

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



Senate  
Office of the Secretary

22 JUL 18 P1 55

**SENATE**  
S. No. 715

RECEIVED BY: \_\_\_\_\_

Introduced by Senator Grace Poe

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

EXPLANATORY NOTE

"Housing is a right, not a commodity". The right to adequate housing is an essential human right. Article 25 of the Universal Declaration of Human Rights (UDHR) 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..."* Furthermore, Article 11.1 of the International Covenant on Economic, Social and Cultural Rights states that: *"The States Parties to the present Covenant recognize 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..."*

According to the United Nations Committee on Economic, Social and Cultural Rights, the right to adequate housing includes the following:

a. Freedoms

1. Protection against forced eviction, arbitrary destruction, and demolition;
2. Right to be free from arbitrary interference; and
3. Right to choose one's residence, determine where to live, to freedom of movement.

b. Entitlements

1. Security of tenure;

2. Housing, land, and property restitution;
  3. Equal and non-discriminatory access to adequate housing; and
  4. Participation in housing-related decision-making.
- c. Must provide more than four walls and a roof.

The World Bank Global Program for Resilient Housing stresses that poor housing can lead to "poorer physical and mental health, inferior education for children, and impaired lifetime earnings opportunities. The institution's Unbreakable report notes that the housing of poor households is twice as vulnerable to disasters and climate change as they often live in the most vulnerable areas, and has weak standards, with limited to no access to insurance or credit. This is especially true in the Philippines where the availability of formal, affordable, and safe housing has not grown parallel to the rate of urbanization.

Aside from poverty, the constant barrage of typhoons that enter the Philippines annually is a major challenge to the right to adequate housing. Eight to nine typhoons strike the country every year, costing billions in terms of destroyed property and foregone productivity. In 2013, losses to Typhoon Yolanda, one of the most powerful tropical cyclones ever recorded, was reported to have reached approximately \$15 billion, making it one of the most expensive disasters in Philippine history, according to a Bloomberg report<sup>1</sup>. In an inquiry conducted by the Senate Committee on Public Works in the 16th Congress, it was founded that bunkhouses constructed by the Department of Public Works and Highways for the Yolanda victims were substandard. The Committee stated that *"the bunkhouses (were) not in compliance with the international standards in building transitional houses."* In another case, the Department of Human Settlements and Urban Development reported that around 597,000 houses were damaged by Typhoon Odette, the strongest typhoon that hit the country in 2021. This data, as of 05 January 2022,

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<sup>1</sup> Rapler. (13 November 2013). Yolanda losses may reach \$15B – report.  
<https://www.rappler.com/moveph/43553-yolanda-economic-losses-15-b/>

notes that 181,258 houses were totally damaged while the rest are partially damaged, with almost 97,500 families affected<sup>2</sup>.

This bill provides a simple remedy. The proposed measure mandates the State to undertake, in cooperation with the private sector, a comprehensive and continuing Resilient Housing and Human Settlements Program, which shall lay out a clear and concrete plan to ensure that Filipinos who will experience disasters will be quickly rehabilitated in safe, secure, and sustainable housing, with attendant basic services and access to livelihood. This bill is part of the legislative agenda of the Philippine Legislator's Committee on Population and Development Foundation.

Immediate approval of this measure is eagerly sought.



GRACE POE

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<sup>2</sup> Fernandez, D. (06 January 2022). *Some 597,000 houses damaged by 'Odette' — DHSUD*. <https://newsinfo.inquirer.net/1536996/fwd-some-587000-houses-damaged-by-odette-dhsud>

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**AN ACT  
INSTITUTING A NATIONAL COMPREHENSIVE FRAMEWORK ON RESILIENT  
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THEREFOR AND FOR OTHER PURPOSES**

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

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

3 Sec. 2. *Declaration of Principles and State Policies.* — Pursuant to Article 2,  
4 Sections 5 and 11 of the Philippine Constitution which states that the maintenance of  
5 peace and order, the protection of life, liberty, and property, and the promotion of  
6 the general welfare are essential for the enjoyment by all the people of the blessings  
7 of democracy; the State values the dignity of every human person and guarantees  
8 full respect for human 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  
13 Housing and Human Settlements Program, which shall, among other things, lay out  
14 a clear and concrete plan to ensure that Filipinos who will experience disasters will  
15 be quickly rehabilitated in safe, secure, and sustainable housing, with attendant  
16 basic services 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, the

1 State shall pursue Sustainable Development Goal 11 (to make cities inclusive, safe,  
2 resilient and sustainable) and the Rights-Based Approach.

