



**PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES
TO THE UNITED NATIONS AND OTHER INTERNATIONAL
ORGANIZATIONS, GENEVA**

NV-EPG-37-2018

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights – Special Procedures Branch and, with reference to the letter dated 15 February 2017 from Ms. Beatriz Balbin, Chief of the OHCHR Special Procedures Branch, has the honor to provide the response of the Government of the Philippines (copy attached) to the letter dated 15 February 2017 from Ms. Catalina Devandas-Aguilar, Special Procedures on the Rights of Persons with Disabilities, on the pending adoption of the Mental Health Act of the Philippines.

The Government of the Philippines has the further honor to affirm that the pending bill on mental health complies with the Philippines' treaty obligations under the United Nations Convention on the Rights of Persons with Disabilities and other relevant international and regional human rights conventions and declarations. Among other features, the bill proposes that the Government provide psychiatric, psychosocial and neurologic services for the people. It provides for the respect of the fundamental rights of mental health service users, including securing their free and informed consent without discrimination. The bill also requires the involvement of key government institutions and other stakeholders in the implementation of the law to provide a holistic program for the development of service users. The applicability of Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons," for persons with mental health conditions, is also expressly recognized in the Senate bill.

The aforementioned proposed legislation and issuances are consistent with the policy of the State to safeguard the health of its citizenry, particularly their physical and mental well-being. The Philippines also affirms its responsibility as a sovereign State to adopt policies that will benefit its people.

The Philippine Mission in Geneva kindly requests the Special Procedures Branch to convey this response to SR Devandas-Aguilar.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights – Special Procedures Branch the assurances of its highest consideration.

Geneva, 14 February 2018

Office of the United Nations High Commissioner for Human Rights
Palais Wilson
52 Rue des Pâquis
CH-1201 Geneva

Attention: The Special Procedures Branch



**Updates on the Adoption of the
Philippine Mental Health Act
OL PHL 212017**

The Government of the Philippines has the honor to refer to the communication of Ms. Catalina Devandas-Aguilar, UN Special Rapporteur on the rights of persons with disabilities, on the information received in 2017 concerning the pending adoption of the Philippine Mental Health Act (Senate Bill No. 1190).

The State has the further honor to inform UNSR Devandas-Aguilar that Senate Bill No. 1354 titled, *"An Act Establishing a National Mental Health Policy for the Purpose of Enhancing the Delivery of Integrated Mental Health Services, Promoting and Protecting Persons Utilizing Psychiatric, Neurologic and Psychosocial Health Services, Appropriating Funds therefor and for other Purposes,"* which is a consolidation of Senate Bill Nos. 9 (Philippine Mental Health Act of 2016), 415 (Mental Health Act), 522 (Comprehensive Adult Mental Health Act of 2016), 657 (Adolescents and Youth Mental Health Program Act), 1155 (Philippine Mental Health Act), and 1190 (Mental Health Act of 2016), has been prepared and submitted jointly by the Senate Committees on Health and Demography, Local Government, and Finance as authors of the consolidated Senate Bill on 28 February 2017.

The drafting of the consolidated bill underwent an inclusive process and took into consideration the views of other stakeholders such as Philippine Psychiatric Association, Commission on Human Rights of the Philippines and other related organizations, as well as the Department of Health.

Senate Bill No. 1354 has passed the bicameral conference and was scheduled for a second bicameral meeting on 22 January 2018.

The State affirms that the consolidated Senate Bill No. 1354 complies with its treaty obligations under the United Nations Convention on the Rights of Persons with Disabilities and other relevant international and regional human rights conventions and declarations. Among other features, the bill proposes that the Government provide psychiatric, psychosocial and neurologic services for the people. It provides for the respect of the fundamental rights of mental health service users, including securing their free and informed consent and without discrimination. The bill also requires the involvement of key government institutions and other stakeholders in the implementation of the law, including the Commission on Human Rights of the Philippines, DOH, Department of Education, Technical Education and Skills Development Authority, among others, to provide a holistic program for the development of service users. The applicability of Republic Act No. 7277, otherwise known as the *"Magna Carta for Disabled Persons,"* for persons with mental health conditions, is also expressly recognized in the Senate bill.

The aforementioned proposed legislation and issuances are consistent with the policy of the State to safeguard the health of its citizenry, particularly their physical and mental well-being. The Philippines also affirms its responsibility as a sovereign State to adopt policies that will benefit its people. **END**