



REPUBLIC OF THE PHILIPPINES

NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL

National Disaster Risk Reduction and Management Center, Camp Aguinaldo, Quezon City, Philippines

**RESOLUTION RECOMMENDING THE DECLARATION
OF A STATE OF CALAMITY THROUGHOUT THE PHILIPPINES
DUE TO THE CORONA VIRUS DISEASE 2019**

NDRRMC RESOLUTION NO. 02, s. 2020

WHEREAS, Section 15, Article II of the Philippine Constitution provides that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, Section 2(a) of Republic Act No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010, provides that it shall be the policy of the State to uphold the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters, including climate change impacts;

WHEREAS, Section 2(d) of Republic Act No. 10121 provides that it shall be the policy of the State to adopt a disaster risk reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and environmental impacts of disasters, including climate change, and promote the involvement and participation of all sectors and all stakeholders concerned, at all levels, especially the local community;

WHEREAS, Section 2(l) of Republic Act No. 10121 provides that it shall be the policy of the State to recognize and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters;

WHEREAS, Section 2(p) of Republic Act No. 10121 provides that it shall be the policy of the State to provide maximum care, assistance and services to individuals and families affected by disaster, implement emergency rehabilitation projects to lessen the impact of disaster, and facilitate resumption of normal social and economic activities;

WHEREAS, on 07 January 2020, Chinese health authorities reported that the cause of a viral pneumonia outbreak in the City of Wuhan, Hubei Province, China was a novel type of Coronavirus that has not been previously identified in humans;

WHEREAS, on 30 January 2020, the World Health Organization (WHO) has considered the Coronavirus Disease 2019 (COVID-19) health event as a Public Health Emergency of International Concern;

WHEREAS, on 30 January 2020, the Secretary of Health confirmed the first imported COVID-19 case in the Philippines;

WHEREAS, on 07 March 2020, the first case of localized COVID-19 transmission was confirmed by the Department of Health;

WHEREAS, on 12 March 2020, the WHO has characterized COVID-19 as a pandemic;

WHEREAS, the Inter-agency Task Force (IATF) for the Management of Emerging Infectious Diseases established under Executive Order No. 168, series of 2014, has issued several resolutions for the management of the COVID-19 situation;

WHEREAS, the National Disaster Risk Reduction and Management Council (NDRRMC) issued Memorandum Circular No. 1, series of 2020, enjoining its Member-Agencies to support the IATF for the Management of Emerging Infectious Diseases;

WHEREAS, Section 7 of Republic Act No. 11332, otherwise known as the Mandatory Reporting of Notifiable Diseases and Health Events of Public Health Concern Act, provides that the President of the Republic of the Philippines shall declare a State of Public Health Emergency and mobilize governmental and nongovernmental agencies to respond to the threat;

WHEREAS, on 08 March 2020, President Rodrigo Roa Duterte promulgated Proclamation No. 922 declaring a State of Public Health Emergency throughout the Philippines due to COVID-19, enjoining all government agencies and local government units (LGUs) to render full assistance and cooperation and mobilize the necessary resources to undertake critical, urgent, and appropriate response and measures in a timely manner to curtail and eliminate the threat of COVID-19;

WHEREAS, on 12 March 2020, President Rodrigo Roa Duterte raised the Code Alert System for COVID-19 public health event to Code Red Sublevel Two (2);

WHEREAS, as of 16 March 2020, the Philippines through the Department of Health has confirmed a total of 140 confirmed cases of COVID-19 resulting in 12 deaths throughout the country, with a majority of the cases occurring within the National Capital Region;

WHEREAS, COVID-19 is causing widespread disruption in the way of life of Filipinos;

WHEREAS, in view of the antecedents and existing conditions, a state of calamity in the country prevails and there is an urgent and indubitable necessity to implement appropriate measures to address the Public Health Emergency to protect and promote the health and well-being of Filipinos;

WHEREAS, Section 3(f) of NDRRMC Memorandum Order No. 60, series of 2019, provides that a State of Calamity may be declared when there is an extremely high incidence of a certain disease whether communicable or non-communicable within a community, in a specific period of time, specific health-related behavior, or other health related events clearly beyond normal expectancy;

WHEREAS, Section 16, in relation with Section 6(c), of Republic Act No. 10121 provides that the Council shall have the power to recommend to the President of the Philippines the declaration of a cluster of barangays, municipalities, cities, provinces, and regions under a state of calamity and submit proposals to restore normalcy in the affected areas, including calamity fund allocation;

WHEREAS, Section 17 of Republic Act No. 10121 provides that a declaration of a state of calamity shall make mandatory the immediate implementation of the following remedial measures by the Member-Agencies of the Council, thus:

- a. Imposition of price ceiling on basic necessities and prime commodities by the President upon the recommendation of the implementing agency as provided for under Republic Act No. 7581, otherwise known as the Price Act, or the National Price Coordinating Council;
- b. Monitoring, prevention, and control by the Local Price Coordination Council of overpricing/profitteering and hoarding of prime commodities, medicines and petroleum products;
- c. Programming/reprogramming of funds for the repair and safety upgrading of public infrastructures and facilities; and
- d. Granting of no-interest loans by government financing or lending institutions to the most affected section of the population through their cooperatives or people's organizations;

