



REPUBLIC OF THE PHILIPPINES
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Journal

SESSION NO. 72
Wednesday, March 8, 2017

**SEVENTEENTH CONGRESS
FIRST REGULAR SESSION**

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CALL TO ORDER

At 3:20 p.m., the Senate President, Hon. Aquilino "Koko" Pimentel III, called the session to order.

PRAYER

Sen. Paolo Benigno "Bam" Aquino IV asked everyone to observe a moment of silence to reflect on the poem by Ralph Waldo Emerson which he adopted as the prayer for the day's session, to wit:

A Nation's Strength

What makes a nation's pillars high
And its foundations strong?
What makes it mighty to defy
The foes that round it throng?

It is not gold. Its kingdoms grand
Go down in battle shock;
Its shafts are laid on sinking sand,
Not on abiding rock.

Is it the sword? Ask the red dust
Of empires passed away;
The blood has turned their stones to rust,
Their glory to decay.

And is it pride? Ah, that bright crown
Has seemed to nations sweet;
But God has struck its luster down
In ashes at his feet.

Not gold but only men can make
A people great and strong;
Men who for truth and honor's sake
Stand fast and suffer long.

Brave men who work while others sleep,
Who dare while others fly...
They build a nation's pillars deep
And lift them to the sky.

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

With 20 senators present, the Chair declared the presence of a quorum.



Senators Cayetano, Pacquiao and Poe 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. 71 (March 7, 2017) and considered it approved.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- Congressman Toby Tiangco;
- Vice Mayor Roquito Tacsagan and Sangguniang Bayan members from the Municipality of Tubungan, Iloilo;
- Members of the Philippine Councilors League of Sta. Barbara, Iloilo, headed by Mr. Ramon Soliano, Mr. Jeffrey Sombilla, Mr. Uy Sumagaysay, and Ms. Beth Billaluna;
- Members of the Sangguniang Bayan of Gandara, Samar, led by Vice Mayor Cabueños;
- Councilors Lopera-Trojillo, Malones-Sanchez, Bermudo, Trojillo, Mondejar and Dale Molina from the Municipality of Maasin, Iloilo; and
- Councilor Borbon from the Municipality of Cabatuan, Iloilo.

Senate President Pimentel welcomed the guests to the Senate.

MANIFESTATION OF SENATOR PANGILINAN

Adverting to the agenda for the day, Senator Pangilinan reiterated his manifestation the previous day that Senator Escudero has withdrawn his reservation to interpellate on Senate Bill No. 1233 and that only Senator Sotto would interpellate thereon.

REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

Senate Bill No. 1366, entitled

AN ACT EXPANDING THE GROUNDS FOR LEGAL SEPARATION, AMENDING FOR THE PURPOSE ARTICLE 55 OF THE FAMILY CODE OF THE PHILIPPINES

Introduced by Senator Grace Poe

To the Committee on Women, Children, Family Relations and Gender Equality

Senate Bill No. 1367, entitled

AN ACT REQUIRING LAND, AIR, AND SEA TRANSPORT PROVIDERS TO PROVIDE PRIORITY SEATING FOR THE ELDERLY, FURTHER AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7432, AS AMENDED BY REPUBLIC ACT NO. 9257 AND 9994, OTHERWISE KNOWN AS THE EXPANDED SENIOR CITIZEN'S ACT OF 2010

Introduced by Senator Grace Poe

To the Committees on Social Justice, Welfare and Rural Development; Public Services; and Finance

Senate Bill No. 1368, entitled

AN ACT REAPPORTIONING THE LONE LEGISLATIVE DISTRICT AND THE SANGGUNIANG PANLUNGSOD OF THE CITY OF ILOILO

Introduced by Senator Lacson

To the Committees on Local Government; and Electoral Reforms and People's Participation

Senate Bill No. 1369, entitled

AN ACT ESTABLISHING A TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) REGIONAL TRAINING CENTER IN THE MIMAROPA REGION, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Lacson

To the Committees on Education, Arts and Culture; Labor, Employment and Human Resources Development; and Finance

Senate Bill No. 1370, entitled

AN ACT ENSURING THE FUNDAMENTAL EQUALITY OF MEN AND WOMEN UNDER THE LAWS ON MARRIAGE AND FAMILY RELATIONS, AMENDING FOR THIS PURPOSE EXECUTIVE ORDER NO. 209, OTHERWISE KNOWN AS THE FAMILY CODE OF THE PHILIPPINES, AND FOR OTHER PURPOSES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Women, Children, Family Relations and Gender Equality

Senate Bill No. 1371, entitled

AN ACT TO STRENGTHEN THE JURISDICTION AND POWER OF THE DEPARTMENT OF ENERGY OVER PETROLEUM PIPELINE OPERATIONS AND FOR THIS PURPOSE PROVIDE A PETROLEUM PIPELINE CODE TO PRESCRIBE STANDARDS FOR THE DESIGN, CONSTRUCTION, OPERATION AND MAINTENANCE AND ABANDONMENT OF LIQUID PETROLEUM PIPELINES AND APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committees on Public Services; Energy; Ways and Means; and Finance

Senate Bill No. 1372, entitled

AN ACT TO PROMOTE THE DISCOVERY AND PRODUCTION OF INDIGENOUS PETROLEUM AND FOR OTHER PURPOSES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committees on Energy; Ways and Means; and Finance

RESOLUTIONS

Proposed Senate Resolution No. 315, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON PUBLIC INFORMATION AND MASS MEDIA AND OTHER APPROPRIATE COMMITTEE/S TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE MASSIVE PROLIFERATION OF FAKE, ERRONEOUS, DISTORTED, FABRICATED AND/OR MISLEADING NEWS AND FALSE INFORMATION BY SOME GOVERNMENT OFFICIALS, WITH THE END IN VIEW OF ENSURING THAT THE PUBLIC WILL NOT BE DECEIVED AND THAT GOVERNMENT OFFICIALS WILL NOT ABUSE THE PLATFORM ACCORDED TO THEM BY SPREADING PROPAGANDA AND LIES

Introduced by Senator Trillanes IV

To the Committee on Public Information and Mass Media

Proposed Senate Resolution No. 316, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE SUBSTANTIAL RISE IN THE NUMBER OF OVERWORKED FILIPINOS IN THE PAST TWENTY YEARS, ITS ROOT CAUSES, AND TO PROPOSE LEGISLATIVE MEASURES TO ADDRESS IT, TAKING INTO ACCOUNT THE STATE POLICY TO AFFORD FULL PROTECTION TO LABOR BY ENSURING JUST AND HUMANE WORK CONDITIONS AS PROVIDED FOR IN THE 1987 PHILIPPINE CONSTITUTION

Introduced by Senator Grace Poe

To the Committee on Labor, Employment and Human Resources Development

Proposed Senate Resolution No. 317, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE PHILIPPINES' DECLINE IN THE 2015 AND 2016 EDITIONS OF THE CORRUPTION PERCEPTIONS INDEX CONDUCTED BY TRANSPARENCY INTERNATIONAL, AND TO REVIEW AND ASSESS THE EFFECTIVENESS OF THE GOVERNMENT'S ANTI-CORRUPTION POLICIES AND EFFORTS AS SUCH ALLEGEDLY HAVE A DIRECT EFFECT ON FOREIGN INVESTMENT IN THE COUNTRY AND THE PHILIPPINES' GROSS DOMESTIC PRODUCT

Introduced by Senator Grace Poe

To the Committee on Economic Affairs

Proposed Senate Resolution No. No. 318, entitled

A RESOLUTION AMENDING SENATE RULE XXV SECTION 72

Introduced by Senator Emmanuel "Manny" D. Pacquiao

To the Committee on Rules

COMMUNICATION

Letter from the *Bangko Sentral ng Pilipinas*, transmitting to the Senate a copy of Circular No. 947, dated 15 February 2017, duly certified and authenticated, in compliance with Section 15(a) of Republic Act No. 7653 (The New Central Bank Act).

To the Committee on Banks, Financial Institutions and Currencies

COMMITTEE REPORT

Committee Report No. 46, submitted jointly by the Committees on Public Order and Dangerous

Drugs; and Justice and Human Rights, on the Manifestation and Motion made by the 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 Albuera, Leyte,

recommending the adoption of this report and the implementation of its recommendations.

Sponsor: Senator Lacson

To the Calendar for Ordinary Business

**PRIVILEGE SPEECH
OF SENATOR HONTIVEROS**

Availing herself of the privilege hour, Senator Hontiveros preliminarily reminded everyone that March 8 marked the International Women's Day which was being commemorated worldwide.

Following is the full text of Senator Hontiveros' speech:

All over the world today, we recognize the important contributions that women have made in the course of human history, as well as the important milestones in the struggle for gender equality - such as women's suffrage, equal pay, and representation in government.

Dito sa Pilipinas, napakarami ring mga bahagi ng ating kasaysayan na bunga ng paggigiit ng mga kababaihan. Mula sa mga kababaihan ng Malolos na nangahas itulak ang karapatan sa edukasyon, patungo sa aking mga kabaro na hanggang ngayon ay patuloy ang laban para sa reproductive health, tayong mga Pinay ay patunay sa galing at tapang ng mga babae.

Through our voices, through our combined efforts, we have reshaped history. We have claimed herstory. *Hindi lang po ito kaming anim na mga babaeng senador ng Mataas na Kamara; hindi lang din po ang mga nauna sa aming mga babaeng senador na naging tanglaw sa aming daan.* Every day, Filipino women are breaking the glass ceiling, excelling in their chosen fields of endeavor, winning medals in the Olympics, sweeping beauty pageants, and in multiple ways pushing the envelope and creating even more platforms for future generations of Filipinas to excel and thrive. *Lumilikha tayo ng kasaysayan saan man ang larangan.*

Noong Lunes, tayo ay gumawa na naman ng kasaysayan.

The Senate has successfully passed on Third Reading the Expanded Maternity Leave Law, which will grant new mothers 120 days to spend with their newborn infants. The last time the law was amended was twenty five-years ago, when the legislature granted 60 days of leave to working mothers. *Kung maisasabatas po ang panukalang ito, mas matagal ang pagkataong mag-bonding ang ina at ang kanyang anak. Mas makakapagpahinga mula sa panganganak ang mga nanay, at mas mapapanatili natin ang kalusugan nilang dalawa. Mayroon din pong probisyon na pwedeng mag-allocate ng hanggang 30 days na leave credit ang nanay sa tatay ng bata — sabi nga ni Senator Recto, pasaload — at naniniwala ako na malaki ang tulong nito sa pagpapatatag ng pamilya.*

What we envision is a society where women and men are equal, where parents equally share the responsibilities of child-rearing, where children grow up knowing that they can be whoever they want to be. And on Monday, we got a little bit closer to that.

But while we have made significant inroads in maternal care and the welfare of women workers, in other respects, *tayo po ay umatras*. The spate of killings in the country has left in its wake scores of widows who have lost their husbands, legions of mothers mourning their sons who have been felled by bullets to their head.

"Nagdasal ka na?" "Ano ba, gusto mo mauna ka?" Yan ang mga text kay Teresita Bautista noong Lunes, nanay ni Michael Bautista na pinaslang noong Pebrero. Si Michael ay pinagbabaril ng armadong mga tao habang inaayos ang kagamitan nila ng kanyang limang anak sa kariton. Ngayon, ang buong pamilya na naiwan ni Michael ay lumisan sa kanilang tinitirhan dahil sa mga death threats na nakuha nila. Walang trabaho si Teresita, at walang pantustos sa limang mga apo na inulila ni Michael.

Truly, in this war, the vulnerable are left even more vulnerable; the weak, even weaker.

If there are more than 7,000 people killed in the war on drugs, surely there must be 7,000 wives, mothers, and children grieving and living in fear. The cost of this war is not just the actual lives lost, but the toll that has been taken on those who have been left behind. They are the invisible victims of this war.

But I am certain that even as women are the invisible victims of this war, it will be women too

who will rise as its most visible and tireless objectors. It will be women too who will rise as democracy's staunchest defenders, and human rights' fiercest protectors.

Naniniwala ako na ang lakas na ating pinamalas sa kahabaan ng ating kasaysayan ay lakas na kaya pa nating ipamalas sa mga darating pa na hamon at laban.

