Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH (18th) CONGRESS
First Regular Session

HOUSE RESOLUTION NO. 820

Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

A RESOLUTION
DIRECTING THE COMMITTEE ON HEALTH JOINTLY WITH THE
COMMITTEE ON DISASTER MANAGEMENT TO CONDUCT AN IMMEDIATE
REVIEW AND ASSESSMENT, IN AID OF LEGISLATION, OF THE
IMPLEMENTATION OF EXECUTIVE ORDER NO. 51, REPUBLIC ACT NO. 10028,
REPUBLIC ACT NO. 11148, AND REPUBLIC ACT NO. 10821 IN LIGHT OF THE
OF THE COVID-19 PANDEMIC

1 WHEREAS, Section 15 Article II of the 1987 Constitution states that, "the State shall protect
and promote the right to health of the people and instill health consciousness among them," and
Section 3, Article XV states that, "the State shall defend the right of children to assistance,
including proper care and nutrition;"

2 WHEREAS, the Philippines has adopted the United Nations Convention on the Rights of the
Child (UN CRC) which provides that State Parties recognize the right of the child to the
enjoyment of the highest attainable standard of health, and that State Parties shall take
appropriate measures to assist parents and others responsible for the child to provide material
assistance and support programmes, particularly with regard to nutrition;

3 WHEREAS, the Philippine Plan of Action for Nutrition 2017-2022 highlights the first 1,000
days of life or the period of pregnancy up to the first two years of the child as a critical window
for the physical and mental development of the child, and as such, ensuring optimum child
development includes exclusive breastfeeding during the first six months;

WHEREAS, President Rodrigo Roa Duterte issued Proclamation No. 922, s. 2020 declaring a State of Public Health Emergency throughout the Philippines due to the increasing infection rate of the Coronavirus Disease 2019 or COVID-19; and Proclamation No. 929, s. 2020 declaring a State of Calamity throughout the Philippines and imposing an Enhanced Community Quarantine throughout Luzon;

WHEREAS, on 24 April 2020, President Duterte announced the extension of the Enhanced Community Quarantine in Metro Manila to 15 May 2020;

WHEREAS, the implementation of the Enhanced Community Quarantine has left many Filipino families, including those with children who are within their first 1,000 days of life, under "no work, no pay" conditions and other such conditions that strictly limit access to a healthy lifestyle and proper nutrition;

WHEREAS, because of these pertinent conditions under the Enhanced Community Quarantine, ongoing relief and other humanitarian aid efforts in barangays and other local government units put in light the reality that there are non-breastfeeding households despite the policy in favor of breastfeeding;

WHEREAS, fifty-five (55) families in Barangay Pasong Tamo alone, requested to be provided with infant formula/breast milk substitute;

WHEREAS, on 22 April 2020, the Department of Health (DOH) expressed that it has alerted its Centers for Health Development (CHD) on the overwhelming requests for formula milk donations and guaranteed that local government units may procure supplies for non-breastfeeding families with the help of CHDs and the National Nutrition Council (NNC) Regional Offices;

WHEREAS, DOH further expressed the role of CHDs and the NNC Regional Offices in creating a list of qualified beneficiaries of formula milk for the purpose of avoiding wastage and misuse of supplies, particularly by families with children who are six (6) months old and below;

WHEREAS, several public service officials have received a complaint filed against them in light of violations of Executive Order No. 51 or "The Philippine Milk Code" and Department of Health Administrative Order No. 2007-0017 or "Guidelines on the Acceptance and Processing of Foreign and Local Donations During Emergency and Disaster Situations," specifically on acceptance and distribution of milk formula donations for mothers with infants and children;

WHEREAS, the House of Representatives is cognizant of the avowed policy of Republic Act No. 11148 or the "Kalusugan at Nutrisyon ng Mag-Nanay Act" for the scaling up of nutrition intervention programs in the first 1,000 days of a child's life, and allocation of resources in a
sustainable manner to improve the nutritional status and to address the malnutrition of infants
and young children, adolescent females, pregnant and lactating women;

WHEREAS, Executive Order No. 51, Republic Act No. 11148, Republic Act No. 10028 or the
"Expanded Breastfeeding Promotion Act of 2009," and Republic Act No. 10821 or the
"Children’s Emergency Relief and Protection Act" put a premium on maternal, infant, and child
health as a matter of policy for human development, and as such, these laws must be fully
implemented to ease, rather than obstruct, the realization of its objectives during a public health
emergency;

NOW, THEREFORE, BE IT RESOLVED, that the House of Representatives, through its
appropriate Committee, conduct an immediate review and assessment of the implementation of
Executive Order No. 51, Republic Act No. 10028, Republic Act No. 11148, and Republic Act
No. 10821 in light of the COVID-19 pandemic.

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