

REPUBLIC OF THE PHILIPPINES

S e n a t e

Pasay City

Journal

SESSION NO. 4

Monday, August 2, 2004

**THIRTEENTH CONGRESS
FIRST REGULAR SESSION**

SESSION NO. 4
Monday, August 2, 2004

CALL TO ORDER

At 3:32 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Rodolfo G. Biazon led the prayer, to wit:

Holy God, the ruler of the universe, we acknowledge Your majesty and omnipotence. We find comfort in the reality that You are in complete control of the destiny of men and nations. We thank You that due to Your unfailing love, we continue to enjoy Your heavenly blessings, even if we continue with our human frailties and inequities.

Last week, You allowed the start of the legislative work with less difficulty and strife. Thank You for the patience of our citizens. Thank You that You have endowed our President with the wisdom to eloquently describe the state of our nation and her concept of addressing it. Thank You that You enabled the initial organization of this Chamber by ensuring that the best will run the affairs of the Senate. Thank You that we are now prepared to perform the tasks You have mandated, through our people, in this 13th Congress.

Lord, we implore Your divine guidance as we face the challenges of a nation in great need. Grant us Your forbearance to assiduously consider the urgency of putting this nation in motion and give our people hope.

Endow us with a spirit of unity in all our endeavors keeping in mind always the welfare of the nation and our people. Allow Your love to flow into all our deliberations such that a sense of sacrifice

will always guide and motivate our intentions.

Most of all dear Lord, let Your will be done.

Amen.

NATIONAL ANTHEM

The Coro de la Reina Church Choir led the singing of the national anthem and thereafter, rendered the song entitled *Isang Dugo, Isang Lahi, Isang Musika*.

ROLL CALL

Upon direction of the Chair, the Secretary of the Senate, Oscar G. Yabes, called the roll, to which the following senators responded:

Angara, E. J.	Lacson, P. M.
Arroyo, J. P.	Lapid, M. L. M.
Biazon, R. G.	Lim, A. S.
Cayetano, C. P. S.	Madrigal, M. A.
Defensor Santiago, M.	Osmena III, S. R.
Drilon, F. M.	Pangilinan, F. N.
Ejercito Estrada, J.	Pimentel Jr., A. Q.
Ejercito Estrada, L. L. P.	Recto, R. G.
Enrile, J. P.	Revilla Jr., R. B.
Flavier, J. M.	Roxas, M.
Gordon, R. J.	Villar Jr., M. B.

With 22 senators present, the Chair declared the presence of a quorum.

Senator Magsaysay was absent.

**DEFERMENT OF APPROVAL
OF THE JOURNAL**

At the instance of Senator Arroyo, upon motion of Senator Pangilinan, there being no objection, the Body deferred the consideration and approval of the Journal of Session No. 3.

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. 201, entitled

**AN ACT DEFINING WHO ARE
INSTITUTIONALIZED PERSONS
AND PENALIZING THEIR
MALTREATMENT**

Introduced by Senator Luisa "Loi" P.
Ejercito Estrada

**To the Committee on Social Justice,
Welfare and Rural Development**

Senate Bill No. 202, entitled

**AN ACT INSTITUTING POLICIES
GOVERNING THE HOUSEHOLD
EMPLOYMENT INDUSTRY,
ESTABLISHING A STANDARD OF
PROTECTION AND PROMOTING
THE WELFARE OF HOUSEHOLD
HELPERS AND THEIR FAMILIES**

Introduced by Senator Luisa "Loi" P.
Ejercito Estrada

**To the Committee on Labor, Employment
and Human Resources Development**

Senate Bill No. 203, entitled

**AN ACT ESTABLISHING THE OFFICE
OF RESEARCH ON WOMEN'S
HEALTH**

Introduced by Senator Luisa "Loi" P.
Ejercito Estrada

**To the Committees on Health and
Demography; Youth, Women and Family
Relations; and Finance**

Senate Bill No. 204, entitled

**AN ACT TO COMBAT ABUSE AND
ENHANCE PENALTIES FOR
CRIMES AGAINST SENIORS**

Introduced by Senator Luisa "Loi" P.
Ejercito Estrada

**To the Committees on Justice and
Human Rights; and Public Order and Illegal
Drugs**

Senate Bill No. 205, entitled

**AN ACT PRESCRIBING STRICTER
PENALTIES ON THE CRIME OF
DELIVERING PRISONERS FROM
JAIL AND INFIDELITY IN THE
CUSTODY OF PRISONERS,
AMENDING FOR THE PURPOSE
ARTICLES 156, 223 AND 224 OF
REPUBLIC ACT NO. 3815, AS
AMENDED, OTHERWISE KNOWN
AS THE REVISED PENAL CODE,
AND FOR OTHER PURPOSES**

Introduced by Senator Luisa "Loi" P.
Ejercito Estrada

**To the Committees on Justice and
Human Rights; and Constitutional
Amendments, Revision of Codes and Laws**

Senate Bill No. 206, entitled

**AN ACT AMENDING CERTAIN
SECTIONS OF REPUBLIC ACT
NUMBERED 6657, OTHERWISE
KNOWN AS "THE COMPRE-
HENSIVE AGRARIAN REFORM
LAW OF 1988", AS AMENDED
AND FOR OTHER PURPOSES**

Introduced by Senator Serge Osmeña

To the Committee on Agrarian Reform

Senate Bill No. 207, entitled

AN ACT TO REORGANIZE THE NATIONAL FOOD AUTHORITY, SEPARATING ITS REGULATORY FROM ITS PROPRIETARY FUNCTIONS, CREATING THE NATIONAL GRAIN COUNCIL, AND THE NATIONAL GRAIN AND SUGAR CORPORATION AND DEFINING THEIR POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Government Corporations and Public Enterprises; Agriculture and Food; and Finance

Senate Bill No. 208, entitled

AN ACT PROVIDING FOR THE RECOVERY OF FINANCIALLY DISTRESSED ENTERPRISES AND THE RESOLUTION OF THEIR INDEBTEDNESS

Introduced by Senator Serge Osmeña

To the Committees on Banks, Financial Institutions and Currencies; and Ways and Means

