ROUNDTABLE DISCUSSION & CONSULTATION ON HOUSE BILL 6075 DOCUMENTATION

Strengthening Public-Private Partnership on
Disaster Risk Reduction
to Build Resilient Communities

Asian Institute of Management
07 March 2018, 9:00AM – 5:00 PM

SUMMARY

Philippine Disaster Resilience Foundation is implementing a 12-month project, *Strengthening Public-Private Partnership on Disaster Risk Reduction to Build Resilient Communities* to build a stronger partnership between the Philippine government and the private sector, specifically on how the government can work together with companies before, during, and after disasters. While the existing Republic Act 10121 (Philippine Disaster Management Act of 2010) clearly outlines the roles and responsibilities of government agencies play in relation to disaster management, it currently does not have the same protocols spelled out for the private sector. Leveraging on the interoperability approach, PDRF will bring together businesses and government in regular consultation meetings, multi-sectoral dialogues and forums to develop a DRR Roadmap and Partnership Agreement with clear terms of reference for both parties.

In partnership with the Disaster Risk Reduction Network Philippines (DRRNet - Philippines), PDRF organized a roundtable discussion and consultation last 07 March 2018 among its member companies mainly those with operations in critical lifelines such as telecommunications, water, power and energy; International Development Agencies; Civil Society Organizations; National Government Agencies and Local Government Units.

The main goal of the event is to contribute to **policy recommendations** that will enable efficient processes, sustainable mechanisms, and valuable partnerships in DRR towards a resilient nation. The following are the specific objectives:

- To update and orient the private sector, CSOs, government agencies and other stakeholders on the significant developments on the Sunset Review and Amendatory Bill of RA 10121 since the last consultation meeting;
- To gather further inputs from the participants on the salient provisions of the bill; and
- To mobilize and consolidate support from private sector groups, CSOs, government agencies, local government units and international development agencies.

BACKGROUND

HOUSE BILL 6075

Section 27 of Republic Act 10121 states that within five (5) years after the effectivity of the law, a Sunset Review shall be conducted to systemically evaluate the accomplishments and impact of the policy including the performance and organizational structure of the implementing agencies for purposes of determining remedial legislation. Starting from the fourth quarter of 2014, both government and civil society organizations conducted several multi-stakeholder consultations on the implementation of the law.

The Office of Civil Defense (OCD), the implementing arm of the National Disaster Risk Reduction and Management Council (NDRRMC) also conducted an institutional assessment. The experiences of Local Government Units were also examined.

In relation to this Sunset Review, DRRNet and its member organizations conducted series of consultation workshops with disaster affected communities as well as other vulnerable local government units in various parts of the country to gather inputs on how to improve the Philippine policies on disaster risk reduction and management. After these consultations, series of multi-sectoral policy writeshops were organized to analyze and harmonize the Philippine policy framework on Disaster Risk Reduction and Climate Change Adaptation based on the outputs of the RA 10121 Sunset Review consultations and translate these into concrete legal provisions in the proposed draft amendment bill to RA 10121.

Since then, an amendatory bill was drafted which intends to establish an independent agency for DRRM. Rep. Joey Salceda filed the amendatory bill as House Bill 6075 creating the Department of Disaster Resilience. This proposed department will be the primary government agency accountable, liable and responsible for overseeing, coordinating, and implementing a comprehensive disaster risk and vulnerability reduction and management program in the country.

PARTICIPANTS

ROUNDTABLE DISCUSSION ON HOUSE BILL 6075
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March 07, 2018

#	NAME	ORGANIZATION	DESIGNATION
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28	Kamille Ruiz	DRRNet	
29	Jolly Gibe	Habitat for Humanity	DRRR Officer
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Legends:

Member Companies / Private Sector

Government Offices

Civil Society Organizations

PDRF

ROUNDTABLE DISCUSSION ON HOUSE BILL 6075
DOCUMENTATION

1 WELCOME REMARKS

To start off the roundtable discussion, representatives from each sector delivered their welcome remarks. They were Mr. Manuel “Nong” Rangasa from the office of Rep. Joey Salceda, Ms. Adeline Alvarez of DRRNet, and Mr. Butch Meily of PDRF.