3 Pursuant to Article 13, Section 16 of the Philippine Constitution, the right of  
4 the people and their organizations to effective 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  
7 mechanisms.

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

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

22 This Act declares the following as guiding principles:

- 23 a) The Right to Adequate Housing according to the ICESCR covers the following  
24 elements: accessibility, affordability, habitability, security of tenure, cultural  
25 adequacy, resiliency, suitability of location, access to essential services such  
26 as health and education, and respect for safety standards aimed at reducing  
27 damage in cases of future disasters;
- 28 b) The State bears the primary responsibility for protecting the people,  
29 infrastructure, and other national assets from the impact of disasters and will  
30 mobilize adequate and make efficient use of existing resources, including  
31 financial, scientific, and technological means in nurturing resiliency;

1 c) The building/achievement/fulfillment of resilient human settlements requires  
2 that responsibilities be shared by the national and local government units and  
3 relevant national authorities, sectors, stakeholders and communities. This  
4 entails the development and strengthening of institutions, mechanisms and  
5 capacities at all levels, in particular at the community level that can  
6 systematically contribute to building resiliency. Convergence of resources and  
7 involvement of various stakeholders are essential to the supply of housing  
8 and infrastructure in the overall context of sustainable development and  
9 resilient human settlements;

10 d) Ensure accountability and transparency of all sectors to monitor and evaluate  
11 programs and initiatives;

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

15 *Sec. 3. General Objectives.* – This Act seeks to:

16 a) Provide a framework for resilient housing and human settlements;

17 b) Guide various stakeholders to take well-planned, concerted, transparent,  
18 inclusive, livable, safe, resilient, sustainable, and pro-poor housing initiatives  
19 in the best possible manner;

20 c) Strengthen the participation of all sectors especially communities and civil  
21 society in the planning of resilient housing and human settlements;

22 d) Build synergy, convergence and integration of housing-related and livelihood  
23 intervention for the attainment of resilient and sustainable human  
24 settlements;

25 e) Foster policy and program coherence related to poverty alleviation, income  
26 generation and employment, and delivery channels to achieve the overall  
27 objective of housing for all and the attainment of resilient and sustainable  
28 development of human settlements;

29 f) Support innovation and research and development into new, indigenous, low  
30 cost resilient and sustainable human settlements;

31 *Sec. 4. Definition of Terms.* – As used in this Act, the following terms shall  
32 mean:

- 1 a) *Adequate housing* is defined as that which affords its occupants the following  
2 conditions:
- 3 1. legal security of tenure, including protection against forced evictions;
  - 4 2. available services and infrastructure (access to water; energy for  
5 cooking, heating, and lighting; sanitation and washing facilities; food  
6 storage; and waste disposal (solid, septage and sewerage);  
7 communication and information; sufficient road networks especially for  
8 emergencies and so on);
  - 9 3. affordable housing costs and financing options such that the  
10 attainment of other basic needs is not threatened;
  - 11 4. habitability in the sense of adequate spaces, security, physical safety,  
12 and protection from cold, damp, heat, rain, wind, structural hazards,  
13 and disease vectors;
  - 14 5. sufficient accessibility that disadvantaged or vulnerable groups such as  
15 persons with disabilities, elderly, children and women are not left  
16 without shelter appropriate to their particular needs;
  - 17 6. a physical location allowing proximate access to employment and  
18 livelihood options, health care services, schools, child-care centers, and  
19 other social facilities and avoiding risks from pollution sources;
  - 20 7. available, resilient, environmentally-friendly and appropriate  
21 construction materials, settlements design and process with respect to  
22 the expression of cultural and religious identity and geographical  
23 location; and
  - 24 8. compliance with safety and resilience standards aimed at minimizing  
25 damage from future disasters.
- 26 b) *Adequate open spaces* which includes roads, green spaces, areas for persons  
27 with disabilities, elderly, children and materials recovery facilities.
- 28 c) *Climate-resilient housing* refers to housing that is equipped and structurally  
29 designed to resist, absorb and accommodate the effects of climate hazards  
30 like heat waves, extreme weather variabilities without significant changes to  
31 its basic functions.

