

Comments on House Bills 3891 and 6131 on “AN ACT PROVIDING FOR THE DEVELOPMENT OF SUSTAINABLE CITIES AND COMMUNITIES IN THE COUNTRY AND FOR OTHER PURPOSES” authored by Congressman Francisco Benitez and Congressman Victor A. Yap, respectively.

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1. The development of sustainable cities and communities is an aspiration shared globally. In the Philippines, this is been translated in terms of strategic policy framework contained in the Philippine Development Plan and in the National Urban Development and Housing Framework. We support the objective of both bills to institutionalized this framework at the local government level.

2. We propose to harmonize HB 3891 and HB 6131 to create a comprehensive policy on sustainable cities and communities in the country. For instance, a law mandating the undertaking of particular actions towards sustainability requires a clear identification of the LGUs and NGAs to be involved in the implementation. HB No. 3891 provides a section on coverage on LGUs, which HB No. 6131 lacks. In terms of NGAs, the list of those identified in the bills can be expanded. The PPP Center should be tapped to guide LGUs in implementing projects with the private sector through PPPs, and the DILG should be involved in the setting of targets and indicators given its already existing initiatives on monitoring the alignment of LGU activities with the PDP and SDGs. Furthermore, the themes found in the Guiding Framework for Sustainable Cities (Section 4, HB No. 3891) and Model for Sustainable Cities and Communities (Section 3, HB No. 6131) should be aligned with those promoted in SDG 11 (Sustainable Cities and Communities), especially those also found in the PDP. In terms of indicators, the proposed law should adopt international standards, especially if they have been adopted as Philippine National Standards. The list of indicators can be expanded such that all principles in Section 4 of HB No. 3891 and Section 3 of HB No. 6131 have matched indicators to ensure proper monitoring on the achievement of the proposed law’s objectives. The following tables detail the gaps and proposed provisions to address those gaps.

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Comments on HB No. 3891

Section	Current Provision	Comment	Proposed Version
Section 4	<p>The Department of Human Settlements and Urban Development, in consultation with relevant government agencies, local government units, civil society organizations, the private sector and the academe, shall, within 180 days since the effectivity of this Act, harmonize the National Urban Development and Housing Framework with this Act and formulate, in coordination with the National Economic and Development Authority (NEDA), a National Sustainable Cities Roadmap to operationalize the goals of this Act, taking into consideration the unique and evolving economic, social and institutional contexts of the country.</p> <p>The National Sustainable Cities Roadmap shall provide long-term strategic plans to achieve the goals of this Act, and shall generate estimates and projections to determine present and future demand for infrastructures and services in urban areas, and shall identify policy and programmatic interventions to address challenges to sustainable urban development and specific periodic targets and</p>	<p>DILG should strongly be involved in the formulation of the National Sustainable Cities Roadmap, especially because of the expectation that the roadmap would identify the targets and indicators in addressing issues in sustainable urban development. DILG and NEDA have already been implementing Joint Memorandum Circular No. 1 (Series of 2018), which provides the Guidelines on the Localization of the PDP 2017-2022 Results Matrices and the SDGs.² Results matrices on PDP and SDG-related indicators have been accomplished by LGUs. Such matrices may be adopted in line with the objectives of the bills.</p>	<p>The Department of Human Settlements and Urban Development, in consultation with relevant government agencies, local government units, civil society organizations, the private sector and the academe, shall, within 180 days since the effectivity of this Act, harmonize the National Urban Development and Housing Framework with this Act and formulate, in coordination with the Department of the Interior and Local Government (DILG) and National Economic and Development Authority (NEDA), a National Sustainable Cities Roadmap to operationalize the goals of this Act, taking into consideration the unique and evolving economic, social and institutional contexts of the country.</p> <p>The National Sustainable Cities Roadmap shall provide long-term strategic plans to achieve the goals of this Act, and shall generate estimates and projections to determine present and future demand for infrastructures and services in urban areas, and shall identify policy and programmatic interventions to address challenges to sustainable urban development and specific periodic targets and indicators and investment requirements thereof.</p>

² DILG-NEDA. 2018. Joint Memorandum Circular No. 1 (Series of 2018). https://dilg.gov.ph/PDF_File/issuances/joint_circulars/dilg-joincircular-20181127_45f559a61a.pdf (accessed on July 9, 2021).