I believe that when women come together, great things are possible. *Sabi nga ni Senator Nancy Binay, "When women work together, we make change."*

Happy International Women's Day sa ating lahat. *Mabuhay!*

MANIFESTATION OF SENATOR EJERCITO

Senator Ejercito expressed his solidarity with all the Filipino women on the occasion of International Women's Day.

The full text of Senator Ejercito's statement follows:

We often forget how important women are in our lives — how they work hard to keep our homes and businesses going, how they raise our children with devotion, molding our youth to be future leaders, and contributing to the development of our country. Today, as we celebrate the International Women's Day, allow me to salute our own notable women who remain to be the country's driving force.

Foremost, I salute the lady senators here and those before them — Senator Loren Legarda, Senator Nancy Binay, Senator Cynthia Villar, Senator Risa Hontiveros and Senator Leila De Lima. May your brilliance, passion and feistiness continue to challenge and inspire all of us male senators here in this august Chamber to step up our game and remain committed to doing what is right and just for our country. Know that it gives us great honor to serve our country and the Filipino people alongside with all of you, wonderful women.

Salute also to Environment Secretary Gina Lopez, who, only hours ago, was here passionately defending her plans and programs before the Commission on Appointments, and to all the courageous women like her in the Cabinet — Health Secretary Pauly Ubial, Social Welfare Secretary Judy Taguiwalo, and Vice President Leni Robredo.

To all women in government service — governors, mayors, councilors, barangay captains,

nurses, teachers and all the rest of government officials and employees, including, of course, all the hardworking and beautiful women here in the Senate, I salute all of you!

Thank you for continuously reminding us what it means to be not only true leaders but humans with hearts and souls. Thank you for working even harder than anybody else. Thank you for knowing when to put politicking aside in the interest of the people, for making sacrifices, to urgently address the needs of those we should nurture most – our environment, our health, and the most vulnerable of all, our women, children, indigenous peoples and persons with disabilities.

Isang mainit na pagbati at pagpupugay sa lahat ng kababaihan!

MANIFESTATION OF SENATOR LEGARDA

Senator Legarda associated herself with the thoughts, views, convictions and passion of Senator Hontiveros who, she said, has always been consistent in pursuing the rights of the Filipino women even before becoming a senator, congresswoman and head of the *Akbayan* party. She assured Senator Hontiveros that she, along with the other women senators, would support her legislative agenda for women and children.

She also placed on record that the Philippines remains number 1 in Southeast Asia and number 3 in the world in terms of closing the gender gap. However, she lamented that despite the accomplishment, the government still needs to provide more access to education, maternal health, microenterprise and livelihood for the rural women in the country.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Sotto, there being no objection, the Chair referred the speech of Senator Hontiveros and the manifestations thereon to the Committee on Women, Children, Family Relations and Gender Equality.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 3:43 p.m.

RESUMPTION OF SESSION

At 3:46 p.m., the session was resumed.

MANIFESTATION OF SENATE PRESIDENT PIMENTEL

Senate President Pimentel said that in celebration of International Women's Day, he would be yielding the Chair to Senator Legarda.

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

PRIVILEGE SPEECH OF SENATOR TRILLANES

Availing himself of the privilege hour, Senator Trillanes delivered the following privilege speech on the testimony of retired Senior Police Officer 3 Lascañas:

ALLEGATIONS

Noong Lunes, humarap si Ginoong Lascañas sa Committee on Public Order and Dangerous Drugs chaired by Senator Lacson, at ito ang kanyang mga allegations:

- *Si dating Mayor Rodrigo Duterte ang mastermind at bumuo ng Davao Death Squad;*
- *Si dating Mayor Rodrigo Duterte ang nag-utos ng pagbomba sa mga mosque sa Davao City noong 1993;*
- *Si dating Mayor Rodrigo Duterte ang nag-utos ng pagpatay sa Patasaha Family kabilang na ang isang buntis na babae at apat na taong gulang na bata;*
- *Si dating Mayor Rodrigo Duterte ang nag-utos ng pagpatay kay Jun Pala noong 2003;*
- *Si dating Mayor Rodrigo Duterte ang nag-utos ng pagpatay kay Jun Bersabal noong 1997;*
- *Si dating Mayor Rodrigo Duterte, through Sonny Buenaventura, ang nag-utos ng pagpatay kay Fred Sotto;*
- *Si dating Mayor Rodrigo Duterte, through Sonny Buenaventura, ang nag-utos ng pagpatay kay Master Sergeant Donald Caigas na tao ni General Palparan;*
- *Si dating Mayor Rodrigo Duterte, through Sonny Buenaventura, ang nag-utos ng pagpatay sa dance instructor ni Jocelyn Duterte;*

- *Si dating Mayor Rodrigo Duterte, through Sonny Buenaventura, ang nag-utos ng pagpatay kay Alan Sy at ten Chinese nationals;*
- *Si dating Mayor Rodrigo Duterte, through Sonny Buenaventura, ang nag-utos ng pagpatay sa isang Taiwanese national base sa impormasyon ni Charlie Tan, isang nababalitang druglord sa Davao City;*
- *Si Vice Mayor Paolo Duterte ang nag-utos magpapatay ng isang suspect na nagpanggap ng kanyang identity sa Catalunan, Davao City;*
- *Si Vice Mayor Paolo Duterte ang nag-utos ng pagpatay ng isang nakaalitan sa trapiko na naka-motorsiklo;*
- *Si Vice Mayor Paolo Duterte ang nag-arbor ng suspected drug shipment ni Charlie Tan na naisakay sa container van ni Vice Mayor Duterte.*

Iyan po ang mga alegasyon na ibinigay ni Ginoong Lascañas. As far as the Senate is concerned, lahat ito ay on-record at unrefuted kasi wala namang testigo na humarap sa komite na nagsabi na hindi ito totoo. In fact, ang na-mention ni Lascañas na si Jerry Trocio ay kinumpirma ng PNP officials as person of interest sa Jun Pala case. Ang mga CHR resource persons also affirmed the existence of the Davao Death Squad. Kaya kung mahihinto ang hearing ngayon, lahat po iyan ay nasa record ng Senado at hindi ito dinebate o tinutulan ng counter-evidence.

OBSERVATIONS

Ito naman ang observations ng ilang mga senador:

1. *Hindi maalala ni Lascañas kung sino ang kanyang unang pinatay. Pero base doon sa ating transcript doon sa March 6 hearing, ito ang isinagot ni Mr. Lascañas doon sa tanong na iyon:*

"Mr. Chair, noong bago akong pulis, nakapatay ako ng tao pero hindi intentional, reckless imprudence kasi may hinabol akong snatcher. And then, noong binaril ko iyong snatcher, tinamaan iyong bystander, at dahil dito nagkakaso ako ng reckless imprudence. In fact, tumulong sa akin dito noong fiscal si Mayor. Kung hindi ako nagkakamali, siya ang nag-prepare ng affidavit of desistance.

Ngayon, noong clarify kung ano ang una niyang pinatay bilang DDS, hindi nya ito masabi. At ang dahilan nito ay dahil hindi naman nya na-distinguish kung

kailan siya naging DDS noong mga panahon na iyon dahil noong kinuha siya ni Mayor Rodrigo Duterte, Anti-Crime Unit at siya ay pulis pa rin. So, pulis siya noong 1982. Nakailang engkwentro siya, nakapatay sila ng ilang tao, tapos na-absorb siya ni Mayor Duterte at tuloy-tuloy ang kanyang pagpatay ng mga ordinaryong tao.

So, ito ang maaaring naging dahilan. Dahil nga all those times, for 34 years, siya ay pulis, naka-uniforme siya. Kung hindi ka mamamatay-tao, o siguro kung lima o sampa lamang ang iyong napatay, maaaring maalala mo lahat. Pero kung daan-daan na ang napatay mo, maaaring hindi mo ito maalala. Kagaya natin dito sa Senado, ang trabaho natin magpasa ng batas. Palagay ko, mahihirapan din tayong ma-recall kung ano ba iyong first bill natin na nai-pass into law or ang ating first sponsorship speech. So hindi na katagalang iyan, but that shows kung ano iyong mga weaknesses ng isang tao.

2. *Magkaiba ang pahayag ni Lascañas sa kanyang affidavit at press conference tungkol sa pagpatay kay Patasaha at sa kanyang pamilya. Base po doon sa kanyang press conference, sinabi ni Lascañas, "Napatay po ang buong pamilya sa harap ko using a caliber .22 with a silencer, and the rest is history."*

Sinabi naman niya dito sa committee hearing, "After a while, I heard several muffled gunshots of a firearm with a suppressor coming from the small house. I then heard the loud screams of the wife, then silence after several gunshots were fired. I did not know how the child was killed because it was dark."

I agree with the observation of Senator Lacson that there is a minor inconsistency. Pero, kagaya nga ng sinabi ni Martin Andanar, ang Tagalog ng Bisaya ay hindi perpekto. Inisip ko, ako bilang taga-Maynila, ano nga ba, papaano mo nga ba tatagalugin o idi-describe iyong nangyari doon? Nakita niya nang buhay, pumasok sa kuwarto, narinig niya ang putukan, tapos inilabas iyong mga bangkay sa harap niya. Papaawo natin idi-describe iyon? So, figuratively, it should still qualify. Pero, anupaman, base sa Supreme Court decision na nai-provide ni Senator Lacson, *People vs. Mirandilla Jr.*, penned by recently-retired Justice Perez dated July 27, 2011, I quote, among others: "A witness is not expected to give error-free testimony considering the lapse

of time and the treachery of human memory, but this principle learned from lessons of human experience applies only to minor and trivial matters, innocent lapses that do not affect the witnesses' credibility."

3. *Sinabi ni Matobato at Lascañas na pinatay nila ang dance instructor ng kapatid ni President Duterte, pero may lumabas sa balita na buhay ito.*

Alam ninyo, nagtatake lang ako kung papaano nila nalaman na parehong DI ang tinutukoy nila kasi base sa mga testimony nina Matobato at Lascañas dito sa Senado, hindi naman ibinigay ang pangalan noong DI, unless sa buong Davao City ay iisa na lamang ang dance instructor.

Anu't anupaman, itong impormasyon na ito ay hindi ipinasok sa komite; hindi siya ibinigay as evidence or as information by a resource person under oath. So, as far as the committee is concerned, hindi ito dapat isama.

4. *Nagkaroon ng spiritual renewal si Lascañas noong 2015, pero nagsinungaling pa rin siya sa hearing noong 2016. Ang isang paliwanag ko rito ay kukuhanin ko na rin sa Bibliya, kagaya ng mga kasamahan natin na ang pagsisinungaling under duress or may threat sa buhay ay pinapatawad, iniintindi at pinagbibigyan.*

Ito, Matthew 26:69-74, and I read:

"Now, Peter was sitting out there in the courtyard and a servant came to him, "You were with Jesus of Galilee," she said. But he denied it before them all. "I don't know what you're talking about," he said. When he went out to the gateway, another servant girl saw him and said to the people there: This fellow was with Jesus of Nazareth." He denied it again with an oath, "I don't know the man." After a while, came unto him, they stood by and said to Peter, "Surely, thou also are one of them for thy speech betrays thee, and he began to curse and to swear, saying "I know not the man" and immediately the cock crew."

So dito po sa example na ito istorya galing sa Bibliya, ito pong si San Pedro, hindi lang siya nagkaroon ng spiritual renewal, talagang he lived an apostolic life. And yet, when he was under duress, he lied three times because he feared for his life, dahil baka kuyugin siya ng mga tao doon. And yet, noong siya ay humingi ng tawad, pinatawad siya at pinagkatiwala pa sa kanya ang haligi ng simbahan.

Kagaya po nito, si Lascañas, nang nagkaroon siya ng kidney failure noong 2015, sinabi niyang nagkaroon siya ng spiritual renewal. At dahil dito, noong nakakita siya ng mga imahe, doon nagbago ang kanyang buhay. Hininto na niya ang pagpatay ng mga tao. Subalit nandoon pa rin siya sa grupo sa mundo ng Davao Death Squad. Pero pirmi siyang binibigyan ng trabahong pagpatay. Sinasabi niya naghahanap siya ng alibi na nagpapagaling pa siya at hindi pa niya kayang gumawa ng trabahong pagpatay. Pero noong mga panahong yon, nakipaghalubilo na siya sa ilang miyembro ng simbahan, nagdo-donate na siya sa simbahan. Itong mga ito, sa pananaw niya ay ang munting paraan para makabawi doon sa kanyang mga pinaggagawa sa buhay.

