Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 9192

Introduced by
BAYAN MUNA Representatives EUFEMIA C. CULLAMAT,
CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITE,
GABRIELA Women’s Party Representative ARLENE D. BROSAS,
ACT TEACHERS Party-List Representative FRANCE L. CASTRO,
and KABATAAN Party-List Representative SARAH JANE I. ELAGO

AN ACT
AMENDING REPUBLIC ACT NUMBERED ELEVEN THOUSAND FIVE
HUNDRED EIGHTEEN (RA 11518) OR THE GENERAL APPROPRIATIONS ACT
OF 2021, REPEALING THE P16,440,000,000 (P16.4 BILLION) -SUPPORT TO
BARANGAY DEVELOPMENT PROGRAM OF THE NATIONAL TASK FORCE TO
END LOCAL COMMUNIST ARMED CONFLICT (NTF ELCAC) AND
ALLOCATING FOR THE P15,000 - FINANCIAL SUPPORT TO THE 1 MILLION
POOREST FILIPINOS EMPLOYED IN THE COUNTRY'S FISHERIES SECTOR
TO PUMP-PRIME THE WHEELS OF PRODUCTION, AS CRUCIAL
CONTRIBUTION TO THE RECOVERY OF THE NATIONAL ECONOMY AND
AS RESPONSE MECHANISM TO MITIGATE THE IMPACT OF THE COVID-19
PANDEMIC TO THE SECTOR RECOGNIZED AS “VULNERABLE AND
MARGINALIZED”

EXPLANATORY NOTE

It should be traced that the National Task Force to End Local Communist Armed Conflict (NTF
ELCAC) as created by the 2018 Executive Order No. 70, or the “whole-of-nation” approach to
counter-insurgency, was preceded by the 2017 Executive Order No. 16 which then commanded
the “whole-of-government” approach. These orders are all based on the “National Security Policy
for Change and Well-Being of the Filipino People” or NSP 2017 – 2022.

The “whole-of-nation” approach (WNA) is an outgrowth of the “whole-of-government”
approach (WGA) which could be traced back to its earliest form in 1998 as “Joined-Up-
Government,” carried out by then United Kingdom Prime Minister Tony Blair. It was “a policy to
make different departments in the same government work together.” However, British scholars also branded
it as a new term for an old administrative doctrine called “coordination.” More so, as stated in the
EO 70, Section 6, the word “Convergence,” is defined as “the act of converging and especially moving

1 “So what is joined-up government?”. BBC News. 23 November 1998,
toward union or uniformity."

The NTF ELCAC was composed of at least 22 members, with the President as Chairperson and the National Security Adviser as Vice-Chairperson. This included 11 of the 23 cabinet members.

This is on top of the National Security Council headed by the National Security Adviser, created by the 1986 Executive Order No. 115, which is composed of the President, the Vice-President and Minister of Foreign Affairs, the Executive Secretary, Minister of National Defense, the Minister of Justice, the Minister of Labor and Employment, the Minister of Local Government, the National Security Director, the Chief of Staff of the New Armed Forces of the Philippines, and such other government officials and private citizens as the President may designate from time to time.

The NTF ELCAC was again on top of the Cabinet Security Cluster created by the 2011 Executive Order No. 43, which was composed of the National Security Adviser, Secretary of Interior and Local Government, Secretary of Foreign Affairs, Secretary of National Defense, Secretary of Justice, Presidential Adviser on the Peace Process and the Executive Secretary. This was reorganized by President Rodrigo Duterte to be chaired by the National Security Adviser, from the previous being the Executive Secretary on his 2016 Executive Order No. 7.

These are all on top that it is stated on the 1987 Constitution on Article VII, the Executive Department, Section 17 that “[t]he President shall have control of all the executive departments, bureaus, and offices. He shall ensure that the laws be faithfully executed.”

It is apparent that the creation of the NTF ELCAC is an admission of failure of leadership, when heads of departments, bureaus and other agencies, who are usually involved in cabinet meetings and could straightforwardly summoned were required to organized as a “task force” just to implement programs and policies.

Moreover, the NTF ELCAC’s so-called “Clusters” such as the “Basic Services,” “Infrastructure,” “Poverty Reduction,” “Local Government Empowerment,” “Law Enforcement,” are all redundancies of mandates of existing government agencies and even local government units.

Of extreme irregularity, its P16.4 billion – Support to Barangay Development Program, are massive lump sum allocations of P20 million of hard-earned taxpayers’ money for each of the 822 barangays in the country.

Aside from added bureaucracy, the NTF ELCAC has even wrestled to take away precious public resources from deserving agencies involved in the country’s productive sector, such as the Department of Agriculture, which was only allocated with P64.7 billion, way below from the agency’s proposal of P284 billion. This should be corrected, as the international community, or the United Nation’s has earlier warned against a global food crisis as consequence of the COVID-19 pandemic.

Recalling the NSP 2017 – 2022 it cited as National Security Interests the following: Public Safety, Law and Order and Justice; Socio-Political Stability; Economic Solidarity and Sustainable Development; Territorial Integrity; Ecological Balance; Cultural Cohesiveness; Moral and Spiritual

3 https://www.merriam-webster.com/dictionary/convergence
Consensus; and International Peace and Cooperation.

