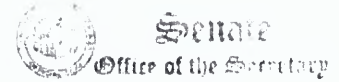


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL -7 P5 :06

SENATE

RECEIVED BY: _____

S. No. 200

Introduced by SENATOR RONALD "BATO" DELA ROSA

AN ACT
INSTITUTIONALIZING THE WHOLE-OF-NATION APPROACH IN ATTAINING
INCLUSIVE AND SUSTAINABLE PEACE, CREATING THE NATIONAL
COUNCIL TO END LOCAL COMMUNIST ARMED CONFLICT, AND FOR OTHER
PURPOSES

EXPLANATORY NOTE

Former President Rodrigo Duterte signed Executive Order 70 (EO 70) on December 4, 2018 with the aim of implementing the Whole-of-Nation approach as a government policy for the attainment of inclusive and sustainable peace.

EO 70 established the National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) in order to ensure efficient and effective implementation of the whole-of-nation approach. The mandate of NTF-ELCAC is to prioritize and harmonize the delivery of basic services and social development packages in conflict-affected areas and vulnerable communities, facilitate societal inclusivity and ensure active participation of all sectors of society in the pursuit of the country's peace agenda.

The NTF-ELCAC was able to significantly uplift the lives of those living in communities which was impoverished by the presence of communist terrorist group. They were able to allocate funds and start implementing 2,318 projects under the Barangay Development Program. Some of the developmental projects under this program include farm-to-market roads, school buildings, water and sanitation

systems, health stations, livelihood projects, rural electrification, reconstruction, housing, vaccination and immunization, and other assistance.

The effectiveness of the implementation of EO 70 is felt by the people in the countryside who now live in peaceful communities with accessible government services including infrastructure development. As such, to sustain the progress in our goal to attain inclusive and sustainable peace, there is a need to legislate and put into a permanent stature the Whole-of-Nation approach. This proposed bill is an emulation of EO 70.

Our people deserve lasting peace and safe communities. Hence, the earnest approval of this bill is sought.


RONALD "BATO" DELA ROSA

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AN ACT

INSTITUTIONALIZING THE WHOLE-OF-NATION APPROACH IN ATTAINING INCLUSIVE AND SUSTAINABLE PEACE, CREATING THE NATIONAL COUNCIL TO END LOCAL COMMUNIST ARMED CONFLICT, AND FOR OTHER PURPOSES

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 "ELCAC Act".

2 Sec. 2. *Declaration of Policy.* – It is the policy of the State to promote a just
3 and dynamic social order that will ensure the prosperity and independence of the
4 nation. The State recognizes that internal socio-political stability rests upon ending all
5 armed threats in the country and healing the rifts that divide the nation by promoting
6 participatory governance, synergy of government development efforts, and enhancing
7 the participation and responsibilities of local government units. The state shall pursue
8 the attainment of inclusive and sustainable peace through intensified development
9 and other peace-building initiatives in conflict-affected and vulnerable communities.

10 Towards this end, the State shall implement an efficient mechanism and
11 structure for the implementation of the Whole-of-Nation approach to aid in the
12 realization of the collective aspiration of the Filipino people.

1 *Sec. 3. Institutionalizing the Whole-of-Nation Approach.* – The Whole-of-Nation
2 approach is hereby institutionalized as a government policy for the attainment of
3 inclusive and sustainable peace. The government shall prioritize and harmonize the
4 delivery of basic services and social development packages in conflict-affected areas
5 and vulnerable communities, facilitate societal inclusivity, and ensure active
6 participation of all sectors of society in the pursuit of the country’s peace agenda.

7 *Sec. 4. Creation of the National Council to End Local Communist Armed Conflict.*
8 – There is hereby created a National Council to End Local Communist Armed Conflict,
9 hereinafter referred to as the Council, which shall be the chief implementor of this Act.
10 The Council shall be headed by the President or his designated representative, and
11 the following as members:

- 12 a. Department of the Interior and Local Government Secretary;
- 13 b. Department of Justice Secretary;
- 14 c. Department of Public Works and Highways Secretary;
- 15 d. Department of Budget and Management Secretary;
- 16 e. Department of Finance Secretary;
- 17 f. Department of Agrarian Reform Secretary;
- 18 g. Department of Social Welfare and Development Secretary;
- 19 h. Department of Education Secretary;
- 20 i. National Economic and Development Authority Director General;
- 21 j. National Intelligence Coordinating Agency Director General;
- 22 k. Technical Education and Skills Development Authority Director General;
- 23 l. Presidential Adviser on the Peace Process;
- 24 m. Presidential Adviser for Indigenous Peoples’ Concerns;
- 25 n. Chief of Staff, Armed Forces of the Philippines;
- 26 o. Director General, Philippine National Police;
- 27 p. Chairperson, National Commission on Indigenous Peoples;
- 28 q. Secretary, Presidential Communications Operations Office; and
- 29 r. Two (2) Representatives from the private sector.

30 Except for the private sector representatives, the members may designate an
31 alternate, with a rank not lower than an Assistant Secretary, to represent their

1 The Private Sector Representatives, with a term one (1) year each, shall be
2 appointed by the President upon the recommendation of the National Council.