Ngayon, noong nagkaroon ng hearing dito sa Senado, siya ay pulis pa noong panahon na iyon at ang kanyang pamilya ay nasa Davao City at binigyan siya ng order ng kanyang mga superiors to deny everything. So, kagaya ni San Pedro, inisip niya iyong kanyang safety and security, ganoon din sa kanyang pamilya kaya napilitan siyang magsinungaling. Pero after sa experience niya na iyon, bumalik siya doon sa mga madre at lalong naging firm ang kanyang resolve na magkaroon ng public confession. Kaya hinayaan niyang matapos ang kanyang pagiging pulis at nag-retire siya, nagpaalam siya sa kanyang pamilya. Ngayon, handa na siya, nandidito na siya muli upang humarap sa atin at itinataya pati ang kanyang buhay.

Ganoon din, kagaya ni San Pedro, siya ay handang maging martir para sa paniniwala niya kay Hesukristo. Hinarap niyang lahat at inaalay niya pati kanyang buhay.

MOTIVATIONS

Ngayon, ito ang sinasabi ni Lascañas na motivation niya. Ito iyong kanyang spiritual renewal. Ito ang ini-insinuate o ina-ascribe niya na motivation base sa kanya at base na rin doon sa mga sinasabi ng mga senador.

Una, binayaran daw siya para bawiin ang kanyang mga unang pahayag. Alam ninyo, buhay ng tao ang itinataya rito kasama na ang kanyang pamilya. Siya ay retired na sa police force. After 34 years in service, nakuha na niya ang kanyang pension. Pwede na siyang mamuhay nang matahimik. Binibigyan pa siya ng P100,000 a month.

So, tanungin natin ang ating sarili. Sino ba sa inyo ang pag inalok mo ng pera upang gumawa lang ng istorya para sirain ang isang

tao pero isinasaalang-alang niya ang kanyang buhay at ang buhay ng kanyang pamilya. Tanungin ninyo ang inyong sarili kung kaya ninyong gawin iyan — na haharap ka dito sa Senado, gigisahin ng mga senador, iyon pala, gawa-gawa lang ang iyong kuwento mo. Sino ang kayang gumawa niyan? Hindi po kayang tumbasan ng pera ang buhay.

At doon sa mga PMAers na kasamahan natin dito at sa mga nakikinig, hindi ko ito binabayaran, o wala akong sinumang alam na binayaran si Lascañas para mag-testify laban kay President Duterte. All right, sir.

Ikalawa, kinumbinsi siya ng isang senador para siraan si President Duterte. Hindi man pinangalanan pero ako na siguro ito. Muli, sinasabi ko sa inyo, hindi ko kinumbinsi si Mr. Lascañas. All right, sir. Pero do not take my word for it. Six hours siyang ginisa, na-interrogate ng mga senador. Wala siyang binabasa, diretso siyang nagsalita. Kung hindi totoo ang kaniyang mga sinasabi, mahuhuli siya ng mga senador at maliwanag na makikitaan siya ng butas. Hindi ito magagawa ng isang tao na hindi buo ang loob. At higit pa riyan, kung ipagpapatuloy ang hearing or kung papayag ang komite, ipiprisinta ko yong pari na naglapit sa akin kay Mr. Lascañas na siyang nag-vouch ng sincerity ni Lascañas. Sa executive session, gisahin ninyo itong pari kung anuman ang naging motivation. Handa rin siyang humarap sa inyo para lamang matanggal iyong mga pagdududa na iyan.

Ikatlong ascribed motivation. Apat na beses daw tinanggihan ni Lacafias ang kanyang mga proyekto kaya sumama ang loob niya. To the credit of Sen. JV Ejercito, maganda yong research niya at nakuha niya lahat yong mga project. Mukhang may idea ako kung sino ang nag-research. Hinarap ni Lascañas ito, inako niya lahat. He had every opportunity to deny pero as a test sa kanyang sincerity, sinabi niya, "Tootoo lahat iyan." Pero babalik tayo roon sa una. Dahil nagtampo ka rito, itataya mo na ngayon ang buhay mo para lamang makabawi sa mga projects na ito? Remember, maayos na ang kaniyang buhay, nakuha na niya ang pension niya at mayroon siyang P100,000 a month. Hindi po magugutom si Lascañas.

RECENTATION

Now, punta tayo roon sa recentation. Na-mention po ng ilang kasamahan natin na walang probative value ang recentation. Pero mayroon tayong ilang mga nakuha na U.S. jurisprudence na naka-pattern dito sa ating Philippine jurisprudence. Dito, a man was

released after a witness recanted. Joseph John Edward Smith who was an 18-year old gang member when he was accused of the murder was tried and convicted with less than five hours of testimony and three hours deliberation in 1994 and later sentenced to life in prison. Nearly two decades later, when Smith's new attorney contacted witness Landu Muvueva, he recanted within minutes and said the police pressured him at that time to identify Smith. So, *nakalaya ito dahil sa isang* recantation.

Next example is a murder conviction voided after 20 years. The murder case against Carillo hinged solely on the word of 16-year old boys who had been standing with the victim when the gunman drove by. One jury deadlocked with seven to five in favor of acquitting Carillo, but a second jury found him guilty. He was sentenced to two life terms in prison. Five of the six witnesses testified at the common court house that they had not clearly seen the gunman, among them the victim's son, who said he made the identification because one of his friends at the scene said he recognized Carillo as the shooter. That friend also recanted. So *na-void iyong* murder conviction.

*Dito naman sa ating bansa, dito po sa case of People of the Philippines v. Romeo Datu and Rolando Batuelo. In this case, the Supreme Court *en banc* vacated the decision of the Regional Trial Court of Ilagan, Isabela, Branch 16 dated November 18, 1998, convicting the two accused of the crime of "rape," and sentencing them to death by lethal injection in accordance with RA 8177 on the basis of an affidavit executed by prosecution witness Sgt. Flordelito Sabuyas, after the conviction of the accused on January 7, 1999. The Supreme Court, recognizing the importance of the retraction of the witness for the prosecution, remanded the case for retrial.*

Finally, on *People of the Philippines vs. Bensurto* which was decided by the Supreme Court on December 7, 2016, "the recantation, like any other testimony, is subject to the test of credibility based on the relevant circumstances, including the demeanor of the recanting witness on the stand." So, *mayroon pong* probative value *ang* recantation provided *ma-test* *iyong* kanyang salaysay at *ma-cross examine* *siya ng kabilang partido.*

INDEPENDENT CORROBORATING EVIDENCE

Now, punta po tayo sa "independent corroborating evidence," as mentioned by Senator Lacson, that is needed in furthering any case against those mentioned.

Ito pong sworn statement of Jose Basilio, dito po sa sinumpaang salaysay ni Jose Basilio, na isang miyembro rin ng Davao Death Squad ay na-mention niya ang mga pangalan na sinasabi rin nila Edgar Matobato at ni Arturo Lascañas. Itong sina Rolando Duwilag, sila Fulgencio Pavo, Arturo Lascañas, big boss Sonny Buenaventura, Jim Tan, Jumawan, Bobong Aquino, Bienvenido Furog at iba pa.

Dito sa salaysay ni Jose Basilio, nandirito ang mga description noong mga modus operandi noong Davao Death Squad, min-mention pa rin sina Arturo Lascañas, Sonny Buenaventura, Jim Tan, at ibang miyembro ng DDS. Dito sa pagpatuloy ng kanyang salaysay, nandirito si Arturo Lascañas at si SPO4 Bienvenido Laud, na-mention pa si Arturo Lascañas at Matobato. Ginawa itong salaysay na ito noong 2009.

Itong mga taong hinarap natin dito sa Senado, hindi po ito mga nagbebenta lamang ng taho sa Davao City at ginagawan natin ng kuwento o kung sino ang empleyado roon. Sila ay name-mention long before. Pati yong Laud Compound na kung saan sinasabi na doon tinatambak ang mga pinapatay. Iyang si Tatay Laud, Sonny Buenaventura ulti, Jim Tan, Arturo Lascañas, sila-sila mismo ang mga mine-mention.

Dito rin sa sworn statement ni Crispin Salazar, ito iyong rebel returnee na sinasabi ni Edgar Matobato at ni Arturo Lascañas na ginawa nilang miyembro ng Davao Death Squad. Na-mention dito si Mayor Rodrigo Duterte. Sinabi sa kanya, "Kaya mo ba ang ganitong trabaho, ang patayin ang mga salot sa lipunan tulad ng mga drug addict, drug pusher at magnanakaw?" Sabi niya, "papatulan niya," babayaran niya ako ng P15,000. That corroborates iyong statement ni Arthur Lascañas na itong mga ginawa nilang trabaho ay may kapalit na reward or mga allowance.

Next, lumalabas dito, sinabi makalipas ang isang linggo, "Binigyan ako ng listahan ng mga wanted na tao na aking papatayin. Nakalagay doon ang pangalan at tirahan ng mga taong papatayin ko. Inaabot at dini-distribute ang listahan sa akin at maging sa aking mga kasamahan ng aming pinaka-pinuno sa samahan. Minsan ay mismong si Mayor Duterte ang pumupunta sa safe house at nag-aabot ng listahan tapos sambitin, 'O, eto ang listahan ng mga tarantado.' Ilang beses ko na personal nakita at nakausap si Duterte, halos bawat Linggo ay pumupunta siya sa safe house para mangmusta." Ganito rin ang pattern ng nangyari ngayon, mayroong listahan ng mga pinapatay.

Sa pagpapatuloy sa kanyang salaysay, "Noong minsan ng 1993, may isa kaming lakad na kasama si Mayor Duterte. Kami ang kanyang mga kasamahan ang dapat tumira ngunit nagkamali kami. Hinabol niya mismo iyong taong holdaper at saka niya ito pinagbabaril. Naubos niya ang isang magazine noon. Matapos iyon, natakot ang mga pulis at nakita kung paano magalit si Mayor."

Ito po ang sworn statement ni Ernesto Avasola: "Nasaksihan ko ang pagpatay sa anim na kalalakihan na may piring ang mga mata at may tali ang mga kamay at paa noong bandang alas nuwebe ng gabi sa ikatlong linggo ng December 2005. Isa ako sa naglibing, ayon sa utos ni Tatay Laud, sa mga katawan ng biktima, sa tatlong kuweba matapos itong patayin ng anim na miyembro ng Anti-Crime Unit ng Davao City Office." Ito po iyong Anti-Crime Unit na mine-mention ni Arthur Lascañas sa kanyang salaysay. "Nakilala ko lamang na alyas Pedro at alyas Mario ang dalawa sa anim na biktima at ang dalawang ito ay inilibing namin sa unang kuweba na malapit sa bahay ni Tatay Laud, samantalang iyong dalawa ay sa sunod na kuweba at iyong natirang dalawa ay sa pangatlong kuweba; dinala ko si Colonel Fajardo at kanyang mga kasamahang pulis sa nasabing mga kuweba at doon ay nakita namin sa huli at ikatlong kuweba mula sa bahay ni Tatay Laud ang isang nakausling buto, na ayon sa mga pulis na isang doktor ay buto ng isang tao."

Ito pong si Tatay Laud, ito po ay may-ari noong tinatawag nilang Maa Quarry or Laud Quarry or Laud Compound kung saan ito iyon tinatambakan ng mga sinalvage nila na mga tao.

Ito naman ang sworn statement of Police Superintendent Roberto B. Fajardo. "On July 5, 2009, in the course of serving the writ docketed under search warrant 0914347 earlier issued by the honorable court, I was approached by a male person who identified himself as Mr. Ernesto Avasola, 51 years old, married and resident of Relocation Site, Barangay Mintal, Davao City, and confided in me that he is an asset of Bienvenido Laud o Tatay Laud, the owner of the premises subject of the search warrant."