Senate Bill No. 209, entitled

AN ACT PROVIDING FOR CORPORATE ACCOUNTABILITY, FIXING THE PENALTIES FOR ANY VIOLATION THEREOF, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Banks, Financial Institutions and Currencies; and Finance

Senate Bill No. 210, entitled

AN ACT CREATING THE FAIR TRADE COMMISSION, PRESCRIBING ITS POWERS AND FUNCTIONS IN REGULATING TRADE COMPETITION AND MONOPOLIES AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Trade and Commerce; and Economic Affairs

Senate Bill No. 211, entitled

REVISED INVESTMENT COMPANY ACT

Introduced by Senator Serge Osmeña

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

Senate Bill No. 212, entitled

AN ACT AMENDING REPUBLIC ACT NUMBERED EIGHT THOUSAND SEVEN HUNDRED NINETY-NINE, OTHERWISE KNOWN AS "THE SECURITIES REGULATION CODE", AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

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

Senate Bill No. 213, entitled

AN ACT MODIFYING THE DEFINITION OF A CONDOMINIUM UNIT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 4726, OTHERWISE KNOWN AS THE CONDOMINIUM LAW,

A

TO APPLY TO INDUSTRIAL
ESTATES AND FOR OTHER
PURPOSES

Introduced by Senator Serge Osmeña

**To the Committee on Urban Planning,
Housing and Resettlement**

Senate Bill No. 214, entitled

AN ACT AUTHORIZING THE
ESTABLISHMENT OF A
PHILIPPINE BUSINESS REGISTRY
DATABANK

Introduced by Senator Serge Osmeña

**To the Committees on Trade and
Commerce; Local Government; and Finance**

Senate Bill No. 215, entitled

AN ACT STRENGTHENING
COOPERATIVES, AMENDING
FOR THE PURPOSE REPUBLIC
ACT NUMBERED SIXTY-NINE
HUNDRED AND THIRTY-EIGHT,
OTHERWISE KNOWN AS THE
COOPERATIVE CODE OF THE
PHILIPPINES

Introduced by Senator Serge Osmeña

**To the Committees on Cooperatives;
and Ways and Means**

Senate Bill No. 216, entitled

AN ACT PROVIDING FOR THE
SUSTAINABLE MANAGEMENT OF
FOREST RESOURCES AND FOR
OTHER PURPOSES

Introduced by Senator Serge Osmeña

**To the Committees on Environment
and Natural Resources; Ways and Means;
and Finance**

Senate Bill No. 217, entitled

AN ACT PROVIDING FOR THE
NATIONAL LAND USE POLICY
AND PLANNING FRAMEWORKS
AND THE IMPLEMENTING
MECHANISM THEREFOR,
OTHERWISE KNOWN AS THE
NATIONAL LAND USE ACT OF
THE PHILIPPINES

Introduced by Senator Serge Osmeña

**To the Committees on Environment
and Natural Resources; Urban Planning,
Housing and Resettlement; Ways and
Means; and Finance**

Senate Bill No. 218, entitled

AN ACT INSTITUTIONALIZING
PRIVATE LAND FORESTRY TO
ENHANCE REFORESTATION AND
ENVIRONMENTAL PROTECTION
AND PROVIDING INCENTIVES
THEREOF, AND FOR OTHER
PURPOSES

Introduced by Senator Serge Osmeña

**To the Committees on Environment and
Natural Resources; Social Justice, Welfare
and Rural Development; and Ways and
Means**

Senate Bill No. 219, entitled

AN ACT AMENDING REPUBLIC ACT
NO. 7076, OTHERWISE KNOWN
AS AN ACT CREATING A
PEOPLE'S SMALL-SCALE MINING
PROGRAM, AND FOR OTHER
PURPOSES

Introduced by Senator Serge Osmeña

**To the Committee on Environment and
Natural Resources**

A

Senate Bill No. 220, entitled

AN ACT INSTITUTIONALIZING THE OPEN LEARNING AND DISTANCE EDUCATION SYSTEM IN THE PHILIPPINES, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Education, Arts and Culture; Ways and Means; and Finance

Senate Bill No. 221, entitled

AN ACT TO ENHANCE THE ACADEMIC FREEDOM AND INSTITUTIONAL AUTONOMY OF THE UNIVERSITY OF THE PHILIPPINES, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Education, Arts and Culture; Ways and Means; and Finance

Senate Bill No. 222, entitled

AN ACT REORGANIZING THE GOVERNMENT BUREAUCRACY, CREATING A GOVERNMENT REORGANIZATION COMMISSION, DEFINING ITS POWERS AND FUNCTIONS AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Civil Service and Government Reorganization; and Finance

Senate Bill No. 223, entitled

AN ACT TO ADOPT A REVISED GOVERNMENT AUDITING CODE OF THE PHILIPPINES REVISING PRESIDENTIAL DECREE NO. 1445, AS AMENDED BY EXECUTIVE ORDER NO. 292, OTHERWISE KNOWN AS THE GOVERNMENT

AUDITING CODE OF THE PHILIPPINES, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Civil Service and Government Reorganization; and Finance

Senate Bill No. 224, entitled

AN ACT PROVIDING FOR THE MODERNIZATION OF THE HEALTH CARE DELIVERY SYSTEM, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Health and Demography; Local Government; and Finance

Senate Bill No. 225, entitled

AN ACT PROVIDING AFFORDABLE HEALTH CARE SERVICES, THROUGH THE HEALTH MAINTENANCE ORGANIZATIONS, REGULATING THEIR OPERATIONS, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Health and Demography; Ways and Means; and Finance

Senate Bill No. 226, entitled

AN ACT PROVIDING FOR THE IMPOSITION OF THE PENALTY OF *RECLUSIO PERPETUA* INSTEAD OF THE DEATH PENALTY IN CASES WHERE THE LAW PRESCRIBES THE DEATH PENALTY, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Justice and Human Rights; and Constitutional Amendments, Revision of Codes and Laws

Senate Bill No. 227, entitled

AN ACT GRANTING INDEFINITE NON-IMMIGRANT VISAS TO FORMER NATURAL-BORN CITIZENS OF THE PHILIPPINES, THEIR SPOUSES AND DESCENDANTS

Introduced by Senator Serge Osmeña

To the Committees on Justice and Human Rights; and Constitutional Amendments, Revision of Codes and Laws

