



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal 1

**SESSION NO. 74**  
Tuesday, March 14, 2017

**SEVENTEENTH CONGRESS  
FIRST REGULAR SESSION**

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**CALL TO ORDER**

At 3:21 p.m., the Senate President, Hon. Aquilino “Koko” L. Pimentel III, called the session to order.

**PRAYER**

Sen. Alan Peter “Compañero” S. Cayetano led the prayer, to wit:

*Let us all remember that we are in the holy presence of our Lord.*

Lord, Father God, You told us that if two or three gather in Your Name, You are in our midst. We, the 24 senators elected by the people, come before You representing more than a hundred million Filipinos. We ask You to be in our midst.

Lord, please continue to humble us, give us the wisdom we need in making the right decision in every resolution, in every bill, in every issue, in every advocacy, as the Commission on Appointments, as the SET, as the other constitutional bodies continue

to function. Please continue to guide us in accordance to Your will.

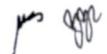
We also lift up to You the plight of all those who cannot speak for themselves, while we speak and the media amplifies through the news everything that we say here. We know that there are many who cannot speak for themselves, who are either too weak or powerless. We ask You, Lord, that they will have a voice here in the Senate and that we will represent them well.

We lift these all up to You as we ask You for special blessings for each and every senator, for each and every public official, from our President down to our barangay *kagawads*.

In Jesus’ Mighty Name, Amen.

**ROLL CALL**

Upon direction of the Senate President, the Secretary of the Senate, Atty. Lutgardo B. Barbo, called the roll, to which the following senators responded:



Angara, S.	Legarda, L.
Aquino, P. B. IV B.	Pacquiao, E. M. D.
Binay, M. L. N. S.	Pangilinan, F. N.
Cayetano, A. P. C. S.	Pimentel III, A. K.
Drilon, F. M.	Poe, G.
Ejercito, J. V. G.	Recto, R. G.
Gatchalian, W.	Sotto III, V. C.
Gordon, R. J.	Villanueva, J.
Honasan, G. B.	Villar, C.
Hontiveros, R.	Zubiri, J. M.
Lacson, P. M.	

With 21 senators present, the Chair declared the presence of a quorum.

Senators Escudero and Trillanes arrived after the roll call.

Senator De Lima was unable to attend the session as she was under detention.

#### APPROVAL OF THE JOURNAL

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 73 (March 13, 2017) and considered it approved.

#### PARLIAMENTARY INQUIRY OF SENATOR DRILON

Senator Drilon stated that as reflected in the Journal of the 73<sup>rd</sup> session (March 13, 2017), he requested that the transfer of referrals from one committee to the other should be based on committee jurisdiction as defined under the *Rules of the Senate* and that the Body should be informed of the subject matter of the measure rather than just the bill number so that the Members would know what bill was being transferred. He assumed that with Senator Sotto accepting the proposal, henceforth, any transfer of referral would be based on the *Rules* rather than on the personal preference of any senator.

Relative thereto, he likewise pointed out that in the Journal of the 72<sup>nd</sup> Session (March 8, 2017), page 1205, there was a referral for eight bills and two resolutions, i.e., Senate Bill Nos. 1274, 1275, 868, 1285, 1310, 1128, 221 and 1374 as well as Proposed Resolution Nos. 70 and 126 which, upon motion, were made integral parts of Committee Report No. 18. Thereupon, he inquired what exactly was meant when the Body favorably acted on the motion that said bills and

resolutions would become an integral part of Committee Report No. 18, saying it was his first time to come across a motion of such kind.

Replying thereto, Senator Gordon recalled that during the investigation on extrajudicial killings (EJK) and in view of his desire to provide a closure on the issue, he submitted and sponsored a committee report a couple of months ago wherein he mentioned that he would propose some legislations. He said that in the course of submitting such proposals, however, one measure that he proposed, which was about bigger plate numbers for motorcycles to obviate the terror of EJKs being perpetrated by riding in tandem motorcyclists, was filed ahead of the report. He also mentioned the bills seeking to strengthen the PNP Internal Affairs Service and the PLEBs which were also heard in the course of the EJK investigation.

As regards the bill which was unfortunately submitted separately, Senator Gordon said that he was taking full responsibility for the omission of his staff, who was not fully conversant with the way that the proposed measures should be submitted altogether. He explained that he introduced a number of bills in his desire to address the source of great trouble in the country and to alleviate the suffering and continuous injustice inflicted upon the citizens by those who kill with impunity.

Senator Drilon stated that the objectives of the bills that Senator Gordon cited are something that he cannot disagree with. He clarified that the issue he was raising was what exactly was meant when a number of bills and resolutions were made an integral part of a committee report, whether those measures would be considered approved in case the Body would adopt Committee Report No. 18.

Senator Gordon said that the Senate conducts investigations for purposes of finding out what legislation must be undertaken. Saying that the committee report is yet to be approved by the Senate, he explained that the integration simply seeks to save time.

At this juncture, Senator Sotto clarified that the intention was just to consolidate the bills contained in Committee Report No. 18, but they would be sponsored and deliberated on the floor separately.

But Senator Drilon pointed out that when he signed Committee Report No. 18, those bills and resolutions were not part of it. Senator Gordon



recalled that two or three bills were part of the committee report, the other bills were filed ahead, while the other bill on PLEBs was stranded, although hearings were already being conducted. He apologized to the Body, saying that the intention really was to put all the bills together but they would be deliberated separately.

Upon the suggestion of Senator Sotto, Senator Drilon moved to refer his inquiry to the Committee on Rules.

Senate President Pimentel called the Body's attention to Section 65 of the *Rules* regarding committee bills which, he said, should be looked into.

Senator Sotto seconded the motion of Senator Drilon.

Submitted to a vote and there being no objection, Senate President Pimentel referred the inquiry of Senator Drilon to the Committee on Rules.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended to enable the Body to greet Senator Honasan who was celebrating his birthday.

*It was 3:37 p.m.*

#### **RESUMPTION OF SESSION**

At 3:39 p.m., the session was resumed.

#### **ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS**

At this juncture, Senator Sotto acknowledged the presence in the gallery of the following guests:

- His Excellency Thierry Mathou -Ambassador of the Republic of France to the Philippines; Maella Cammas and Charlotte Saudin, both attachés of the Embassy of France; former Secretary Lucille Sering, Val Simon T. Roque of the DFA, Dean Antonio "Tony" La Viña, Joy Goco, Rodney Galicia, Renato Redentor "Red" Constantino, Atty. Angela Consuelo S. Ibay, Sonia Mendoza, and Kristine Balmes;
- Honorato "Tatoy" Espinosa of Tatoy's Manokan and Seafood Restaurant of Iloilo, Nestor Espinosa, Alicia Espinosa, Liezel Espinosa, Marichu Espinosa and Analyn Palada;

- Emmanuel "Manny" M. De Guzman, former Senator Heherson T. Alvarez and wife Cecile G. Alvarez, and former congressman Walden F. Bello;
- Pinoy Big Brother Lucky Season 7 Big Winner Maymay Entrata of Cagayan de Oro City;
- Delegates of Youth for Mental Health Coalition;
- Mayor Ferdinand V. Estrella of Baliuag, Bulacan; and
- LGU Lupong Tagapamayaya of Bgy. Mauway, Mandaluyong City, led by Mr. Louie Ortiz.

