

Three PH Laws for Ethical Conduct of Scientific Research

In the last six years ending 2021, the Philippine Journal of Science (PJS) published a total of 806 peer-reviewed articles representing an overall acceptance rate of 69.07% and a yearly acceptance rate of $67.65 \pm 4.38\%$. In the said period of reckoning, the PJS Editorial Office dealt with a rapid increase in annual manuscript submissions—from 72 in 2016 to 336 in 2021. Contributions from colleagues in Agriculture & Forestry (255); Biology (321); and Nutrition, Food Science & Technology (136) accounted for 61% of all submissions (1167). The figures give a plausible picture of the disciplinary distribution of active Filipino scientists and researchers in the country today.

Scientists are duty-bound to follow strictly a personal code of conduct that is based on self-respect and consideration of the welfare of other stakeholders and the environment. The code is founded on the following universal principles that also apply to the ethical practice of other professions—integrity, objectivity, professional competence, confidentiality, and the rule of law. The National Academy of Science and Technology (NAST) elucidated these ethical principles in 2009 for Filipino scientists and researchers.

Scientists are forthright and honest in all their professional relationships. They do not allow bias, conflict of interest, or undue influence of others to prevail over their professional judgments. They maintain a required level of professional knowledge and skill to ensure that intended beneficiaries consistently receive competent and reliable professional advice and services. Scientists respect the confidentiality of the information that is obtained in their research investigations and do not disclose any such information to third parties without proper and specific authority. Finally, they comply with the relevant laws and regulations of the land and avoid taking any action that discredits the scientific community.

Robust adherence to the professional code of conduct institutionalizes the practice of collective self-regulation in the scientific community to the greater benefit of all its present and future members. It also heightens public awareness of the scientific method and strengthens societal support for scientists in their attempt to find more effective solutions to the complex challenges facing the Filipino nation.

The following laws and regulations are directly relevant to the conduct of scientific research and development in the Philippines. All concerned Filipino scientists and researchers are highly encouraged to familiarize themselves with the provisions of these statutes.

The Animal Welfare Act of 1998. Republic Act (RA) No. 8485 or The Animal Welfare Act of 1998 was signed into law on 11 February 1998 and later amended by RA 10631 on 03 October 2013. Its purpose is to protect and promote the welfare of all terrestrial, aquatic, and marine animals in the country by supervising and regulating the establishment and operations of all facilities that are utilized for breeding, maintaining, keeping, treating, or training all animals either as objects of trade or as household pets.

The implementing rules and regulations (IRR) of RA 8485 specific to the conduct of scientific procedures using animals are contained in the Department of Agriculture (DA) Administrative Order (AO) No. 40, Series of 1999 issued on 02 August 1999. AO 40 stipulates that experiments involving live vertebrate animals (*e.g.* mice, frogs, and fish) are allowed only after the issuance of an official approval by the Institutional Animal Care and Use Committee (IACUC) of the Animal Care and Use Program (ACUP) of the researchers.

The IACUC is composed of at least three members that include a qualified licensed veterinarian and a concerned public member who is not affiliated with the institution. It monitors and reviews the proper implementation of the approved ACUP and submits an annual report to the DA Bureau of Animal Industry. The IACUC members of the University of the Philippines Diliman are appointed to a renewable term of one year by the Chancellor.

Wildlife Resources Conservation and Protection Act of 2001. RA 9147 or An Act Providing for the Conservation and Protection of Wildlife Resources and their Habitats, Appropriate Funds Therefore, and for Other Purposes became law on 30 July 2001.

RA 9147 declares that the conservation of the country's wildlife resources and their habitats for sustainability is a policy of the State. Its objectives are: [a] to conserve and protect wildlife species and their habitats to promote ecological balance and enhance biological diversity; [b] to regulate the collection and trade of wildlife; [c] to pursue—with due regard to the national interest—the Philippine commitment to international conventions and protection of wildlife and their habitats; and [d] to initiate or support scientific studies on the conservation of biological diversity.

RA 9147 provides that the Department of Environment and Natural Resources (DENR) has jurisdiction over all terrestrial plant and animal species, all turtles and tortoises, and wetland species—including but not limited to crocodiles, waterbirds, and all amphibians and *dugong*. The DA, on the other hand, is responsible for all declared aquatic critical habitats and all aquatic resources—including but not limited to all fishes, aquatic plants, invertebrates, and all marine mammals, except *dugong*. The IRR of RA 9147 are stated in DENR-DA-PCSD AO No. 01—which was issued jointly by the DENR, the DA, and the Palawan Council for Sustainable Development (PCSD) on 18 May 2004.