"Mr. Avasola offered information that human remains of summarily executed victims could be found inside three adjacent caves located a few meters away beside the makeshift house of a Tatay Laud at Laud compound. Hence, I and other policemen went to the caves and found out that a bone is protruding from one

of the caves in plain view. The accompanying SOCO operative, a doctor of medicine, checked it and positively concluded that it was a human bone. Though it is in plain view, however, I and other policemen suspect that more of such kinds are still in that hole/cave and in other adjoining caves.

Ito po iyong pictures ng mga buto na na-recover nila doon sa Laud Compound. Human bones ito.

Ito naman yung Urgent Motion to Quash and to Suppress Illegally Seized Evidence na nai-file sa korte ni Laud. Dito ninyo makikita na "People of the Philippines versus Fulgencio Pavo, Bienvenido Laud, Vivencio Jumawan, the Dawilag Brothers na sinasabi ni Matobato at ni Lascañas. They are the same people.

Ngayon, tingnan ninyo kung sino iyong abogado. Ang abogado ni Bienvenido Laud noong mga panahon na iyon nang nag-file sila ng Motion to Quash and Suppress Illegally Seized Evidence ay si Vitaliano Aguirre II na ngayon ay Justice Secretary ng ating bansa. So noong 2009, maliwanag ang mga connection.

Ito naman ang Supreme Court decision regarding that search warrant deciding on the petition by Bienvenido Laud. The Supreme Court upheld the validity of the search warrant. Therefore, valid iyong mga nakuhang ebidensya doon sa Laud compound.

So, mayroon na kayong "dead bodies." Mayroon ka ng human remains. Mayroon ka ng ebidensya doon mismo sa mga lugar kung saan sinabi ni Edgar Matobato at ni Lascañas.

Ito ngayon ang isa pang ebidensya.

Noong 1997, isang Commission on Human Rights resolution ang lumabas tungkol sa kaso ni Jun Bersabal, Gaudencio Bersabal, Lucina Bersabal bilang mga complainants versus Fulgencio Pavo, Arturo Lascañas, Edgar Matobato (CAFGU) at PS/Insp. Mitra. Hindi po pala talaga standby lamang sa opisina ni Mayor Duterte. Talagang as early as 1997, magkasama silang dalawa at, in fact, nakasuhan sila.

At ito ang interesting dito sa resolution.

On paragraph (d), "The victim, Jun Bersabal, was brought to the Kaputian Police Station where the arrest was officially recorded on June 28, 1997. On June 29, 1997 at 0500, custody over the person of Jun Bersabal was then transferred to Governor Generoso Municipal Police Station in Davao Oriental on the basis of a warrant of arrest for frustrated murder issued in Criminal

Case No. 3663 by the Municipal Trial Court of Governor Generoso, Davao Oriental. On 10 June 1997, the victim reportedly escaped from Governor Generoso Municipal Station by destroying the padlock in the prison cell. Subsequently, the dead body of Jun Bersabal was found along the seashores of Pantukan, Davao del Norte."

Ito iyong sinasabi ni Arthur Lascañas na tinurn-over nila sa pulis. Kaso, ngayon, noong gustong ipapatay ni Mayor Duterte, sinabi nila papaano nila papalabasin ngayon dahil naka-blotted na. Ngayon, gumawa sila ng scenario na kunyari tumakas at saka nila pinatay. Eksakto sa record here in this resolution written 20 years ago.

Next corroborating evidence.

Even the Ombudsman penalized 21 PNP officers over the Davao Death Squad. So, *noong* March 29, Ombudsman Morales penalized 21 police officers over the Davao Death Squad.

Itong ilang dokumento dated July 2001 ng Special Anti-Crime Response Unit ay makikita itong mga personalities: Fulgencio Pavo, Arthur Lascañas, Jim Tan, Ronald Lao at Enrique Lao, Jr. Ito ay katibayan muli na sila ay talagang magkasama and it corroborates the testimony of Mr. Lascañas, ito pong si SPO2 Paguidupon at Ronald Lao.

Ito pa, Special Order No. 54 ng Philippine National Police, July 30, 2001. Ang members ng unit na ito – Special Operation and Reaction Team ay sila Fulgencio Pavo, Reynaldo Capute, Arthur Lascanas, Jim Tan, Bobong Aquino, Jumawan and Ronald Lao – the same people. Isa itong katibayan to reinforce the statements of Arthur Lascañas.

Dito naman sa Davao City Police Office Special Operations ay members sila Fulgencio Pavo at Reynaldo Capute.

Ngayon po, having presented independent corroborative evidence, dito natin makikita kung gaano ka-importante ang mga testimonya ni Lascañas at ni Matobato. Dito sila, Lascañas, in particular, nagsimula sa paniniwala na tama ang kanyang ginawa. Ginamit nila ang kanilang skill ng pagpatay at pinagkakitaan ito ng pagpatay ng mga inosenteng mga tao.

Ito rin po ang salaysay nila. Lumabas ang template ng DDS na ngayon ay ginagawa sa ating bansa bilang Philippine Death Squads. Ang mabigat na tanong dito: Ilang Lascañas na ang mayroon sa ating mga pulis ngayon na ginagamit iyong kanilang paniniwala sa war on drugs ni President Duterte na nagsanga-

sanga na sa pagpatay ng mga personal na kaaway – kaaway sa negosyo, kaaway sa pulitika?

Ngayon, ito pong war on drugs na ito ay buong mundo na ang nakakapansin. Mayroon pong report ang US Department of State, and I read: “Killings allegedly undertaken by vigilantes, security forces, and insurgents as the principal human rights abuse documented this year. And it also chronicles apparent governmental disregard for human rights and due process and a very weak and overburdened criminal justice system.”

Dito naman, ang Al Jazeera News Agency reported: “Philippines: Inside Duterte’s Killer Drug War.” And I quote: “Sometimes the heads of those killed are found in duct tape, often bodies are strewn with cardboard signs with slogans, reading, “I am a drug pusher, don’t be like me.”

Ang Human Rights Watch gumawa rin ng report; “License to Kill: Philippine Police Killings in Duterte’s War on Drugs.” And I quote: “Duterte’s repeated calls for killings as part of his anti-drug campaign could not constitute acts instigating law enforcements to commit the crime of murder.

Ang Amnesty International gumawa ng report: “Philippines: Police’s murderous war on the poor. This is not a war on drugs, but a war on the poor. Often, on the flimsiest of evidence, people accused of using or selling drugs are being killed for cash in an economy of murder,” said Tirana Hassan, Amnesty International Crisis Response Director.

Another quote: “If you are poor, you are killed.”

CNN made the report: “City of dead, a neighborhood destroyed by Duterte’s war on drugs. As innocent people are increasingly caught in the crossfire, a growing number of Filipinos are questioning the true cost of the leader’s crusade.”

Finally, the *New York Times* reported: “They are slaughtering us like animals. What I experience in the Philippines felt like a new level of ruthlessness. Police officers summarily shooting anyone suspected of dealing or even using drugs. Vigilantes taking seriously Mr. Duterte’s call to slaughter them all.”

Kita ng buong mundo ang mga patayan sa ating bansa. Nasa 8,000 na ang mga namatay na tao – mga totoong tao sila. Walang drug lords dito, puro mahirap sila. Hindi personal

sa akin ito. Siguro I may be perceived to be passionate about my job. Pero siguro, hindi ko lamang kayang magbulag-bulagan pa. Kaya panawagan ko lamang sa mga kapwa ko senador, ipaglaban natin sila. Protektahan natin sila.

INTERPELLATION OF SENATOR PACQUIAO

Senator Pacquiao noted that Senator Trillanes in his speech mentioned about a dance instructor who was killed.

Asked for any proof that there was a dance instructor killed, Senator Trillanes replied that his statement was based on the testimony of Mr. Edgar Matobato and Arthur Lascañas who said that the dance instructor was the DI of Jocelyn Duterte, the sister of Mayor Duterte, although a name was not mentioned. Recently, he said that Matobato clarified that they would usually be given a picture of a person, but that he did not do the profiling and it was not his job to spot or locate the person. He said that his only job was to abduct the person, bring the person to the place where he would be killed and buried.

Senator Pacquiao stated that he only wanted to confirm if there was indeed a dance instructor who was killed by Lascañas or the DDS. Senator Trillanes maintained that it was included in the testimony of both witnesses.

As to the statement of Senator Trillanes that no witnesses ever lied when they gave their testimonies in the Senate hearing, Senator Pacquiao disagreed, saying that with two statements, either one was a lie.

REFERRAL OF SPEECH TO THE COMMITTEE

Upon motion of Senator Sotto, there being no objection, the Chair referred the privilege speech of Senator Trillanes and the interpellation thereon to the Committee on Justice and Human Rights.

MANIFESTATION OF SENATOR GORDON

Senator Gordon cited Section 50 of the Rules of the Senate which mandates that matters already taken up must be archived. He noted that two committees already wound up their hearings on the issue of the extrajudicial killings; thus, it would not be proper anymore for the Senate to take it up as

there are other more important measures to tackle. He pointed out that the committees already did their best but no real evidence came up in the hearings.

Thus, Senator Gordon requested that the speech of Senator Trillanes and its corresponding interpellations be archived.

CHANGE OF REFERRAL

Upon motion of Senator Sotto, there being no objection, the Chair changed the referral of the privilege speech of Senator Trillanes and the interpellation thereon from the Committee on Justice and Human Rights to the Committee on Rules.

PRIVILEGE SPEECH OF SENATOR PACQUIAO

Availing himself of the privilege hour, Senator Pacquiao stated that right at the start when he became senator, his only desire is to represent the people who cannot speak for themselves, believing, as he has always believed, that he is one of them.

He stated that in the brief eight months that he has been senator, he learned a lot; for one, in a state of confusion, there must be clarification.

Senator Pacquiao disclosed that lately, his attention was called to Senator Trillanes' statement as reported by one Maila Ager and published in *Inquirer.net*, entitled "Trillanes to colleagues: Did you become saints after spiritual renewal?" He said that he respects Senator Trillanes' right to express his opinion, and like anyone else who is against the President of the Philippines, he can file an impeachment complaint with the House of Representatives.

He said that he appreciates being reminded that the primary role of the Senate is to legislate and in conducting hearings or investigation, it must always be in aid of legislation.

He stated that when the Senate conducted an investigation on extrajudicial killings, when it heard the testimony of SPO3 Arthur Lascañas, it was in search for truth. The hearing, he said, should not be used as a forum to impose one's morals on the resource persons, and for the record, he stated that he never imposed his morals on SPO3 Lascañas.

Senator Pacquiao believed that the Senate as an institution deserves to be treated with honor and

respect, and resource persons in every Senate inquiry must uphold "to tell the truth, the whole truth, and nothing but the truth." Like everyone else, he said that he too abhors fake news.

He pointed out that no one in the hall is a saint, much less claim that one has never committed a sin. He stated that he did not become a saint after his spiritual renewal, and to the doubters and non-believers, it is his responsibility to prove that he is spiritually renewed. He explained that spiritual renewal, to him, is surrendering one's life to Jesus, living one's life like everyday is the last. He is not afraid of the truth, he said.

Senator Pacquiao stated that he was very much offended by Senator Trillanes' statement because, as he understood it, it is as if he is a fake Christian. He admitted that had he not been renewed spiritually, he would have reacted differently.

He stated that it is so easy for one to say he has changed, but it is one's responsibility to prove that there was real change in him.

Personally, he said, he can understand and forgive a person who lied, but to lie before the Senate, he pointed out, is to lie before the whole nation.

REMARKS OF SENATOR TRILLANES

Senator Trillanes clarified that he would not interpellate on the privilege speech of Senator Pacquiao but would only manifest some clarifications.

As regards the article on *Inquirer.net*, he clarified that there was no mention of any name in that article because there were many others who participated in the discussion of what spiritual renewal was all about. He explained that the reason he cited Saint Peter who, despite leading an apostolic life, told a lie because he was under duress, was that there were many Senators who doubted that SPO3 Lascañas had undergone spiritual renewal. He said that he never mentioned any person and that, in fact, he even denied a press invitation regarding the matter so as not to offend anyone. Since Senator Pacquiao has claimed being offended by the statement, he assured that it was not intended to spite the latter.