Senate President Pimentel welcomed the guests to the Senate.

#### **APPROVAL OF PROPOSED SENATE RESOLUTION NO. 320 ON THIRD READING**

Upon motion of Senator Sotto, there being no objection, the Body considered, on Third Reading, Proposed Senate Resolution No. 320, printed copies of which were distributed to the senators on March 9, 2017.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Sotto, there being no objection, Secretary Barbo read only the title of the resolution, to wit:

#### **RESOLUTION CONCURRING IN THE ACCESSION TO THE PARIS AGREEMENT.**

Secretary Barbo called the roll for nominal voting.

#### **RESULT OF THE VOTING**

The result of the voting was as follows:

*In favor*

Aquino	Legarda
Binay	Pacquia
Cayetano	Pangilinan
Drilon	Pimentel
Ejercito	Poe
Escudero	Recto
Gatchalian	Sotto
Gordon	Trillanes
Honasan	Villanueva
Hontiveros	Villar
Lacson	Zubiri

*Against*

None

*Abstention*

None

With 22 senators voting in favor, none against, and no abstention, the Chair declared Proposed Senate Resolution No. 320 approved on Third Reading.

## EXPLANATIONS OF VOTE

### *By Senator Cayetano*

As manifested by Senator Sotto, the following is the written explanation of vote of Senator Cayetano:

*"Climate change is here. We were warned several years ago."*

These were the words of President Rodrigo Roa Duterte during the first Cabinet meeting held at the Malacañang Palace. The President may have previously expressed reservations against the Paris Agreement, but he has always been firm on his stand that addressing global warming must be a top priority. He, however, stressed that this should be upon a fair and equitable equation, and that it must not stymie our industrialization.

He has made good on his promise when he signed the *Instrument of Accession* to the Paris Agreement, underscoring how developed countries are obliged to continue providing assistance to developing countries with respect to both climate change mitigation and adaptation. The accompanying *Declaration* clarifies that the country's accession to and implementation of the Paris Agreement is "for the purpose of supporting the country's national development objectives and priorities such as sustainable development and eradication of poverty and provision of basic needs, and securing social and climate justice and energy security for all its citizens."

The country's greenhouse gas emissions – 0.34% of world total – may seem eligible. But the Philippines continues to rank high on the list of countries most affected by exceptional catastrophes and most vulnerable to extreme weather events. This should be enough reason for us to join the global fight against climate change. And this is precisely why I am voting in favor of concurrence to the accession.

The Philippines' very own advocates worked hard for the 1.5 degrees Celsius temperature cap

to be adopted as a provision of the Paris Agreement. They worked equally hard to convince the Executive Department to finally sign off and transmit the ratification package to the Senate. It is comforting to note that they did not have to work as hard in convincing all the senators present today to unanimously concur to the accession.

As chairperson of the Senate Committee on Foreign Relations, we thank our colleagues for the overwhelming support in favor of concurrence. We also express our profound thanks to all climate change advocates like former Senator Heherson Alvarez who graced the committee hearing with his valuable insights, our very own Senator Loren Legarda who agreed to chair the subcommittee on the Paris Agreement, and all other environmental groups and individuals who have fought for this measure for decades. Lastly, we call on everyone else to do our respective shares in making sure that we fulfil our obligations as good stewards and caretakers of God's creation. Together, let us work to protect and preserve the future of the next generation.

### *By Senator Recto*

Senator Recto explained his affirmative vote, to wit:

First, allow me to thank and congratulate Senator Loren for pushing this treaty, not only in this Chamber, but in the executive branch as well, and in other bodies, both local and foreign.

With her tireless work in promoting climate justice, it is hard to fault her many fans who view her as the real Miss Earth. May her reign be long and fruitful.

No other treaty is more important than the one which outlines the steps for mankind's survival. By signing this agreement, countries of the world escaped writing Earth's death warrant.

The treaty's main objective is to prevent the average global temperature from rising by 1.5 degrees Celsius. Beyond that is catastrophe. That is science, and not an alternative fact.

Stripped of its verbiage, the treaty's rallying cry is for all of humanity to go not gently into a warmer future, but to rage, rage against rising temperatures.

But if Mother Earth is nursing a fever, we Filipinos should be among the last, and the least, to blame.

We rank 148<sup>th</sup> among 200-plus countries in greenhouse gas production. Our per capita

10 000

emission is a little over one metric ton per year — one fifth of the global average of nearly five tons.

To compare, a person in the United States spews out 16 times more carbon dioxide, and in China, seven and a half times.

A Filipino's one ton emission a year is puny compared to his neighbors, like a Singaporean's 9.3 tons, a Malaysian's eight tons, and a Thai's 4.4 tons. Ours is even lower than the per capita emission in Indonesia and Vietnam.

Despite accounting for less than one percent of global carbon emissions, we have pledged a reduction target higher than many of the worst polluters. Our act of contrition is greater than our sin.

Thankfully, our 70 percent reduction goal by 2030 is contingent on aid coming from the international community.

We have made it clear that this mitigation contribution hinges on the financial and technical resources that will be made available to us.

This is not climate mendicancy, but climate justice. We are victims, not the culprit here.

But even without the various funding facilities from countries who dangle their greenbacks as penance for their greenhouse gases, we should strive on our own to cut down our fossil fuel consumption.

This is so because while our emissions might be a speck globally, they loom large locally.

As all of us can see, a perpetual smog hangs over Metro Manila. Pollution robs us of billions in health costs—and our children of a good night's sleep. We have created a Ventolin generation out of our asthmatic young.

The other manifestations are more pernicious. Typhoons are getting more fierce, fickle and frequent. We have become among the most vulnerable to climate change, on top of being among the most prone to disasters.

Although we have committed to cap our carbon footprint, it should not, however, mean that we must curb our economic drive.

When we decided to put a lid on our carbon dioxide emissions, it did not require us to limit our industrial output. There is no line in that treaty which says that progress must decelerate.

In the scheme of things, wealth creation and food production retain their primacy. Just

because 10 grazing carabaos collectively belch and pass one ton of carbon dioxide annually does not mean that we have to rid our countryside of these beasts of burden.

The only imperative is that we must generate goods and services without generating too much greenhouse gases. Luckily, we have a large inventory of green sources of energy: wind, sun, geothermal.

We can even be carbon-neutral in Congress. How? By installing a windmill in the Senate to harness the gale-force rhetoric, and a methane gas plant in the House to turn bellyaching into watts.

I am voting yes to this resolution of concurrence for many reasons, too many to enumerate.

This treaty is Earth's survival manual. It is a declaration that the species that live together in this fragile planet shall not perish.

I am voting yes because a hundred years from now, when the vibrant voices in this Chamber have become faint echoes of the past, I do not want this place to be remembered with a buoy which states that here lies in 30 feet of water the remains of the building that once housed the Senate of the Philippines.