AO No. 01 states that the collection and possession of wildlife and their by-products and derivatives is allowed for scientific research, breeding/propagation, bioprospecting, commercial purposes, or for other activities if duly authorized by the concerned Department Secretary or Council or their authorized representatives—subject to compliance with duly promulgated requirements, conditions, rules, and regulations.

Specifically, the collection and utilization of biological resources for scientific research is legal only after the execution of an Affidavit of Undertaking by the applicant or a Memorandum of Agreement (MOA) between the Secretary or the Council and the proponent, and the issuance of a Gratuitous Permit (GP). An applicant is required to submit a letter of application, a brief description of the research activity or proposal, and an endorsement letter of the Head of Institution where the proponent is affiliated—or in the case of an individual researcher, from a duly recognized expert. The Free and Prior Informed Consent of indigenous peoples (IP) or prior clearance of the concerned local government units, Protected Area Management Board, private landowner, and/or other relevant agencies/institutions where the collection will be made is also required.

For purposes of thesis and dissertation research of students who are affiliated with Philippine academic institutions, the issuance of a GP by the DENR Secretary through the Protected Areas and Wildlife Bureau Director or the concerned Regional Executive Director, the DA Secretary through the BFAR Director, or concerned BFAR Regional Director or the Council through the PCSD Executive Director is sufficient. GP issuance is contingent upon prior submission of a copy of a duly approved thesis proposal, endorsement letter from the concerned Dean, and clearance from the affected entities or informed consent certificate from the IP head.

For foreign applicants or Filipino citizens affiliated with foreign institutions, the execution of a MOA and the issuance of the GP are required together with the formal identification of a Philippine institution as a research collaborator or counterpart. The export or importation of wildlife species to or from another country requires the official permission of the Secretary or the designated representative. The technical and financial capability of the recipient to maintain the species also needs to be established beforehand and its transport is subject to strict compliance with the provisions of RA 9147 as well as with other pertinent rules and regulations.

Philippine National Health Research System Act of 2013. RA 10532 or An Act Institutionalizing the Philippine National Health Research System (PNHRS) was enacted on 07 May 2013.

The PNHRS aims to improve the health status, productivity, and quality of life of Filipinos by: [a] ensuring that health research is linked to the health system needs; [b] ensuring that investments in health research yield the most benefit; [c] promoting good governance among health research organizations through efficient, effective, transparent, and ethical health research management system; [d] engaging in national and international partnerships and networks for health research development; and [e] ensuring the sustainability of resources for health research.

Mentioned particularly in RA 10532 is the Philippine Health Research Ethics Board (PHREB), which was created under DOST Special Order No. 091, Series of 2006 to ensure adherence to the universal principles for the protection of human participants. The IRR of RA 10532—issued jointly by the DOST, Department of Health (DOH), Commission on Higher Education (CHED), and the University of Philippines Manila (UPM) on 10 July 2013—are found in the Joint DOST-PCHRD, DOH, CHED, UPM NIH AO No. 001.

All research endeavors involving human subjects must undergo ethical review and clearance before implementation to ensure the safety, dignity, and well-being of research participants. The PHREB is tasked to formulate and update guidelines for the ethical conduct of human health research, as well as to develop guidelines for the establishment and management of ethics review committees and standardization of research ethics review. The PHREB accredits and registers the Ethics Review Committee that is authorized to facilitate an ethics review.

The 2017 edition of the National Ethical Guidelines for Health and Health-related Research was approved on 07 June 2017. It contains specific guidelines for research in cosmetics, environmental health, online and digital tools, mental health, military, people with disabilities, genetic and genome, biobanks, registries, and databases. It also reckons the possible impact of evolving developments in health and health-related science and technology, while ensuring respect for the rights and welfare of all individuals and communities involved as participants in health and health-related research. The standards and procedures for the establishment and management of ethics review committees and the research ethics review are also further clarified.

The PJS and its publisher—the DOST—are duty-bound to respect the provisions of RA 10631, RA 9147, and RA 10532, and to comply with their respective IRRs. The PJS Editorial Office has, therefore, required the submission of a certified copy of the official IACUC approval, the Gratuitous Permit, or the Ethics Review Committee Clearance for manuscripts that report results of research investigations that are affected by any of the three laws. Timely submission will prevent any unnecessary delay in the completion of the peer-evaluation process.

REFERENCES

- [NAST] National Academy of Science and Technology. 2009 (July). Ethical Principles and Guidelines for Filipino Scientists. Available at <http://www.nast.ph/images/pdf%20files/Ethical%20Guidelines/epgfs.pdf>
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CAESAR SALOMA
Editor-in-Chief