To the remark that senators ought to legislate, Senator Trillanes asserted that the records would bear him out that he has dutifully legislated measures

alongside his active participation in the investigations. He pointed out that the Senate investigation is a fair game; in fact, previous presidents of the country, like President Ramos, President Estrada and President Macapagal-Arroyo, were invited to the Senate to answer controversies concerning them.

He emphasized that senators do not only legislate because under the system of checks and balances, they are also bound to assess potential abuses in other branches of the government.

Consequently, he assured the Body that there was no intention on his part to discredit the Senate as an institution as he has always submitted to the will of the majority. He apologized to Senator Pacquiao as regards the statement he made to media, reiterating that he had no intention of maligning anyone.

MANIFESTATION OF SENATOR CAYETANO

Senator Cayetano said that he was glad that Senators Trillanes and Pacquiao were able to sort out their issues as statesmen, as he agreed with Senator Trillanes' remark that issues should be vented out and opinions should be shared as it is upon the majority to decide for a better judgment.

On another point, he said that when the committee chairperson arrives at a decision and someone would make an unparliamentary statement like "tinigil ang hearing kasi takot kay Duterte," the reputation of the Senate as a whole is affected. He believed it is always better that senators debate and share their views then allow the people to conclude on their own.

On another ABS-CBN article, entitled "Trillanes defends Lascañas after DDS 'victim' pops up," Senator Cayetano remarked that the unnamed dance instructor previously claimed by SPO3 Lascañas as dead appeared in a Facebook post to prove that he was very much alive, considering the claim of President Duterte's sister that she only had one dance instructor. He said that aside from being unfair for claiming that a dance instructor was killed and whose name was not disclosed, instances as such leave the question hanging and affects the credibility of the witness. Relative thereto, he assured that the investigation to uncover the truth behind the alleged DDS killings would continue to be conducted in a logical, respectful and honest manner.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Sotto, there being no objection, the privilege speech of Senator Pacquiao was referred to the Committee on Rules.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 4:54 p.m.

RESUMPTION OF SESSION

At 5:00 p.m., the session was resumed with Senate President Pimentel presiding.

ADDITIONAL REFERENCE OF BUSINESS

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

COMMITTEE REPORTS

Committee Report No. 47, submitted jointly by the Committees on Local Government; and Electoral Reforms and People's Participation, on House Bill No. 937, introduced by Representative Tiangco, entitled

AN ACT DIVIDING BARANGAY NORTH BAY BOULEVARD SOUTH IN THE CITY OF NAVOTAS INTO THREE (3) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY NBBS PROPER, BARANGAY NBBS KAUNLARAN AND BARANGAY NBBS DAGAT-DAGATAN,

recommending its approval with amendment.

Sponsor: Senator Sonny Angara

To the Calendar for Ordinary Business

Committee Report No. 48, submitted jointly by the Committees on Local Government; and Electoral Reforms and People's Participation, on House Bill No. 4682, introduced by Representative Pimentel, entitled

P. net

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY CUMAWAS IN THE CITY OF BISLIG, PROVINCE OF SURIGAO DEL SUR,
recommending its approval without amendment.

Sponsor: Senator Sonny Angara

To the Calendar for Ordinary Business

Committee Report No. 49, submitted jointly by the Committees on Local Government; and Electoral Reforms and People's Participation, on House Bill No. 938, introduced by Representative Tiangco, entitled

AN ACT DIVIDING BARANGAY TANGOS IN THE CITY OF NAVOTAS INTO TWO (2) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAYS TANGOS NORTH AND TANGOS SOUTH,

recommending its approval with amendment.

Sponsor: Senator Sonny Angara

To the Calendar for Ordinary Business

Committee Report No. 50, submitted jointly by the Committees on Local Government; and Electoral Reforms and People's Participation, on House Bill No. 4402, introduced by Representative Tiangco, entitled

AN ACT DIVIDING BARANGAY TANZA IN THE CITY OF NAVOTAS INTO TWO (2) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY TANZA 1 AND BARANGAY TANZA 2,

recommending its approval with amendment.

Sponsor: Senator Sonny Angara

To the Calendar for Ordinary Business

**SECOND ADDITIONAL
REFERENCE OF BUSINESS**

RESOLUTION

Proposed Senate Resolution No. 319, entitled

RESOLUTION DIRECTING THE

PROPER SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED PRESENCE OF SEX TOURISM IN THE COUNTRY

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Women, Children, Family Relations and Gender Equality

COMMITTEE REPORT

Committee Report No. 51, prepared and submitted by the Committee on Foreign Relations, on Proposed Senate Resolution No. 320, entitled

RESOLUTION CONCURRING IN THE ACCESSION TO THE PARIS AGREEMENT,

recommending its approval without amendment.

Sponsors: Senators Cayetano and Legarda

To the Calendar for Ordinary Business

**COMMITTEE REPORT NO. 43
ON HOUSE BILL NO. 4637**

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of House Bill No. 4637 (Committee Report No. 43), entitled

AN ACT EXTENDING FOR TWENTY-FIVE (25) YEARS THE FRANCHISE GRANTED TO SMART COMMUNICATIONS INC. (FORMERLY SMART INFORMATION TECHNOLOGIES, INC.), AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7294, ENTITLED "AN ACT GRANTING SMART INFORMATION TECHNOLOGIES INC. (SMART) A FRANCHISE TO ESTABLISH, INSTALL, MAINTAIN, LEASE AND OPERATE INTEGRATED TELECOMMUNICATIONS/ COMPUTER/ELECTRONIC SERVICES, AND STATIONS THROUGHOUT THE PHILIPPINES FOR PUBLIC DOMESTIC AND INTERNATIONAL TELECOMMUNICATIONS, AND FOR OTHER PURPOSES."

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

Thereupon, the Chair recognized Senator Poe, sponsor of the measure, and Senator Lacson for his amendments.

INQUIRY OF SENATOR LACSON

Preliminarily, Senator Lacson noted that Section 11 of the bill included a proviso enumerating certain exceptions such that the granting of the franchise would not require prior approval of Congress, and he expressed concern that the proviso virtually rendered inutile the power of Congress to renew the franchise of Smart. With such limitations, he asked the Sponsor to cite one activity that would not be covered by the exceptions and would not render the first portion of the proviso ineffective.

Senator Poe replied that an activity that would not fall under the enumerated exceptions would be in the event that the transfer is made to a corporation that is not controlled by the same stockholders.

To the observation that the example cited is covered by subparagraphs (c) and (d) of Section 6 which refer to the issuance of shares to investors, Senator Poe clarified that Smart is not precluded from issuing shares of stock to any local or foreign investors but it must not contravene with the constitutional provision on limited foreign ownership on certain businesses. Since the proviso on Section 11 also states that the transfer or issuance of shares should be in accordance with any applicable constitutional limitation, she said that the deletion was necessary to avoid superfluity.

As regards the contention that the proviso, which uses the word "inform" rather than the phrase "prior approval," would mean that Congress would lose its control over the franchise that would be granted to Smart, Senator Poe asked whether Senator Lacson could suggest the proper wording for the same.

LACSON AMENDMENT

On page 6, line 3, as proposed by Senator Lacson and accepted by the Sponsor, there being no objection, the Body approved to reword Section 6, to read as follows:

SEC. 11. *SALE, LEASE, TRANSFER, USUFRUCT, OR ASSIGNMENT OF FRAN-*

CHISE . – THE GRANTEE SHALL NOT SELL, LEASE, TRANSFER, GRANT THE USUFRUCT OF, NOR ASSIGN THE FRANCHISE HEREIN GRANTED OR THE RIGHTS AND PRIVILEGES ACQUIRED HEREUNDER TO ANY PERSON, FIRM, COMPANY, CORPORATION OR OTHER COMMERCIAL OR LEGAL ENTITY NOR SHALL TRANSFER THE CONTROLLING INTEREST OF THE GRANTEE, WHETHER AS A WHOLE OR IN PARTS, AND WHETHER SIMULTANEOUSLY OR CONTEMPORANEOUSLY, TO ANY PERSON, FIRM, COMPANY, CORPORATION OR ENTITY WITHOUT THE PRIOR APPROVAL OF THE CONGRESS OF THE PHILIPPINES. ANY PERSON OR ENTITY TO WHICH THE FRANCHISE HEREIN GRANTED IS VALIDLY SOLD, TRANSFERRED OR ASSIGNED SHALL BE SUBJECT TO THE SAME CONDITIONS, TERMS, RESTRICTIONS, AND LIMITATIONS OF THIS ACT.

Under the proposed measure, Senator Lacson noted that the modes of the transfer which merely required notice to Congress were very expansive. He pointed out that since the 1987 Constitution gives Congress an explicit authority to grant a public utility franchise, it follows that substantial modifications of transfer, such as the ones enumerated in the proposed amendment, are subject to its review and approval.

He also cited the Supreme Court decision on *Lim vs. Pacquing, G.R. No. 115044 (January 27, 1995)*, which states that "a franchise is not in the strict sense a simple contract but is more importantly a mere privilege specially in matters which are within the government's power to regulate and even prohibit through the exercise of the police power."

At this juncture, Senator Recto stated that the proviso concerning the franchisee's reporting to Congress would be necessary only if there is a change in the entity that has the controlling interest; in case there is no such change and the procedure is merely a capital call, congressional approval would no longer be necessary. He said that he would have no objections to such an arrangement.

PROPOSED AMENDMENT OF SENATOR LACSON

On page 7, Senator Lacson proposed to delete the phrase beginning with the word "UNLESS" on line 21 up to the word "OWNED" on line 22b and to replace it with the phrase IN THE EVENT THAT THE GRANTEE FAILS TO FULLY COMPLY



WITH THE AFOREMENTIONED REQUIREMENT, THIS FRANCHISE SHALL BE DEEMED *IPSO FACTO* REVOKED.

Senator Poe said that she would not accept the amendment because 1) it was similar to the proposal that was discussed and rejected the previous day; and 2) the franchise of the National Grid Corporation of the Philippines (NGCP), which is a telecommunications and power company, also provides for the same. She quoted the particular franchise agreement, to wit:

“Provided, that the listing in the PSE of any company which directly or indirectly owns or controls at least 30 *per centum* of the outstanding shares of the stock of the grantee shall be considered for compliance of this listing requirement.”

She explained that NGCP was actually only offering 30%, while PLDT, the mother company of Smart, is offering more than 50%.

Senator Lacson believed that the application of the said provision in the case of Smart was misplaced since the NGCP, which is engaged in the business of conveying or transmitting electricity, is governed by the Electric Power Industry Reform Act of 2001 (EPIRA), while RA 7295 or the Public Telecommunications Policy Act is the law that governs public telecommunications policy in the Philippines and, as such, is the law that governs Smart.

Senator Zubiri stated that he was the one who sponsored the NGCP franchise during his chairmanship of the Committee of Legislative Franchises in the House of Representatives, and in that franchise, he pointed out, the NGCP was authorized to have both telecommunications and transmission grids because they would be putting telecommunications cables on TRANSCO towers. He said that the NGCP has a telecommunications franchise which allows it to enter the telecommunications business.

Senator Lacson asked for the particular provision in the NGCP franchise that allows it to also engage in telecommunications. Senator Poe read the provision in Section 1 of Republic Act No. 9511, to wit: “Likewise, the Grantee is authorized to engage in ancillary business and any related business which maximizes utilization of its assets such as, but not limited to, telecommunications system, pursuant to Section 20 of Republic Act No. 9136.” Pursuant

thereto, she said that the NGCP was also given the privilege as a telecommunications service provider.

Senate President Pimentel recalled the proposed amendment of Senator Hontiveros the previous day which she did not pursue. Senator Lacson stated that he would pursue his proposed amendment and was willing to be outvoted.

Senator Sotto asked for the proposed amendment to be restated for the Body’s appraisal.

Senator Lacson explained that his proposed amendment is on Section 7 of the bill which amends Section 13 of the law. He maintained that PLDT and Smart are two different entities as PLDT has its own franchise. He said that PLDT complied with its own franchise, not Smart’s franchise, when it listed its shares. He also pointed out that every corporation has a separate juridical personality as stated in the Corporation Code, and he maintained that the doctrine of separate juridical personality is applicable even to parent and subsidiary corporations.