*By Senator Gatchalian*

Senator Gatchalian explained his affirmative vote, as follows:

The environment is the common heritage of humanity. Its preservation is a solemn trust, shared by the entire human race. Within this context, each and every member of the international community should be compelled by our collective conscience to do what is necessary to fulfill this trust, so that future generations of all peoples may share in the ecological wealth of the Earth. The Philippines, as a responsible member of the community of nations, has manifested its willingness to perform its obligation under this trust by acceding to the Paris Agreement. So that we may fulfill our obligation to the international community — and, more importantly, future generations of Filipinos — I cast my vote as YES in favor of concurrence.

However, as Chairman of the Senate Committees on Energy and Economic Affairs, I must underscore the delicate balance that our country must strike between environmental responsibility and economic resilience. We must

never lose sight of the needs of our fellow Filipinos. Our accession to the Paris Agreement must be made with inclusive and sustainable growth firmly in our minds. As such, we must ensure that we promote strategies that would not, in any way, endanger our prospects for inclusive economic development. We must ensure that our valiant efforts to safeguard and preserve the environment do not result in the curtailment of the economic growth potential of our developing nation.

The reality of the matter is that the capacity of the Philippines to meet its intended emissions reduction targets under its Independent Nationally Determined Contributions (INDC) document is contingent on the availability of external funding, the accessibility of new technologies, and the efficacy of capacity-building initiatives. Our accession is contingent on the promise of developed nations to provide us with the assistance that we need to reduce our greenhouse gas emissions without compromising our economic growth.

Lastly, allow me to address directly the wealthy developed states of the world with a simple but forceful challenge: Do your part to uphold the sacred trust of environmental preservation.

According to 2012 figures, high income and upper middle income countries produce 67% of the world's greenhouse gas emissions. This is a significantly larger share compared to lower middle income and low economies, including the Philippines, that are responsible for a mere 23% of global emissions. Despite this, however, the emissions reduction pledges of the G7 countries, at 26-40% per country, pale in comparison to the Philippines's ambitious 70% target, even though our country's greenhouse gas emissions are a mere drop in the bucket compared to those of developed nations.

We must demand that the developed world take on a greater role in the fight to reduce greenhouse gas emissions. The wealthy members of the international community must be compelled to do their part, and to contribute to the sacred trust of environmental preservation in a way commensurate to their share of emissions and their advanced technological capabilities in emissions reduction. The developing world must not be left to shoulder an inequitable share of the burden created by the economic growth of industrial giants. This is something that the Philippine government and its army of seasoned diplomats must keep in mind at the next round of climate change discussions.

### *By Senator Poe*

Senator Poe submitted the following as her written explanation of her affirmative vote:

It is with great pleasure that I vote yes to this Senate Resolution concurring in the President's ratification of the Paris Agreement. Climate change is the most challenging sustainable development challenge our country and the world faces. The Paris Agreement is our best chance for global cooperation to overcome this problem. In joining the more than 130 nations that are already a party to this Agreement, we are affirming our readiness to do our part in this effort. This is also a matter of self-interest for us, a country that suffers greatly from climate change.

This is also a good opportunity to thank our colleague, the tireless and passionate Sen. Loren Legarda for her leadership in this issue. We would not be here today without her. And of course, we thank the President for this wise decision to ratify the agreement. His action affirms the work of our many negotiators who succeeded in getting the possible agreement in Paris last December 2015.

I vote yes to our concurrence to the Paris Agreement. It is a vote for the poor. It is a vote for climate justice. It is a vote for people and planet. My yes is a vote for the future.

### *By Senator Hontiveros*

Senator Hontiveros explained her affirmative vote, as follows:

I vote YES with Sen. Loren Legarda to Senate Resolution No. 320 Concurring in the Accession to the Paris Agreement.

For a country that ranks third among the most vulnerable to climate change, I am more than pleased that we have chosen to join the global community in fighting what is believed by many to be our greatest struggle as a species, as human beings. The world, as we have come to know it, has been undergoing rapid change, so rapid that it has directly exposed us to multiple climate hazards in the form of super-typhoons, intense flooding and landslides, and severe droughts.

I vote YES.

This vote reflects my strong belief in the principles of equity, in common but differentiated responsibilities and capabilities that underlie the Framework Convention on Climate Change. It is



likewise reflective of my conviction of the inextricable link that connects our fight against climate change with our relentless pursuit of sustainable development and the eradication of poverty.

Again, and yet again, I vote YES as I look forward to a world where current and future generations are able to live a life that is both hope-filled and meaningful.

*At this juncture, Senate President Pimentel relinquished the Chair to Senator Honasan.*

**By Senate President Pimentel**

Senate President Pimentel explained his affirmative vote, as follows:

My dear colleagues, the threat of climate change is real and has been at our doors for quite some time. I know this for a fact, being a survivor of two typhoons – *Ondoy* and *Sendong*. Climate change is harmful but we can do something about it and voting YES today is one of those ways.

I vote YES because this Agreement is in keeping with our constitutionally enshrined principles. It is our duty to protect the rights of our people to a balanced and healthful ecology in accord with the rhythm and harmony of nature as mentioned in Article II, Section 16 of our Constitution. It is a duty that has been reinforced by various Supreme Court decisions that say “the issue of environment is of transcendental importance.” President Rodrigo Duterte himself has expressed his concern for the environment and climate change.

I vote YES because this Agreement upholds our prerogative to plan and manage our economy and environmental philosophy under our own laws. In fact, this Agreement empowers our own institutions, giving us the flexibility to set our own goals towards the fulfillment of the ultimate objective. And when the shift to federalism is achieved, our people, through regional and local governments, would have an even bigger voice in determining our environmental policy.

I vote YES because this Agreement secures our future. If we follow our current track and not arrest the rise in global temperatures, sea levels may rise by almost one meter by the year 2100. That spells doom for our country. We already have previews of the destructive flood brought about by the 20 or more typhoons that visit our country every year. Permanent rise in sea levels

would wipe out most of our coastal communities and cities.

Senate concurrence to this agreement will be the legacy of the 17<sup>th</sup> Congress to future generations. We can say that on this day when we were called to make a stand for the environment, we chose the path that protects the interest of all mankind.

Allow me to especially mention our colleague, the champion for the environment, Sen. Loren Legarda, for her efforts in seeing to it that the concurrence to this Agreement has been speedily achieved in the Senate.

**By Senator Pangilinan**

In explaining his affirmative vote, Senator Pangilinan delivered the following statement:

We laud the efforts of our distinguished senator, Sen. Loren Legarda, for pushing this landmark treaty for the protection of our environment, our children, and our collective future.

It is the honor of this Representation to vote in favor of the concurrence of the Senate in the accession to the Paris Agreement. Our country's approach to climate change will determine our ability as a nation to survive and thrive. As former chairman of the Committee on Agriculture and Food and as former Cabinet secretary for food security, our concern is the agriculture sector.

Without a coherent strategy, climate change will threaten the viability of our country's agriculture economy in particular, and the national economy in general, and especially as it will affect our produce, our food. Our food security is undermined if we do not address the impact of climate change in our country and the world.

On top of the systemic poverty that our farmers and fishermen already bear is the impact of climate change, particularly given that our country is all too familiar as well with climate change-induced disasters.