Senate Bill No. 228, entitled

AN ACT REDUCING THE RETIREMENT AGE OF GOVERNMENT, AMENDING FURTHER FOR THE PURPOSE THE "GOVERNMENT SERVICE INSURANCE SYSTEM ACT OF 1997", AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Government Corporations and Public Enterprises; and Civil Service and Government Reorganization

Senate Bill No. 229, entitled

AN ACT PROVIDING FOR THE AUTOMATIC APPROPRIATION OF THE INTERNAL REVENUE ALLOTMENT FOR LOCAL GOVERNMENT UNITS

Introduced by Senator Serge Osmeña

To the Committees on Local Government; and Finance

Senate Bill No. 230, entitled

AN ACT INCREASING THE INTERNAL REVENUE ALLOTMENTS (IRA) OF LOCAL GOVERNMENT UNITS, (LGU) IN PROVIDING FOR ITS EQUITABLE DISTRIBUTION, AUTHORIZING ITS AUTOMATIC RETENTION,

AMENDING FOR THE PURPOSE SECTIONS 284, 285 AND 286 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991 AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Local Government; and Finance

Senate Bill No. 231, entitled

AN ACT PROMOTING AND REGULATING THE OPERATION OF CABLE TELEVISION IN THE PHILIPPINES, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Public Services; Public Information and Mass Media; and Ways and Means

Senate Bill No. 232, entitled

AN ACT STRENGTHENING THE MANDATE ON THE INTERCONNECTION BETWEEN AND AMONG PUBLIC TELECOMMUNICATIONS ENTITIES, PROVIDING PENALTIES FOR ITS VIOLATION AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committee on Public Services

Senate Bill No. 233, entitled

AN ACT CREATING THE MINDANAO DEVELOPMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Government Corporations and Public Enterprises; Economic Affairs; Ways and Means; and Finance

Senate Bill No. 234, entitled

AN ACT CREATING THE OFFICE OF THE TRADE REPRESENTATIVE, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Trade and Commerce; Foreign Relations; and Finance

Senate Bill No. 235, entitled

AN ACT INSTITUTIONALIZING THE AIR NEGOTIATING COMMISSION OF THE REPUBLIC OF THE PHILIPPINES AND DEFINING ITS POWERS AND RESPONSIBILITIES

Introduced by Senator Serge Osmeña

To the Committees on Foreign Relations; and Public Services

Senate Bill No. 236, entitled

AN ACT PROVIDING FOR A CONTINUING BAREBOAT CHARTERING PROGRAM

Introduced by Senator Serge Osmeña

To the Committee on Public Services

Senate Bill No. 237, entitled

AN ACT CREATING THE MINDANAO RAILWAYS CORPORATION, PRESCRIBING ITS POWERS, FUNCTIONS AND DUTIES, AND PROVIDING FOR THE NECESSARY FUNDS FOR ITS OPERATIONS

Introduced by Senator Serge Osmeña

To the Committees on Government Corporations and Public Enterprises; Public Services; Ways and Means; and Finance

Senate Bill No. 238, entitled

AN ACT PROVIDING AMPLE OPPORTUNITY TO ALLOW LANDOWNERS AND TENANTS TO ENTER UNTO VOLUNTARY LAND TRANSFER AND/OR DIRECT PAYMENT SCHEME AND AMENDING FOR THE PURPOSE REPUBLIC ACT NUMBERED SIXTY-SIX HUNDRED AND FIFTY-SEVEN OTHERWISE KNOWN AS THE COMPREHENSIVE AGRARIAN REFORM LAW OF NINETEEN HUNDRED AND EIGHTY-EIGHT, AS AMENDED

Introduced by Senator Serge Osmeña

To the Committees on Agrarian Reform; and Social Justice, Welfare and Rural Development

Senate Bill No. 239, entitled

AN ACT CREATING THE NATIONAL AGRARIAN REFORM ADJUDICATION COMMISSION, DEFINING ITS POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Serge Osmeña

To the Committees on Agrarian Reform; and Finance

Senate Bill No. 240, entitled

AN ACT RATIONALIZING THE AGRICULTURE AND FISHERIES BUREAUCRACY REDEFINING THE FUNCTIONS OF THE DEPARTMENT OF AGRICULTURE AND VARIOUS AGENCIES TO BRING ABOUT AGRICULTURE AND FISHERIES MODERNIZATION, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Agriculture and Food; Civil Service and Government Reorganization; and Finance

Senate Bill No. 241, entitled

AN ACT PROVIDING FOR THE PROMOTION OF BIO-ORGANIC FARMING IN THE PHILIPPINES

Introduced by Senator Serge Osmeña

To the Committees on Agriculture and Food; and Finance

Senate Bill No. 242, entitled

AN ACT TO AMEND R. A. NO. 7900 OTHERWISE KNOWN AS THE HIGH-VALUE CROPS DEVELOPMENT ACT OF 1995 AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committee on Agriculture and Food

Senate Bill No. 243, entitled

AN ACT PROVIDING FOR THREE SMALL FARMERS' REPRESENTATIVES IN THE NATIONAL IRRIGATION ADMINISTRATION (NIA) BOARD BY AMENDING REPUBLIC ACT NUMBERED THIRTY-SIX HUNDRED AND ONE, AS AMENDED, "AN ACT CREATING THE NATIONAL IRRIGATION ADMINISTRATION", AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committee on Agriculture and Food

Senate Bill No. 244, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE CENTER FOR ANIMAL VACCINE

AND DISEASE DIAGNOSTIC RESEARCH AND DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Agriculture and Food; and Finance

Senate Bill No. 245, entitled

AN ACT ESTABLISHING THE SLOPING AGRICULTURAL LAND TECHNOLOGY FARMING PROGRAM, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Agriculture and Food; Local Government; and Finance

Senate Bill No. 246, entitled

AN ACT PROVIDING FOR A MAGNA CARTA OF AGRICULTURAL OFFICERS AND EMPLOYEES

Introduced by Senator Serge Osmeña

To the Committees on Civil Service and Government Reorganization; Agriculture and Food; and Finance

Senate Bill No. 247, entitled

AN ACT PROVIDING FOR A MAGNA CARTA FOR AGRICULTURAL DEVELOPMENT WORKERS

Introduced by Senator Serge Osmeña

To the Committees on Civil Service and Government Reorganization; Agriculture and Food; and Finance