- 1 d) *Comprehensive Resilient Housing Program for Disaster Survivors* refers to the  
2 delivery of resources and activities in the rehabilitation and reconstruction of  
3 damaged and destroyed housing and development of other new permanent  
4 housing options for persons and families affected by disasters. It shall follow  
5 humanitarian standards for their protection and their rights to adequate  
6 housing through the provision of safe, habitable emergency and transitional  
7 shelter during displacement and permanent housing that meets the basic  
8 standards of adequacy and decency. It also means providing for a  
9 comprehensive, multi sectoral, inter-agency, and community-based approach  
10 to post-disaster housing rehabilitation, reconstruction, and recovery.
- 11 e) *Gender equity and equality* refers to the principle asserting the equality of  
12 men and women and their right to enjoy equal conditions realizing their full  
13 human potentials to contribute to and benefit from the results of  
14 development, and with the State recognizing that all human beings are free  
15 and equal in dignity and rights. Gender equity refers to the policies,  
16 instruments, programs, services, and actions that address the disadvantaged  
17 position of women in society by providing preferential treatment and  
18 affirmative action. Such temporary special measures aimed at accelerating de  
19 facto equality between men and women shall not be considered  
20 discriminatory but shall in no way entail as a consequence the maintenance of  
21 unequal or separate standards.
- 22 f) *Land-Use Planning* is the process undertaken by national and local  
23 government authorities, communities, private sector, and civil society to  
24 identify, evaluate, and decide on different options for the use of land,  
25 including consideration of long-term economic, social and environmental  
26 objectives and the implications for different communities and interest group,  
27 and the subsequent formulation and promulgation of plans that describe the  
28 permitted or acceptable uses.
- 29 g) *People's Plan* is a resettlement option and community development plan  
30 formulated by people's organizations (POs), with or without the support of  
31 non-governmental organizations (NGOs), local government units (LGUs) and  
32 national government agencies (NGAs).

1 h) *Post-Disaster Recovery* refers to the restoration and improvement (where  
2 appropriate), of facilities, livelihood, and living condition of disaster-affected  
3 communities, including efforts to reduce disaster risk factors and enhancing  
4 resiliency, in accordance with the principles of "build back better," as defined  
5 in Republic Act No. 10121 or the "Philippine Disaster Risk Reduction and  
6 Management Act of 2010".

7 i) *Resilience* is the capacity of a system, community or society exposed to  
8 hazards to resist, adapt, and transform to an acceptable level of functioning  
9 and structure. This is determined by the degree to which the system is  
10 capable of organizing itself to increase this capacity by learning from  
11 experiences for better future protection and to improve risk reduction  
12 measures.

13 *Sec. 5. National Framework for Resilient Housing and Human Settlements. –*

14 This National Framework for Resilient Human Settlements (hereinafter referred to as  
15 the Framework) shall be formulated by the Housing and Urban Development  
16 Coordinating Council (HUDCC) within six (6) months from the effectivity of this Act in  
17 coordination and in partnership with the following:

- 18 a) The HUDCC and its attached agencies;
- 19 b) National Economic and Development Authority (NEDA);
- 20 c) Climate Change Commission (CCC);
- 21 d) Office of Civil Defense (OCD);
- 22 e) Government Service Insurance Service System (GSIS);
- 23 f) Department of Social Welfare and Development (DSWD);
- 24 g) Department of Science and Technology (DOST);
- 25 h) Department of Environment and Natural Resources (DENR);
- 26 i) Department of Public Works and Highways (DPWH);
- 27 j) Department of Labor and Employment (DOLE);
- 28 k) Department of Trade and Industry (DTI);
- 29 l) Department of Budget and Management (DBM);
- 30 m) Department of Interior and Local Government (DILG);
- 31 n) Office of Presidential Adviser on Peace Process (OPAPP);
- 32 o) National Commission on Indigenous Peoples (NCIP);

- 1 p) National Anti-Poverty Commission (NAPC);
- 2 q) Insurance Commission (IC);
- 3 r) Union of Local Authorities of the Philippines (ULAP);
- 4 s) Built environment and disaster-resilient housing design experts;
- 5 t) Academe;
- 6 u) Civil society;
- 7 v) Communities and other concerned public and private entities.