This treaty will allow us to secure grants that may and, hopefully, will address climate change mitigation and resilience programs for our farmers and fisherfolk. There are other considerations less known and likely more deadly to local economies—the slow onset of climactic impacts, the impact that takes place without the drama of calamity but which is severely impairing agriculture productivity among a growing number of provinces and regions, and thereby allowing for poverty to continue to prevail.

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The slow onset impacts include steady changes in hydrology, less rainfall or too much rainfall but which result in steadily declining yields, ocean acidification, rising sea levels, the steady increase of vector-borne diseases and pests. That is why, any climate fund to be created must take into account the vulnerabilities of our farmers and fisherfolk and strengthen their capacities to face and overcome this challenge.

If our nation is categorized as a nation most vulnerable to the impact of climate change, the painful truth is our farmers and fisherfolk are the most vulnerable to the impact of climate change. Impoverished as they already are, climate change will condemn them to a life of poverty, unless we intervene.

Not one department, not one branch of government, not one country can prevent further damage inflicted by climate change. We, as citizens of the world, must deliberately and programmatically collaborate with our local governments on waste segregation, with our Department of Environment and Natural Resources and Department of Agriculture and Energy on environment protection programs and policies, and with all the countries in the world to enable us to achieve real, sustainable and exclusive growth and development.

With the concurrence to the ratification of the treaty, the Philippines now stands committed with the national community to address this global phenomenon. With this concurrence, our country is prioritizing the protection of our environment, future generations and life as we know it on this planet.

**By Senator Legarda**

Senator Legarda explained her affirmative vote, as follows:

I stand before you today as your Chair for the Committees on Climate Change and Finance, and apart from this duty, in my many years as a public servant, I have learned to fight for what I believe is best for the environment and our people.

Since the Philippines' signing of the Paris Agreement on Earth Day, April 22, 2016, in New York, I have advocated for its ratification on the firm belief that it is in our best interests to do so.

Thus, my sincerest thanks for your unanimous support on this historic day of the Senate's concurrence in the accession to the Paris Agreement.

First, the Paris Agreement is a testament of solidarity and a call for global climate action.

The Paris Agreement shows that developing nations and the developed countries could pursue climate action and uphold climate justice together.

With the *Yolanda* tragedy, the Philippines became the face of climate vulnerability. We have hardly contributed to climate change, and yet we are the victims. The world listened to our voice in the climate talks. We had the moral suasion. We were regarded the leader of the vulnerable, the champion for climate justice.

During the Philippine Chairmanship of the Climate Vulnerable Forum, we fought for a climate goal that limits global warming to below 1.5 degrees Celsius and calls for ambitious and immediate reduction of greenhouse gas (GHG) emissions that would minimize climate and disaster risks, enable adaptation, and ensure sustainable development.

Our country also championed the mainstreaming of gender equality and the rights of indigenous peoples, migrants, and children in climate policies; the use of comprehensive risk assessment in addressing further loss and damage; and the provision of grant-based financing for developing countries for climate change adaptation and mitigation measures.

These are all embedded in the Paris Agreement.

Second, the Paris Agreement is a manifesto for climate justice.

In pursuit of the international law principle of "common but differentiated responsibilities (CBDR)" used in climate negotiations, commitments to reduce emissions from all countries must be equitable and just. The industrialized nations—those that have contributed the most to global warming—must lead and shoulder the far greater burden of acting faster, sooner, and with far greater responsibility and accountability to our environment.

Third, acceding to the Paris Agreement allows our country access to international climate finance mechanisms and to acquire support from developed countries for adaptation, mitigation, technology development and transfer, and capacity building.

These could help finance the development and roll-out of our early warning systems, comprehensive risk assessment and management



tools, and other capacity-building projects and programs that would make our communities more resilient to climate change.

Fourth, acceding to the Paris Agreement strengthens our country's role in climate talks.

We will not be mere observers now. We will exercise governance, oversight, leadership, and decision-making in the implementation of the Agreement, and continue to be a strong actor in advancing our country's interests as the voice of the vulnerable in international climate negotiations.

And fifth, the Paris Agreement is an embodiment of a legacy. Committing to the Paris Agreement will go down in history as one of our shining achievements.

The 17<sup>th</sup> Congress can be regarded as the legislative assembly that championed climate action, environmental protection, and sustainable development.

The 17<sup>th</sup> Congress, under the Duterte Administration, will be remembered for paving the way for green jobs and green growth for the Filipino nation.

#### **By Senator Gordon**

Senator Gordon said that having been with the Red Cross for the last 49 years, he has seen the vicissitudes of environmental degradation. He said that the message that the Senate sent to the entire nation with its ratification of the Paris Agreement on Climate Change is that everyone must be very serious about the environment and respect it.

#### **MANIFESTATION OF SENATOR GORDON**

By way of manifestation, Senator Gordon paid tribute to Bagumbayan volunteer Honorato "Tatoy" Espinosa of Iloilo. He narrated that Mang Tatoy used to be a fisherman up to 1962 with nine children, and because his meager earnings were not enough for his family, he decided to open a small *sari-sari* store and chicken barbecue stand; with hard work, he was able to grow his stall into a 3.5 hectare property, his business expanding into a tourism hub in Iloilo where tourists, foreign dignitaries and other VIPs eat. He said that Mang Tatoy should not just be admired, he should also be emulated because he is a self-made man who, even without the benefit of a college education, was able to become a very successful entrepreneur, who never lived or worked outside the Philippines but acquired his wealth through sheer

hard work, courage, simplicity and honesty. He stated that in spite of his success, Mang Tatoy has remained humble and soft-spoken; married to his wife of 60 years, he has raised his children who have all become professionals.

Senator Gordon stated that he feels enriched seeing Mang Tatoy and that Mang Tatoy reminds him of what his father told him, "You must try to enable and enoble others as well as yourself". He hoped that other Filipinos would find inspiration in the life of Mang Tatoy Espinosa, the original entrepreneur.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 4:14 p.m.*

#### **RESUMPTION OF SESSION**

At 4:38 p.m., the session was resumed with Senator Ejercito presiding.

#### **REFERENCE OF BUSINESS**

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

#### **MESSAGE OF THE PRESIDENT OF THE PHILIPPINES**

Letter of President Rodrigo Roa Duterte, dated 28 February 2017, submitting for the Senate's consideration and concurrence the "Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the One Part, and the Republic of the Philippines, of the Other Part," which was signed on 11 July 2012, in Phnom Penh, Cambodia.