Senate Bill No. 248, entitled

AN ACT TO PROMOTE THE AGRICULTURE INDUSTRY, STABILIZE PRICES OF AGRICUL-

TURAL PRODUCTS AND ENHANCE FOOD SECURITY THROUGH THE EFFECTIVE PRODUCTION, PROCESSING, MARKETING AND DISTRIBUTION OF AGRICULTURAL PRODUCTS, RATIONALIZING AND RESTRUCTURING FOR THE PURPOSE, ALL EXISTING GOVERNMENT ORGANIZATIONS IN AGRICULTURAL PRODUCTION, DISTRIBUTION MARKETING AND OTHER SUPPORT PROGRAMS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Agriculture and Food; Social Justice, Welfare and Rural Development; and Finance

Senate Bill No. 249, entitled

AN ACT CREATING THE NATIONAL FIBER DEVELOPMENT AUTHORITY (NAFIDA), DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR, MODIFYING FOR THIS PURPOSE EXECUTIVE ORDER NO. 294 SERIES OF 1991 AND REPEALING REPUBLIC ACT NO. 8456, AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Agriculture and Food; Civil Service and Government Reorganization; and Finance

Senate Bill No. 250, entitled

AN ACT ESTABLISHING A STRATEGIC FOOD SECURITY RICE RESERVE AND FOR OTHER PURPOSES

Introduced by Senator Serge Osmeña

To the Committees on Agriculture and Food; and Finance

APPROVAL OF THE JOURNAL AS CORRECTED

Upon motion of Senator Pangilinan, there being no objection, the Body dispensed with the reading of the Journal of Session No. 3 and considered it approved subject to the correction made by Senator Arroyo on page 75, left column, to change the last sentence of the second paragraph to read as follows: "HE POINTED OUT THAT THE PEOPLES OF BOTH THE U.S. AND GREAT BRITAIN ARE DIVIDED ON THE ISSUE OF THE IRAQ WAR AND MOST OF THE EUROPEAN COUNTRIES ARE AGAINST IT."

QUESTION OF PRIVILEGE OF SENATOR BIAZON

On a question of personal privilege, Senator Biazon delivered the following speech:

The occasion of National Family Planning Day yesterday, the first of August, celebrated in the thick of an ongoing debate regarding the appropriate public policy vis-a-vis the country's galloping population growth rate, compels us to reflect more thoroughly on the significance and import of the couples' fertility choices as a variable not only in safeguarding people's welfare but also in attaining the country's development goals.

Family planning is a priority of the Filipino people

The meaning of events witnessed this past week immediately following President Gloria Macapagal-Arroyo's State of the Nation Address cannot be denied. Filipinos consider family planning as important, even as it appears to be a low priority concern of the national administration.

The overwhelming public interest and support for deliberations and policy initiatives that address the people's high population growth confirms a Pulse Asia survey conducted early this year that reveals 97% or a big majority of Filipinos in agreement with the view that it is

important to have the ability to control one's fertility or plan one's family. Another finding from the same survey also show about seven in ten Filipino adults, or 71%, agreeing with the opinion that a fast increasing Philippine population hinders the development of the country.

The high awareness and regard our people have for family planning, as well as their understanding of the links between population and development, stem from practical reality. They have seen or experienced for themselves the demands a large family exerts on women and children's health as well as parents' capability to provide food and basic necessities, such as education and health needs. They are well aware that rapid population growth, unemployment and lack of savings and investment are part of a cycle of poverty that could be broken if government promotes and provides adequate services for family planning and stimulates economic growth.

Family planning saves lives

Access to family planning benefits our people and the country in many ways. It saves women's lives by avoiding unintended pregnancies.

There is a study conducted by the University of the Philippines that there is anywhere from 400,000 to 500,000 cases of abortion in this country. The same study also shows that ten women die of abortion everyday mostly from the self-induced type. The same study further shows that the main cause of this self-induced abortion is unwanted pregnancies. For indeed, if the pregnancy is wanted and is planned, I do not think that the women will resort to self-induced abortion.

Family planning also enables women to limit births to their healthiest childbearing years and to avoid giving birth more times than is good for their health.

Studies have shown that family planning helps prevent about one-fourth of all maternal deaths in developing countries.

Family planning also saves children's lives. Spacing pregnancies at least two years apart helps women have better, healthier children and improves the odds of infants' survival by about 50%.

Recently, the ulamas and ustadz of the Islamic communities in the south came up with a fatwah. If one may remember, a fatwa is equivalent to a papal decree. And this fatwah prescribes that the children has a feeding right, meaning, it is important that the children must be spaced two to three years before another child is given birth simply because they believe that if another child is born with the older child not attaining two years of age, one is robbing the first child of his feeding rights.

Limiting birth to a woman's healthiest childbearing years also improves her children's chances of surviving and remaining healthy.

Family planning encourages the adoption of safer sexual behavior. With enough support, family planning programs, along with parents, the schools, and peers, could help more young people make sexual decisions responsibly by inculcating the proper values, avoiding early sex and unintended pregnancies and being protected from sexually transmitted infections or STIs, including HIV/AIDS.

Family planning offers women more choice and upholds their human rights. By controlling their own childbearing, by using effective contraception, women open the door to education, employment and community involvement.

For over 20 years, family planning has been widely recognized as a human right. To make the right to reproductive health as a reality, however, requires national commitment.

Family planning programs are investments in development

Slowing population growth because of effective family planning programs aids development. Development requires making investments today to raise the living standards tomorrow. But it is difficult to make such investments when resources are already fully used trying to keep up with the current needs of rapidly growing populations. When population growth slows, the country is in a better position to invest more per capita in education, health care, sanitation, and other productive improvements. Family planning information and services must be widely available and accessible so that couples can achieve their fertility desires.

Slowing population growth would go far to relieve pressures both on the economy and on the natural environment. Populations cannot continue to grow and consumption levels to rise indefinitely without the likelihood of despoiling the natural environment on which present and future generations depend.

Population and reproductive health are factors in the human development equation. No less than the Director of the National Economic Development Authority had stated this several times during the budgetary hearings in these halls.

Unlike what some sectors would like us to believe, there is nothing healthy about a 2.36% annual population growth rate that could easily double the country's total population of 84 million today in 29 years.