Mr. Manuel "Nong" Rangasa, Representative of Rep. Joey Salceda delivering his speech

During the message of Mr. Rangasa, he emphasized that there is a need of amendment of DRRM law (RA 10121) bill in helping increase the resiliency of the country wherein it integrates the whole society in designing and planning policies. In which there is also a need to regroup the different agencies (warning agencies) and create a more effective collaboration of organizations, agencies, and private sectors into one department, that is the Department of Disaster Resilience (DDR). He also stressed to have a *probabilistic* and *multi-hazard* response of the national and local government in collating data towards strong DRRM and effective mitigation policies; added that climate change aspect should also be included in the policy.

Ms. Adelina Alvarez of DRRNet during her welcome remarks

Ms. Alvarez, during her welcome remarks highlighted the importance of looking at bills on DRRM that will help the country in facing disasters and that will put the country in the global map in terms of its resilience.

Mr. Butch Meimy of PDRF addressing the participants from different agencies and organizations

Mr. Meily started his speech through remarking that the country is now stronger and better in coping up with disasters. He also added that the country is seen in the world as an example in disaster resilience, based from his conferences outside the country. Moreover, he praised the collaboration of different agencies and

organizations in improving the proposed house bill. Encouraged open and frank discussions among participants to allow exchange of diverse backgrounds and experiences that will all contribute towards a safer and more resilient country.

2 PRIVATE SECTOR BACKGROUND

Ms. Veronica Gabaldon of PDRF discussing the role and importance of private sectors in DRRM

Ms. Gabaldon discussed the importance of private sector in DRRM policy as well as the other agencies and organizations involved in DRRM wherein she shared a quote from Margareta Wahlstrom, UN Special Representative of the Secretary General for Disaster Risk Reduction:

> *"The private sector is the perfect advocate for resilient thinking because of its direct relationship with consumers, customers, and suppliers, and can steer public demand towards risk-sensitive products and services. A new collaborative approach between governments and private enterprise based on trust will build disaster resilient communities."*

She stressed the importance of involving MSMEs, which is 99% of our society and has a major contribution in the recovery aspect during disaster; added that Business Continuity Plan/Management is key to a resilient community. She then elaborated that House Bill 6075 is highly expected to cater the needs of different sectors on DRRM.

3 HOUSE BILL 6075 BACKGROUND

Ms. Kamille Ruiz discussing the background and context of the House Bill 7065

Ms. Ruiz introduced DRRNet first before discussing the house bill; it is composed of networks of different organizations that incorporates the Sendai Framework for Disaster Risk Reduction in implementing Community-Based Disaster Risk Reduction and Management (CBDRRM).

She then discussed the timeline of the Sunset Review Activities on RA 10121 wherein there were evaluations of the accomplishments and impact of RA 10121 including the performance and organizational structure of the implementing agencies for purposes of determining remedial legislation; Benchmarking sessions were also conducted with LDRRMOs and devolved agencies and Policy and Institutional Assessment with the National Government Agencies were also conducted.

After elaborating the processes of Sunset Review of RA 10121 Presented the context and background of HB 6075 in which the principal author is Rep. Joey Salceda. The new proposed bill will replace HB 1648

(National Disaster Risk Reduction and Management Authority); with similar contents but an improved version of HB 1648; Rep. Salceda replaced his NDRRMA Bill based on the pronouncement of President Duterte in his State of the Nation Address, quoting him:

> *"I am calling [on] both houses of Congress to expeditiously craft a law establishing a new authority or department that is responsive to the prevailing 21st century conditions and empowered to best deliver [an] enhanced disaster resiliency and quick disaster response."*

4 BREAKOUT SESSIONS – HOUSE BILL CHAPTER INPUT

During the breakout session, the participants were divided in 4 groups: the Private Sector, the Local Government Unit, the National Government Agencies, and the Civil Society Organizations. Each group was assigned a chapter where they can add and modify the provisions. The expected output per group are amendments to provisions and additional policy recommendations.

The following are some of the highlights from the input of the participants during the breakout sessions.