#### **To the Committee on Foreign Relations**

#### **BILLS ON FIRST READING**

Senate Bill No. 1384, entitled

**AN ACT ENSURING ACCOUNTABILITY IN INTELLIGENCE ACTIVITIES AND THE USE OF INTELLIGENCE AND CONFIDEN-**

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TIAL FUNDS GRANTED TO ALL GOVERNMENT AGENCIES, ESTABLISHING FOR THE PURPOSE A JOINT CONGRESSIONAL INTELLIGENCE COMMITTEE TO STRENGTHEN THE OVERSIGHT POWERS OF CONGRESS TO MONITOR INTELLIGENCE ACTIVITIES OF ALL AGENCIES OF THE PHILIPPINE GOVERNMENT AND TO OVERSEE HOW INTELLIGENCE AND CONFIDENTIAL FUNDS ARE EXPENDED, AND FOR OTHER PURPOSES

Introduced by Senator Leila M. de Lima

**To the Committees on National Defense and Security; and Finance**

Senate Bill No. 1385, entitled

AN ACT AMENDING CHAPTER 2, TITLE V OF EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Women, Children, Family Relations and Gender Equality; and Ways and Means**

Senate Bill No. 1386, entitled

AN ACT AMENDING SECTION 19 AND 39 OF REPUBLIC ACT NUMBER SEVEN THOUSAND AND THREE HUNDRED AND FIVE (R.A. 7305) OTHERWISE KNOWN AS THE MAGNA CARTA OF PUBLIC HEALTH WORKERS AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committee on Health and Demography**

Senate Bill No. 1387, entitled

AN ACT GRANTING A SPECIAL LEAVE OF ABSENCE OF FIFTEEN

(15) DAYS A YEAR WITH FULL PAY TO ALL LEGITIMATE SPOUSES OF OVERSEAS WORKERS IN THE PRIVATE AND PUBLIC SECTORS, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Labor, Employment and Human Resources Development; Civil Service, Government Reorganization and Professional Regulation; and Ways and Means**

Senate Bill No. 1388, entitled

AN ACT REDUCING THE ALLOWABLE SYSTEMS LOSS FROM PRIVATE UTILITY COMPANIES AND RURAL ELECTRIC COOPERATIVES AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7832, AS AMENDED BY SECTION 43(f) OF REPUBLIC ACT NO. 9136, AND REPUBLIC ACT NO. 8424, AS AMENDED BY REPUBLIC ACT NO. 9337, AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Energy; and Public Services**

Senate Bill No. 1389, entitled

AN ACT PROVIDING A STANDARD OF CARE FOR THE TREATMENT OF PERSONS WITH BLEEDING DISORDERS, ESTABLISHING TREATMENT CENTERS AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Joseph Victor Ejercito

**To the Committees on Health and Demography; and Finance**

**RESOLUTIONS**

Proposed Senate Resolution No. 322, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION,

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**ON THE PREPAREDNESS OF THE GREATER METRO MANILA AND OTHER EARTHQUAKE PRONE AREAS FOR THE BIG ONE**

Introduced by Senator Leila M. de Lima

**To the Committees on National Defense and Security; and Science and Technology**

Proposed Senate Resolution No. 323, entitled

**RESOLUTION CONGRATULATING AND COMMENDING BOXER ROMERO “RUTHLESS” DUNO FOR EMERGING VICTORIOUS IN HIS FIGHT AGAINST CHRISTIAN “CHIMPA” GONZALES ON 10 MARCH 2017 AT THE BELASCO THEATER IN LOS ANGELES, CALIFORNIA, U.S.A., WINNING FOR THE COUNTRY THE WORLD BOXING COUNCIL YOUTH INTERCONTINENTAL LIGHTWEIGHT TITLE**

Introduced by Senator Zubiri

**To the Committee on Rules**

Proposed Senate Resolution No. 324, entitled

**RESOLUTION DIRECTING THE SENATE COMMITTEE ON COOPERATIVES AND OTHER APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PLIGHT OF TRANSPORT COOPERATIVES THAT ARE DISPLACED BY UNREGISTERED AND NON-FRANCHISED PUBLIC UTILITY VEHICLES AND OUT-OF-LINE VEHICLES AND THE EFFORTS BEING UNDERTAKEN BY GOVERNMENT AGENCIES SUCH AS THE LAND TRANSPORTATION OFFICE, THE LAND TRANSPORTATION FRANCHISING AND REGULATORY BOARD, AND THE OFFICE OF TRANSPORTATION COOPERATIVE TO ADDRESS THIS PERENNIAL IRREGULARITY**

Introduced by Senator Zubiri

**To the Committees on Cooperatives; and Public Services**

Proposed Senate Resolution No. 325, entitled

**RESOLUTION URGING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE EXORBITANT CHARGES IMPOSED BY PNP-SOCO ACCREDITED FUNERAL HOMES ON VICTIMS OF EXTRA-JUDICIAL KILLINGS**

Introduced by Senator Risa Hontiveros

**To the Committee on Public Order and Dangerous Drugs**

**COMMUNICATIONS**

Letter from Vanguard Radio Network Co., Inc., submitting to the Senate reportorial requirements, in pursuant of Republic Act No. 8069 that amended Section I of Republic Act No. 7529.

**To the Committee on Public Services**

Letter from the Philippine Charity Sweepstakes Office (PCSO), transmitting to the Senate the report on the results of the PCSO’s Small Town Lottery (STL) market expansion program.

**To the Committee on Games and Amusement**

Letter from the Development Bank of the Philippines, informing the Senate, in compliance with Section 9 (Credit Delivery) of Republic Act (R.A.) No. 9178 or the “Barangay Micro Business Enterprises (BMBEs) Act of 2002,” that as of December 31, 2016 the Bank has outstanding loans to duly registered BMBEs.

**To the Committees on Banks, Financial Institutions and Currencies; and Trade, Commerce and Entrepreneurship**

Letter from the Regional Legislative Assembly, Autonomous Region in Muslim Mindanao (ARMM), submitting to the Senate the certified

true copy of the laws and resolutions passed by the current Legislative Assembly, pursuant to Section 18, Article VI of Republic Act No. 9054 (Organic Act for the ARMM).

#### To the Committee on Local Government

Letters from the *Bangko Sentral ng Pilipinas*, transmitting to the Senate copies of the following certified and authenticated BSP issuances, in compliance with Section 15(a) of Republic Act No. 7653 (The New Central Bank Act):

Memorandum Nos. M-2017-006 and 007 dated 22 February 2017;

Circular No. 948 dated 1 March 2017; and

Circular Letter No. CL-2017-013 dated 23 February 2017.

#### To the Committee on Banks, Financial Institutions and Currencies

#### COMMITTEE REPORT

Committee Report No. 52, prepared and submitted jointly by the Committees on Health and Demography; Education, Arts and Culture; and Finance, on Senate Bill No. 1390, with Senators Risa Hontiveros, Legarda, Trillanes IV, Sonny Angara, Grace Poe and Maria Lourdes Nancy S. Binay as authors thereof, entitled

**AN ACT STRENGTHENING THE PHILIPPINE COMPREHENSIVE POLICY ON HUMAN IMMUNODEFICIENCY VIRUS (HIV) AND ACQUIRED IMMUNODEFICIENCY SYNDROME (AIDS) PREVENTION, TREATMENT, CARE, AND SUPPORT, AND ESTABLISHING THE PHILIPPINE NATIONAL AIDS COUNCIL (PNAC), REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8504, OTHERWISE KNOWN AS THE "PHILIPPINE AIDS PREVENTION AND CONTROL ACT OF 1998," AND APPROPRIATING FUNDS THEREFOR,**

recommending its approval in substitution of Senate Bill Nos. 376, 393, 631, 1158, and 1215 and Proposed Senate Resolution No. 209.

