



July 2013 - June 2016

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7 July 2014

REP. EUFRANIO C. ERIGUEL, M.D.

Chairman

Committee on Health
House of Representatives
Quezon City

Dear Rep. Eriguel,

Greetings of peace!

The League of Provinces of the Philippines expresses its grave concern over certain provisions of the Substitute Bill on the "Philippine HIV and AIDS Policy Act."

At the outset, the League acknowledges the need to amend Republic Act 8504, and strengthen certain provisions thereon to make it more responsive to the currently alarming rise of infections of HIV in the country.

However, it expresses its reservations to certain provisions in Article VII of the said Substitute Bill that tackles on the Philippine National AIDS Council, particularly, Section 53 on membership.

We would like to express our strong opposition to the removal of the League of the Provinces of the Philippines from among the membership of the PNAC, along with other government agencies whose mandates will strongly impact in the national policy to contain and halt the spread of HIV.

We have noted that while the local government units are being represented in the Council, through "Four (4) members of the League of City Mayors, each one representing the local government unit with the highest number of HIV and AIDS cases in the National Capital region, Luzon, Visayas and Mindanao," this may not entirely consistent with the spirit and intent of the Republic Act 7160, or the Local Government Code, of representation and consultation of LGUs at the national government level.

Under the current political system, and as defined by the Local Government Code, there are four levels of local governments: the provinces, the cities, the municipalities and the barangays. And for each of the four levels of local governance, a league was created with the primary purpose of "ventilating, articulating and crystallizing issues affecting local (sic) government administration, and securing, through proper and legal means, solutions thereto."

Among the functions devolved to the local governments, the delivery of health services is one of the primary.



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The campaign to halt the epidemic of HIV goes beyond the borders of the cities and municipalities with the highest number of infections. Limiting the participation of local governments to those cities with the highest infections, would be severely limiting the campaign, inasmuch as preventing the infection not only among the vulnerable population, but with the general population is vital, as well as ensuring the timely and appropriate delivery of treatment, care and support services. And the delivery of prevention, treatment, care and support services is a function of both government and private sectors working together.

The participation of the provinces and the cities – collectively through the League of Provinces of the Philippines and the League of Cities of the Philippines – in the Council will allow not only more meaningful and broad participation of local government units in the development of national policies and programs on HIV and AIDS, advocate for the implementation of the same in their respective constituencies, but also ventilate, articulate and crystallize issues affecting provincial and city government administrations.

May we also point out that the representation of the LGUs to the PNAC cannot be taken over by the Department of the Interior and Local Government because Sec. 25, paragraph (a) the LGC defines the relationship of the Office of the President, delegated through the Department of the Interior and Local Government, as that of general supervision, defined as the authority to ensure that the acts of local governments under it are within their prescribed powers and functions. As such, the general supervision clause of the DILG over provinces, highly urbanized cities and independent component cities, does not include representation.

More than the PNAC, as a council, getting the LGUs to buy in and implement their localized plans and programs on HIV and AIDS prevention are very much necessary if the national policy and programs are to be realized. Thus far, a strong advocacy for the program among LGUs is very vital, consider the many, varied, and competing priorities, and even a lot more unfunded mandates, begging for resource allocation and attention.

Toward this end, the representation of the League of Provinces and the League of Cities in the Council is vital not only to advocate for the local implementation of national policies, programs and strategies, but also to allow them to collectively participate in the development of policies, programs and strategies that are more responsive and appropriate to the LGUs' individual priorities, resources, needs and even culture, in keeping with the principles of local autonomy.

While the intent to broaden the representation of the civil society to ensure broader participation, transparency and accountability in governance is appreciated, the strategies to put the epidemic under control in order to get to zero new infections, calls for more inclusive, rather than exclusive representation in the Philippine National AIDS



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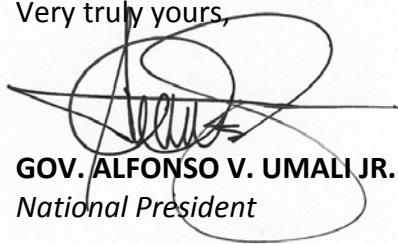
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Council. Broader CSO participation, however, should not be at the expense of government agencies also delivering corollary, but still vital services, especially in the area of HIV prevention among the general population, of which the country still has to take more aggressive strides into.

May we then reiterate our request for the Committee on Health to reconsider Sec. 53 of the Substitute Bill on the Philippine HIV and AIDS Policy Act, to include the League of Provinces of the Philippines, as well as other national government agencies performing corollary functions in the HIV and AIDS program, such as the National Economic and Development Authority, the Philippine Information Agency, the Department of Foreign Affairs, among others.

Thank you and more power!

Very truly yours,



GOV. ALFONSO V. UMALI JR.
National President

Cc: Senate Committee on Health
Sec. Enrique T. Ona, *Department of Health*
Philippine National AIDS Council