Should there still be a presidential election by the year 2010 when we next elect the chief executive of the land under the present political structure, the next president will have to think of how to feed, how to shelter, how to care for the health, and how to educate the children among 97 million Filipinos. Because by the year 2010, at the rate we

are growing, there will be not 84 million Filipinos, there will be 97 million Filipinos and we would possibly pass the 100 million mark at mid-2011. The Philippines currently ranks as No. 12 among the most populated countries in the world.

Our large population heavily strains the government's capacity to provide basic social services, develop the rural areas and stem the tide of rapid rural-to-urban migration.

Metro Manila is growing at anywhere from 3.7% to 7% a year depending on which town or city we are referring to that is why there is now a congestion in our schools. There are not many decent housing shelters that we can provide and there are not that many jobs that are made available because there is a huge migration.

If Cavite, for example, is growing at 6%; Laguna at 5.2%; Bulacan at 4.92%; Bicol is growing at 1.5%, way below the national average. Negros Oriental is growing at 1.8%; Benguet at 1.7%; which is indicative of this huge migration of people from the rural areas.

Migration of people due to the defeat of the farmers in developing countries is now a global concern. It is not only in the Philippines. But indeed, one of the basic reasons why mayors and local government executives of cities in the urban areas have now a difficulty providing for the basic services of the galloping population in our urban areas.

In 2003, the government spent a mere P0.37 per day for the health care of every Filipino. The health budget is four times smaller than defense and 20 times smaller than the allocation for debt servicing. There is only one government doctor for every 28,493 people; one government nurse for every 16,986; and one government midwife for every 5,193 people; there is only one rural health unit to provide service to 29,746 people.

There is a shortage of 39,383 classrooms and a teacher shortage of 49,212 people.

Just a few kilometers from here, we have the city of Parañaque. Parañaque's national high school has 18,000 students but the classrooms that are available can only accommodate one-third of that number. That is why right now, there are three shifts in that school. The first shift going from six to ten in the morning; the second shift is ten in the morning to two in the afternoon; and the third shift two to six in the afternoon.

Farther to the east, in the Erap City, I see small classrooms, 21 square meters jam-packed with 100 pupils. No desks, no books and the teacher could hardly move around because there are children sitting by her feet.

Only 67% of students entering Grade I complete the elementary level. Approximately 3 million Filipinos are unemployed while 4.6 million are underemployed.

Development planners and researchers have already warned the government that plans for economic reforms have little hope of success unless an effective national population program is in place.

The Philippine Institute for Development Studies cites studies showing that rapid population growth derailed development "since it imposes needs that eat up vital resources."

The Asian Institute of Management has also stressed the need for a population policy, admonishing that if the population continues to grow by two million a year – right now two million babies are born every year and we are at midyear. By the end of this year, another one million in six months – one million Filipinos will be born – Filipinos that have to be taken care of, Filipinos that need to be sheltered and clothed.

The country would require an economic growth of 10 percent a year for the next 10 years to be where Thailand is today.

The Philippine Central Bank, in a report to the government last month, has indicated that economic growth of four or five percent was not enough to reduce the overall level of unemployment and poverty in the Philippines. It further advised the new administration to address the rapid increase in the country's population to achieve faster economic growth.

The need for a national policy on population and reproductive health

As the people's legislators, we have no choice but to decisively confront the interrelated problems of population and poverty that beset our country. Our situation indicates that today and in the future, family planning, population and reproductive health are matters of national priority that require no less than a national policy.

Two weeks ago, this Representation was invited by the National Defense College of the Philippines to talk about population planning or family planning simply because they do not understand that a galloping population growth is indeed a national security concern.

Foremost, among our task calls for defining a population and development policy framework that will ensure the full respect and observance by the State of the promotion of human dignity, gender equality, family welfare and stability, environmental sustainability and the improvement of our people's quality of life.

When I was a teenager, I could remember that Metro Manila was being provided water only by La Mesa Dam. In the 80s, when La Mesa Dam became

inadequate, we moved farther to the north by building Angat Dam. Today, both La Mesa Dam and Angat Dam cannot anymore sufficiently provide water that is needed by Metro Manila. We moved farther north to Umiray River somewhere in Nueva Ecija. And after Umiray, where will Metro Manila go for its basic fundamental element of life – water?

A common population and development policy will help remedy inconsistencies and limitations of current population and reproductive health programs – especially those that constrict couples' choices to a limited range of family planning methods. We also have to act decisively on budget constraints that affect service delivery by ensuring that measures that allocate a specific budget line item for family planning in the General Appropriations Act be put in place. Likewise, I suggest the formulation of guidelines and procedures that will ensure that funds for family planning and reproductive health are used to promote all methods, not just natural family planning.

Finally, let us work towards the establishment of local structures such as population offices, health centers and like instrumentalities that will work hand-in-hand with the local government units in providing adequate family planning and reproductive health services to the people. Let us assure the people and the generations to come not only of informed choices, but also of reproductive health budget and services that do not depend on politics, but rather respond to the needs of the citizenry.

SUGGESTION OF SENATOR PANGILINAN

Senator Pangilinan suggested that the Body proceed first with the interpellation on the speech of Senator Arroyo and then the interpellation on the speech of Senator Biazon.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senate President Drilon acknowledged the presence of barangay officials of Brgy. 40, Bugo, Cagayan de Oro City, headed by Barangay Captain Atty. Perciverando Araña.

INTERPELLATION OF SENATOR GORDON

At the outset, Senator Gordon commended Senator Arroyo for his speech which underscored the fact that other countries have forgotten the Philippines' contribution to history, particularly during World War II when Filipino soldiers prevented the Japanese attack on Australia.

Asked if there is a paucity of historical writings on the contributions of Filipinos during WWII, particularly in saving Australia from Japanese attacks, Senator Arroyo replied that military historians from the Philippine armed forces had made reports about War Plan Orange No. 3, unfortunately, the incident has been forgotten and has not been reflected in history books. Although foreign authors have acknowledged the incident, he noted that the Philippines still has to change its textbooks.