Sponsors: Senators Joseph Victor Ejercito and Risa Hontiveros

#### To the Calendar for Ordinary Business

#### ADDITIONAL REFERENCE OF BUSINESS

#### RESOLUTIONS

Proposed Senate Resolution No. 326, entitled

**RESOLUTION DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON), AND OTHER APPROPRIATE SENATE COMMITTEES TO INVESTIGATE, IN AID OF LEGISLATION, THE TRUTH AND ACCURACY OF THE ALLEGATIONS AGAINST CHIEF OPERATING OFFICER CESAR MONTANO OF THE TOURISM PROMOTIONS BOARD (TPB)**

Introduced by Senator Maria Lourdes Nancy S. Binay

#### To the Committee on Accountability of Public Officers and Investigations

Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 326 was also referred to the Committee on Tourism.

Proposed Senate Resolution No. 327, entitled

**A RESOLUTION COMMENDING AND CONGRATULATING ROMERO DUNO FOR WINNING THE WBC YOUTH INTERNATIONAL LIGHT-WEIGHT TITLE AT THE BELASCO THEATER LOCATED IN LOS ANGELES, CALIFORNIA**

Introduced by Senator Emmanuel "Manny" D. Pacquiao

#### To the Committee on Rules

#### CHANGE OF COMMITTEE REFERRAL

At this juncture, Senator Lacson noted that Proposed Senate Resolution No. 325, a resolution urging the appropriate Senate committee to conduct

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an inquiry, in aid of legislation, on the exorbitant charges imposed by PNP-SOCO accredited funeral homes on victims of extrajudicial killings, was referred to the Committee on Public Order and Dangerous Drugs. He, however, believed that the resolution, which calls for consumer protection, should be referred to the Committee on Trade, Commerce and Entrepreneurship, noting that only relevant words in the resolution for it to be referred to the Committee on Public Order and Dangerous Drugs are “extra-judicial killings.”

Upon motion of Senator Lacson, there being no objection, the Body approved the transfer of the referral of Proposed Senate Resolution No. 325 from the Committee on Public Order and Dangerous Drugs to the Committee on Trade, Commerce and Entrepreneurship.

#### **COMMITTEE REPORT NO. 41 ON SENATE BILL NO. 1354**

*(Continuation)*

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1354 (Committee Report No. 41), entitled

**AN ACT ESTABLISHING A NATIONAL MENTAL HEALTH POLICY FOR THE PURPOSES OF ENHANCING THE DELIVERY OF INTEGRATED MENTAL HEALTH SERVICES, PROMOTING AND PROTECTING PERSONS UTILIZING PSYCHIATRIC, NEUROLOGIC, AND PSYCHOSOCIAL HEALTH SERVICES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.**

Senator Sotto stated that the parliamentary status was the period of individual amendments.

Thereupon, the Chair recognized Senator Honiveros, sponsor of the measure, and Senator Villanueva for his amendments.

#### **VILLANUEVA AMENDMENTS**

Preliminarily, Senator Villanueva disclosed that during the committee hearings on the proposed Youth Suicide and Prevention Act, it was discussed that suicide is most often a result of underlying mental health condition. As an example, he cited that patients

suffering from schizophrenia commit suicide due to hallucinations, while persons suffering from bipolar disorder commit suicide due to manic episodes.

He also revealed that according to the National Poison Management and Control Center, about 46% of their patients who committed suicide are from the youth sector; thus highlighting the youth as a vulnerable sector of the society, necessitating the establishment of appropriate mechanism to prevent further incidence of youth suicide.

Thus, as proposed by Senator Villanueva and accepted by the Sponsor, there being no objection, the Body approved the following amendments, one after the other:

1. On page 15, line 8, as amended by Senator Honiveros, insert a new Section 15, subject to style, to read as follows:

Sec. 15. **SUICIDE PREVENTION PROGRAMS.** — MENTAL HEALTH PROGRAMS SHALL ALSO INCLUDE MECHANISMS FOR SUICIDE INTERVENTION, PREVENTION AND RESPONSE STRATEGIES WITH PARTICULAR ATTENTION TO THE CONCERNS OF THE YOUTH;

2. On page 19, line 3, insert a new subsection (j), subject to style, to read as follows:

(j) TO STRENGTHEN ITS 24/7 HOTLINE TO PROVIDE ASSISTANCE TO INDIVIDUALS AT RISK OF COMMITTING SUICIDE.

Senator Villanueva informed the Body that the Department of Health (DOH), together with the World Health Organization and the Natasha Goulbourn Foundation, has launched HopeLine, a 24/7 suicide prevention hotline which, he believed, should be institutionalized to widen the scope of its services — currently limited to Metro Manila residents — so that even those who are in the provinces can avail of its services.

3. Renumber the succeeding sections accordingly.

#### **HONTIVEROS AMENDMENTS**

As proposed by Senator Honiveros, there being no objection, the Body approved the following amendments, one after the other:

1. On page 3, replace the sentence appearing on lines 27 and 28 with the following: THE



DETERMINATION OF NEUROLOGIC AND PSYCHIATRIC CONDITIONS SHALL BE BASED ON SCIENTIFICALLY-ACCEPTED MEDICAL NOMENCLATURE AND BEST AVAILABLE SCIENTIFIC AND MEDICAL EVIDENCE;

2. On page 5, line 6, after the word "Psychiatric," insert OR NEUROLOGIC;
3. On the same page and line, replace the word "refer" with REFERS;
4. On the same page, line 8, replace the word "disorder" with HEALTH CONDITION;
5. Still on the same page, line 10, after the word "psychosis" and the comma (,), insert the phrase ACUTE ALTERATION OF CONSCIOUSNESS, STATUS EPILEPTICUS;
6. On page 12, line 9, delete the word "clinical";
7. On page 14, lines 9 and 10, delete the phrase "and departments of psychiatry in general or university hospitals", and after the word "facilities", insert a comma (,) and the phrase ACADEMIC INSTITUTIONS, AND OTHER STAKEHOLDERS;
8. On the same page, line 19, after the word "psychiatric," insert OR NEUROLOGIC;
9. Still on the same page, line 20, after the word "psychiatric," insert OR NEUROLOGIC;
10. On page 15, line 3, replace the word "disorders" with HEALTH CONDITIONS;
11. On page 16, lines 28 and 29, replace the phrase "and the departments of psychiatry in general and university hospitals" with ACADEMIC INSTITUTIONS, AND OTHER STAKEHOLDERS;
12. On page 18, line 20, replace the word "disorder" with the phrase HEALTH CONDITION;
13. On page 20, line 19, replace the words "and Barangays" with the phrase AND THE DEPARTMENT OF HEALTH;
14. On the same page, line 28, after the words "mental health," insert the phrase CONSISTENT WITH EXISTING RELEVANT NATIONAL POLICIES AND GUIDELINES; and
15. On page 21, line 6, after the words "LGU level," insert the phrase IN COORDINATION WITH APPROPRIATE NATIONAL GOVERNMENT AGENCIES AND OTHER STAKEHOLDERS.

## **TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS**

There being no other individual amendment, upon motion of Senator Sotto, there being no objection, the Body closed the period of individual amendments.

## **APPROVAL OF SENATE BILL NO. 1354 ON SECOND READING**

Submitted to a vote, there being no objection, Senate Bill No. 1354 was approved on Second Reading.