Under the first concern, it stated that the “most fundamental duties of the State are to ensure public safety, maintain law and order, and dispense social justice within the purview of the constitutionally enshrined principles of democracy, rule of law and respect for human rights.”

Moreover, under the third concern, it stated “[r]educing poverty and income gaps, creating equal economic opportunities for all, and distributing the fruits of development to the broader segments of society are key objectives of the desired economic growth and national security outcomes.”

Subsequently, on Territorial Integrity, “[t]his condition ensures that the territory of the country is intact and inviolable, and under the effective control and jurisdiction of the Philippine Government.”

On Chapter 6, the 12-Point National Security Agenda, it listed the security concerns, that appears as an adoption of the human security concept or an emerging paradigm that the United Nations Development Program identified for understanding global vulnerabilities whose proponents challenge the traditional notion of national security through military security by arguing that the proper referent for security should be at the human rather than national level.

As brief, the NSP 2017–2022 pronounced concerns that are comparable to the fundamental demands of activist groups, especially at present being distraught by the detrimental impact of the COVID-19 pandemic.

<table>
<thead>
<tr>
<th>From the NSP 2017 – 2020 and its 12-Point National Security Agenda</th>
<th>Demands of activist groups</th>
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<tbody>
<tr>
<td>Dispensation social justice, Economic Solidarity and Sustainable Development, Reducing poverty and income gaps</td>
<td>Genuine agrarian reform, free distribution of land, the P750 national minimum wage, respect of fishing rights and others</td>
</tr>
<tr>
<td>Human and Political Security</td>
<td>Uphold human rights, freedom and democracy and rule of law.</td>
</tr>
<tr>
<td>Health Security</td>
<td>The democratic and scientific response to the COVID-19 pandemic, such as the free mass testing and free mass vaccination.</td>
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<tr>
<td>Food and Water Security</td>
<td>Adequate relief for affected sectors, support to food producers and production and opposing threats of food security.</td>
</tr>
<tr>
<td>Territorial Integrity</td>
<td>Take back control and authority of the West Philippine Sea from China.</td>
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Since its creation to present, NTF ELCAC has engaged in sustained red-tagging of activist groups or the accusations that it is connected to the Communist Party of the Philippines – New People’s Army (CPP-NPA). It has even baselessly accused individuals supportive of marginalized sectors and the latest was its public harassment against a journalist.

With the activist groups sincerely demanding the decisive solutions on the threats of the pillars of human security, stated on the NSP 2017–2022, and falling victims to the public maligning of the
NTF ELCAC, the latter has lost its justification or mandate to exist. Thus, it has no moral ground to be allotted with vast amount of public resources, and this should be shifted to a productive endeavor such as providing the 1 million small fisherfolk and fish workers with P15,000 financial support for production and social amelioration.

On the Department of Agriculture’s (DA) press statement on March 25, 2020, “DA to set in motion ALPAS COVID-19 to ease the threat of hunger,” Secretary William Dar said that “the Urban Aquaphonics Project and the Enhanced Aquaculture and Sustainable Capture Fisheries in Inland Waters will get a total of P1B,” and “[in] addition to the assistance provided by the Department of Labor and Employment and the Department of Social Welfare and Development, DA will grant Social Amelioration, with the P3B recommended budget, to farmers, fishers and farm workers.”

But on the numerous reports on the supposedly pandemic response, there was no elaboration by the DA on the announced support to the urban aquaphonics project, aquaculture and sustainable capture fisheries in inland waters. Nonetheless, these sub-sectors do not involve the small fisherfolk or open sea municipal fishermen. Moreover, the social amelioration to fishers, supposedly separate from those provided by other agencies, appeared as “nakalimutan,” as the “P3 billion budget” was actually for the Financial Subsidy to Rice Farmers (FSRF) program allotted for near 600,000 rice farmers.

It is unfortunate that under the crucial moment of the pandemic, the DA has virtually neglected the principles stated in the Social Reform and Poverty Alleviation Act supposedly to benefit the small fisherfolk, such as: social dimension access to quality basic services; economic dimension asset reform and access to economic opportunities; ecological dimension sustainable development of productive resources; and governance dimension democratizing the decision-making and management processes.

A pressing rectification is to provide the small fisherfolk sector with due production subsidy and the fish workers with social amelioration. Based on the April 2020 Labor Force Survey of the PSA, near 1.1 million are employed in the fisheries and aquaculture sector. A bulk 64% are working less than 40 hours, while another 12% are off their workplaces. The small fisherfolk and fish workers are presumed to operate the near 260,000 registered municipal fishing vessels and work on the near 8,200 commercial fishing vessels, as posted by the Bureau of Fisheries and Aquatic Resources (BFAR). Thus, this bill pushes the P15,000 financial support to the country’s 1 million frontliner fisherfolk, who are contributing to the national food security amid the pandemic.