Section	Current Provision	Comment	Proposed Version
	indicators and investment requirements thereof.		
Section 4(b)	Spatial justice which promotes multiple use of land to prevent forced evictions, displacement, marginalization, and gentrification, and ensures that urban development provides vulnerable and marginalized sectors the access to adequate and affordable housing under different tenorial arrangements, universal healthcare, accessible education, infrastructures, livelihoods, food security and nutrition, safe and inclusive public spaces that foster social cohesion	Spatial justice should also ensure that urban development offers access to safe and not only adequate and affordable housing under various tenorial arrangements. This is in line with the SDG Target 11.1, <i>i.e.</i> , “By 2030, ensure access for all to adequate, safe and affordable housing and basic services and upgrade slums” (UN Department of Economic and Social Affairs n.d.). ³ Given that the Philippines has danger zones unsuitable for settlements, safety should be one of the prioritized objectives.	Spatial justice which promotes multiple use of land to prevent forced evictions, displacement, marginalization, and gentrification, and ensures that urban development provides vulnerable and marginalized sectors the access to safe , adequate, and affordable housing under different tenorial arrangements, universal healthcare, accessible education, infrastructures, livelihoods, food security and nutrition, safe and inclusive public spaces that foster social cohesion
Section 4(c)	Urban renewal which includes slum upgrading to improve housing, infrastructures and services, and urban greening, including the promotion of urban agriculture for food security and communal wellness, and the development of safe, accessible and enjoyable open spaces and parks	Inclusion should be a theme highlighted in the development of open spaces and parks. SDG Target 11.7 provides that “By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities” (UN Department of Economic and Social Affairs n.d.). ⁴ Public areas should be enjoyable, accessible, and safe not just to a selected few.	Urban renewal which includes slum upgrading to improve housing, infrastructures and services, and urban greening, including the promotion of urban agriculture for food security and communal wellness, and the development of inclusive , safe, accessible, and enjoyable open spaces and parks

³ UN Department of Economic and Social Affairs. n.d. *Make cities and human settlements inclusive, safe, resilient and sustainable*. <https://sdgs.un.org/goals/goal11> (accessed on July 8, 2021).

⁴ Ibid.

Section 4(d)	Urban mobility and connectivity which provide for safe, accessible, affordable, efficient and sustainable public transportation through the development of adequate transportation infrastructures, utilities and intermodal transportation systems, including non-motorized modes of transportation such as walking and bicycling, and enhances digitalization and technological innovation to strengthen global and urban-rural linkages and management	Urban mobility and connectivity should also take into account inclusivity in public transportation. As pointed out in SDG Target 11.2, “By 2030, provide access to safe, affordable, accessible and sustainable transport systems for all, improving road safety, notably by expanding public transport, with special attention to the needs of those in vulnerable situations, women, children, persons with disabilities and older persons” (UN Department of Economic and Social Affairs n.d.). ⁵ As population in urban areas increase, attention should be given to prevent a simultaneous increase in the vulnerability of various groups.	Urban mobility and connectivity which provide for inclusive , safe, accessible, affordable, efficient, and sustainable public transportation through the development of adequate transportation infrastructures, utilities and intermodal transportation systems, including non-motorized modes of transportation such as walking and bicycling, and enhances digitalization and technological innovation to strengthen global and urban-rural linkages and management
Section 4(g)	Climate resilience which builds the capacity of urban areas to adapt to and manage threats and risks from climate change and natural disasters, and facilitate post-disaster rehabilitation and recovery	Emphasis should be made on mitigating the threats and risks of climate change and natural disasters to vulnerable groups. SDG Target 11.5 does so by stating “By 2030, significantly reduce the number of deaths and the number of people affected and substantially decrease the direct economic losses relative to global gross domestic product caused by disasters, including water-related disasters, with a focus on protecting the poor and people in vulnerable situations” (UN Department of Economic and Social Affairs n.d.). ⁶ Limited resources of vulnerable groups would prevent them from recovering easily, consequently requiring more attention from the government.	Climate resilience which builds the capacity of urban areas to adapt to and manage threats and risks posed by climate change and natural disasters to constituents especially vulnerable groups , and facilitate post-disaster rehabilitation and recovery
Section 7	The DILG and the Department of Budget and Management shall develop a grant or cash award incentive scheme for LGUs that are able to achieve the annual targets set by DHSUD and NEDA....	As mentioned in the comment on Section 4, the DILG should be involved in the setting of the targets.	The DILG and the Department of Budget and Management shall develop a grant or cash award incentive scheme for LGUs that are able to achieve the annual targets set by DILG , DHSUD, and NEDA....