Senator Gordon said there seems to be a lack of historical books written by Filipino authors that cover the exploits of Filipinos who fought in Bataan. The younger generation of Filipinos or the DFA, for that matter, would do well to remember them, he said. He added that when American soldiers went back to their country after the war, they had the luxury of time and resources to write history as they saw fit, unfortunately, that was not the case for the Filipinos who fought in the war. Thus, he noted, very little of history is written by the very people who were part of that global conflict.

Senator Arroyo agreed as he observed that the Filipinos have not been responsive to the issue of writing the correct historical accounts. Noting that Bataan Day is observed every year to honor the gallantry of Filipino troops who defended the country, he stated that the people have overlooked,

the fact that it was a war of the U.S. He remarked that Japan invaded the Philippines precisely because of the U.S. bases which naturally were the military objectives. He recalled that the Filipinos fought the Japanese but had to surrender in the end. The people, he said, has to revisit history, so in the succeeding Bataan Day celebrations, there would be emphasis on the military significance of the defense of Bataan.

Pointing out that there is no way out of Bataan, a peninsula, Senator Arroyo underscored the need for an explanation why the Filipino-American troops retreated there. He said that this was the strategy made by the U.S. war department, particularly by Major General Edward P. King Jr. who was then the commander of the defense of Bataan. Further, he said that the Bataan Death March where many Filipino soldiers died because of the Japanese atrocities should also be revisited as it is a part of history the Filipinos should be proud of.

Noting that many are unaware that there were 60,000 Filipino troops and 10,000 American troops in Bataan, Senator Gordon recalled that majority of American troops were in Corregidor, basically a hospital area. He said that more Filipinos suffered from the war and from tropical diseases. He mentioned that Juanito Furruganan Enrile fought in the war, acted as a messenger and was tortured by the Japanese. He said that the history books propound very limited information on these matters, an oversight on the part of the National Historical Institute and the education department.

Citing John Tolland's books *But Not in Shame* and *The Rising Sun*, Senator Gordon disclosed that in *Ghost Soldiers*, Captains Josen and Patoja were principally credited by the author, Hampton Sides, of rescuing American soldiers right before the war ended. He commented that the Filipinos should be talking about the gallantry of those Filipinos who fought in the war which, unfortunately, Australia has glossed over.

Pointing out that the Philippine government has been paying the pensions of the Filipino veterans of WW II, Senator Arroyo noted that the U.S. government has reneged on its promise to compensate the Filipino soldiers equally as the

American soldiers. He pointed out that military historians say that the Filipino soldiers were in the front lines and the Americans at the rear during the war. However, he expressed doubt the U.S. government would give the reward due the Filipino veterans. If the Americans have forgotten the veterans, he said, it is important to keep pressing on.

On the same point, Senator Gordon observed that the Americans have given scant recognition to the services of the Filipino veterans who are not getting the required benefits from the United States. In fact, he noted that only Filipino veterans in the United States will get these benefits while those who remained in the Philippines will not be getting any. Senator Arroyo however clarified that these war veterans were given recognition but were not financially compensated, which is most unkind. Moreover, he expressed hope that the U.S. government could act on the matter as there are very few veterans who are still alive. He observed that similar measures have been filed in the U.S. Congress but they got stuck in the committee.

Senator Gordon suggested that the Department of Education and the National Historical Institute make an effort to gather the stories of gallantry and service of Filipino soldiers. He lamented that because of the way history is written from the American point of view, the Americans perceive that the Bataan campaign was just an American contribution rather than a Philippine effort. Senator Arroyo agreed, noting that John Toland's book *But Not in Shame*, made it appear as if the war was solely won by the Americans.

For his part, Senator Gordon said that John Toland gave recognition to Filipino soldiers who fought in the war such as Tony Aquino who survived the Bataan Death March and came out of Capas incapacitated. However, he stressed that the government has been negligent in asserting the rights of Filipino veterans not only to be compensated but also to be honored. He added that Australia had conveniently forgotten that it would have been overrun by the Japanese had it not been for the blood and sacrifice of those Filipino soldiers. He said that as tourism secretary, he had been exposed to this kind

of cavalier thinking of Australians and Americans when they issue travel advisories. He recalled that he had challenged the World Tourism Organization on the wisdom of the travel advisories. He noted that some Western countries accused the Philippines of blinking in the face of terrorism when such indiscriminate travel advisories make it appear as if terrorism is indeed winning.

In reaction, Senator Arroyo contended that when the United States and Australia keep their nationals from visiting the country, they are in effect being coerced by the threat of terrorism.

Senator Gordon stressed that he had lauded President Macapagal-Arroyo's position supporting the fight on terrorism when he was still in her Cabinet because the Philippines itself was being attacked by terrorists. He believed that the Philippines was in Iraq to fight terrorism and not only to take advantage of the businesses that would be created out of its participation in the coalition. He urged the government to exercise more wisdom in the matter of sending troops overseas. He observed that with so many overseas Filipino workers, the government finds itself in a situation where it is practically being held hostage by such countries as Iraq as in the case of Angelo de la Cruz.

Asked whether the government should have a policy which would not allow the Philippines to be put in a situation where it must give in to threats, Senator Arroyo agreed but noted that such situations cannot be avoided. Should an incident put Filipino lives in danger, then he said the government should do what is best for the Filipinos.

Senator Gordon asked whether the government has an exit plan in instances where it would be necessary to bring home the OFWs. He asked what would happen in case terrorists in Saudi Arabia, for instance, held hostage Filipinos and threatened to kill them unless the Philippine government abrogated diplomatic relations with Israel. Senator Arroyo replied that it would be difficult to come out with an exit plan as even India, who currently has seven nationals in Iraq being threatened with death, does not have an exit plan. He said such a plan must be

part of the Philippine government's campaign but it might not be feasible considering the country's resources at present. He noted that the government could not protect the 1.5 million OFWs scattered throughout the Middle East. However, he said that the government should, as a matter of policy, prevent Filipino nationals from going abroad. However, he acknowledged that this is difficult to do because some Filipinos insist on going to these places and putting themselves at risk rather than stay at home and not earn a living. He clarified that this is a mistake of past and current administrations which simply could not provide job opportunities at home. Unless this problem is addressed, he said the government could not define a policy that would protect OFWs. This, he said, is why it was painful to hear Australia, who does not have overseas workers, criticize the Philippine for supposedly submitting to terrorism and placing their nationals at risk.