The said support aims to pump-prime the wheels of production, particularly the small-scale or subsistence fishery production, as crucial contribution to the recovery of the national economy, and the alleviation of the pandemic’s impact to the already impoverished and vulnerable fisherfolk households. The urgent passage of this bill is earnestly sought.
Approved,

REP. BUFEemia C. Cullamat
Bayan Muna Partylist

REP. CARLOS ISAGANI T. ZARATE
Bayan Muna Partylist

REP. ARLENE D. BROSAS
Gabriela Women’s Party

REP. SARAH JANE I. ELAGO
Kabataan Partylist

REP. FERDINAND R. GAITE
Bayan Muna Partylist

REP. FRANCE L. CASTRO
ACT Teachers Partylist
Republic of the Philippines

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HOUSE BILL No. 9

Introduced by
BAYAN MUNA Representatives EUFEMIA C. CULLAMAT,
CARLOS ISAGANI T. ZARATE and FERDINAND R. GAITE,
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Be it enacted by the Senate and the House of Representatives of the Philippines in this Congress assembled that:

Section 1. Repeal of the Budget Allocation to the National Task Force to End Local Communist Armed Conflict Support to Barangay Development Program. – The Special Provision numbered four under the Local Government Support Fund, for the P16,440,000,000 (P16.4 billion) – support to Barangay Development Program of the National Task Force to End Local Communist Armed Conflict (NTF ELCAC) of the Republic Act Numbered Eleven Thousand Five Hundred Eighteen or the General Appropriations Act of 2021 is hereby repealed.

Section 2. Declaration of Policies. – The State shall hold that the national fishery and aquatic resources sector is vital for the recovery of the national economy and attainment of national food security, and recognizes the fisherfolk sector as a frontline sector, deserving of adequate support and amelioration amid the impact of the COVID-19 pandemic.

The State shall uphold the policy declared by the Republic Act No. 8425 or Social Reform and Poverty Alleviation Act for a sectoral intervention to poverty alleviation, wherein, the small fisherfolk and fish worker family, as referred in this act, shall be empowered to meet its minimum basic needs for income security, health, food, and nutrition and other facets of adequate standard
of living.

The State shall recognize the fisherfolk sector as among the most vulnerable and marginalized, bearing the brunt of the economic impact of the pandemic, and adopts the urgency of support intervention.

The State shall declare the support stated in this act, that consequently sustains small-scale or subsistence fishing as the country’s contribution to the United Nations’ Sustainable Development Goal No. 14 to conserve and sustainably use the oceans, seas and marine resources for sustainable development, and to reduce hunger and improve nutrition, alleviate poverty, generate economic growth and ensure better use of natural resources.

Section 3. **Beneficiaries.** – The beneficiaries of this Act shall be the 1 million Filipinos employed in the fisheries and aquatic sector, as recorded by the Philippine Statistics Authority (PSA), to directly receive the amount of fifteen thousand pesos (P15,000), provided with the following prioritization:

a. belonging to households below poverty line;

b. municipal fishers and fish workers employed or operating municipal fishing vessels, regardless of the status of licensing and registry to the respective local government unit;

c. fish workers employed in commercial fishing vessels and aquaculture such as in fish pens, fish cages, fish corrals/traps, fishponds, prawn farms, sea farms, salt beds, fish ports, fishing boat or trawlers;

d. other workers in ancillary sectors related to the supply, construction and maintenance of fishing vessels, gears, nets and other fishing paraphernalia; fishery machine shops; and other facilities such as hatcheries, nurseries, feed plants, cold storage and refrigeration, processing plants and other pre-harvest and post-harvest facilities;

e. operators of small-scale commercial fishing vessels or vessels with gross tonnage of 3.1 to 20.

Section 4. **Function of the Bureau of Fisheries and Aquatic Reforms (BFAR).** – The Bureau of Fisheries and Aquatic Reforms shall:

a. be appropriated with funding for the purpose of this Act;

b. finalize the list of the beneficiaries, guided by the aforementioned section, in close coordination with the PSA, and respective local government units;

c. formulate the mechanism of direct distribution of the financial support to the beneficiaries;

d. execute the direct distribution at the earliest possible time;

e. and promptly publicize the status of distribution.
Section 5. Appropriations. – For the purpose of this Act, the P16,440,000,000 (P16.4 billion) – support to Barangay Development Program of the National Task Force to End Local Communist Armed Conflict (NTF ELCAC) of the Republic Act Numbered Eleven Thousand Five Hundred Eighteen or the General Appropriations Act of 2021, shall be reappropriated as follows:

a. P15,000,000,000 (P15 billion) is hereby appropriated to BFAR as supplemental to its FY 2021 Budget; and

b. the remaining P1,440,000,000 (P1.4 billion) as supplemental appropriations for the National Fisheries Program, as stated in the Special Provisions under the appropriations for BFAR.

Section 6. Implementing Rules and Regulations. – The BFAR, upon consultation with People’s Organizations (POs) or Non-Government Organizations (NGOs) advocating the rights of small fisherfolk shall issue the Implementing Rules and Regulations within 15 days from this Act’s effectivity.

Section 7. Repealing Clause. – Existing laws or provisions of such, found contradictory to this Act is hereby amended or repealed, accordingly.

Section 8. Effectivity. - This Act shall take effect immediately upon publication.

Approved,