WHEREAS, Section 6(1) of Republic Act No. 7581, otherwise known as the Price Act, as amended by Republic Act No. 10623, provides that prices of basic necessities in an area shall automatically be frozen at their prevailing prices or placed under automatic price control whenever said area is proclaimed or declared a disaster area or under a state of calamity;

WHEREAS, Section 53 of Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, and its Implementing Rules and Regulations authorize the employment of negotiated procurement modalities, as applicable, subject to the conditions and requirements set forth therein, during a state of calamity, or when time is of the essence arising from natural or man-made calamities or other causes where immediate action is necessary to prevent damage to or loss of life or property, or to restore vital public services, infrastructure facilities, and other public utilities;

WHEREAS, Section 22 of Republic Act No. 10121 provides that the National Disaster Risk Reduction and Management Fund (NDRRM Fund) shall be utilized for relief, recovery, reconstruction, and other work or services in connection with natural or human-induced calamities;

WHEREAS, Section 22(c) of Republic Act No. 10121 and Section 5(b) of NDRRMC Memorandum Order No. 60, series of 2019, provide that the Quick Response Fund (QRF) shall be utilized for relief and recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, calamities, epidemics, or complex emergencies, may be normalized as quickly as possible;

WHEREAS, under Republic Act No. 11465, otherwise known as the General Appropriations Act of 2020, the QRF serves as a stand-by fund to be used for rehabilitation and relief programs and projects, including pre-positioning of goods, emergency response units, activation of Incident Command System, and other allied support items and equipment to immediately address impending impacts of extreme weather events or other natural hazards, in order that the situation and living conditions of people in communities or areas affected by natural or human-induced calamities, epidemics, crises, and catastrophes, which occurred in the last quarter of the immediately preceding year and those occurring during the current year may be normalized as quickly as possible;

WHEREAS, Section 5(c) of NDRRMC Memorandum Order No. 60, series of 2019, provides that the NDRRM Fund may be released to augment local funds for relief and rehabilitation efforts of affected LGUs upon the favorable recommendation of the Council and the approval of the President, subject to the guidelines provided for under

NDRRMC Memorandum Circular No. 45, series of 2017, on accessing the NDRRM Fund;

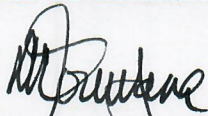
WHEREAS, Section 7 of NDRRMC Memorandum Order No. 60, series of 2019, reiterates the remedial measures in items (a) to (d) of Section 17 of Republic Act No. 10121 and provides the following additional remedial measures that may be implemented by concerned national agencies and LGUs to mitigate the effects of the disaster and stabilize the situation in the disaster-stricken area:

- a. Utilization of the QRF from the Local Disaster Risk Reduction and Management Funds within the affected LGUs or other areas affected by a disaster or calamity for relief, rehabilitation, reconstruction, recovery, and other works or services;
- b. Subject to the approval of the President, release of the NDRRM Fund to agencies and LGUs involved in relief operation, response, rehabilitation, and/or improvement of damaged life line services; and
- c. Use of alternative modes of procurement for efficient procurement of emergency works, goods or services to respond or quickly recover from disasters subject to the provisions of Republic Act No. 9184;

NOW, THEREFORE, the Council **RESOLVES** as it is hereby **RESOLVED**, to recommend that President Rodrigo Roa Duterte:

- a. Declare a State of Calamity throughout the Philippines for a period of six (6) months, unless earlier lifted or extended as circumstances may warrant; and
- b. Enjoin all government agencies and local government units to render full assistance to and cooperation with each other and mobilize the necessary resources to undertake critical, urgent, and appropriate response aid and measures in a timely manner to curtail and eliminate the threat of COVID-19.

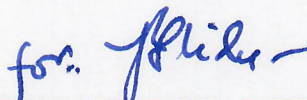
Done this 16th day of March 2020 at Malacañan Palace, Manila.



DELFIN N LORENZANA

Secretary

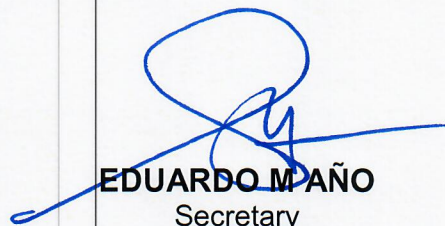
Department of National Defense
Chairperson



FORTUNATO T DELA PEÑA

Secretary

Department of Science and Technology
Vice-Chairperson for Prevention and Mitigation



EDUARDO MAÑO

Secretary

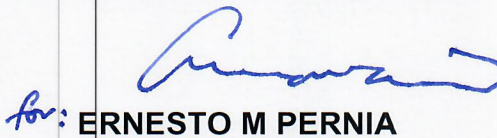
Department of the Interior and Local Government
Vice-Chairperson for Preparedness



ROLANDO JOSELITO D BAUTISTA

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Department of Social Welfare and Development
Vice-Chairperson for Response



ERNESTO M PERNIA

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