## **MANIFESTATION OF SENATOR SOTTO**

Senator Sotto informed the Body that the meeting scheduled by the Committee on Ethics set at 1:00 p.m. the next day would be postponed to give way to the Commission on Appointments' meeting and a plenary hearing also at 1:00 p.m. He said that it was Senator Drilon who suggested the rescheduling of the meeting to a later date as soon as the plenary session resumes on May 2017.

## **COMMITTEE REPORT NO. 31 ON SENATE BILL NO. 1306**

*(Continuation)*

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1306 (Committee Report No. 31), entitled

## **AN ACT CREATING THE PHILIPPINE BOXING COMMISSION TO STRENGTHEN THE BOXING INDUSTRY AND PROMOTE THE SAFETY AND WELFARE OF FILIPINO BOXERS, AND PROVIDING FUNDS THEREFOR.**

Senator Sotto stated that the status was the period of interpellations.

Thereupon, the Chair recognized Senator Pacquiao, sponsor of the measure, and Senator Drilon for his interpellations.

## **INTERPELLATION OF SENATOR DRILON**

*(Continuation)*

Senator Drilon recalled that in the last interpellation he had with the sponsor of the measure, the debate



revolved around the issue of equal protection, and he raised the concern that the creation of a Philippine Boxing Commission and the grant of benefits to professional boxers could constitute class legislation as there are no justifiable and substantial distinctions between a professional boxer and the practitioner of other combat sports. Also, he recalled the manifestation of Senator Pacquiao as regards his willingness to review and study the points raised during the interpellation.

Asked whether a review was made as regards the constitutional issue of equal protection, Senator Pacquiao answered in the affirmative, adding that he agreed with Senator Drilon's idea of including combat sports in the scope of the Philippine Boxing Commission so that the measure would not be violating the equal protection clause of the Constitution.

Senator Drilon stated that at the appropriate time, he would craft the appropriate amendment so that the issue of the equal protection could be addressed.

Asked what functions and powers were being given to the proposed Philippine Boxing Commission that could not be performed by the Games and Amusement Board, Senator Pacquiao explained that the commission would be mandated to review and update the rules and procedures related to professional boxing and combat sports in the Philippines in order to conform to international standards as well as to establish rules, set requirements, and issues licenses to professional boxers trainers of any combat sports, as well as promoters of professional matches. He explained that while the aforementioned functions were presently being performed by the GAB, he wanted a commission that would focus on the review and update of the rules and regulations related to professional boxing and combat sports as well as on establishing linkages with international boxing organizations or institutions and counterpart agencies of foreign governments in order to facilitate and ensure the participation of Filipino boxers and combat sports practitioners in the international scene.

Senator Drilon said that he would support the measure if he would be convinced that the functions of the boxing commission are new functions that are not being performed by GAB. Senator Pacquiao clarified that the purpose for the creation of the boxing and combat sports commission is to focus on and ensure that the medical requirements, insurance, health and other benefits of boxers and athletes of

combat sports are well taken care of because boxing and combat sports are, by their very nature, very dangerous that in many instances, boxers died during and after boxing matches. He clarified that he was not blaming the GAB for allowing them to fight without completing their medical requirements, but he noted that the GAB has not been strict in the exercise of its regulatory functions, perhaps because of the many other sports that it has to oversee.

Asked if he was suggesting that GAB officials were not efficient, Senator Pacquiao surmised that the GAB might have neglected in attending to the medical requirements that must be subjected to, for instance, the MRI which is a must for all combat sports but was not required by GAB.

Asked whether GAB cannot require the boxers to undergo MRI, for instance, Senator Pacquiao replied that it can do so even as he stressed that the purpose of the measure is for the proposed commission to focus on boxing and other combat sports. Senator Drilon surmised that the failure of the GAB to perform its functions might be an oversight because of the many other sports that it has to supervise, to which Senator Pacquiao agreed.

Still, Senator Pacquiao reasoned out that it has been a long time and many boxers had died already not just on the ring but also during training because of the lack of supervision.

Senator Drilon pointed out that all the things cited by Senator Pacquiao could be done immediately, without need of a new law creating a new commission as he expressed his confidence that GAB Chairman Baham Mitra, with his dedication, would be able to address the concerns raised by Senator Pacquiao. He said that the concerns are valid but they could be addressed by providing proper medical attention and supervision like providing X-rays before any athlete could enter the competition.

Senator Pacquiao said that since the GAB is taking care of 22 sports, it could not focus on the needs of boxing and other combat sports, especially those boxers who are going to fight. He reiterated that many boxers died or figured in accidents on the ring because of the failure to comply with the medical requirements.

For his part, Senator Ejercito believed that one of the causes of the death of boxers is mismatches and

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he supposed that Senator Drilon was asking whether GAB could monitor the athletes.

Senator Pacquiao stated that incidents involving boxers that resulted in death and serious physical injury have been happening for a long time already, and that he was waiting in vain for GAB to act on these very alarming incidents, that is why he is taking action by proposing the creation of a new commission.

Senator Drilon maintained that instead of creating a new body, the current GAB would be monitored closely and provided with additional funds and the needed manpower so that it could adequately address the concerns raised by Senator Pacquiao.

Senator Pacquiao explained that he is a boxer himself and he knows the hardship of being in combat sports like boxing. He said that he could still remember many of his friends who died in the ring, almost yearly, and the GAB did not do anything about it. He noted that the GAB is composed of only 154 people handling more than 20 sports. Thus, he believed that it is the right time to create a boxing and combat sports commission.

Senator Drilon expressed regret that he could not subscribe to Senator Pacquiao's view, as he maintained that the Games and Amusements Board (GAB) could be strengthened instead by adding more staff to its current manpower complement of 154 rather than creating a new bureaucracy. At the appropriate time, he said that he would bring up the issue to a vote.

Being a boxer and combat sport athlete himself, Senator Pacquiao maintained that a boxing commission is necessary. He hoped that he was not offending Senator Drilon for being passionate in pushing for the creation of a boxing commission. Senator Drilon replied that the Senate, being a deliberative body, is receptive to the exchange of opinions.

At this point, Senator Sotto suggested suspending the period of interpellations and proceeding later to the period of amendments. But Senator Drilon said that he still has a number of questions to ask but he is willing to suspend his interpellation and to resume it when the measure is called again on the floor.

#### **SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1306**

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bill.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 5:24 p.m.*

#### **RESUMPTION OF SESSION**

At 5:25 p.m., the session was resumed.

#### **CHANGE OF REFERRAL**

With the concurrence of Senators Poe and Trillanes, upon motion of Senator Sotto, there being no objection, the Body approved the change of referral of Senate Bill No. 162 (National Transportation Safety Board Act of 2016) from the Committee on Civil Service, Government Reorganization and Professional Regulation to the Committee on Public Services.

#### **COMMITTEE REPORT NO. 46**

*(Continuation)*

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration of Committee Report No. 46, Re: Manifestation and Motion made by Majority Leader Vicente C. Sotto III on 07 November 2016 tasking the Committees on Public Order and Dangerous Drugs, and Justice and Human Rights to investigate and inquire, in aid of legislation, into the killing of Mayor Rolando Espinosa Sr. of Albueria, Leyte.

