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COMMITTEE MEETINGS ON HOUSE MEASURES

COMMITTEE	MEASURES		SUBJECT MATTER	ACTION TAKEN/DISCUSSION
	NO.	PRINCIPAL AUTHOR		
Human Rights	HBs 15, 161 & 240	Reps. Lagman, Belmonte, and Zarate	Defining the rights and fundamental freedoms of human rights defenders, declaring state responsibilities, and instituting effective mechanisms for the protection and promotion of these rights and freedoms	<p>The Committee, chaired by Rep. Bayani Fernando (1st District, Marikina City), will deliberate further on House Bills 15, 161, and 240 in its next meeting. The Secretariat was directed to consolidate the three bills, using HB 15 as the reference bill.</p> <p>Rep. Fernando assumed the chairmanship of the Committee in June 2021 in place of the former Committee Chair, Rep. Jesus "Bong" Suntay (4th District, Quezon City).</p> <p>In his opening remarks, Rep. Fernando said that the three bills aim to protect the rights of human rights defenders against all forms of attacks that may pose threats against their own lives and liberties, as well as those of their families. He added that the bills also seek to guarantee the defenders' right to information, to develop and advocate ideas, and to seek redress from acts involving human rights violations.</p> <p>Rep. Edcel Lagman (1st District, Albay), author of HB 15, said that his bill is the version of a similar bill that was approved on Third Reading in the 17th Congress. He also mentioned that Reps. Jose Christopher Belmonte (6th District, Quezon City) and Carlos Isagani Zarate (Party-List, BAYAN MUNA), respective authors of HBs 161 and 240, informed him that they are willing to adopt HB 15 as the reference bill to facilitate the immediate approval of the proposed law.</p> <p>Rep. Zarate affirmed Rep. Lagman's manifestation, adding that the bill, similar to HB 15 that was approved in the 17th Congress, has undergone extensive deliberations.</p> <p>The co-authors of HB 240, Party-List Reps. Eufemia "Ka Femia" Cullamat (BAYAN MUNA) and Sarah Jane Elago (KABATAAN), urged the immediate approval of the proposed law. Rep. Elago said that this bill, when enacted into law, will push the government to institute effective mechanisms for the protection and promotion of the rights and freedoms of human rights defenders, including the youth advocates.</p> <p>Expressing support for the bills were resource persons from the Commission on Human Rights, Department of Justice, Presidential</p>

<p>Continuation... Human Rights</p>				<p>Human Rights Committee, National Privacy Commission, Task Force Detainees of the Philippines, and the National Union of People's Lawyers (NUPL).</p> <p>CHR representative Joms Asalan emphasized that the State has the primary obligation to ensure that the work and workplaces of human rights defenders are safe to enable them to promote and protect human rights.</p> <p>On the other hand, the Armed Forces of the Philippines (AFP) Center for Law of Armed Conflict Director Joel Alejandro Nacnac and Philippine National Police (PNP) Human Rights Affairs Office Chief Vincent Calanoga expressed their reservation on the proposed law. They opined that the Constitution and other existing laws already guarantee the protection and promotion of human rights in the country. Hence, they averred that enacting another law seeking to protect the rights of human rights defenders is no longer necessary.</p> <p>NUPL Assistant Secretary General for Legal Services Josalee Deinla disagreed with the opinion of the AFP and PNP. She underscored the importance of protecting the human rights defenders who have been characterized as terrorists by State authorities themselves, thereby increasing their vulnerability to danger. She said that the recognition in the bills of specific rights of human rights defenders addresses the ineffectiveness of available legal remedies to protect the defenders from all forms of attack. There has to be an institutionalization of command responsibility to end the impunity being enjoyed for so long by ranking police and military officials, Deinla further said.</p> <p>Meanwhile, United Nations (UN) Special Rapporteur on the Situation of Human Rights Defenders Mary Lawlor said that the enactment of a law recognizing the role, work, and status of human rights defenders is important as this will allow the State to concretely contribute to the effective implementation of the UN's Universal Declaration of Human Rights in the country, enabling a safer environment for all. She claimed that the Philippines is one of the most dangerous places in the world for a human rights defender. She said that since she took the role of a UN Special Rapporteur in May 2020, she communicated with the Philippine government in five separate instances concerning human rights defenders under attack.</p> <p>The resource persons present were asked to submit their respective position papers to the Committee Secretariat and to again attend the Committee's next meeting on November 15.</p>
