



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
2 and promote the right to health of the people and instill health consciousness among them,” and
3 Section 3, Article XV states that, “the State shall defend the right of children to assistance,
4 including proper care and nutrition;”
5

6 **WHEREAS**, the Philippines has adopted the United Nations Convention on the Rights of the
7 Child (UN CRC) which provides that State Parties recognize the right of the child to the
8 enjoyment of the highest attainable standard of health, and that State Parties shall take
9 appropriate measures to assist parents and others responsible for the child to provide material
10 assistance and support programmes, particularly with regard to nutrition;
11

12 **WHEREAS**, the Philippine Plan of Action for Nutrition 2017-2022 highlights the first 1,000
13 days of life or the period of pregnancy up to the first two years of the child as a critical window
14 for the physical and mental development of the child, and as such, ensuring optimum child
15 development includes exclusive breastfeeding during the first six months¹;

¹ <https://pidswebs.pids.gov.ph/CDN/PUBLICATIONS/pidsdps1845.pdf>

1
2 **WHEREAS**, President Rodrigo Roa Duterte issued Proclamation No. 922, s. 2020 declaring a
3 *State of Public Health Emergency* throughout the Philippines due to the increasing infection
4 rate of the Coronavirus Disease 2019 or COVID-19; and Proclamation No. 929, s. 2020
5 declaring a State of Calamity throughout the Philippines and imposing an Enhanced Community
6 Quarantine throughout Luzon;

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

10
11 **WHEREAS**, the implementation of the Enhanced Community Quarantine has left many
12 Filipino families, including those with children who are within their first 1,000 days of life,
13 under “no work, no pay” conditions and other such conditions that strictly limit access to a
14 healthy lifestyle and proper nutrition;

15
16 **WHEREAS**, because of these pertinent conditions under the Enhanced Community
17 Quarantine, ongoing relief and other humanitarian aid efforts in barangays and other local
18 government units put in light the reality that there are non-breastfeeding households despite the
19 policy in favor of breastfeeding;

20
21 **WHEREAS**, fifty-five (55) families in Barangay Pasong Tamo alone, requested to be provided
22 with infant formula/breast milk substitute;

23
24 **WHEREAS**, on 22 April 2020, the Department of Health (DOH) expressed that it has alerted
25 its Centers for Health Development (CHD) on the overwhelming requests for formula milk
26 donations and guaranteed that local government units may procure supplies for non-
27 breastfeeding families with the help of CHDs and the National Nutrition Council (NNC)
28 Regional Offices;

29
30 **WHEREAS**, DOH further expressed the role of CHDs and the NNC Regional Offices in
31 creating a list of qualified beneficiaries of formula milk for the purpose of avoiding wastage
32 and misuse of supplies, particularly by families with children who are six (6) months old and
33 below;

34
35 **WHEREAS**, several public service officials have received a complaint filed against them in
36 light of violations of Executive Order No. 51 or “The Philippine Milk Code” and Department
37 of Health Administrative Order No. 2007-0017 or “Guidelines on the Acceptance and
38 Processing of Foreign and Local Donations During Emergency and Disaster Situations,”
39 specifically on acceptance and distribution of milk formula donations for mothers with infants
40 and children;

41
42 **WHEREAS**, the House of Representatives is cognizant of the avowed policy of Republic Act
43 No. 11148 or the “Kalusugan at Nutrisyon ng Mag-Nanay Act” for the scaling up of nutrition
44 intervention programs in the first 1,000 days of a child’s life, and allocation of resources in a

1 sustainable manner to improve the nutritional status and to address the malnutrition of infants
2 and young children, adolescent females, pregnant and lactating women;
3

4 **WHEREAS**, Executive Order No. 51, Republic Act No. 11148, Republic Act No. 10028 or the
5 "Expanded Breastfeeding Promotion Act of 2009," and Republic Act No. 10821 or the
6 "Children's Emergency Relief and Protection Act" put a premium on maternal, infant, and child
7 health as a matter of policy for human development, and as such, these laws must be fully
8 implemented to ease, rather than obstruct, the realization of its objectives during a public health
9 emergency;
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11 **NOW, THEREFORE, BE IT RESOLVED**, that the House of Representatives, through its
12 appropriate Committee, conduct an immediate review and assessment of the implementation of
13 Executive Order No. 51, Republic Act No. 10028, Republic Act No. 11148, and Republic Act
14 No. 10821 in light of the COVID-19 pandemic.

