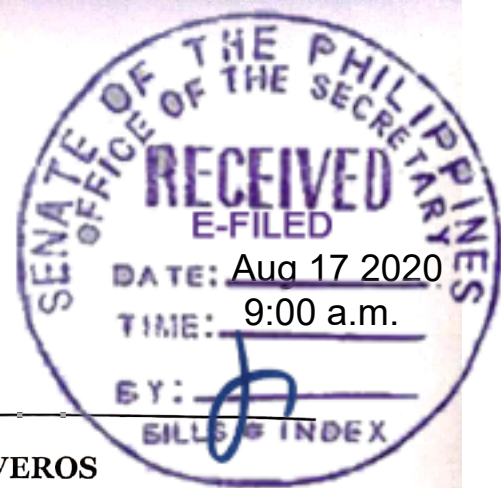


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

P.S.R. No. **495**



INTRODUCED BY SENATOR RISA HONTIVEROS

RESOLUTION
URGING THE PROPER SENATE COMMITTEE TO CALL FOR AN
INVESTIGATION IN AID OF LEGISLATION INTO THE IMPLEMENTATION
OF IATF RESOLUTION NO. 62, SERIES OF 2020, ASSIGNING IATF
MEMBER-CABINET SECRETARIES TO VARIOUS LOCAL GOVERNMENT
UNITS IN NCR, BULACAN, CAVITE, LAGUNA AND RIZAL

WHEREAS, Section 25, Article II of the Constitution provides that the State shall ensure the autonomy of local governments;

WHEREAS, on August 12, 2020, the Inter-Agency Task Force for the Management of Emerging Infection Diseases (IATF) issued Resolution No. 62, series of 2020, assigning its members to various Local Government Units (LGUs) in the National Capital Region (NCR) and the Provinces of Bulacan, Cavite, Laguna, and Rizal, exercising jurisdiction over areas with high rates of Coronavirus disease 2019 (COVID-19) community transmission;

WHEREAS, the IATF members assigned to these LGUs were tasked with monitoring “health system performance, critical care capacity, and compliance with surveillance, isolation, and treatment protocols”;

WHEREAS, while Resolution No. 62 grants IATF members the power to monitor LGU performance with respect to COVID-19 management, nowhere does it give them the authority to supervise or control local government officials;

WHEREAS, reports from the ground reveal that some IATF members interfere even until the barangay level;

WHEREAS, many, if not most of these IATF members, while arguably experts in their respective fields, are not experts in health system performance, critical care capacity, as well as surveillance, isolation and treatment protocols,

WHEREAS, the IATF as a body has, as it is, already been saddled with controversies involving its policy decisions¹ and pronouncements², the accuracy and integrity of the data reported³, and even some allegedly anomalous procurement-related transactions⁴;

¹ <https://thephilbiznews.com/clear-integrated-iatf-guidelines-sought-to-avoid-public-confusion/>

² <https://www.msn.com/en-ph/news/national/senators-question-duque-credibility-after-flip-flop-on-covid-second-wave/ar-BB14pnfx>

³ <https://www.manilatimes.net/2020/05/12/opinion/editorial/iatf-must-present-ph-covid-data-coherently/724224/>

⁴ <https://businessmirror.com.ph/2020/05/19/anti-covid-supplies-overpriced/>

WHEREAS, what LGUs need now is a coherent COVID management strategy that provides specific direction on aspects of the strategy that are national in scale, while allowing innovation and flexibility at the level of the LGUs⁵ – instead of hand-holding by individual members of the IATF with no background in local governments or pandemic response;

WHEREAS, the Supreme Court has held in *Philippine Gamefowl Commission v. Intermediate Appellate Court* that the objective of ensuring local autonomy for LGUs is blunted by undue interference by the national government in purely local affairs, and academic research has established that devolving the mobilization of resources and delivery of services from the national government to LGUs improves the allocation of resources because LGUs are able to adapt public services to the unique needs of their constituents, as opposed to the national government's tendency to provide "one size fits all" solutions;

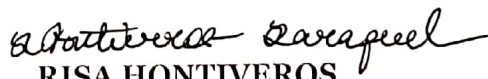
WHEREAS, pursuant to Republic Act (R.A.) No. 7160, otherwise known as the Local Government Code, LGUs are mandated to discharge the functions and responsibilities of national agencies and offices devolved to them, and this includes basic health services such as communicable disease control;

WHEREAS, while the Local Government Code indeed allows the Secretary of Health to assume temporary supervision and control over local governments in cases of epidemics, pestilence, and widespread public health dangers, this provision does not contemplate individual Cabinet secretaries being randomly assigned to "monitor" local government units; and

WHEREAS, the presence of IATF members within the territorial jurisdictions of LGUs to monitor LGU management of the COVID-19 pandemic needs to be reconciled not only with the principle of local autonomy enshrined in the Constitution and the Local Government Code, but also with the viability and effectivity of conscripting Cabinet secretaries -- supposedly national policy architects – to monitor localized disease response.

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED TO URGE THE PROPER SENATE COMMITTEE TO INQUIRE, IN AID OF LEGISLATION, INTO THE IMPLEMENTATION OF IATF RESOLUTION NO. 62, SERIES OF 2020, ASSIGNING IATF MEMBER-CABINET SECRETARIES TO VARIOUS LOCAL GOVERNMENT UNITS IN NCR, BULACAN, CAVITE, LAGUNA AND RIZAL

Adopted.


RISA HONTIVEROS
Senator

⁵ <https://rappler.com/newsbreak/in-depth/mayor-of-the-philippines-leaves-lgus-blind-amid-covid-19>