Senator Lacson also adverted to the ruling of the Supreme Court on the case of *Philippine National Bank vs. Ritrato Group Inc., Riatto International, Inc., and Dadasan General Merchandise* (G.R. No. 142616, July 31, 2001), to wit: “The mere fact that a corporation owns all of the stocks of another corporation, taken alone is not sufficient to justify their being treated as one entity. If used to perform legitimate functions, a subsidiary’s separate existence may be respected, and the liability of the parent corporation as well as the subsidiary will be confined to those arising in their respective business.” He said that if Smart would not be required to publicly list its shares, it is as if it is riding on the franchise of PLDT. Given such logic, he wondered on the purpose of Smart in renewing its franchise when it can use PLDT’s.

Senator Lacson then reiterated his proposed amendment, to wit:

- On page 7, line 21, after the word “Act,” replace the period (.) with a comma (,) and add a new sentence, to read as follows:

IN THE EVENT THAT THE GRANTEE FAILS TO FULLY COMPLY WITH THE AFOREMENTIONED REQUIREMENT, THIS FRANCHISE SHALL BE DEEMED *IPSO FACTO* REVOKED.



Senator Poe noted that the concern of Senator Lacson was transparency and reporting, and she gave assurance that Smart has an independent auditor, and that the shareholders of PLDT can certainly look through all the records of Smart. She stated that her concern is the fact that the biggest asset that PLDT holds is Smart, and that they need to be a bit careful because PLDT is the widest-held stock in the country. More importantly, she stressed that Smart remains to be liable to the public and to its shareholders through PLDT. She opined that it is allowed because the same has been granted to NGCP with the same circumstance.

DIVISION OF THE HOUSE

At this point, the Chair called for a division of the House as it requested those in favor of the proposed Lacson amendment to raise their hands and, thereafter, requested those against it to do the same.

With six senators voting in favor, eight against and no abstention, the proposed amendment of Senator Lacson was lost.

MANIFESTATION OF SENATOR LACSON

Senator Lacson stated that he would also propose an amendment to raise the penalty from P500 per working day to P1 million per working day. He explained that he wanted it to be raised to P1 million per working day or P6.5 billion in 25 years.

SUSPENSION OF SESSION

Upon motion of Senator Poe, the session was suspended.

It was 5:30 p.m.

RESUMPTION OF SESSION

At 5:39 p.m., the session was resumed.

LACSON AMENDMENT

As proposed by Senator Lacson and accepted by the Sponsor, there being no objection, the Body approved the insertion on page 8, line 16, after the word "NONCOMPLIANCE," of the phrase THE EFFECTIVITY OF WHICH SHALL COMMENCE UPON APPLICABILITY WITH OTHER TELECOMMUNICATIONS FRANCHISE GRANTEES.

POE AMENDMENTS

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

1. On page 8 (a), line 21 (f), before the word "LIABILITIES," add the phrase VALID AND EXISTING;
2. Renumber the sections accordingly; and
3. On the title of the bill, after the word "ESTABLISH," delete the word INSTALL.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

Upon motion of Senator Sotto, there being no objection, the Body closed the period of individual amendments.

APPROVAL OF HOUSE BILL NO. 4637 ON SECOND READING

Submitted to a vote, there being no objection, House Bill No. 4637 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NO. 4637

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

ACKNOWLEDGMENT OF THE PRESENCE OF GUEST

At this juncture, Senator Sotto acknowledged the presence in the gallery of former Senator Victor Ziga.

Senate President Pimentel welcomed Senator Ziga to the Senate.

SPECIAL ORDERS

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of the following from the Calendar of Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 47 on House Bill No. 937;



2. Committee Report No. 48 on House Bill No. 4682;
3. Committee Report No. 49 on House Bill No. 938; and
4. Committee Report No. 50 on House Bill No. 4402.

BARANGAY BILLS

Upon motion of Senator Sotto, there being no objection, the following House bills were considered, on Second Reading, one after the other:

1. Committee Report No. 47 on House Bill No. 937, entitled

AN ACT DIVIDING BARANGAY NORTH BAY BOULEVARD SOUTH IN THE CITY OF NAVOTAS INTO THREE (3) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY NBBS PROPER, BARANGAY NBBS KAUNLARAN AND BARANGAY NBBS DAGAT-DAGATAN;

2. Committee Report No. 48 on House Bill No. 4682, entitled

AN ACT CREATING A BARANGAY TO BE KNOWN AS BARANGAY CUMAWAS IN THE CITY OF BISLIG, PROVINCE OF SURIGAO DEL SUR;

3. Committee Report No. 49 on House Bill No. 938, entitled

AN ACT DIVIDING BARANGAY TANGOS IN THE CITY OF NAVOTAS INTO TWO (2) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY TANGOS NORTH AND TANGOS SOUTH; and

4. Committee Report No. 50 on House Bill No. 4402, entitled

AN ACT DIVIDING BARANGAY TANZA IN THE CITY OF NAVOTAS INTO TWO (2) DISTINCT AND INDEPENDENT BARANGAYS TO BE KNOWN AS BARANGAY TANZA 1 AND BARANGAY TANZA 2.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Sotto, only the titles of the bills were read without prejudice to the insertion of their full text into the Record of the Senate.

Thereupon, the Chair recognized Senator Angara for the sponsorship.

OMNIBUS SPONSORSHIP SPEECH OF SENATOR ANGARA

With the consent of the Body, Senator Angara delivered an omnibus speech covering the four House bills, all creating new barangays in Bislig City, Surigao del Sur and Navotas City, Metro Manila.

Following is the full text of Senator Angara's speech:

As Chair of the Committee on Local Government, we rise to deliver this omnibus sponsorship speech of four bills — encompassed by Committee Report Nos. 47, 48, 49 and 50 — all creating new barangays in Bislig City, Surigao del Sur and in Navotas City, Metro Manila.

House Bill No. 4682 pertaining to the creation of Barangay Cumawas in Bislig City was filed in the House by Surigao del Sur 2nd District Rep. Johnny Ty Pimentel. In fact, this barangay already exists and was created on November 13, 1996, by a provincial ordinance separating Barangay Cumawas from its mother barangay, Mangagoy. This ordinance was prompted by a plebiscite held on September 1996.

Home to some 40,000 people today, Barangay Mangagoy covers the “downtown area” of Bislig City. And with these many people, Barangay Mangagoy is Bislig’s biggest barangay and is, in fact, one of the country’s largest, in terms of population. Cumawas is to the west of Mangagoy, and is home to around 3,500 people. The two barangays share a shore that faces Bislig Bay.

Section 285 of our Local Government Code, authored by the Presiding Officer’s father, stipulates that the financial requirements of any barangay created after the Code’s enactment must be borne by the corresponding city, municipality or province. Hence, for the past two decades, Barangay Cumawas was getting its funds out of the coffers of Bislig City and, at times, the provincial government of Surigao del Sur.

By passing this law creating Barangay Cumawas, we make it eligible to receive its own Internal Revenue Allotment (IRA) share, thereby empowering it to fulfill its mandate of providing services to its constituents.

With respect to Barangay North Bay Boulevard South, Barangay Tangos, and Barangay Tanza in Navotas City, *ganito rin po ang gusto nating gawin para sa mga barangay na ito.*

Ang mga panukalang ito ay napapaloob sa House Bill Nos. 937, 938 at 4802, ni Navotas Rep. Toby Tiangco.

Pinakamalaking barangay ng Navotas City ang North Bay Boulevard South (NBBS) na may populasyon na humigit kumulang 67,000. Ang panukala ay hahatiin ito sa tatlo — Barangay NBBS Proper, Barangay NBBS Kaunlaran at Barangay NBBS Dagat-Dagatan. Ang Barangay Tangos naman na may 33,000 ay hahatiin sa dalawa — Tangos North at Tangos South. Ganoon din po para sa Barangay Tanza, na may 26,000, para maging Tanza 1 at Tanza 2.

Ginagawa po natin ito alinsunod sa ating adhikain na mabigyan ang bawat LGU ng sapat at angkop na kapangyarihan at pondo para maghain ng serbisyo para sa kanilang mga constituents. Kasama po dito ang pagpapalakas po sa ating mga barangay.

Historical accounts say that the word “barangay” or “balangay” is one of the first native words the Spaniards learned on the shores of Limasawa. The word alternately refers to a “boat” and a “group of people ruled by a datu,” according to historian William Henry Scott. These two meanings call attention to two important characteristics of our country — that we are a cluster of islands, therefore, separate. Yet, we are close-knit by units, and it connotes a boat which indicates the travel we take to achieve connectivity among the island cultures. Hence, the essence of the barangay — being both travel vessel and solid collective — melds that of motion and stability, which, in essence, is good governance.

When fully empowered, barangays truly become governments for and by the Filipino people. That is what makes strengthening them an imperative that we should pursue today. In a decision penned in 2004, the Supreme Court said: “As the basic political unit, the barangay serves as the primary planning and implementing unit of government policies, projects and activities in the community. As conceptualized in the Local Government Code, the barangay is positioned to influence and direct the development of the entire country.”

Old trees are able to stand tall because their roots are strong and firmly planted. Our democracy can only flourish if its roots — the 42,028 barangays that comprise it — are themselves strong enough to hold everything else up. In passing these laws and creating new barangays, we merely focus on helping Bislig City and Navotas City progress.

COSPONSOR

Upon his request, Senator Zubiri was made cosponsor of House Bill Nos. 937, 4682, 938 and 4402.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NOS. 937, 4682, 938 AND 4402

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

SPECIAL ORDER

Upon motion of Senator Sotto, there being no objection, the Body approved the transfer of Committee Report No. 51 on Proposed Senate Resolution No. 320 from the Calendar for Ordinary Business to the Calendar for Special Orders.

COMMITTEE REPORT NO. 51 ON PROPOSED SENATE RESOLUTION NO. 320

Upon motion of Senator Sotto, there being no objection, the Body considered, on Second Reading, Proposed Senate Resolution No. 320 (Committee Report No. 51), entitled

RESOLUTION CONCURRING IN THE ACCESSION TO THE PARIS AGREEMENT.

Thereupon, the Chair recognized Senator Legarda, sponsor of the measure.

SPONSORSHIP SPEECH OF SENATOR LEGARDA

At the outset, Senator Legarda thanked Senator Cayetano, chair of the Senate Committee on Foreign Relations, for creating the Subcommittee on Foreign Relations. She then presented to the Body Proposed Senate Resolution No. 320, entitled “Resolution Concurring In The Accession To The Paris Agreement” prepared and submitted by the Committee on Foreign Relations per its Committee Report No. 51.

The full text of Senator Legarda’s sponsorship follows:

We may be vulnerable, but we are not incapable of action.

We have proven this many times – when we enacted the Climate Change Law, which is a model legislation for many countries; when we started climate-tagging our expenditures under the national budget; and when we led the Climate Vulnerable Forum (CVF) and spearheaded the creation of the Vulnerable Twenty group of Ministers of Finance or V20, which works to address climate change more assertively through innovative financing and technology, among many other initiatives.

In 2015, the sister initiatives of the CVF and the V20 led the successful push to enshrine the tougher warming limit of 1.5 degrees Celsius in the Paris Agreement, and today I laud President Rodrigo Duterte for recognizing the value of this landmark deal for vulnerable countries.

Our nation bears the brunt of climate change even if we are among those who contributed the least to the crisis—to be exact, one-third of one percent of greenhouse emissions.

The Paris Agreement is a vehicle towards achieving climate justice as it compels developed nations that have polluted the world and caused this climate crisis to finance the Green Climate Fund and provide developing and vulnerable nations like the Philippines needed support on capacity building and technology transfer for adaptation and mitigation efforts. This means that our vulnerability presents opportunities for green, sustainable and resilient growth.

The Philippines' ratification of the Agreement will send a strong signal of our continuing commitment to work with the rest of the world in ensuring the survival of this generation and the generations to come, and the ability of the Earth to sustain life.

As Party to the Agreement, we can influence the decisions on how the accord will be implemented and we maintain our leadership role in the international climate talks and advocacy.

It was not an easy journey during the Paris Agreement negotiations. But now we are a step away from fully ratifying the accord.

Even as we complete the process, we are already moving forward in our efforts to combat climate change impacts.