For his part, Senator Gordon pointed out that even though the government has hailed OFWs as heroes for moving the economy through their dollar remittances, it has not been more aggressive in trying to provide for the future of Filipino job seekers. Moreover, he said it is disconcerting to have a scenario, a policy in fact, where Filipinos are told that they are at risk when they go to a country like Iraq; those risks would eventually affect Philippine foreign policy; the OFWs must be aware of the consequences. He opined that the better policy is for the government to encourage the citizens, particularly foreign and local businessmen, to invest and create jobs in the Philippines, and may be even get dollars from the tourism industry.

Senator Arroyo noted that if President Macapagal-Arroyo's plan to create 10 million jobs is realized, there would be no need for Filipinos to work abroad. He doubted, however, whether this very ambitious plan could be realized. Senator Gordon added that this was precisely why he commended Senator Enrile's call for the Majority and the Minority to work together to make this a reality. However, he wanted to hear the specifics of how this plan would be accomplished.

Noting the parallelism in Australia's criticism of Spain and the Philippines, Senator Gordon wondered whether this was because the Philippines

is a former Spanish colony. He noted, however, that in '50s and '60s, Spain sent its workers all over Europe but brought them home eventually, using tourism as a fulcrum for change. He noted that Spain has become a very independent and well developed country as a result. Senator Arroyo noted that Spain's experience shows that employment opportunities and progress go hand-in-hand.

Senator Gordon said that dollar remittances today are benefiting the country in that these are being used for debt servicing. However, he observed that there has been no effort to use the money to create job or business opportunities. He said he wanted to see some policy to address the issue. Senator Arroyo stated such effort should be started as soon as possible as the situation in the country is not getting any better. He expressed hope that economic progress would uplift the people's welfare and bring about employment.

Asked whether he would support a bill to increase tourism promotion to bring in more dollars to the country, Senator Arroyo replied in the affirmative. Senator Gordon said that 10 million tourists coming to Thailand translates to US\$10 billion which is something that can be useful to the Philippines.

Finally, Senator Gordon asked if Senator Arroyo would coauthor a resolution giving recognition to the 51-man contingent to Iraq who made the country proud by tending to the medical and other needs of the Iraqis.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, the Chair acknowledged the presence of the delegation from Barangay 26 of Cagayan de Oro City.

INTERPELLATION OF SENATOR BIAZON

Initially, Senator Biazon said he opposed the government's decision to send troops to Iraq no matter how small because 1) the troops and resources were needed more in Mindanao; 2) the United Nations never sanctioned the actions of

the Coalition of the Willing in Iraq so the Philippine contingent went there under the auspices of the coalition; and 3) the 1.5 million Filipino workers in the Middle East could be put in jeopardy by such an act that could result in political instability. On the other hand, he said that he supported the decision of the President to withdraw the troops a month ahead of schedule.

Senator Biazon recalled that in a Honolulu conference for parliamentarians from the Asia-Pacific region four months after the 9/11 incident, he asked the conferees to adopt a resolution asking the United Nations to come up with a definition of the term "international terrorism." He stated that he had anticipated the effect of the United States military action on the sovereignty and borders of countries in the Middle East. He added that his proposal was defeated because of strong opposition from the American delegate. He noted that on several occasions, President Bush issued statements advocating a unilateral policy on terrorism.

At this juncture, Senator Defensor Santiago informed the Body that the UN General Assembly passed a resolution defining "terrorism" two or three years ago.

Senator Biazon clarified that he felt there was a need for a universal definition because he had observed that the unilateral actions of strong countries such as the United States, Great Britain and Australia would put national sovereignty in doubt.

Further, Senator Biazon stated that he objected to the participation of American forces in combat operations in Basilan, which was justified by a directive from the U.S. Joint Chiefs of Staff that American troops could take unilateral action if the Filipinos were not willing or were not able to fight terrorists in Mindanao.

Asked if there is a need to reexamine the bilateral treaties with the United States in view of reports that the U.S. would remove the Philippines from the coalition, Senator Arroyo replied that all this is media talk, adding that the U.S. had not made any formal announcement on the matter. However, he stated that in reality, the United States would never officially issue

such a statement but it would just leak it to media. Should it come to that situation, he said, "so be it."

Moreover, Senator Arroyo observed that participating countries in the Iraq war are beginning to abandon their position after realizing that the U.S. had been less than candid with them. He pointed out that the issue has caused division in the U.S. and the U.K. In fact, he noted, one of the issues in the present U.S. presidential campaign is whether President Bush had been honest. He stated that from the very beginning, countries like France and Germany opposed the Iraq war. He said that India today is faced with the same dilemma as the Philippines a month ago – seven of its nationals are being held captive by Iraqi terrorists.

As regards the matter of reexamining the bilateral agreements with the U.S., Senator Arroyo stated that doing so would not change the fact that the U.S. has never given the Philippines its due. He noted the disparity between the U.S.-Taiwan Relations Act and the R.P.-U.S. Mutual Defense Treaty – the former, in effect, says that an attack by China on Taiwan will be treated with grave concern by the U.S., short of saying it is an act of hostility; the latter states the U.S. will meet any attack on the Philippines in accordance with constitutional processes, meaning each country shall consult its own Congress. He recalled that when China undertook military exercises in the Taiwan Straits, the U.S. immediately reacted. The same reaction, he said, did not come when the Philippines and Malaysia almost came to a military confrontation over Sabah. He said that the treaties are so weak that they do not serve any purpose.

On the matter of the Visiting Forces Agreement, Senator Biazon clarified that it was ratified by the Senate and an Oversight Committee created by a joint concurrent resolution is overseeing its proper implementation.

Senator Biazon informed the Body that the other treaties include the Military Assistance Agreement of 1949 which was used for the purchase of military equipment in the 1950s and the Mutual Defense Treaty of 1951

which came about as a response to the Cold War that ensued immediately after World War II.