3
4 Sec. 5. *Powers and Functions.* – The National Council shall have the following
5 powers and functions:

- 6 a. Formulate and implement in coordination with relevant national government
7 agencies, LGUs, the civil society and other stakeholders, a Whole-of-Nation
8 approach-driven National Peace Framework (Framework);
- 9 b. Ensure inter-agency convergence in the implementation of the Framework in
10 conflict-affected and vulnerable communities;
- 11 c. Enlist the assistance of any department, bureau, office, agency, or
12 instrumentality of the government, including LGUs, government-owned or
13 controlled corporation (GOCCs), and state universities and colleges (SUCs), in
14 accordance with their respective mandates, in the implementation of the
15 Framework;
- 16 d. Evaluate, define, modify or integrate policies, programs and activities in the
17 contained in the Framework;
- 18 e. Organize *ad hoc* inter-agency and multi-sectoral clusters, councils, committees
19 and groups in national, regional and local levels, or modify existing ones,
20 whenever necessary, to fulfill its mandates;
- 21 f. Develop strategic communication, advocacy, and peace constituency plans in
22 case of ceasefire, as well capacity-building measures, to enable local chief
23 executives and local peace bodies to engage and facilitate local peace
24 engagements or negotiations and interventions;
- 25 g. Review the mandates and functions of offices undertaking peace efforts to
26 avoid duplication of functions and programs, and submit its recommendations
27 to the President for approval;
- 28 h. As may be necessary, issue supplemental guidelines, protocols or policies in
29 furtherance of this Order;
- 30 i. Recommend to the Office of the Presidential Adviser on the Peace Process
31 projects and conflict-affected areas where the PAyapa at MASaganang

1 PamayaNAn Program may be implemented, subject to the provisions of the
2 General Appropriations Act;

3 j. Perform such other duties and functions as the President may direct.

4 Sec. 6. *The National Peace Framework.* – The Framework shall contain
5 principles, policies, plans and programs that will bring inclusive and sustainable peace,
6 and address the root causes of insurgencies, internal disturbances and tensions as
7 well as other armed conflicts and threats in identified areas. The Framework shall be
8 responsive to local needs and sensitive to realities on the ground. To this end, the
9 Framework shall include a mechanism for localized peace engagements or
10 negotiations and interventions that is totally orchestrated, directed and supervised,
11 while being locally implemented.

12 Sec. 7. *Convergence.* – All departments, bureaus, offices, agencies or
13 instrumentalities of the government, including GOCCs and SUCs, are hereby directed
14 to render the necessary support to the National Council.

15 The private sector, non-government organizations and other stakeholders are
16 encouraged to participate in all peace-building programs, plans and activities, in the
17 implementation of the Framework.

18 Sec. 8. *Secretariat.* – The National Council shall be assisted by a Secretariat,
19 headed by an Executive Director, who shall be appointed by the President with the
20 rank of an Undersecretary. The Executive Director shall submit an organizational and
21 staffing pattern of the Council Secretariat to the DBM, within two (2) months from
22 his/her appointment. Pending the approval of the organizational and staffing pattern,
23 the Executive Director shall be assisted by personnel from the member-agencies of
24 the Council under secondment, detail or other appropriate arrangement.

25 Sec. 9. *Functions of the Secretariat.* – The Secretariat shall have the following
26 functions:

27 a. Provide technical and effective administrative support and assistance to the
28 National Council in the performance of its tasks, coordinate with relevant

1 agencies on the status of its plans and programs, and provide update to the
2 National Council on the implementation of the Framework;

3 b. Ensure that all policies, directives, plans and programs, formulated by the
4 National Council are faithfully carried out; and

5 c. Perform such other functions as may be directed by the National Council.

6 Sec. 10. *Funding.* – The initial funding requirements for the implementation of
7 this Act shall be charged against existing appropriations of the member-agencies of
8 the National Council and such other appropriate funding sources as the DBM may
9 identify, and when necessary, the Contingent Fund, subject to relevant laws, rules and
10 regulations. Thereafter, such sums as may be necessary for the continued
11 implementation of this Act shall be included in the General Appropriations Act.

12 Sec. 11. *Implementing Rules and Regulations.* – Within sixty (60) days of the
13 approval of this Act, the National Task Force to End Local Armed Conflict Council shall
14 formulate the implementing rules and regulations for the effective implementation of
15 the law.

16 Sec. 12. *Sunset Clause.* – The Council shall be rendered functus officio upon
17 the accomplishment of the purposes for which it was created or unless sooner
18 dissolved by the President.

19 Sec. 13. *Separability Clause.* – If any provision of this Act is declared invalid or
20 unconstitutional, the provisions not affected thereby shall continue to be in full force
21 and effect.

22 Sec. 14. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
23 parts thereof which are contrary to or inconsistent with the provisions of this Act are
24 hereby amended, repealed or modified accordingly.

25
26 Sec. 15. *Effectivity.* – This Act shall take effect immediately after fifteen (15)
27 days from its publication in the Official Gazette or in a newspaper of general
28 circulation.

Approved,