⁵ Ibid.

⁶ Ibid.

<p>Section 8</p>	<p>National government agencies and local government units shall include in their respective programs the needed operational and institutional requirements in upholding the enumerated rights in this Act, the initial funding of which shall be charged against their current appropriations. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.</p> <p>The National Government and local government units shall accordingly pursue alternative resource mobilization strategies, including, but not limited to, public-private partnerships, official development assistance, and land value capture, to leverage public resources and maximize their value to finance the operational requirements of this Act.</p>	<p>Alternative options for funding should greatly be considered. 2018 data from the Bureau of Local Government Finance show that many LGUs still depend on the Internal Revenue Allotment for their Annual Regular Income, with 90% of 730 municipalities' Annual Regular Income coming from the Internal Revenue Allotment (Rey 2020).⁷ Projects related to sustainability can be financed through Public-Private Partnerships (PPPs) as pointed out in Section 8. PPPs can provide win-win situations if implemented properly. Guidance from the PPP Center can be tapped to ensure proper implementation.</p>	<p>National government agencies and local government units shall include in their respective programs the needed operational and institutional requirements in upholding the enumerated rights in this Act, the initial funding of which shall be charged against their current appropriations. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.</p> <p>The National Government and local government units shall accordingly pursue alternative resource mobilization strategies, including, but not limited to, public-private partnerships with the guidance of the Public-Private Partnership Center, official development assistance, and land value capture, to leverage public resources and maximize their value to finance the operational requirements of this Act.</p>
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Comments on HB No. 6131:

⁷ Rey, A. 2020. 2021 for LGUs: Cash-strapped in the middle of a pandemic. *Rappler*. <https://www.rappler.com/newsbreak/in-depth/cash-strapped-lgus-during-pandemic-budget-covid-19-series-yearend-2020> (accessed on July 9, 2021).

Section	Current Provision	Comment	Proposed Version
Section 3(a)	Affordable housing	Similar to the comment on Section 4(b) of HB No. 3891, adequacy, safety, and affordability of housing are all important, so they should characterize the intended goal of sustainable cities and communities. Aside from safety and affordability, adequacy is needed given the increasing population in urban areas.	Safe, adequate, and affordable housing
Section 3(e)	Efficient, accessible, and affordable public transport system	Safety, sustainability, and inclusivity of the public transport system should be considered. The importance of inclusivity was already mentioned in the comment on Section 4(d) of HB No. 3891, explaining that as population in urban areas increase, attention should be given to prevent a simultaneous increase in the vulnerability of various groups. Safety and sustainability, meanwhile, are important to ensure use of the public transport system even in the long run.	Safe, sustainable, inclusive, efficient, accessible, and affordable public transport system
Section 3(g)	Safe, accessible, and enjoyable areas of open space	As mentioned in the comment on Section 4(c) of HB No. 3891, inclusion should be a theme highlighted in the development of open spaces and parks, and public areas should be enjoyable, accessible, and safe not just to a selected few.	Inclusive, safe, accessible, and enjoyable areas of open space

Additional Proposed Provision to Guiding Framework for Sustainable Cities (Section 4, HB No. 3891) and Model for Sustainable Cities and Communities (Section 3, HB No. 6131)

Comment	Proposed Provision
<p>Alignment of national, regional, city, and municipal plans facilitates the achievement of the goals of each government unit. SDG Target 11.a even provides “Support positive economic, social and environmental links between urban, per-urban and rural areas by strengthening national and regional development planning” (UN Department of Economic and Social Affairs n.d.).⁸ For the purpose of measuring the alignment, government units’ results matrices on the localization of the PDP 2017-2022 and SDGs should be used as references. Outputs of respective government units have the potential to influence outcomes even of other government offices.</p>	<p style="color: red;">Alignment of economic, social, and environmental policies between and among national, regional, city, and municipal government units, facilitating the achievement of the goals of each unit</p>

⁸ UN Department of Economic and Social Affairs. n.d. *Make cities and human settlements inclusive, safe, resilient and sustainable*. <https://sdgs.un.org/goals/goal11> (accessed on July 8, 2021).

