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**REPORT ON  
LAWS, RESOLUTIONS AND LEGISLATIVE PROPOSALS  
OF THE PHILIPPINE CONGRESS  
IMPLEMENTING THE RESOLUTIONS  
OF THE 31<sup>st</sup> AIPA GENERAL ASSEMBLY**

## **I. POLITICAL MATTERS**

### **Promotion of AIPA-ASEAN Cooperation**

#### ***ASEAN Charter***

In 2008, the Senate of the Philippines ratified the ASEAN Charter. Hence, the Philippine Congress binds itself to AIPA initiatives in support of and as a contribution to the creation of an ASEAN Community in 2015.

The Executive Department translated the ASEAN Charter into the Filipino language and disseminated the same to the schools nationwide. This is a small yet necessary step in the unfolding awareness in the Filipino people of the bigger community to which it belongs — a sense of common identity with the Southeast Asian community.

#### ***Harmonization of Legal Systems***

On the AIPA initiative to promote the possible harmonization of certain legal systems, the Philippines has enacted fairly recently laws on terrorism, money laundering, illicit drug and human trafficking, and cyber crime. The Congress of the Philippines is in the process of proposing amendments to fine tune the same.

For instance, the Anti-Money Laundering Act (AMLA) was enacted in 2001. However, there is still a need to strengthen the powers of the Anti-Money Laundering Council. The proposed amendments to the Anti-Money Laundering Act include criminalizing the financing of terrorism as a stand-alone offense.

Republic Act No. 9165 (Dangerous Drugs Act of 2002) is under consideration for possible amendments to strengthen law enforcement capabilities and to intensify the anti-drug campaign of government.

### **Enhancement of Solidarity and Unity in Diversity in ASEAN**

The House Special Committee on Peace, Reconciliation and Unity is deliberating certain House Resolutions calling for transparency in the talks between the Government of the Philippines (GRP) and the Moro Islamic Liberation Front (MILF); inquiring on the current status of the implementation of the various agreements and organic acts relative to the negotiations between

GRP and the Moro National Liberation Front (MNLF); and calling for the investigation of the conduct of the peace negotiations between GRP and the National Democratic Front (NDF).

The ongoing comprehensive peace process is premised on the principles of respect for diversity and respect for human rights. The participation of ASEAN states in specific processes may be seen as a way of promoting a culture of peace in the region. In particular, Malaysia and Brunei are members of the International Monitoring Team which monitors the implementation of the 1996 Final Peace Agreement with the MNLF.

The Payapa at Masaganang Pamayanan (PAMANA) is the government's initiative to establish and strengthen social cohesion in conflict affected areas. The peace process also involves complementary interventions aimed at addressing the roots of armed conflict and other relevant issues.

## **II. ECONOMIC MATTERS**

### **Promotion of Dialogue with Private Sector**

Consistent with the thrust of the Executive Department to promote projects through Public-Private Partnership (PPP), House Bill No. 4151 was filed in the House of Representatives to further amend the Build-Operate-Transfer (BOT) law. The BOT law encourages private participation in infrastructure development with certain incentives. The amendments thereto seek to put in place certain safeguards on government support and risk allocation.

### **Role of Parliamentarians on the Post-Financial Economic Crisis and the Issue of Sustainable Development**

#### ***Fiscal Incentives***

Certain legislative proposals seeking for the rationalization of fiscal incentives are pending consideration in the House of Representatives. These proposals address the problem of redundant incentives which are found in different laws by rationalizing and harmonizing them to create a balance between the need to attract investments and the exercise of prudence in granting these incentives.

#### ***Anti-Trust/Fair Competition***

There are certain pending legislative measures on Anti-Trust and Fair Competition which seek, among others, to create a Philippine Fair Competition Commission; to prohibit agreements among firms that prevent or restrict competition, or engage in unfair or deceptive trade practices; and providing for civil and criminal actions for violations.

### ***Promotion of Entrepreneurship through Micro, Small and Medium Enterprises (MSMEs)***

In 2008, Republic Act No. 9501, (Magna Carta for Micro, Small and Medium Enterprises) was enacted. Most MSMEs are engaged in wholesale and retail trade, manufacturing, and in the hotel and restaurant business. MSMEs also serve as suppliers and subcontractors to large enterprises and exporters, and form part of the support system for logistics services. Thus, in view of the large contribution of MSMEs to total employment and their potential to contribute more to the economy, the House Committee on Small Business and Entrepreneurship Development is currently considering a measure which will govern the creation and accreditation of micro enterprise development institutions. The primary objective is to establish the policy framework in promoting the growth and development of small enterprises as a strategy for poverty alleviation.

### **Clean Energy and Multi-lateral Trading System**

#### ***Multilateral Trading System***

The Philippines is firmly committed to fair and liberal trade and have promoted this stance consistently in regional and multilateral fora. The Philippines also remains committed to the multilateral trading system of the WTO even as the country seeks to further expand trade particularly with possible dialogue partners.

