

1 WHEREAS, in a separate news article on 27 March 2014, Inquirer.net said that in
2 Laguna, ousted Governor ER Ejercito stubbornly stayed inside the provincial capitol, surrounded
3 by throngs of supporters, when the Commission on Elections ordered that he be removed from
4 office due to overspending;

5 WHEREAS, an article by Rappler.com on 19 December 2013, meanwhile, detailed how
6 Cebu Governor Gwen Garcia refused to leave the provincial capitol even when Malacañang
7 suspended her for alleged grave abuse of authority;

8 WHEREAS, in the cases mentioned, the officials facing suspension or removal from
9 office contested the orders issued against them and, while planting their feet firmly on their
10 offices, decried what they called violations of their right to due process;

11 WHEREAS, it is contradictory for elective officials facing suspension or removal from
12 office to insist on due process yet, by blocking the service of relevant orders, refuse to respect
13 the same;

14 WHEREAS, while elective officials are entitled to relief, in the form of temporary
15 restraining orders or injunctions, they must seek such in the proper venue and, pending such
16 relief, humbly step down from office;

17 WHEREAS, the deplorable practice of preventing the service of suspension or removal
18 orders through mass action inevitably erodes the punitive power of government against erring
19 officials;

20 WHEREAS, Congress must protect the integrity of institutions implementing suspension
21 or removal orders in the discharge of their mandate to ensure accountability in the public service;

22 WHEREAS, the right to assemble is enshrined in the Constitution, but the government
23 must ensure that public officials are not wrongfully using public funds to support or finance
24 disruptive protests to their favor;

1 WHEREFORE, BE IT HEREBY RESOLVED BY THE PHILIPPINE SENATE to direct
2 the proper Senate committee to conduct an inquiry, in aid of legislation, on elected officials'
3 alarming practice barricading office buildings to prevent the service of their suspension or
4 removal orders.

Adopted,


MIRIAM DEFENSOR SANTIAGO
7P

/kmp