace Process (OPAPP);
 - 18 o. National Commission on Indigenous Peoples (NCIP);
 - 19 p. National Anti-Poverty Commission (NAPC);
 - 20 g. Insurance Commission (IC);
 - 21 r. Union of Local Authorities of the Philippines (ULAP);
 - 22 s. Built environment and disaster-resilient housing design experts;
 - 23 t. Academe;
 - 24 u. Civil society;
 - 25 v. Communities and other concerned public and private entities.

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

30 The Framework shall describe how the State and all relevant stakeholders can
31 work together to achieve adequate and resilient housing for all, including and most
32 especially those affected by disasters; and chart the new direction that our national

1 and local housing programs and efforts must take in order to make human settlements
2 and communities more inclusive, safe, resilient, and sustainable.

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

4 a. National Resilient Housing Agenda, which shall be derived from the threats, hazards
5 and vulnerabilities identified; adaptation needs and requirements; risk and resiliency
6 assessment for the Philippine housing sector;

7 b. National and local resilient housing priorities; outline the most efficient and cost
8 effective housing projects that will best meet the short-term and long term resilient
9 housing needs of individuals and households;

10 c. National Standards for Resilient Housing Design and Construction;

11 d. National Post-Disaster Housing Recovery Strategy, which shall focus on how best
12 to restore, rehabilitate, redevelop, and revitalize disaster-impacted communities;
13 restoring livelihoods; effectively preventing the recurrence of disasters and harnessing
14 conditions for future development;

15 e. Promotion of local government rehabilitation and recover plans;

16 f. Rules and Guidelines for Post-Disaster Housing Rehabilitation, Reconstruction, and
17 Relocation;

18 g. Comprehensive Resilient Housing Program for Disaster Survivors;

19 h. Investment and financing requirements;

20 i. Institutional arrangements, including public-private partnership; national
21 government roles; local government support functions; and private sector
22 responsibilities;

23 j. Implementation arrangements;

24 k. Reporting, monitoring, and evaluation.

25 *Sec. 6. Monitoring of Compliance with this Act.*- DHSUD shall take the lead to
26 periodically monitor the compliance with this Act. Other agencies will participate in the
27 monitoring such as attached agencies of DHSUD; DII.G; Office of Civil Defense; NEDA;
28 and CCC. There shall be a mechanism for civil society to participate in the monitoring
29 process.

30 *Sec. 7. Joint Congressional Oversight Committee.*- There is hereby created a
31 Joint Congressional Oversight Committee to monitor the implementation of this Act.
32 The Oversight Committee shall be composed of five (5) Senators and five (5)

1 Representatives to be appointed by the Senate President and the Speaker of the
2 House of Representatives, respectively.

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

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

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

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

26 *Sec. 11. Separability Clause.* - If, for any reason, any section, subsection, clause
27 or term of this Act is held invalid or unconstitutional, such parts not affected by such
28 declaration shall remain in full force and effect.

29 *Sec. 12. Repealing Clause.* - All existing laws, orders, decrees, rules and
30 regulations or parts thereof, inconsistent with the provisions of this Act are hereby
31 amended, modified or repealed accordingly.

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

Approved,