There are bills in the House of Representatives which support initiatives on multilateral trading system. One of which is House Bill No. 958, which seeks to create the WTO-Affairs Strategy Office under the Office of the President. It shall primarily formulate policies in relation to global trade, conduct continuing research and study on WTO and review existing laws and economic policies relative to multilateral trading system. Another bill is House Bill No. 56, which seeks to create the Philippine Trade Representative Office, an agency which shall handle the country's trade and investment agreements and provide, among others, greater accountability to trade negotiators in dealing with the global trend of negotiating economic opportunities for the country.

## **III. SOCIAL MATTERS**

### **Climate Change, Disaster Management and Pandemic Diseases Prevention**

The Philippines has adhered to the Hyogo Framework for Action 2005-2015: Building the Resilience of Nations and Communities to Disasters. The Philippine Congress, particularly, was guided by the Framework's Priorities for Action when it enacted Republic Act No. 10121 (The Philippine Disaster Risk Reduction Act of 2010). The Act provides for appropriate responses to natural disasters by the

adoption of a comprehensive multi-sectoral approach in addressing the impacts of natural disasters and climate change.

In 2009, Republic Act No. 9279 (the Climate change Act of 2009) mainstreamed climate change into government policy formulations. It created the Climate Change Commission mandated to formulate the National Framework Strategy on Climate Change (NFSCC) and the National Climate Change Action Plan (NCCAP).

### **Human Resources Development**

In 2010, Republic Act No. 10022 was enacted amending the Magna Carta for Migrant Workers and Overseas Filipinos (Republic Act No. 8042). Republic Act No. 10022 is intended to intensify the protection for overseas Filipino workers. Under this new law, the Department of Foreign Affairs through the Philippine Embassies will make a survey of the countries under their jurisdiction to see if the rights of migrant workers are protected. The criteria for the survey include: (1) whether the receiving country has existing labor and social laws protecting the rights of migrant workers; (2) whether the receiving country is a signatory to and/or ratifier of multilateral conventions, declarations or resolutions relating to the protection of migrant workers; and (3) whether the country has concluded a bilateral agreement or arrangement on the protection of the rights of overseas Filipino workers.

### **Persons with Disabilities (PWDs)**

The Philippines is a signatory to the UN Convention on the Rights of Persons with Disabilities. The purpose of the Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all PWDs, and to promote respect for their inherent dignity.

In 1992, Republic Act No. 7277 or the Magna Carta for Persons with Disabilities was enacted. The law ensures the protection of the rights and privileges of PWDs. The law also prohibits discrimination against PWDs particularly in employment, education, transportation and the use of public accommodations and services. Subsequently, Republic Act No. 9442 was passed into law which provides for discount privileges and educational assistance for the sector and prohibits public ridicule and velification of PWDs. In 2010, Republic Act No. 10070 was enacted. The law mandated the establishment of the Persons with Disabilities Affairs Office in every city, municipality and province in the country which shall ensure, among others, the implementation of disability related laws at the local level; enjoin the participation of non-government organizations in the implementation of disability related laws; compile relevant data on PWDs in their localities; disseminate information on programs and activities for PWDs; and monitor fund raising activities being conducted for the benefit of PWDs.

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## **Facilitating the Implementation of AIPA Resolutions on Preventing and Combatting Illegal Drugs, and to Improve AIFOCOM Activities**

The Philippines through the Dangerous Drugs Board has actively maintained cooperative undertakings at the regional and international levels on all matters pertaining to drug abuse and illicit drug trafficking. Despite budget limitations, DDB continues to optimize linkages both at the national and regional levels and pursue initiatives which contribute to the overall effort to implement specific priority areas in the national anti-drug campaign, and in keeping with the country's commitment to contribute to the overall achievement of a Drug-Free ASEAN 2015.

The House Committee on Dangerous Drugs is constantly consulting partner agencies for possible amendments to Republic Act 9165 (Dangerous Drugs Act of 2002) to strengthen law enforcement capabilities and to intensify the anti-drug campaign of government, which includes amendments to the procedures for seizure and disposition of dangerous drugs; actual buy bust operations; reasons for dismissal of drug cases and other problems encountered by the law enforcement agencies. In an effort to put more teeth to the existing law, certain legislative measures were introduced to increase the penalties and allow law enforcement agencies to conduct wiretapping and electronic surveillance.

### **IV. WOMEN OF AIPA (WAIPA)**

#### **Strengthening Social Welfare and Development for Women and Children**

The vital role of Filipino women in economic, political and socio-cultural realms is integral in nation-building. As expressed in the Philippine Constitution, the State recognizes the role of women in nation-building and ensures the fundamental equality of women and men. Republic Act No. 7192 was one of the more concrete steps in this direction. Popularly known as "The Women in Development and Nation Building Act of 1992," it mandates all government departments, agencies and instrumentalities including local government to ensure that women benefit equally and participate directly in their programs and projects. Under the same law women of legal age regardless of civil status, shall have the capacity to act and enter into contracts which shall in every respect be equal to that of men under similar circumstances. In all contractual situations where married men have the capacity to act, married women shall have equal rights.