Additional Proposed Provisions to Targets and Indicators (Section 5, HB No. 3891) and Indicators (Section 4, HB No. 6131)

Comment	Proposed Provision
More economic-related indicators can be included especially given that Section 4(a) of HB No. 3891 sets out the following principle: “Inclusive urban economy which creates decent jobs with fair wages, supports entrepreneurship, creativity and innovation, ensures safe and non-discriminatory working environments and promotes resource-efficient industries and consumption”. For instance, the following indicators can be measured: percentage of the labor force in the education and R&D sectors (see ISO 37122:2019) ⁹ , and unemployment rate and number of businesses (see ISO 37120:2014) ¹⁰ in the respective cities.	Urban economy – measured in terms of percentage of the labor force in the education and R&D sectors, and unemployment rate and number of businesses
In line with Section 4(a) of HB No. 3891, education-related indicators should be included. For example, the number of STEM higher education degrees can be measured (see ISO 37122:2019). ¹¹	Innovation-gear education – measured in terms of the number of STEM higher education degrees
There should be an indicator related to the use of renewable energy sources in accordance with the principle forwarded by Section 3(h) of HB No. 6131, <i>i.e.</i> , “Preference for use of renewable resources” and Section 4(f) of HB No. 3891, <i>i.e.</i> , “Ecological balance which requires the sustainable management of natural resources, protection and conservation of biodiversity, natural ecosystems and landscapes, proper waste management and sanitation, provision of green infrastructures and the development and use of renewable energy sources in transportation, industry and households to reduce carbon footprint and improve water and air quality”. The indicator can come in the form of percentage of consumed energy from renewable sources (see ISO 37120:2014). ¹²	Use of renewable energy – measured in terms of percentage of consumed energy from renewable sources

⁹ ISO. 2019. *ISO 37122:2019: Sustainable cities and communities – Indicators for smart cities.*

¹⁰ ISO. 2014. *ISO 37120:2014: Sustainable development of communities – Indicators for city services and quality of life.*

¹¹ ISO. 2019. *ISO 37122:2019: Sustainable cities and communities – Indicators for smart cities.*

¹² ISO. 2014. *ISO 37120:2014: Sustainable development of communities – Indicators for city services and quality of life.*

Comment	Proposed Provision
Healthcare-indicators should be present to check whether some of the principles promoted by Section 4(b) of HB No. 3891 and Section 3(b) of HB No. 6131, <i>i.e.</i> , “Accessible healthcare services and facilities” are being followed. The indicators can include the number of in-patient hospital beds and physicians (see ISO 37120:2014). ¹³	Access to universal healthcare – measured in terms of number of in-patient hospital beds and physicians
Indicators on food security should be included to check the alignment of activities with Section 4(b) of HB No. 3891. For instance, the percentage of budget spent on initiatives on urban agriculture (see ISO 37122:2019) can be measured. ¹⁴	Access to food security – measured in terms of the percentage of city budget spent on initiatives on urban agriculture
In terms of waste, wastewater should be monitored aside from solid waste. Doing so is in line with Section 4(f) of HB No. 3891 which provides “Ecological balance which requires the sustainable management of natural resources, protection and conservation of biodiversity, natural ecosystems and landscapes, proper waste management and sanitation, provision of green infrastructures and the development and use of renewable energy sources in transportation, industry and households to reduce carbon footprint and improve water and air quality” and Section 3(i), <i>i.e.</i> , “Waste management system, where waste is recycled, wherever possible”. Management of wastewater can be measured through the indicator “percentage of treated wastewater that is reused” (see ISO 37122:2019). ¹⁵	Wastewater management – measured in terms of percentage of treated wastewater that is reused

¹³ Ibid.

¹⁴ ISO. 2019. *ISO 37122:2019: Sustainable cities and communities – Indicators for smart cities.*

¹⁵ Ibid.