This morning, I opened the V20 Asia-Pacific Regional Meeting, which gathered finance ministers and senior officials from 15 developing economies across Asia and the Pacific at the Asian Development Bank (ADB) headquarters in Manila to discuss enhanced economic and financial responses to climate change.

We know if the V20 does not remain ahead of the curve, pulling the world along with us, we will have no chance of seeing our 1.5 vision realized, especially in the current geopolitical climate. We need not only survive but also thrive, and keeping within the 1.5 degrees Celsius global temperature limit is critical.

Pursuing a development path consistent with 1.5 degrees Celsius will not only protect our people and the environment, it will also spur economic growth.

We now enter a new era of development pursuits which challenges us to do more, to do better, and to be more innovative. Ratifying the Paris Agreement is a vital step towards dealing with climate risks and delivering our commitments for sustainable growth.

I therefore urge my colleagues to approve Proposed Senate Resolution No. 320, entitled "Resolution Concurring In The Accession To The Paris Agreement."

COSPONSORSHIP SPEECH OF SENATOR CAYETANO

Upon motion of Senator Legarda, there being no objection, the Body approved the insertion of the cosponsorship speech of Senator Cayetano.

Following is the full text of Senator Cayetano's speech:

"For whatever a man soweth, that shall he also reap."

- Galatians 6:7 (KJV)

This biblical principle tells us that the more we prepare, the more we are able to cope with everything that comes our way. In the wake of climate change, today may be the worst of times, but today is also the best of times. Today is the best time to prepare our nation against calamities and disasters. Today is the best time to prepare the seeds of preparedness. Today is the best time for us to be better stewards of God's creation.

As chairperson of your Committee on Foreign Relations, I have the honor to sponsor the Senate's concurrence in the ratification of the Paris Agreement on Climate Change endorsed by President Rodrigo Roa Duterte to the Senate on 28 February 2017.

The Agreement was signed by the Philippines, and 196 other Parties to the United Nations

Framework Convention on Climate Change (UNFCCC), at the United Nations Headquarters in New York on 22 April 2016. Its main objective is to strengthen the global response to the threat of climate change by pursuing efforts to limit the global average temperature to 1.5 degrees Celsius above pre-industrial levels. This very important clause was the result of the efforts of the Philippines' own advocates who heavily campaigned, together with other developing, middle-economy and small island states, for the lower temperature cap as early as the 20th Conference of Parties (COP20) in Lima, Peru, all the way to its adoption as a provision of the Paris Agreement during the COP21 in Paris, France.

The Global Climate Risk Index 2015 Report released by *Germanwatch* listed the Philippines as the number one country most affected by climate change in 2013. The report notes that the Philippines ranked high not only because it was heavily hit by an exceptional catastrophe in the form of Typhoon *Haiyan* (local name: *Yolanda*), but also because it happens to be continuously affected by extreme events. More recent reports continue to list the Philippines in the long-term climate risk index of top ten (10) countries most affected over the past two decades.

The Environmental Vulnerability Index (EVI), which uses 50 indicators to characterize the relative severity of various types of environmental issues, also lists the Philippines among the most vulnerable countries. Manila, the country's capital, has been separately ranked by the Climate Change Vulnerability Index (CCVI) as the most vulnerable of the world's 20 high growth cities.

These rankings are validated by experience on the ground. Over the last ten (10) years, our country has been affected by extreme weather conditions. Typhoons *Ondoy*, *Pepeng*, *Sendong*, *Pablo*, and *Yolanda* altogether have claimed the lives of at least 10,000 people and caused economic damage and losses amounting to billions of pesos. Other than typhoons, the Philippines has also been affected by numerous instances of heavy rains, strong winds, earthquakes, dry spells, floods and landslides. Indeed, climate change is a phenomenon that affects the entire Philippine population.

The Paris Agreement aims to help us prepare for climate change and to mitigate its effects. It provides that developed countries shall continue their obligations under the UNFCCC to provide financial assistance to developing countries with respect to both climate change mitigation and adaptation, recognizing the "common but

differentiated responsibilities" and the respective capabilities in their own backyards.

In the case of the Philippines, notwithstanding that our greenhouse gas emissions is only at 0.34% of the world total, we have pledged to undertake a conditional reduction of about 70% by 2030 relative to our business-as-usual scenario. This undertaking is conditioned on the extent of financial resources, including technology development and transfer, and capacity building that will be made available to the Philippines. The Paris Agreement allows us to re-adjust this target, if necessary.

It is in our best interest to ratify the Paris Agreement. It can help the Philippines obtain climate justice, as it is the first international agreement that requires developed countries that are responsible for the bulk of carbon emissions to do more and to undertake economy-wide absolute emission targets (commitments), while supporting the actions taken by developing nations, such as the Philippines, to enhance their mitigation efforts (contributions).

Our concurrence in the ratification of the Paris Agreement will enable the Philippines to tap the 100-billion US dollars yearly being mobilized for climate finance by developed countries. This fund is distributed in the form of grants and can be utilized for the country's climate change mitigation and adaptation efforts, in the form of early warning systems, emergency preparedness, research and development, risk assessment and management, support to resilience of communities, among others. In addition, the Philippines can take advantage of technical assistance and technology transfers privileges from developed countries to further promote our sustainable development efforts.

The Executive department has favorably endorsed the Paris Agreement to the Senate. We are now being asked to exercise the privilege and duty of issuing our legislative imprimatur to this Executive act. President Duterte has stressed that the 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 industrial development, the eradication of poverty and provision of basic needs, and securing social and climate justice and energy security for all its citizens."

With your support to the ratification of the Paris Agreement, the Philippines can further its efforts to mitigate the effects of climate change, to enable economic development to proceed in a sustainable manner, and for us to fulfill our obligations as stewards of God's creation.



SENATOR ZUBIRI AS COAUTHOR AND COSPONSOR

Senator Zubiri thanked Senator Legarda for her dedication to her work and for her passion that has never waned.

He then requested that he be made cosponsor and coauthor of the proposed measure.

Expressing her gratitude for the kind words and support of Senator Zubiri, Senator Legarda said that she would make him a cosponsor and coauthor of the proposed resolution.

Senator Legarda disclosed that Senators Villar and Binay also manifested their desire to be cosponsors of the measure and requested that their cosponsorship speeches be inserted into the record.

INSERTION OF SPEECHES INTO THE RECORD

Upon motion of Senator Sotto, there being no objection, the Body approved the insertion of the cosponsorship speeches of Senators Villar and Binay on Proposed Senate Resolution No. 320 into the Record of the Senate once submitted.

PERIOD OF INTERPELLATIONS

Upon motion of Senator Sotto, there being no objection, the Body opened the period of interpellations on Proposed Senate Resolution No. 320.

Thereupon, the Chair recognized Senator Drilon for his interpellation.

REQUEST OF SENATOR DRILON

Senator Drilon noted that the Members of the Body have not read the treaty which has wide-ranging effects. He then requested to be given the opportunity to study the treaty over the weekend to better understand it. He also requested that deliberations be rescheduled to Monday.

Senate President Pimentel replied that each senator has already been furnished with a copy of the treaty. However, he noted the request to give time to the senators to study the treaty.

SUSPENSION OF SESSION

Upon motion of Senator Legarda, the session was suspended.

It was 6:03 p.m.

RESUMPTION OF SESSION

At 6:29 p.m., the session was resumed.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no other interpellation, upon motion of Senator Sotto, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

TERMINATION OF THE PERIOD OF COMMITTEE AMENDMENTS

There being no committee amendment, upon motion of Senator Sotto, there being no objection, the Body closed the period of committee amendments and proceeded to the period of individual amendments.

LEGARDA AMENDMENT

As proposed by Senator Legarda, there being no objection, the Body approved, subject to style, to reword the last "whereas" clause, to wit:

WHEREAS, THE FOLLOWING GOVERNMENT AGENCIES AND INSTRUMENTALITIES WITH THE RESPECTIVE POSITIONS ENDORSED THE CONCURRENCE TO THE ACCESSION OF THE AGREEMENT.

PIMENTEL AMENDMENT

As proposed by Senate President Pimentel, there being no objection, the Body approved the following amendments, one after the other:

1. On the first "Whereas" clause, change the number "7" to Roman numeral VII; and
2. On the eighth "Whereas" clause, subparagraph two, capitalize the letter "e" in the word ENVIRONMENT.

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 PROPOSED SENATE RESOLUTION NO. 320 ON SECOND READING

Submitted to a vote, there being no objection, Proposed Senate Resolution No. 320 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF PROPOSED SENATE RESOLUTION NO. 320

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

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 6:32 p.m.

RESUMPTION OF SESSION

At 6:36 p.m., the session was resumed.

COMMITTEE REPORT NO. 35 ON SENATE BILL NO. 209

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 209 (Committee Report No. 35), entitled

AN ACT DECLARING THE TWENTY-FIFTH DAY OF AUGUST OF EVERY YEAR AS THE NATIONAL TECH-VOC DAY.

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

Thereupon, the Chair recognized Senator Villanueva, sponsor of the measure.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no interpellation, upon motion of

Senator Sotto, there being no objection, the Body closed the period of interpellations and proceeded to the period of amendments.

TERMINATION OF THE PERIOD OF AMENDMENTS

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

APPROVAL OF SENATE BILL NO. 209 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 209 was approved on Second Reading.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 209

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

COMMITTEE REPORT NO. 8 ON SENATE BILL NO. 1233

(Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1233 (Committee Report No. 8), entitled

AN ACT CREATING THE COCONUT FARMERS AND INDUSTRY TRUST FUND, PROVIDING FOR ITS MANAGEMENT AND UTILIZATION, AND FOR OTHER PURPOSES.

Senator Sotto stated that the status was the period of interpellations. He also manifested for the record that Senator Villar, chairperson of the Committee on Agriculture and Food, has yielded to Senator Pangilinan to continue the task of sponsoring Senate Bill No. 1233.

Thereupon, the Chair recognized Senator Pangilinan, sponsor of the measure, and Senator Sotto for his interpellations.

INTERPELLATION OF SENATOR SOTTO

Prefatorily, Senator Sotto asked how much of

P.S.

the estimated value of the coconut levy assets was deposited in the Bureau of Treasury. Senator Pangilinan stated that the estimated cash and assets was P100 billion, P76 billion of which is in cash, and the balance in assets including oil mills and other bank ownerships.

Asked how many coconut farmers would benefit from the measure, Senator Pangilinan said that there would be 3.5 million coconut farmer-beneficiaries. He informed the Body that before the new administration came into office, the initial approach of the proposed development plan was to promote coconut enterprise development, that is, to move away from the norm of subsistence farming in order for coconut farmers to build their capacities and graduate into coconut farm enterprise development.

Asked who shall identify coconut farmer-beneficiaries, Senator Pangilinan said that the primary agency that will deal with the coconut industry is the Philippine Coconut Authority which is in the process of putting together and completing the coconut farmer registry which, when completed, would be the basis for the determination of beneficiaries.

At this juncture, the Senate President relinquished the Chair to Senator Villanueva.

On whether the recorded holders of coco levy fund receipts would be included as beneficiaries, Senator Pangilinan explained that in view of the Supreme Court ruling that the coco levy fund is a tax and, as such, it is in the nature of a public fund, it can no longer be given to private individuals, but must be utilized for the benefit of coconut farmers by way of programs/projects and the development of the coconut industry.

Asked for an update of the June 30, 2015 Temporary Restraining Order (TRO) issued by the Supreme Court against the implementation of Executive Order Nos. 179 and 180, Senator Pangilinan stated that the TRO is still in effect.

As to what measures would be taken to lift the said TRO relative to the eventual implementation of the measure, Senator Pangilinan averred that since what was questioned were the two EO's issued by President Aquino, the TRO was directed towards their validity, and based on the rulings of the Supreme Court in a number of cases involving the coco levy fund, his position is that the passage of the bill would put to rest the issue of the coco levy fund disbursement.

As regards the specific safeguards that could guarantee the utilization of the coco levy fund and its assets as well as the protection of the coconut industry, Senator Pangilinan said that the prominent safeguard was the use of interest income only which would generate an annual revenue of about P3 billion to P4 billion instead of allowing the government to utilize the entire fund of P75 billion, plus P25 billion in assets. He said that restricting the use of fund is, in effect, creating a perpetual fund and the programs for the benefit of coconut farmers would be continuous.

