

Republic of the Philippines
HOUSE OF REPRESENTATIVES

TWENTIETH CONGRESS
First Regular Session

House Bill No. **3581**



Introduced by REP. MARIA RACHEL J. ARENAS

**AN ACT DEVELOPING AND INSTITUTIONALIZING GLOBAL HEALTH DIPLOMACY AND CREATING AND
DEPLOYING HEALTH ATTACHES' IN ALL PHILIPPINE EMBASSIES AND CONSULAR OFFICES AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Globalization aided by information and communication technology has transformed the world into a more interconnected global village. The need for coordinated response to shared public health threats has increased tremendously.

A country's foreign policy can be understood as the strategy of a state to achieve its goals, promote and protect its national interests within the international community. Yet, twenty years ago, few would have used the words "global health" and "diplomacy" in the same sentence, even though health is an integral component of global security. The term "global health diplomacy" (GHD) is firmly established in the global health lexicon, with relevance to both public health practice and foreign policy. In addition, many events over the last two decades have contributed to the development of the field of GHD, such as the increase in global funding to fight HIV/AIDS, the spread of Ebola virus declared as public health emergency of international concern, climate change which is by its nature a global event that impacts on the cost to health, floods, tropical storms, drought, water scarcity, heat waves and air pollution, health threats that impact national security, challenges to the safety of the global drug supply, the threat of emerging and re-emerging infectious diseases, the need for pandemic preparedness like COVID 19, the shifting of international health assistance to new multi-level collaborative partnership, and the emerging focus on health system strengthening and universal health coverage.

In 2008, Vincanne Adams, Thomas Novotny and Hannah Leslie described GHD as a political activity that meets the dual goals of improving public health and strengthening relations amongst nations. While this definition implies links between public health and foreign affairs, further distilling in the definition have followed. In 2009, U.S Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs Kerri-Ann Jones described GHD as a critical tool in foreign affairs. She encouraged diplomats in the Department of State to consider public health principles along with traditional tools of commercial, military, and

political diplomacy. Now, is the time to call for the use of health diplomacy as a “soft” or “smart” power tool in foreign policy, as well as in national security discourse.

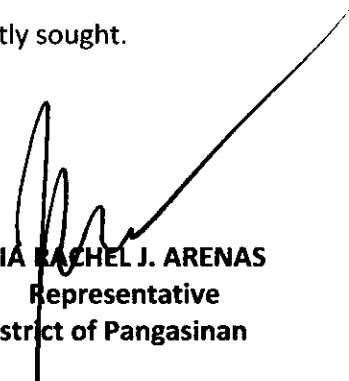
A health attache’ is key among the practitioners of global health diplomacy who employs the tools of diplomacy and statecraft to bridge government’s public health and foreign policy objectives. Health attache’ is a diplomat who collects, analyzes and acts on information concerning health in a foreign country or countries and provide critical links between public health and foreign affairs stakeholders including the conduct of related policy negotiations which may encompass relevant sectors such as trade, security and human rights.

(Journal of Health Diplomacy and Global health and Diplomacy. See Rachel Irwin and Mark Pearcey, Editor’s Introduction, “Journal of Health Diplomacy 1, no. 2 (2013), and Joanne Manrique, “Letter from the Editor, “Global Health and Diplomacy 1, no. 1 (2012).

As a major country of origin deploying millions of health and social care workers around the world, it is time for the Philippines to heighten its engagement beyond negotiating and managing labor migration, beyond trade, military and economic negotiations. It is time for our country to engage in strategic promotion of global health security and safety and facilitate global health governance.

This bill seeks to address the aforementioned critical gaps in Philippines diplomacy and contribute towards transforming the global diplomacy landscape and mainstream health in diplomacy.

In view of the foregoing, the passage of this bill is earnestly sought.



MARIA RACHEL J. ARENAS
Representative
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***Be it enacted by the Senate and the House of Representatives of the Philippines in Congress
assembled:***

Chapter One: Preliminary Provisions

SEC. 1. Short Title. This Act shall be known as Global Health Diplomacy Act of 2022.”

SEC. 2. Declaration of Policies. It is hereby declared to be the policy of this Act to develop and institutionalize Global Health Diplomacy (GHD) as a strategic, critical, soft and smart power tool in foreign affairs that employs public health principles along with the traditional tools of commercial, trade, cultural, military and political diplomacy.

SEC. 3. Coverage. This Act shall apply to the Department of Foreign Affairs and Department of Health. As used in this Act the term “global health diplomacy” shall mean political activity that meets the dual goals of improving public health and strengthening relations among national states.

SEC. 4. Definition of Terms.

Global Health Diplomacy – political activity used as a tool in foreign affairs that employs public health principles along with traditional tools of commercial, trade, cultural, military and political diplomacy.