He stated that the parliamentary status was still the period of interpellations.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 5:26 p.m.*

#### **RESUMPTION OF SESSION**

At 5:28 p.m., the session was resumed.

Upon resumption, the Chair recognized Senators Lacson and Drilon.

#### **INTERPELLATION OF SENATOR DRILON**

*(Continuation)*

Senator Drilon agreed to the committee finding

of irregularities in the issuance and implementation of the search warrant. He then asked Senator Lacson if he was aware of the Supreme Court Circular (OCA Circular No. 40-2016), "Constitutional Requirements and Rules in the Issuance of Arrests and Search Warrants," which provides that the heads of agencies shall personally endorse/authorize all applications for search warrants involving illegal possession of firearms and violations of the Comprehensive Dangerous Drugs Act of 2002. He said that in the case of Mayor Espinosa, the head of agency should be the head of the CIDG and PDEA, but he noted that in the report, there was no mention that such authorization was secured.

Asked if he would accept as an amendment to the report a citation that the Supreme Court circular he mentioned was totally disregarded, Senator Lacson said that at the proper time he would gladly accept such proposed amendment.

Considering the false sworn statements of the applicant for search warrant, asked if he would be amenable to include a recommendation in the report, to increase the penalty for the crime of perjury under Article 183 of the Revised Penal Code. Senator Lacson replied in the affirmative, saying that he already filed a bill which, in essence, provides that a person who commits perjury should be imposed a penalty commensurate to the false testimony imputed against person; for instance, if a person committed perjury with his allegation that a person committed a capital offense, he should also be penalized as if he committed the same degree of criminal act.

Senator Drilon recalled that during a discussion on the continued pendency of the case before the IAS and the DOJ, IAS has committed to finish its investigation by March 7, 2017, but his office has still not received any resolution from the IAS as of date. Confirming that the last self-imposed deadline made by IAS to resolve the administrative case was March 7, Senator Lacson disclosed that the IAS has not yet announced its findings because it is awaiting the signature of the PNP chief. He added that the IAS, in fact, has resolved the Espinosa case along with other cases, namely, the Jee Ick-Joo kidnap for ransom case, and the Meycauayan kidnapping case.

Asked if he would agree to the proposal to include in the report a phrase expressing that the Senate denounces or decries the continued pendency

of the case considering the lapse of time, and if he would agree to recommend an amendment to give IAS a specific period to resolve the case, Senator Lacson said that he had already conducted hearings on a measure giving the IAS a maximum of 60 days to resolve a case: 30 days for pre-trial and another 30 days for summary proceedings.

Asked when the 60-day period would start, Senator Lacson stated that it would start upon the lodging of the complaint, followed by a pre-trial investigation within the 30-day period, after which, the IAS would be given a maximum of 30 days to resolve the case in a summary proceeding.

On whether he would approve a system wherein the IAS could *motu proprio* investigate a case even without a complainant considering that sometimes understandably, no complainant would come up to complain, Senator Lacson said that a provision relative thereto has been included in the bill and hearings were already conducted thereon. He agreed to the proposal to give IAS a total of 60 days from the time a complaint is filed or from the time it takes cognizance of the case.

As regards the commitment of the DOJ, Senator Lacson said that whatever was discussed in the Senate would not be binding on the DOJ because it has its own rules to follow. Senator Drilon pointed that even if the DOJ has its own rules, the Congress has the plenary power to set new rules. He noted that even though the DOJ has rules which set the time within which a case should be decided, unfortunately, it has not resulted in its expeditious disposal as evidenced by the thousands of cases pending resolution in the department.

Senator Lacson replied that the suggestion could be addressed through legislation, and he agreed to include it in the committee report.

Senator Drilon noted that the reason the IAS itself does not engender that much confidence is the fact that it is a unit of the PNP, so that even if its report was already ready, it has to await the signature of the Chief PNP. He believed that the IAS should enjoy a certain degree of independence so that it would not have to depend on the whim and caprice of the PNP Chief. Senator Lacson agreed that such arrangement is ideal as it would allow the IAS to act with dispatch and not rely on the approval even of the PNP Chief.

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As regards the suggestion that appropriate legislation to the effect ought to be crafted and included in the committee report, Senator Lacson said that his Committee had, in fact, conducted hearings on the matter and would propose that the findings of the IAS be immediately executory pending appeal with the National Police Commission (Napolcom), which is the policy-making body with oversight function over the PNP. He believed that it is only proper that the Napolcom is given the authority to review on appeal a case that has been resolved by the IAS.

Senator Lacson further agreed to the suggestion that the bill or committee report incorporate the proposal that the approval of the PNP Chief would no longer be required for the release of the findings of the IAS. To the proposal to allow the IAS some fiscal autonomy so that its funds are automatically released, he said that it is actually a feature in the bill that has been considered during the committee hearings.

Asked about the selection of the members of the IAS, Senator Lacson explained that if the head of the IAS is a member of the PNP, he would enjoy some degree of independence and that four percent of the total force of the PNP would be allocated to the IAS.

Senator Drilon expressed his appreciation to Senator Lacson for agreeing with the concepts which he had proposed, saying that he would eagerly await the presentation of the separate bill which Senator Lacson would be submitting for the Body's consideration.

Senator Lacson clarified that there had been a change of referral of his bill on the IAS to the Committee on Justice and Human Rights even if his Committee was already in the process of conducting technical working group (TWG) meeting. He said that he and Senator Gordon, the chair of the Committee on Justice and Human Rights, had agreed to merge the recommendations of the Committee on Public Order and Dangerous Drugs with that to be made by the Committee on Justice and Human Rights. He said that, in fact, the recommendations were included in the committee report that Senator Gordon had earlier sponsored.

On whether the bill was among the measures which were allowed to be consolidated with

Committee Report No. 18, Senator Lacson affirmed that two bills were involved – the People's Law Enforcement Board (PLEB) and the IAS. Senator Drilon suggested that the Committee make suggestions to the Committee on Rules on how they could be addressed.

#### **TERMINATION OF THE PERIOD OF INTERPELLATIONS**

Upon motion of Senator Sotto, there being no objection, the Body closed the period of interpellations on Committee Report No. 46.

#### **SUSPENSION OF SESSION**

Upon motion of Senator Sotto, the session was suspended.

*It was 5:46 p.m.*

#### **RESUMPTION OF SESSION**

At 5:47 p.m., the session was resumed.

#### **SUSPENSION OF CONSIDERATION OF COMMITTEE REPORT NO. 46**

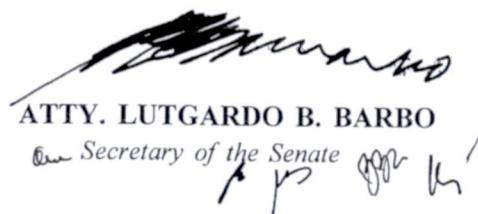
Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of Committee Report No. 46.

#### **ADJOURNMENT OF SESSION**

Upon motion of Senator Sotto, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of the following day.

*It was 5:48 p.m.*

I hereby certify to the correctness of the foregoing.



ATTY. LUTGARDO B. BARBO  
Secretary of the Senate