On Section 5 regarding the commencement of reconveyance of coconut levy assets, Senator Sotto noted that there was no specific mention of the maximum duration for such reconveyance to be done. He pointed out that for the effective implementation of the Act, a timely reconveyance of the coco levy assets should be made. Senator Pangilinan explained that as discussed during consultation meetings, the reason for not putting a timetable was that some of the assets are in dispute and still pending before the courts; as regards undisputed assets, the timetable applies immediately. He said that he would be amenable, during the period of amendments, to provide a timetable or deadline for assets which are no longer pending before the courts.

Asked if he could foresee an instance that the trust fund income, which would be used to fund the programs and projects of the Coconut Farmers and Industry Development Fund, would not earn any income, Senator Pangilinan assured that government bonds and treasury bills would earn income.

Asked how the programs and projects identified in the proposed development plan would be implemented in case the trust fund is insufficient, Senator Pangilinan said that there was a proposal, which would be considered during the period of committee amendments, that a portion of the principal would be allocated for the first two years. He also recalled another proposal to make the allocation more than 10% considering that the bill provides that 10% of the principal could be utilized for start-up in order to have a greater impact. He said that he would look at a possible increase in the amount of funding in the onset so that there would be no problem in crafting the development plan. Once approved, he said that it would be geared towards a gradual and limited use of interest income.

Asked if there are positions to be created within the Bureau of Treasury as depository of the trust

fund, Senator Pangilinan replied in the negative. He said that since the Bureau of Treasury is already doing investments and fund releases with other agencies, it means that it already has the bureaucracy in place to perform that function.

Asked why the CHED was included in the *ad hoc* committee, Senator Pangilinan explained that the intent is 1) to get on board state universities with expertise in agriculture to ensure that there is enough research and training; and 2) to provide scholarships for the children of coconut farmers including in tech-voc courses.

Senator Sotto lauded the endeavor considering the shortage of farmers whose current profile is around 56-57 years old, contrary to the previous age range of 26 to 27 years old. Senator Pangilinan lamented that most of the youth are no longer interested in tilling the soil. However, he believed that they would be enticed again to go into farming if, instead of subsistence farming, they are capacitated to go into farm enterprise management and development.

Asked why the DOF is not a member of the *ad hoc* committee considering that the Secretary of Finance is chair the Coconut Farmers and Industry Trust Fund, Senator Pangilinan stated that based on the proposed measure, the DOF is a member of the Trust Fund Committee but not of the *ad hoc* committee which is tasked to put together the Coconut Industry Development Plan.

As regards the qualifications of the representatives of the coconut farmers sector in the *ad hoc* committee, Senator Pangilinan stated that they should have a proven track record as coconut farmers and they must have the knowledge of the industry to be able to contribute in the crafting of the development plan.

On whether the representative of the coconut farmers sector in the *ad hoc* committee could be a member of the main committee, Senator Pangilinan replied that it is possible, saying that personally, if he were to decide, he would rather have a different set of representatives in the committee and in the *ad hoc* committee so that there would be greater participation from their sector.

Asked if specific programs for social protection which directly benefit the coconut farmers and their

families have been identified for inclusion in the Coconut Farmers and Industry Development Plan, Senator Pangilinan stated that one social protection program is the scholarship, as well as training for capacity building and a pending proposal for insurance. He said that the intent was to give the trust fund committee and the *ad hoc* committee the leeway to determine and propose what social protection programs would be effective.

On the reason why the Coconut Farmers and Industry Trust Committee was instituted as a committee and not as an office, commission, bureau or council, Senator Pangilinan said that it is because the Committee wanted to avoid criticism and the impression of creating another bureaucracy. He said that an office of the executive director would be created under the Office of the President and that the committee was envisioned to be as small as an oversight committee which would have 15 to 20 people at the most.

On whether the measure would affect the powers and functions of the Philippine Coconut Authority, Senator Pangilinan replied that he was willing to look at some proposals to have an organizational setup that would give the PCA a greater say. He said that, by and large, PCA would focus on its mandate, adding that the PCA would actually be critical in helping execute and implement the program.

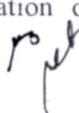
Asked whether there are laws that the bill would seek to repeal or amend, Senator Pangilinan mentioned Presidential Decree No. 1234, which empowers the PCA to utilize the coco levy fund, as well as portions of the PCA Charter which provide the use of its fund. He said that portions of these two presidential decrees would be amended primarily on the use and disbursements of the coco levy fund.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no further interpellation, upon motion of Senator Sotto, there being no objection, the Body closed the period of interpellations.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1233

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



**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 PURPOSE 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 interpellations.

Thereupon, the Chair recognized Senator Hontiveros, sponsor of the measure.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no interpellation, upon motion of Senator Sotto, there being no objection, the Body closed the period of interpellations.

SUSPENSION OF CONSIDERATION OF SENATE BILL NO. 1354

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

BILLS AND RESOLUTIONS AS INTEGRAL PART OF COMMITTEE REPORT NO. 18

Upon motion of Senator Sotto, there being no objection, the Body approved the inclusion of Senate Bill Nos. 1274, 1275, 868, 1285, 1310, 1128 and 221 as well as Proposed Senate Resolution Nos. 70 and 126 as integral parts of Committee Report No. 18.

COMMITTEE REFERRAL

Upon motion of Senator Sotto, there being no

objection, the Body approved the referral of Senate Bill No. 1374 to the Committee on Rules.

COMMITTEE MEMBERSHIP

Upon nomination by Senator Sotto, there being no objection, the following senators were elected to the Committee on Social Justice, Welfare and Rural Development:

Chairperson : Binay

Vice Chairperson : Villar

Members:

Zubiri	Trillanes
Ejercito	De Lima
Gatchalian	

**SENATE BILL NO. 1374
AS PART OF COMMITTEE REPORT NO. 18**

Upon motion of Senator Sotto, there being no objection, the Body approved the inclusion of Senate Bill No. 1374 into Committee Report No. 18 of the Committee on Justice and Human Rights.

CHANGE OF REFERRAL

Acting on the request of Senator Gatchalian, upon motion of Senator Sotto, there being no objection, the Body approved the transfer of the primary referral of Senate Bill No. 1371 from the Committee of Public Services to the Committee on Energy, with the Committees on Public Services, Ways and Means and Finance as the secondary committees.

PROPOSED SENATE RESOLUTION NO. 321

Upon motion of Senator Sotto, there being no objection, the Body considered Proposed Senate Resolution No. 321, entitled

RESOLUTION EXPRESSING THE PROFOUND SYMPATHY AND SINCERE CONDOLENCE OF THE SENATE OF THE PHILIPPINES ON THE DEATH OF DR. DREYFUSS PERLAS, A HUMANITARIAN DOCTOR.

Pursuant to Section 67, Rule XXII of the Rules of the Senate, with the permission of the Body, upon

motion of Senator Sotto, only the title of the resolution was read without prejudice to the insertion of its full text into the Record of the Senate.

SPONSORSHIP SPEECH OF SENATOR GORDON

At the outset, Senator Gordon informed the Body that the resolution was an expression of sympathy on the death of Dr. Dreyfuss Perlas, who was gunned down by an unknown assailant in Barangay Maranding, Kapatagan in Lanao del Norte last March 1, 2017.

Senator Gordon said that Dr. Perlas, who was raised by humble and hardworking parents, was a scholar and graduate from the UP Los Baños and the University of Western Visayas in Iloilo; he was a hardworking physician who served in the Doctors to the Barrio project of the Department of Health, and whose assignment was in Sapad, Lanao Del Norte, where he was known for traveling alone to remote villages to conduct medical checkups and deliver other medical services. He disclosed that the good doctor opted to remain in Sapad even after his tour has ended.

In a country where six out of ten Filipinos die without having seen a doctor, Senator Gordon lauded Dr. Perlas for going to the barrios to minister to his countrymen who could not afford medical services, often times utilizing his own money to ensure that destitute patients could buy the prescribed medication or avail of ambulance services.

Senator Gordon also recalled that Dr. Perlas served with Red Cross volunteers during the Zamboanga siege, exposing himself, along with the others, in the line of fire.

He informed the Body that he had expressed the sympathies of the Senate to the late physician's mother and informed her that there have been several proposals for the Senate to conduct an investigation into his death. He acknowledged that such words were of little comfort to a grieving family that had high hopes for the young man whose life was abruptly snuffed out while staying in the community where he was serving.

Senator Gordon said that the Senate was joining the Perlas family and the whole nation in their moment of bereavement over the untimely and violent demise of an extraordinary doctor, whose Christ-like

dedication to the Hippocratic oath and to the people he served ought to be an inspiration for others in the medical field.

However, he asked his colleagues to not only think of the agony or the dreams lost because of Perlas' passing but also to let the bereaved family feel and be honored with a resolution of condolences by the highest legislative body of the country.

He also called on the government and the authorities, especially the police force and judicial branch, to immediately take action and unceasingly pursue the malefactors of the crime until they are all captured so that justice is served in the death of Dr. Perlas.

Having received word that one of the perpetrators of the crime had been shot and killed, Senator Gordon said that he did not approve of such a killing because he would rather have the malefactor go to trial so that the whole country would see that the judicial system is at work. He also urged his colleagues to pass the resolution unanimously so that it could be sent to the Philippine National Police as an indication of the urgency of the need to solve the case of Dr. Perlas.

In light of the increase in the trend in criminal-related cases, Senator Gordon said that he is trying to push remedial legislation to address the issue of extrajudicial killings, particularly proposals that would bring motorcycle riding-in-tandem killers to justice. He stressed the need for the Senate to show that it is not crippled or unable to react to the spate of extrajudicial killings that has astounded the country for five decades.

In closing, he asked the Senate to express its profound sympathy and sincere condolences to the parents of Dr. Perlas, a selfless doctor who would have had a great future had he been allowed to do so and who proved his idealism, not just by words but by deeds and proving to his last breath that his death was not a worthless sacrifice.

Senator Gordon said that he tried to be of strong heart, but when such things happens, it reminds everyone of one's frailty and duty to fellowmen.

Senator Gordon hoped that the sacrifice was made worthy and not wasted and that it would not add to people's apathy, indifference and the feeling



of being mere spectators. He also hoped to seek justice for those who cannot defend themselves anymore and to find the sympathy and the condolences required to console the parents of a great, young man that they raised with great difficulty and sacrifice.

Senator Gordon requested the Senate to write the necessary documentation and to submit the same to the family that day.

MANIFESTATION OF SENATOR DRILON

Senator Drilon, in behalf of the Minority, stated they were associating themselves with the proposed resolution, for indeed Dr. Dreyfuss Perlas was someone people can look up to in terms of service he rendered to the people, particularly in the medical profession, and having joined the Doctors to the Barrio Program where his dedication and deep commitment to help and improve the lives of people was shown.

MANIFESTATION OF SENATOR HONTIVEROS

Senator Hontiveros likewise supported the proposed resolution and agreed with the statements of Senator Drilon. She recalled having met Dr. Perlas at his Doctors to the Barrio's graduation at the Development Academy of the Philippines in 2014. She also mentioned that he came from the same island as she and Senator Drilon.

Relative thereto, Senator Hontiveros said that she has filed Proposed Senate Resolution No. 310 which seeks an immediate resolution of the case, and proposes greater and better protection in the field of public health providers.

MANIFESTATION OF SENATOR VILLANUEVA

Senator Villanueva also associated himself with the sentiments of Senator Gordon.

MANIFESTATION OF SENATOR GORDON

Senator Gordon thanked the Body for their support for the resolution. He said that he would also file a resolution to allow the government to provide life insurance for all Doctors to the Barrio so that they can do their services well without worrying about the loved ones they leave behind.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 321

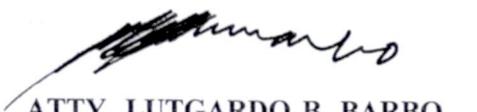
Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 321 was adopted by the Body, subject to style.

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 Monday, March 13, 2017.

It was 7:25 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. LUTGARDO B. BARBO

one Secretary of the Senate

Approved on March 13, 2017