4.1 FROM THE PRIVATE SECTOR

Strong external relations division, to champion partnerships with the private sector;
Standards in EWS should be limited to the official personal or office;
Include the clause to have MOAs for the exchange of resources, information, manpower, include exit plans and consider the security and safety concerns of the assets;
Reference to the Data Privacy Act;
Duly authorized insurance entity to be chosen by the private sector for their critical assets, where it is economical and practicable, not limited to GSIS, DRR to cover the insurance of volunteers from the private sector
Strong external relations division, to champion partnerships with the private sector;
Standards in EWS should be limited to the official personal or office; and
Include the clause to have MOAs for the exchange of resources, information, manpower, include exit plans and consider the security and safety concerns of the assets; where it is economical and practicable, not limited to GSIS, DRR to cover the insurance of volunteers from the private sector.

4.2 FROM THE LOCAL GOVERNMENT UNIT OFFICES

Add roles of other sectors of the community such as farmers, fisher folks, and other members of the community;
Add of "*involvement*"; not only participation to ensure the contribution of the members;
Add culture of preparedness;
Definition of *risk* in the current bill;
Clarify difference of Disaster Risk and Vulnerability Reduction Plan plan vs Local Disaster Resilience Plan
Not only University of the Philippines but add other state universities in the council; and
What happens to seniority/number of years in service?
Retain Department of DRRM; definition of resilience is not clear and aligned to Sendai Framework for DRR;
Clarity of roles of local and national members;
Provision of hazard pays for the staff;
Criteria for the declaration of state of calamity; and
Sunset review is not incorporated in the bill.

4.3 FROM THE CIVIL SOCIETY ORGANIZATIONS

Consistency on the use of the term *resilience*;
Powers and Function Section: Is it only in times of disasters DRR is important and needed?
Comment on CCC – *what is the safeguard that the transfer of functions to OCD will solve the problem of not being able to pass the policies?*

Need to see the rationale of the transfer the functions of each agency to DRR
The function of department is there, but the power is not;
Function of Department should be clear that it covers all phases of DRRM;
Balance the powers and the functions of DDR. In current draft, there ae more functions but the provision do not reflect them;
Chapter 7: Clarify why UPRI and NOAH is only the representative under academic/institutions; *Kamille Ruiz, DRRNet: UPRI and NOAH were inserted from the office of Cong. Salceda, UPRI and NOAH are required to provide materials for the climate change commission, therefore their involvement in the council;*
Section 17: Clarify the meaning of trainings. Criteria to conduct trainings; and
Consider the role of marginalized groups or individuals of the disaster-affected area.

4.4 FROM THE NATIONAL GOVERNMENT AGENCIES

Human Resource Management – reconsider the proposed structure NDRRM framework; adapting thematic;
Proposed Department integrate some of the agencies, organizational structure; transfer of functions and will there be abolishment of department;
Insurance: Strengthen Property Insurance Law,
Develop magna carta to staffs who has hazardous work to receive insurance and incentives;
Improve building code; to check if the government agencies follow building codes;
Appropriation: Budget of 10B has no basis, no costing yet; instead do not put amount yet;
DDR Fund –DBM should be the one to manage and control and DDR will only utilize the use of the fund.

The participants were also given the chance to give comments on other chapters that were not assigned to their group by posting their inputs on the *parking lot wall*.

The table below is the summary of inputs collected after the roundtable discussion.

ROUND TABLE DISCUSSION & CONSULTATION ON HB 6075

Inputs of Stakeholders

CHAPTERS	INPUT		
	CSOs	**GOVERNMENT OFFICES (LGUs & NGAs)**	**PRIVATE SECTOR**
CHAPTER 1	• (b.) Inclusion of consumers and recognized consumer organizations (RCOs) • (b.) Shall be vigilant on availability of supply and ensuring reasonable prices of basic necessities & prime commodities (BNPC) • (b.) Report any unreasonable increase/manipulation of supplies/prices of BNPCs to appropriate government agencies		• (b.) Establish Competency Matrix of the Stakeholders • What Specific workers' rights are to be respected during disaster preparedness & response? Can we site an example to make it clearer?
CHAPTER 2	• Create cabinet level agency, not necessarily a department • Identify DRR unit in every agency • Assign permanent representatives to the Disaster Resilience Council	• (Section 5.m.) Establish National Disaster Resilience Research and Traning Institute • Resiliency / Resilience Jargon • DDR should consider important role not only in times of disaster out for the whole Disaster Management Cycle. • DDR should spearhead disaster efforts & not augment. NGAs should be the one to augment. • (Section 5.) "Functions & Power" focused merely on functions only • Tenure of Sec is questionable as an appointee • Will the DDR be a devolved department?	
CHAPTER 3	• Expand Operations Service to include four thematic areas. • Naming of Divisions is discouraged, for flexibility.		• (c.) Suggest that external relations division to serve as point for all dealings with non-government entities; be the champion for engaging the private sector & CSO (Can look at the DepEd Structure as an example)