8 The Framework shall serve as the basis for measures or mechanisms for post  
9 disaster housing and resiliency planning, research and development, extension,  
10 monitoring and evaluation of programs, projects, and activities to protect vulnerable  
11 communities from the adverse effects of climate change and disasters. The  
12 Framework shall describe how the State and all relevant stakeholders can work  
13 together to achieve adequate and resilient housing for all, including and most  
14 especially those affected by disasters; and chart the new direction that our national  
15 and local housing programs and efforts must take in order to make human  
16 settlements and communities more inclusive, safe, resilient, and sustainable.

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

- 18 a) National Resilient Housing Agenda, which shall be derived from the threats,  
19 hazards, and vulnerabilities identified; adaptation needs and requirements;  
20 risk and resiliency assessment for the Philippine housing sector;
- 21 b) National and local resilient housing priorities; outline the most efficient and  
22 cost effective housing projects that will best meet the short-term and long  
23 term resilient housing needs of individuals and households;
- 24 c) National Standards for Resilient Housing Design and Construction;
- 25 d) National Post-Disaster Housing Recovery Strategy, which shall focus on how  
26 best to restore, rehabilitate, redevelop, and revitalize disaster impacted  
27 communities; restoring livelihoods; effectively preventing the recurrence of  
28 disasters and harnessing conditions for future development;
- 29 e) Promotion of local government rehabilitation and recovery plans;
- 30 f) Rules and Guidelines for Post-Disaster Housing Rehabilitation, Reconstruction,  
31 and Relocation;
- 32 g) Comprehensive Resilient Housing Program for Disaster Survivors;

- 1 h) Investment and financing requirements;
- 2 i) Institutional arrangements, including public-private partnership; national
- 3 government roles; local government support functions; and private sector
- 4 responsibilities;
- 5 j) Implementation arrangements;
- 6 k) Reporting, monitoring, and evaluation.

7 *Sec. 6. Monitoring of Compliance with this Act.* – HUDCC shall take the lead to  
8 periodically monitor the compliance with this Act. Other agencies will participate in  
9 the monitoring such as attached agencies of HUDCC, DILG, Office of Civil Defense,  
10 NEDA, and CCC. There shall be a mechanism for civil society to participate in the  
11 monitoring process.

12 *Sec. 7. Joint Congressional Oversight Committee.* — There is hereby created  
13 a Joint Congressional Oversight Committee to monitor the implementation of this  
14 Act. The Oversight Committee shall be composed of five (5) Senators and five (5)  
15 Representatives to be appointed by the Senate President and the Speaker of the  
16 House of Representatives, respectively, who shall also designate a Senator and a  
17 Representative to co-chair the committee. Its funding requirement shall be charged  
18 against the appropriations of Congress.

19 *Sec. 8. Annual Report.* – The HUDCC shall submit to the President, Senate  
20 President and House Speaker not later than March 30 of every year following the  
21 effectivity of this Act, or upon the request of the Congressional Oversight  
22 Committee, a report giving a detailed account of the status of the implementation of  
23 this Act, a progress report on the implementation of the National Resilient Housing  
24 and Human Settlements Action Plan, policy gaps, and recommended legislation,  
25 where applicable and necessary.

26 LGUs shall likewise submit annual progress report on the Implementation of  
27 their respective local action plan to HUDCC within the first quarter of the following  
28 year.

29 *Sec. 9. Appropriations.* – The amount necessary for the initial implementation  
30 of this Act shall be charged against the current appropriation of the HUDCC.  
31 Thereafter, the amount needed for the continued implementation of this Act shall be  
32 included in the annual General Appropriations Act.

1           Sec. 10. *Implementing Rules and Regulations.* – Within ninety (90) days from  
2 the effectivity of this Act, the key shelter agencies shall, upon consultation and  
3 coordination with the pertinent government agencies, LGUs, private sector, NGOs,  
4 POs, and build environment expert and professionals, promulgate the necessary  
5 rules and regulations for the effective implementation of this Act: Provided, That  
6 failure to issue rules and regulations shall not in any manner affect the executory  
7 nature of the provisions of this Act.

8           Sec. 11. *Separability Clause.* – If, for any reason, any provision or part of this  
9 Act is declared invalid or unconstitutional, the remaining parts or provisions not  
10 affected thereby shall remain in full force and effect.

11           Sec. 12. *Repealing Clause.* – All laws, executive orders, presidential decrees,  
12 issuances, rules and regulations or parts thereof inconsistent with any provision of  
13 this Act are hereby modified, amended, or repealed accordingly.

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

Approved,