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Ways and Means	HB 243	Rep. Zarate	Reversing regressive and anti-poor taxation, repealing for the purpose certain sections of RA 10963, otherwise known as the Tax Reform for Acceleration and Inclusion (TRAIN) Law	<p>The Committee, chaired by Rep. Joey Sarte Salceda (2nd District, Albay), called for a briefing on the six legislative measures in response to the public clamor to suspend the excise tax on petroleum products.</p> <p>While awaiting the referral of the measures to the Committee, preliminary deliberations were already held to speed up the legislative process at the Committee level in view of the urgency of the matter. Thereafter, the Committee created a technical working group (TWG) tasked to draft a substitute bill. Committee Vice Chair Rep. Sharon Garin (Party-List, AAMBIS-OWA) will head the TWG.</p> <p>At the outset, Rep. Salceda, author of HB 10438, said that the proposed suspension of the excise tax on petroleum products is deemed to be an immediate step to address the substantial increases in fuel prices in the country in the past weeks.</p> <p>The Chair said that HB 10438 seeks to temporarily suspend the P6 per liter excise taxes on diesel and kerosene as provided under RA 10963, and to reduce the excise taxes on gasoline by P3 per liter to be implemented from December 1, 2021 to June 1, 2022.</p> <p>Deputy Speaker Rufus Rodriguez (2nd District, Cagayan de Oro City), author of HB 10426, said that his bill seeks to suspend the increase in the collection of excise taxes on fuel products under Section 43 of RA 10963. The suspension, according to the Deputy Speaker, is proposed to be implemented for four years from January 1, 2022 to December 31, 2025. He clarified that under his proposal, there will still be collection of excise taxes on fuel products from 2022 to 2025. However, the rates will be based on the National Internal Revenue Code before pertinent provisions were amended by the TRAIN Law.</p> <p>Likewise, Rep. Michael Defensor (Party-List, ANAKALUSUGAN), author of HB 10411, said that his bill seeks the immediate suspension of the increase in excise taxes on oil products imposed under Section 43 of the TRAIN Law until 2024. He added that his bill covers only the adjustments and not the pre-TRAIN Law excise levies, which he said the government will continue to collect.</p> <p>Rep. Jesus "Bong" Suntay (4th District, Quezon City) and Baguio City Rep. Mark Go, respective authors of House Resolutions 2318 and 2320, also joined the other authors in calling for the suspension of the imposition of the excise tax on certain fuel products for a certain period of time.</p> <p>Meanwhile, Reps. Arlene Brosas (Party-List, GABRIELA) and Ferdinand Gaité (Party-List,</p>
	HB 10411	Rep. Defensor (M.)	Providing for the immediate suspension of the increase in excise taxes on petroleum products imposed by RA 10963	
	HB 10426	Deputy Speaker Rodriguez	Suspending the collection of excise tax on fuel products based on the rates provided by Section 43 of RA 10963 from January 1, 2022 to December 31, 2025	
	HB 10438	Rep. Salceda	Amending Section 148 of the National Internal Revenue Code of 1997, as amended (by temporarily suspending the P6 per liter excise taxes on diesel and kerosene as provided under RA 10963, and reducing the excise taxes on gasoline by P3 per liter)	
	HRs 2318 & 2320	Reps. Suntay and Go (M.)	Urging His Excellency President Rodrigo Roa Duterte to immediately suspend the implementation of new rates and increases in excise tax for fuel and other petroleum products as provided under Section 43 of RA 10963	

<p>Continuation... Ways and Means</p>				<p>BAYAN MUNA), co-authors of HB 243, explained that their bill seeks to scrap and not merely suspend the collection of excise taxes under the TRAIN Law. Rep. Brosas added that the GABRIELA and the entire Makabayan bloc have been advocating the repeal of the provisions under the TRAIN Law imposing regressive taxes, particularly the additional excise tax on oil. She averred that “the excise taxes on oil only sought to further spread the tax burden among already burdened ordinary Filipinos,” especially amidst this lingering pandemic and economic crisis.</p> <p>Expressing support for the various measures were representatives from the transport sector, such as the Federation of Jeepney Operators and Drivers Association of the Philippines, National Confederation of Tricycle and Transport Operators and Drivers Association of the Philippines, Nagkakaisang Samahan ng Nangangasiwa ng Panlalawigang Bus sa Pilipinas Inc., and Pinagkaisang Samahan ng mga Tsuper at Operators Nationwide.</p> <p>On the other hand, Department of Finance (DOF) Strategy, Economics, and Results Group Director Euvimil Nina Asuncion said that the DOF does not support the suspension or lowering of excise taxes on fuel because this will result in significant forgone revenues and will be detrimental to the recovery and long-term growth of the economy. Likewise, the proposed suspension of excise tax will defeat the purpose of the TRAIN Law in making the tax system more equitable. A better way to address the increase in fuel prices, according to Asuncion, is to provide quick and targeted support to the vulnerable sectors. She maintained that providing a targeted subsidy to the transportation sector will be more equitable than removing all fuel excise taxes, which may only subsidize the consumption of higher income households.</p> <p>Rep. Stella Luz Quimbo (2nd District, Marikina City) verified from the DOF whether it is true that the government will release an amount of P1 billion as its assistance to the transport sector.</p> <p>Asuncion answered in the affirmative. She further said that such assistance, which will be coursed through the <i>Pantawid Pasada Program</i> now being implemented by the Land Transportation and Franchising Regulatory Board (LTFRB), will benefit about 178,000 bona fide public utility vehicle drivers, at P5,000 each for the remaining months of the year.</p> <p>Rep. Quimbo, along with other legislators, noted that the amount of P1 billion is too small compared to the assessed P70 billion in taxes</p>
