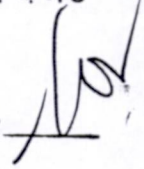


'16 SEP 19 P4:18

SENATE
P.S. Res 155

RECEIVED BY: 

Introduced by Senator Poe

RESOLUTION

DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON WHETHER THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD) SHOULD HAVE THE PRIMARY ROLE IN ACCREDITING CIVIL SOCIETY ORGANIZATIONS (CSOs) IN GENERAL, AND PERFORMING AND CREATIVE ARTS GROUPS IN PARTICULAR, AS WELL AS THE PROVISIONS, RULES, AND GUIDELINES GOVERNING ACCREDITATION, FOR PURPOSES OF DETERMINING WHICH CSOs CAN BE QUALIFIED TO BE RECIPIENTS, BENEFICIARIES, OR IMPLEMENTING ENTITIES OF GOVERNMENT OR PUBLIC FUNDS

WHEREAS, it is the policy of the State to encourage non-government, community-based, or sectoral organizations that promote the welfare of the nation;¹

WHEREAS, it is likewise the policy of the State to patronize the arts and letters; and conserve, promote, and popularize the nation's artistic creations;²

WHEREAS, in response to the Priority Development Assistance Fund (PDAF) "Napoles" scam, preemptive budgetary provisions have been included in the 2014 and 2015 General Appropriations Act (GAA) providing for stricter requirements for the accreditation and selection of Civil Society Organizations (CSOs), which CSOs include creative and performing artists, theater arts groups, and similar non-government organizations (NGOs) whose members seek to obtain government grants for cultural projects;

WHEREAS, Section 66 of the 2014 GAA and Section 68 of the 2015 GAA directed the Department of Social Welfare and Development (DSWD), Department of Budget and Management (DBM), and Commission on Audit (COA) to jointly issue guidelines for the accreditation of CSOs to be recipients, beneficiaries, or implementing entities of government or public funds;

¹ Philippine Constitution, Art. II § 23.

² *Id.* Art. XIV § 15.

WHEREAS, pursuant to the foregoing GAA provisions, the DSWD, DBM, and COA issued Joint Resolution 2014-001 (s. 2014) (hereinafter “Joint Resolution”) which designates, under Section 2, the DSWD to be the sole agency tasked to accredit “legitimate” CSOs which may be selected by Government Agencies (GAs) to implement programs or projects using government or public funds;

WHEREAS, additional documentary requirements under the Joint Resolution include business permits for the artist group to operate, general information sheets for the past three (3) years, audited financial reports and statements for the past three years that show financial sustainability, and BIR certificate of registration, among many others;³

WHEREAS, the Virgin Labfest, a theater arts project that showcases “unpublished, unstaged, untested and untried” plays by budding and veteran playwrights, as well as performing arts companies such as the Iligan-based Integrated Performing Arts Guild (Ipag), were previously among the beneficiaries of token government funding for annual projects for several years;⁴

WHEREAS, it was reported that the additional documentary requirements under the Joint Resolution have either prevented or made it more difficult for performing arts and creative arts groups to pursue their respective projects, because many of the artists’ groups are informal organizations formed among peers and like-minded individuals who would usually meet in the residence of a member;⁵

WHEREAS, Steven Fernandez, artistic director of Ipag, alleged that it is ironic to require artists organizations to submit a business permit since most organizations have never been for-profit ventures;⁶

WHEREAS, Fernandez also reportedly lamented that despite accomplishing all steps to secure a permit, the local and regional DSWD offices in Mindanao could not resolve accreditation because these units had to take word from their central office in Manila, and had to wait for the Manila team to inspect their physical existence;

³ See COA-DBM-DSWD Joint Resolution No. 2014-001, Annexes A, B, and C.

⁴ Cathy Cañares-Yamsuan, *Why is DSWD Now Needed to Accredite Theater Arts Projects?*, INQUIRER.NET, Sept. 10, 2016, <http://lifestyle.inquirer.net/237494/why-is-dswd-now-needed-to-accredit-theater-arts-projects> (last accessed on Sept. 15, 2016).

⁵ See Cañares-Yamsuan, *id.*

⁶ See Cathy Cañares-Yamsuan, *Why is DSWD Now Needed to Accredite Theater Arts Projects?*, INQUIRER.NET, Sept. 17, 2016, <http://m.inquirer.net/lifestyle/238029> (last accessed on Sept. 17, 2016).

WHEREAS, Fernandez said that while the NCCA had its own checklist of requirements, the DSWD's separate set showed an apparent lack of coordination since the DSWD was not aware about what the steps for art groups were all about;

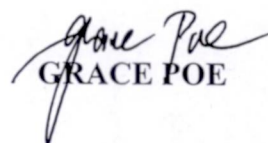
WHEREAS, it was reported that the DSWD is now reviewing the process in accordance with the instructions of President Rodrigo Duterte to cut red tape;⁷

WHEREAS, DSWD Secretary Judy Taguiwalo reportedly said that while the guidelines were drawn to prevent a repeat of the Napoles scam, there are also valid and compelling reasons to review the DSWD's accreditation process for CSOs because it's very evident that it is too stringent and has an effect of discouraging CSOs that have programs that genuinely seek to help their members or even the public at large;⁸

WHEREAS, in addition to the concerns posed by stringent requirements, there is a need to determine whether the DSWD should have the primary role in accrediting CSOs, especially considering the fact that performing arts such as dance, music, opera, theater, and musicals; as well as creative arts such as creative writing, graphic design, photography and visual arts, do not fall within the express mandate of the DSWD to provide social protection and poverty-reduction solutions for the "poor, vulnerable, and disadvantaged";⁹

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Senate of the Philippines, to direct the proper Senate Committee to conduct an inquiry, in aid of legislation, on whether the Department of Social Welfare and Development (DSWD) should have the primary role in accrediting Civil Society Organizations (CSOs) in general, and performing and creative arts groups in particular, as well as the provisions, rules, and guidelines governing accreditation, for purposes of determining which CSOs can be qualified to be recipients, beneficiaries, or implementing entities of government or public funds.

Adopted,


GRACE POE

⁷ See Cathy Cañares-Yamsuan, at 6.

⁸ See Cathy Cañares-Yamsuan, at 6.

⁹ <http://www.gov.ph/section/department-of-social-welfare-and-development/>