CHAPTER 4	• (Section 12.a.1.) In case of grants (in cash/ in kind), acceptance shall be subject to the prior clearance and approval by the president or his authorized representative based on the recommendation of the Secretary of Finance • (Section 12.a.2.) In case of donation (in cash/ in kind) from foreign governments shall require prior clearance and approval by the president od his authorized representative based on the recommendation of the Secretary of Foreign affairs • (Section 12.b.) The receipts from cash donations and proceeds from sale of donated commodities shall be deposited with the National Treasury and recorded as a Special Account in the General Fund pursuant to Section 35, Chapter 5 Book VI of EO No. 292		• Define Management further • Include provisions on Fund Management • Define clearly the role of the department in managing funds, Accountability and Speed in disbursement of funds
CHAPTER 5	• Retain DRRMCs Name: Department of Disaster Risk Reduction and Management • Benefits such as insurance, OT, Hazard pay, • Ensure Divisions and fuctions in local and National DRRMC • Ensure continuity RDRRMC OpCen by adding plantilla position esp. Chiel i.e. OCD set up • Ensure CSO participation as determined by local council • Streamline procurement on local level • The Department of Transportation and Communications (DOTC) was renamed Department of Transportation after the creation of the Department of Information and Communications Technology per RA10844 on May 23, 2016 • We request that these two departments be represented by their secretaries (DOTr & DICT)	• (Section 13.d.1.) Disseminate Information, raise public awareness and <u>educate constituents regarding community vulnerability and risks.</u> • (Section 13.d.2) Paragraph 1: …Barangay Disaster Resilience Committee • (Section 12.d.2) Paragraph 3: The punong barangay… participation of <u>local persons-with-disabilities, indigenous peoples, and senior citizens organizations, and at least 3 CSO representatives.</u> • (Section 12.d.2) Paragraph 3: (Add) Barangays are authorized to appoint a barangay disaster resilience officer, who shall have the same powers and responsibilities of the LDRO • (Section c.1.) add Persons with Disability affairs office (PDAO) and UPAO	• (Section 13.d.1) LDRO should pass accreditation process by the department, or through the training institute division

CHAPTER 7		• (Section 17) The department shall establish the National Disaster Resilience Research and Training Center. • (Section 17) Naming favoured institutions such as UP NOAH and Resilience Institute should be "academe" • (Section 17) Clarify accreditation process and rationale and how it affects other institutions	
CHAPTER 8		• (Section 19.a.) Change persons with special needs to persons with disabilities according to RA 9442	
CHAPTER 9	• (Section 21.b.) GSIS agrees to make mandatory the insurance of all assets and properties of NGAs as prescribed under RA 656. This is a pending house bill in congress also sponsored by Congressman Salceda amending RA 656 to strengthen the mandate given to GSIS as the issuer of all government properties. • (Section 21.b.) We suggest that the last sentence be rephrased/ amended as follows: "The insurance should be provided by the GSIS" to make it consistent with RA 656 • Provide Accident Insurance for DRRM responders & volunteers through GSIS • Develop Magna Carta for DRRM Workers and Volunteers • Specify the role of each agency		• (Sec tion 21) "Social Welfare" The definition should refer to DSWDs definition. Suggested to be changed to "Continuity of Livelihood" or "Way of Life" • Set up a Disaster Risk Insurance Pool

