

**SENATE**  
**P.S. No. 210**

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*Introduced by Senator Magsaysay, Jr.*

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**RESOLUTIONS**

**URGING ALL DEPARTMENTS, OFFICES AND AGENCIES OF THE PHILIPPINE GOVERNMENT TO EARNESTLY, FULLY AND IMMEDIATELY IMPLEMENT THE CONSTITUTIONAL PROVISION AND ALL LAWS RELEVANT TO CITIZENS' ACCESS TO INFORMATION IN CURBING GRAFT AND CORRUPTION**

*Whereas*, in the 1987 Philippine Constitution is enshrined the hallmark that, “[t]he right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents, and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law” (Art. III, Sec. 7);

*Whereas*, jurisprudence and opinions rendered by eminent jurists postulated that the significance of the said provision is that it affords the citizen “the right to know what is going on in the country and in his government so he can express his views thereon knowledgeably and intelligently and that allows him to question the extravagance of the government based on examination of official vouchers and similar documents” (from Constitutional Law by Justice Isagani Cruz);

*Whereas*, the said provision promotes the establishment of a widely-informed citizenry and affords security to the citizens in exposing anomalies especially so if those responsible for it validly prevent them from investigating their activities and on one hand, “in the interest of truth and fairness, the citizens are cautioned not to guess only at what is being done by public functionaries and to base his views and conclusions on mere rumors, half-truths, conjectures and even canards”;

*Whereas*, despite the Philippines having one of the most comprehensive laws and policies aimed at addressing graft and corruption, it is ranked as the second most corrupt country in Asia by foreign businessmen in a survey conducted by the Hongkong-based Political and Economic Risk Consultancy Ltd. (PERC);

*Whereas*, the enforcement of the following laws and policies to address graft and corruption should be accorded primordial attention:

- Republic Act 6713 (Code of Conduct and Ethical Standards for Public Officials) ordains “public officials and employees shall extend prompt, courteous, and adequate service to the public. Unless otherwise provided by law or when required by the public interest, public officials and employees shall provide information on their policies and procedures in clear and understandable language, ensure openness of information public consultations and hearings whenever appropriate, encourage suggestions,

simplify and systematize policy, rules and procedures, avoid red tape and develop an understanding prevailing in the country”.

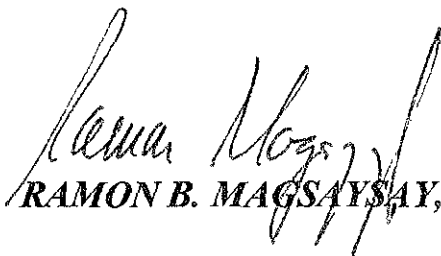
- RA 6713 also provides that “[a]ll public documents must be made accessible to, and readily available for inspection by, the public within reasonable working hours.”
- RA 8150 mandates that “[a]ll contracts for public works projects amounting to Ten million pesos (P10,000,000.00) and above entered into pursuant to this Act (referring to Public Works Act) shall be published in a newspaper of general circulation and that such publication shall contain the subject matter of the contract, including the persons authorized by the government to give consent in its behalf; the type of materials to be used; the contract time; the bidders, if public bidding is undertaken before granting the contract; and other terms of the contract and that a copy thereof shall be posted in a public place in the province, city or municipality where the project will be implemented”.
- RA 6954 orders that “[a]ll Department of Public Works and Highways projects and other government infrastructure projects shall be photographed before commencement, during significant stages of phases of implementation, and after completion thereof.”
- RA 9184 or the E-Procurement Law directs that “[I]n all stages of the preparation of the bidding documents, the procuring entity shall ensure equal access to information and that prior to their official release, no aspect of the bidding documents shall be divulged or released to any prospective bidder or person having direct or indirect interest in the project to be procured.”
- The Supreme Court for its part has an administrative circular adopting a disclosure policy (AO 02-2002)

*Whereas*, it has been observed that some unscrupulous officials and possibly a ‘mafia’ composed of some high officials and employees in the government have been committing serious breaches of the transparency policy purportedly to muddle transactions and perpetuate the culture of corruption pervading the bureaucracy;

*Whereas*, now is the time for all departments, offices and agencies of the Philippine government to earnestly allow the citizens access to public records and by information promote the transparency and disclosure policies of the government: **Now therefore be it**

RESOLVED, AS IT IS HEREBY RESOLVED, To Urge all departments, offices and agencies of the Philippine government to earnestly, fully and immediately implement the constitutional provision and all laws relevant to citizens’ access to information in curbing graft and corruption.

Adopted,

  
**RAMON B. MAGSAYSAY, JR.**