

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Joint Resolution No. 03



Introduced by **MAGDALO Party-List Representative**
HON. MANUEL DG. CABOCHAN III

JOINT RESOLUTION

PROPOSING THE AMENDMENT OF SECTION 16, ARTICLE VII OF THE 1987 PHILIPPINE CONSTITUTION IN ORDER TO LIMIT THE CONFIRMATION PROCESS OF THE COMMISSION ON APPOINTMENT FOR MEMBERS OF THE ARMED FORCES OF THE PHILIPPINES (AFP) TO THE POSITIONS OF CHIEF-OF-STAFF OF THE AFP AND SERVICE COMMANDERS OF THE ARMY, AIR FORCE, AND NAVY ONLY

WHEREAS, Section 16, Article VII of the 1987 Constitution requires all officers of the Armed Forces of the Philippines (AFP) from the rank of colonel or naval captain and up to undergo confirmation by the Commission on Appointment;

WHEREAS, this requirement has unfortunately led to the political polarization of the AFP as military officers chosen to be promoted are wittingly or unwittingly often forced to play politics and kowtow to the desires and wishes of politicians to ensure that their appointments or promotions will not be unduly blocked;

WHEREAS, this requirement also adversely affects the promotion system in the AFP, which is based principally on merit, fitness and qualifications instead of political connections;

WHEREAS, in order to insulate the AFP from partisan politics, there is a need to amend Section 16, Article VII of the 1987 Constitution in order to limit the requirement for confirmation by the Commission on Appointments for officers of the AFP to the positions Chief-of-Staff of the AFP and the Service Commanders of the Army, Air Force and Navy only;

WHEREAS, the amendment intends to exempt other officers of the AFP from undergoing the confirmation process of the Commission on Appointments because of the presumption that the AFP and the Department of National Defense (DND) have adequately and completely vetted and/or screened the candidates' fitness and qualification for such appointment or promotion;

WHEREAS, the Office of the President and the promotions boards of the AFP and the DND are deemed to be more than qualified and equipped to vet, screen and/or decide who among the officers of the AFP are qualified for the promotion;

WHEREAS, in light of all of the foregoing, requiring all officers of the AFP from the rank of colonel or naval captain and higher (apart from the AFP Chief-of-Staff and the Service

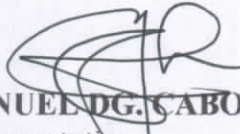
Commanders of the Army, Navy and Air Force) to undergo the confirmation process before the Commission on Appointments is clearly superfluous, redundant and/or unnecessary;

WHEREAS, under Section 1, Article XVII of the 1987 Constitution, Congress has the power to propose amendments or revisions to the Constitution upon a vote of three-fourths of all its members:

NOW THEREFORE, AS IT HEREBY RESOLVED, BY THE SENATE AND THE HOUSE OF REPRESENTATIVES IN CONGRESS ASSEMBLED, to propose the following amendment to Section 16, Article VII of the 1987 Philippine Constitution, to wit:

"Section 16. The President shall nominate and, with the consent of the Commission on Appointments, appoint the heads of the executive departments, ambassadors, other public ministers and consuls, or officers of the armed forces, **PARTICULARLY** from the [rank] **POSITIONS** of [colonel or naval captain, and other officers] **SERVICE COMMANDERS OF THE ARMY, AIR FORCE, AND NAVY TO THE POSITION OF CHIEF-OF- STAFF OF THE ARMED FORCES OF THE PHILIPPINES** whose appointments are vested in him in this Constitution. He shall also appoint all other officers of the Government whose appointments are not otherwise provided for by law, and those whom he may be authorized by law to appoint. The Congress may, by law, vest the appointment of other officers lower in rank in the President alone, in the courts, or in the heads of departments, agencies, commissions, or boards."

Adopted,


MANUEL D.G. CABOCHAN III
Representative
Magdalo Para sa Pilipino Party-List