CHAPTER 10	• (Section 23.b.) LGUs shall Identify based on their Hazard maps and risk assessment • Ensure sunset review recommendations are integrated in this bill • Ensure standardized, harmonized EWS from barangays to the LGUs • Ensure standardization of protocols at the local/ community level • • (section 25.e.) Revise the content specific info should be thru IRR		
CHAPTER 11	• Involve TESDA, CHED, DepEd, DOLE, PRC in the standardization of module for volunteers and the accredited process • Monitoring and Evaluation mechanisms on humanitarian assistance reports (& other reports). LGU reports to the DDR. • Emergency fund must be under trust fund no in QRF (for imminent hazards)	• (Section 29) Paragraph 2: A national roster… and the private sector shal be maintained by the Department through the LDROs… • (Section 29) Paragraph 4: The National Service Reserve Corps (NSRC), as established by RA 9163, is reorganized as an organic unit of the Capacity Development Service. The NSRC shall be headed by a Director-General appointed by the Secretary of Disaster Resilience and serving at his pleasure. • (Section 29) Paragraph 5: The Director-General of the NSRC shall be a person of known integrity, preferably with a background in disaster resilience, and with experience in people management. He shall formulate the NSRC manual and operating procedures, and issue regulations necessary for the full implementation of the NSRC program as currently provided by law. • (Section 27.f.) After 24 hours without report, the nearest held office of the department may take lead…	•

CHAPTER 12	• (Section 32) Comprehensive guidelines for this section should be developed in coordination with NDRRMC member agencies • (Section 32) The Philippine government may study other foreign governments' laws and regulations governing the entry and stay of foreign volunteers • (Section 32) Pursuant to the existing codified visa rules and regulations of the Philippines, foreign volunteers who will work for their sponsoring entities shall enter the country as special non-immigrants under section 47.a.2., in which application is submitted by sponsoring entities and is processed by the DOJ. • (Section 38.a) Does this only apply to the national state of calamity? If this will be also applicable to local state of calamity, this will not be aligned with the customs modernization and tariff act (RA 10863). The application of this exemption should be clarified.		
CHAPTER 14	• (Section 46.b) Recommended to read as: Imposition of Automatic Price Control or Price Freeze or Mandated Price Ceiling when necessary as provided uner Republic Act 7581 as amended • (Section 46.c.) Recommended to read as: Monitoring, prevention and control by the local price coordination council of over pricing/ profiteering and hoarding of basic necessities and prime commodities, medicines and petroleum products	• (Section 46.d.) Clarify consistency on the use of term. Build back Better or Build Better Forward? • (Section 46.e.) and of the disaster affected area. • (Section 46) Paragraph 2: Clarify if reporting shall be sole responsibility of the government financing or lending institutions or LDRC is included.	•
CHAPTER 16		• (Section 50.e.) Fines under this section shall acc to the prevention, mitigation and preparedness for 3rd to the 6th class municipalities.	• Do BFP, CCC, Geo of MGB have to be transferred to DDR?

CHAPTER 17	• DDR to monitor utilization of calamity fund • Remove Php 10B as initial budget		
CHAPTER 19		• (Section 55) Consider review of this section, Why committees on national defense and security?	

5 SYNTHESIS

Ms. Ruiz of DRRNet acknowledged the participation of the different sectors in the community that have contributed in the inclusive result for the review of the bill. She added that the inputs will be consolidated and will be submitted to the council for the review of the bill and 2nd reading. She also encouraged the group to be involved during the plenary sessions to monitor the changes and development of the bill.

6 CLOSING

Toni Zuniga and Candice Bismonte of PDRF recognized that the event was made possible through the Strengthening Public –Private Partnership project funded by USAID OFDA.

They thanked the active participation and significant contributions of the attendees from PDRF member companies, International agencies, CSOs, national government agencies, local DRRMOs. As a follow through, updates on the bill may be circulated in the mailing list should the participants wish to receive.

In the side of the private sector, PDRF will gather more inputs from other member companies not in attendance and aim to develop a position paper as a network.

And also, recognized co-organizers, DRRNet and the PDRF team.

APPENDICES

ATTENDANCE SHEET

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pdrf PHILIPPINE DISASTER RESILIENCE FOUNDATION

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Attendance of Participants (Member Companies)

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ROUND TABLE DISCUSSION ON HOUSE BILL 6075
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DISASTER RISK REDUCTION NETWORK PHILIPPINES (DRRNetPhils)

ROUNDTABLE DISCUSSION & CONSULTATION ON HOUSE BILL 6075

ASIAN INSTITUTE OF MANAGEMENT

07 MARCH 2018