However, contemporary history proves that equality is not achieved by the mere expedient of passing laws that are equally applicable to men and women, or laws which are gender-neutral or even gender-sensitive. Domestic violence, sexual assault and harassment, forced prostitution and trafficking of women still

abound, and quite a number of these cases are undocumented. Moreover, women still fall victim to internal displacement due to armed conflict; the lack of proper health care, education and literacy; improper treatment under the criminal justice system; and unequal job opportunities. Hence, laws were subsequently passed to underscore the need to protect and uphold women's human rights such as the Anti-Sexual Harassment Law of 1995 (R.A. No. 7877), the Anti-Rape Law of 1997 (R.A. No. 8353), and the Anti-Violence Against Women and their Children Act of 2004 (R.A. No. 9262), among other active government interventions directed to gender and women's concerns.

Recently, the Philippines has taken a significant stride in enacting a national legislation which gives a favorable milieu for women's development. Republic Act No. 9710 otherwise known as the Magna Carta of Women espouses a policy on the full integration of women's concerns in the mainstream of development in which the State will develop plans, policies, programs, measures and mechanisms to address discrimination and inequality against women in all spheres of life.

### ***Filipino Family Subsistence***

The *Pantawid Pamilyang Pilipino* (Filipino family subsistence) *Program* (4Ps) is an innovative social development and poverty reduction strategy that provides grants to extremely poor households. This initiative of the government is meant to improve the health, nutrition and education conditions, particularly of children aged 0 -14. As of December 31, 2009, 4Ps benefited a total of 788,793 active household-beneficiaries with 50,593 female-headed households have already received health and education cash grants amounting to P7,271,641,800.

On health benefits, 39,650 pregnant women have availed of pre and post-natal care, 364,079 girl children out of the 789,446 children aged 0-5 immunized and availed preventive health check-up. With regard to educational benefits, 662,626 girl children out of the 1,165,493 children aged 6-14 enrolled in elementary and high school and 411,993 children aged 3-5 enrolled in day care centers maintained at least 85% attendance rate. The program implementation currently covers 664 municipalities and 60 cities in 80 provinces.

### ***ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC)***

The ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) was inaugurated during the 16th ASEAN Summit held in Ha Noi, Vietnam last 07 April 2010. The Philippines, through the Department of Social Welfare and Development (DSWD) and the Philippine Commission on Women (PCW) actively participated in the establishment of the ACWC. It aims to uphold, promote, protect, respect and fulfill the human rights and fundamental freedoms of women and children in the ASEAN.

The Government through Office of the Presidential Adviser on the Peace Process (OPAPP) is currently undertaking steps to implement Republic Act No. 9710 (Magna Carta of Women [2009]), specifically on the relevant portions on Peace and Development, human rights and protection against violence of women. These steps include: appointment of women as members of the negotiating panels for talks with the MILF and CPP-NPA-NDF; continuing implementation of interim security arrangements in ongoing peace processes, to ensure the protection of women, children and other vulnerable sectors in conflict-affected areas; and drafting of the National Action Plan to implement UN Security Council Resolutions 1325 (Women, Peace and Security).

### ***Rights of Children***

Two measures were approved on third reading last month, namely: House Bill No. 4480 — “An Act Providing for the Special Protection of Children in Situations of Armed Conflict and Providing Penalties for Violation Thereof” and House Bill No. 4481 — “An Act to Strengthen and Propagate Foster Care for Abandoned and Neglected Children with Special Needs.” Another measure, House Bill No. 4455 — “An Act Promoting Positive and Non-Violent Discipline in Lieu of Corporal Punishment of Children” has been scheduled for plenary approval.

### **Role of Women in Economic Recovery after the Financial Crisis**

#### ***GREAT Women Project***

The Philippine Commission on Women (PCW) is the primary policy-making and coordinating body on women and gender equality concerns. As the oversight body on women’s concerns, the PCW acts as catalyst for gender mainstreaming, authority on women’s concerns, and lead advocate of women’s empowerment, gender equity, and gender equality in the country.

The PCW partners with key stakeholders to make government work for the promotion and fulfillment of women’s human rights to enable women and men to equally contribute to and benefit from development through gender mainstreaming in plans, policies, programs and services.

One of these programs is the Gender Responsive Economic Actions for the Transformation of Women (GREAT Women [2006-2012]) Project. It is a governance and capacity development project that aims to promote and support a gender-responsive enabling environment for women’s economic empowerment, particularly those in microenterprises. The GREAT Women Project is provided with technical and financial support by the Canadian International Development Agency.

Through the GREAT Women Project, there is expansion and modeling of social protection programs for women micro-entrepreneurs and job generation by creating a more enabling environment for micro-enterprise growth. This has been possible through the strengthened coordination of various national government agencies as well as select local government units to provide micro-entrepreneurial opportunities to the Filipina.