Health Attache’ – is a diplomat who collects, analyzes and acts on information concerning health in a foreign country or countries and provide critical links between public health and foreign affairs stakeholders and heads the Global Health Diplomacy Office.

Foreign Policy – strategy of a state to achieve its goals and to protect its national interest within the international community

Global Health Diplomacy Office- the office mandated to develop global health policies, plans, programs, providing public health technical assistance and links between public health and foreign affairs stakeholders, promoting, coordinating, facilitating global health security and safety and global health governance.

Chapter Two: Roles of Global Health Diplomacy Office, Recruitment, and Competencies of Health Attache’

SEC. 5. Roles of Global Health Diplomacy Office. There shall be created a Global Health Diplomacy Office headed by a Health Attache’ and shall have the following roles and functions:

- a. Represents the country as health diplomat
- b. Negotiates in the multinational foreign policy space
- c. Uses bilateral and multilateral treaties and agreements among government and state actors
- d. Uses partnerships among government agencies and multilateral institutions
- e. Uses agreement with donor, academic and humanitarian agencies
- f. Collects, analyze and act on information concerning health in foreign country or countries and provide links between public health and foreign affairs stakeholders
- g. Identifies and engages tools and actors and coordinates action among multiple counterparts and stakeholders
- h. Provides scientific and policy guidance on areas of public health practice
- i. Builds and maintaining relationships in an international setting
- j. Reports on health matters in a foreign country
- k. Facilitates and coordinates public health technical assistance
- l. Supports research collaborations and information sharing
- m. Develops country specific health and wellness plan and programs, and protocols for Overseas Filipino Workers and facilitates professional contacts
- n. Coordinates public health policies across government agencies to help create consistent foreign policy voice for the country on health issues
- o. Promotes global health security and safety and facilitate global health governance

SEC. 6. Competencies. To enable a health attache’ to fulfill its duties and responsibilities effectively, s/he must have the following competencies:

- a. Technical skills in understanding global health risks
- b. Skills in traditional diplomatic fields of political, economic, commercial, public affairs, and military diplomacy
- c. Working knowledge on foreign affairs, international laws and public policy
- d. Knowledge and skills encompassing multi- disciplinary areas of public health practice, global health governance, health security and risk communication.

- e. Negotiation skills
- f. Organizing and coordinating skills
- g. Building partnership and alliances
- h. Information and Technology skills

SEC. 7. Recruitment and Qualification. Recruitment policy and minimum requirements with respect to the selection and appointment of a health attache' shall be developed and implemented by the appropriate government agencies concerned in accordance with policies and standards of the Civil Service Commission. Provided, that in the absence of appropriate eligible and it becomes necessary in the public interest to fill a vacancy, a temporary appointment shall be issued to the person who meets all the requirements for the position to which he/she is being appointed. Provided further that such temporary appointment shall not exceed one year or be less than six months but that the appointee may be replaced sooner if (a) qualified civil service eligible becomes available, or (b) the appointee is found wanting in performance or conduct befitting a civil servant.

SEC. 8. Screening and Selection for Appointment. Applicants for the labor attache' position shall undergo a screening process to be conducted by a duly constituted Selection and Promotion Board based on qualification standards set forth by the Department of Health and Department of Foreign Affairs in accordance with CSC policies.

Chapter Three. Positions, Status, Salaries and Allowances

SEC. 9. Creation of Plantilla Positions. There shall be created at least 200 Health Attache' (HAs) positions with salary grade 26 compensation and at least 200 Assistant Health Attache' (AHA) positions with salary grade 22 compensation who shall be deployed in countries where there are Philippines embassy/consular office, however, prioritizing countries where big number of OFWs are deployed.

SEC. 10. Status of Health Attache'. All health attache' shall be considered employees of the national government and shall draw their compensation therefrom.

SEC. 11. Compensation Scale. The compensation of Health and Assistant Attache' shall be the based on the principles of equal pay for equal work and work of equal values and ensure decent standard of living and shall include, representation and transportation allowances, cost of living, relocation, housing, and clothing allowances, hazard pay, health care pay and other benefits provided to foreign service personnel taking into consideration their respective country-specific needs.

SEC. 12. Payment of Salary- The salaries of health and assistant health attache' shall be paid in legal tender of the country where they are posted equivalent to Philippines legal tender.

Salaries shall be released on time and without delay. No deduction whatsoever shall be allowed from their salaries, except under specific provisions of applicable laws authorizing such

deductions. Provided that written authority of the health and assistant health attache' concerned shall first be obtained.

SEC. 13. Overtime Work. Where the exigencies of the service so require, any health and assistant health attache' may be required to render service beyond the normal working hours a day. In such case, they shall be paid an additional compensation in accordance with existing laws and prevailing practices in countries where they are posted.