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<p>Continuation... Ways and Means</p>				<p>that the people will have to pay in case excise taxes on fuel will not be suspended.</p> <p>Rep. Salceda does not support the proposed targeted intervention because it has been observed that the government's distribution of such assistance has always been delayed.</p> <p>Reps. Antonio "Tonypet" Albano (1st District, Isabela) and Sergio Dagooc (Party-List, APEC) also favor the suspension of the collection of excise taxes on petroleum products considering that the increasing fuel prices not only affects the transportation sector but all other sectors of the economy.</p> <p>In reply to the query of Rep. Albano, Bureau of Customs (BOC) Commissioner Rey Leonardo Guerrero said that in curbing fuel smuggling in the country, the BOC is implementing the fuel marking system. Guerrero views the fuel marking program a success considering that since the start of its implementation, the BOC was able to mark a total of 31.84 million liters of fuel and collected the amount of P312.4 billion in duties and taxes.</p> <p>Rep. Salceda directed the TWG to come up with a substitute bill that includes the following provisions:</p> <ul style="list-style-type: none"> • Suspending excise tax on petroleum products for six months from December 1, 2021 to June 1, 2022; • Granting authority to the DOF and the Department of Energy (DOE) to monitor the prices of petroleum products and to investigate, <i>motu proprio</i>, the pricing activities of petroleum marketers; • Empowering the Development Budget Coordination Committee to suspend the imposition of excise tax on petroleum products once the US\$80 per barrel price is breached; • Establishing a stabilization fund to be sourced from the proceeds of excise taxes on petroleum products to be earmarked as assistance to the poorest sectors of the country; and • Requiring a portion of the local government units' national tax allotment (share in the national taxes), arising from the excise tax, be used to subsidize tricycle operators and drivers. <p>Earlier in the meeting, DOE Assistant Secretary Gerardo Erquiza reported that in previous discussions between the DOE and the House Committee on Energy, it became clear that the temporary suspension of excise tax collection is one way of reducing the cost of petroleum products and addressing the problem of oil price spikes in the country. Hence, the DOE has drafted a bill, which</p>
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<p>Continuation... Ways and Means</p>				<p>proposes certain amendments to the TRAIN Law, including the suspension of the collection of excise taxes when the cost of oil reaches US\$80 dollars per barrel, and the lifting of the suspension when the cost goes back to below US\$80 dollars per barrel.</p> <p>DOE Oil Industry Management Bureau Director Rino Abad discussed that the insufficient supply of petroleum products is due to the following factors: the aggressive demand for petroleum products in the fourth quarter of the year; the decision of the Organization of the Petroleum Exporting Countries in its recent meeting to raise oil output gradually despite calls for extra supply; and the existing economic sanctions over Iran and Venezuela which effectively remove 3 to 5 million barrels per day of crude oil supply from the market.</p> <p>Petron Corporation President and CEO Ramon Ang shared his insights on the prevailing problem in the public transport industry. Ang posited that the government cannot afford to suspend the collection of taxes because of the country's huge budget deficit. He maintained that the solution could be for the public utility vehicles to buy fuel from the new players in the oil industry, which he said now comprise about 40% of the retail gas stations nationwide. He said that the new players sell their fuel at a much cheaper price of around P10 per liter lower than what the major companies like Petron, Shell, and Caltex offer.</p> <p>When asked how the new independent players have managed to sell their fuel at a much lower price, Ang said that he could not explain how they reach that level of "efficiency" despite the global increase of oil in the world market. On the part of Petron, Ang said that his company is subject to the strict monitoring of government regulators like the Bureau of Internal Revenue and the Bureau of Customs.</p> <p>Rep. Garin suggested that aside from the suspension of excise taxes on fuel, the Committee may also check the compliance of oil companies with existing government regulations.</p> <p>The Committee requested Petron and the DOE to submit their respective Oil Price Monitoring Lists for comparison.</p>
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