SEC. 14. Work During Rest Day.

- a) Where health and assistant health attache' is made to work on his/her scheduled rest day, he/she shall be paid an additional compensation in accordance with existing laws of the country where they are posted.
- b) Where health and assistant health attache' is made to work on any special/ holiday, he/she shall be paid additional compensation in accordance with existing laws. Where such holiday work falls on scheduled rest day, he/she shall be entitled to additional compensation as maybe provided by existing laws.

Chapter Four. Human Resource Development for Health and Assistant Health Attache'.

SEC. 15. Human Resource Development. There shall be established a continuing human resource development program for health and assistant health attache' which shall include but not limited to merit promotion, performance evaluation, in-service training grants, incentive and award system, job rotation, cross-posting overseas, scholarship in the area of healthcare leadership, global health governance, research and development, job training, counseling, coaching, among others shall be developed by concerned agencies in consultation with and with the concurrence of the accredited employees organization where it exists.

SEC. 16. Sustaining the Professionalization of Health Attache'. To sustain professional growth of health and assistant health attache', training shall be done intensively and extensively. The cost of continuing professional development as required by the Professional Regulation Commission, the DFA and DOH shall be shouldered by the concerned agencies.

SEC. 17. Transfer or Geographical Reassignment.

- a) A transfer is a movement from one position to another which is of equivalent rank, level of salary without break in service;
- b) A geographical assignment, hereinafter referred to as "reassignment" is a movement from one geographical location to another
- c) Health and Assistant Health Attache' shall not be transferred and or assigned, except when made in the interest of public service, in which case, the personnel concerned shall be informed of the reasons therefor in writing. If HA and AHA believes that there is no justification for the transfer and/or reassignment, she/he may appeal his/her case to the Civil Service Commission, which shall cause his/her reassignment to be held in

abeyance. Provided, that no transfer and/or reassignment whatsoever shall be made at least three (3) months before any national election. Provided, further, that the necessary expenses of the transfer and/or reassignment of HA and AHA and his/her immediate family shall be paid for by the government.

SEC. 18. Security of Tenure. – Health and Assistant Health Attache' shall be assured of security of tenure. Their services shall not be terminated except for just cause provided by law and after due process.

SEC. 19. Prohibition against Discrimination. Health and Assistant Health Attache' shall not be discriminated against on account of age, sexual orientation, gender identity and expression, disability, civil status, creed, ethnicity and political beliefs and affiliation in the exercise of his/her employment.

SEC. 20. Duties and obligation. All Health and Assistant Health Attaches' shall:

- a) Discharge his/her duty faithfully according to oath of office; and
- b) Perform his/her duty with utmost respect to human, socio-cultural and political rights

SEC. 21. Code of Conduct. RA 6713 – Code of Conduct and Ethical Standards for Public Officials and Employees and relevant laws, rules and policies of host countries shall be observed at all times.

Chapter Five. Final Provisions

SEC. 22. Implementing Rules and Regulations. The Department of Foreign Affairs and the Department of Health shall jointly formulate and prepare rules and regulations necessary to implement the provision of this Act. All rules and regulations formulated shall be liberally construed in favor of the health and assistant health attaches' so as to give him/her the greatest degree of benefits that can be derived from this Act. Rules and regulations implementing this act shall take effect fifteen (15) days after publication in a paper of general circulation.

SEC. 23. Budget. The Department of Foreign Affairs and the Department of Health shall submit to Congress the annual budget to implement the provisions of this Act which shall be included in the General Appropriations Act.

SEC. 24. Penal Provision. Any person who shall willfully interfere with, restrain or coerce any HA and AHA personnel in the exercise of his/her rights or shall in any manner act in violation of any of the provisions of this Act, upon conviction, shall be punished by a fine of not less than Five Hundred Thousand Pesos (PHP500,00.00) but no more than One Million Pesos (P1,000,000.00) or imprisonment of up to six (6) years or combination of both.

If the offender is a public official, the court, in addition to the penalties provided in the preceding paragraph, may impose the additional penalty of disqualification from holding public office.

SEC. 25. Interpretation. Nothing in this act shall be construed to prejudice and diminish whatever benefits health and assistant health attache' is entitled to receive under existing laws.

SEC. 26. Separability Clause. In the even that any portion or provision of this Act be declared unconstitutional, the validity and effectivity of the other provisions of this Act shall not be affected.

SEC. 27. Repealing Clause. All laws, decrees, executive orders, rules and regulations and other issuances inconsistent with this Act are deemed repealed, amended, or modified accordingly.

SEC. 28. Effectivity. The provisions of this Act shall take effect after fifteen (15) days of completion of publication in a newspaper of general circulation.