Senator Arroyo recalled that before World War II, the United States told the Philippines that its enemy was Japan, yet even as the Armed Forces of the Philippines was under the command of General McArthur of the USAFFE during the war, not even he could prevent the invasion of the Philippines. On the other hand, he wondered about the need for the Military Bases Agreement of 1947 when America could not even defend the Philippines against the invasion of Japan. After the war, he said, America again told the Philippines that China was now her enemy even as the Philippines did not have an enemy except what America assigned to it. He said that the Military Bases Agreement of 1947, Military Assistance Agreement of 1949 and the Mutual Defense Treaty of 1951 were supposedly to protect the Philippines; however, the Philippines has never at any time used the treaties for its protection. Given the supposedly special relationship between the two countries, he wondered whether the assistance that the Philippines received from the United States since it joined the war on terrorism reached P100 million; in fact, the expenses of the American troops for their exercises in the Philippines are charged against this financial aid.

Asked whether it was time the bilateral agreements between the Philippines and the United States were reviewed, Senator Arroyo said that he would rather that they be ignored. However, he expressed support for a move which would reexamine outdated treaties.

At this juncture, in the interest of fairness and in order not to distort history, Senator Enrile clarified that the Philippines benefited from the treaties with America. He said that when World War II ended, it was felt that the danger to the country, which had a very miniscule military organization at that time, was not over and the Military Bases Agreement of 1947 provided free arms to the country.

On the other hand, he said, the Military Assistance Agreement of 1949 modernized the military with modern weapons as well as tanks

for transport and combat. He pointed out that the country did not take advantage of the opportunity to develop its own capability but made itself dependent on the goodwill and charity of the United States of America.

In the case of the Mutual Defense Treaty of 1951, Senator Enrile said that it has been useful for the country until this day for without it, the Philippines would be an easy prey to predatory countries around it since it had been negligent in providing for its own self-defense. He recalled that he voted in favor of the Visiting Forces Agreement in order to provide the country with a security umbrella. He believed that if the American forces would be sent home today, any superpower in the area or even a third rate power would invade the Philippines and no one would want to face it in combat.

Agreeing to the historical aspect of Senator Enrile's remarks, Senator Biazon recalled that when he was a young ensign, the Navy had more ships and relatively new equipment for both the air and ground forces. But he conceded that even the factors that were used in defining the national security strategy might have already changed. He said that after the Cold War, the definition of global threat has changed as well as the manner of addressing it.

Replying to a query, Senator Arroyo expressed the need to review the antiquated treaties along the essence of the NATO treaty that an attack on one country is an attack on the United States such that, conversely, an attack on the Philippines would be considered an attack on the United States.

On the observation that the Mutual Defense Treaty has a similar provision, Senator Arroyo noted that retaliation would not be automatic as each country has to consider its constitutional processes. He said that America's fallback position in deciding not to provide aid to the Philippines would be a decision of the U.S. Congress not to go to war.

Senator Biazon noted that on top of the unilateralist tendency of President Bush, one factor to be considered is the domestic politics of the United States and even of Australia where there are now a reversal of poll results. He said that

51 percent of Americans are not in favor of the U.S. invasion of Iraq while 45 percent are in favor.

Asked whether the almost panicky response of President Bush to the withdrawal of Philippine troops from Iraq was his fear of the collapse of the Coalition of the Willing which would definitely be a major factor in the November elections, Senator Arroyo believed that President Bush would not want a collapse of the coalition because the Vietnam war, considered as the first American military defeat since its independence, is still very fresh in the minds of the Americans. He stated that the parallelism between Vietnam and Iraq seems to be very pronounced. In fact, he said, there is a debate now in the United States whether it went into war with inadequate troops, and testimonies in the United States Congress say that there is a need to add 20,000 to 30,000 to its 140,000 troops to maintain peace in the area. However, he said, the United States is unwilling to put in more troops because it would be an unpopular move. He agreed that it would be a campaign issue and wondered about the verdict of history. He said that Iraq, like Vietnam, would be a mistake. In the light of the pullout of its troops from Somalia and Iran, he said, the United States is no longer the almost invulnerable country that it used to be, and tugging on its petticoat would not be very useful for the Philippines.

Senator Biazon associated himself with the speech of Senator Arroyo.

INTERPELLATION OF SENATOR EJERCITO ESTRADA (J)

Asked by Senator Ejercito Estrada (J) as to what should be the specific foreign policy on overseas Filipino workers in the light of the action taken by the government in the case of Angelo de la Cruz, Senator Arroyo replied that he could not define a policy for such a delicate issue as keeping Filipinos at home when there are no employment opportunities in the country while allowing them to leave when the government cannot protect them. He expressed the view that the Philippines, being a small country, should not get entangled in the affairs of foreign powers or take sides on serious international issues.

On whether this means that every time a Filipino is abducted abroad, the government would give in to the demands of terrorist organizations, for example, severing ties with Malaysia, Senator Arroyo believed that the Executive Department should decide on how to handle such a situation but the Senate cannot make a broad policy to address a general situation because it is not equipped to do so. In the present situation, he said, where even citizens of Arab countries are held hostage, each situation needs a particular solution.

On whether the decision of the government in the Angelo de la Cruz affair has encouraged terrorists to abduct more Filipinos abroad, Senator Arroyo pointed out that the Philippines is not the only country which withdrew its troops from Iraq. However, he opined that the withdrawal was not so much to give in to the demands of the terrorists as a diplomatic response to a delicate situation.

At this juncture, Senator Arroyo requested Senator Angara to give information on certain Philippine agricultural products which are being subjected to stringent import restrictions by the Australian government.

REMARKS OF SENATOR ANGARA

Senator Angara stated that for the past 15 years, the Philippine government has been working hard to get three tropical fruits, namely, mango, pineapple and bananas into Australia but its authorities have been subjecting the said products to rigid phyto-sanitary measures to bar the entry of the products of developing countries like the Philippines.

Australia, he said, is one country that keeps on mouthing the benefits of free trade but refuses to accept the products of developing countries. He stressed that Australia, although not an enemy, is an unfair trader with the Philippines.

INQUIRIES OF SENATOR BIAZON

Senator Biazon recalled that in several conferences of parliamentarians, he took up the issue of a US\$1 billion daily subsidy provided by the developed countries to their agricultural

sectors. He asked whether such subsidy is still being continued.

Senator Angara replied in the affirmative, pointing out that such subsidy is in the form of production or export subsidy or outright grant to their farmers. However, he disclosed that the United States had already agreed to reduce its agricultural subsidy in exchange for the reduction of the tariffs of the developing countries. In this regard, he informed the Body that the Philippines had already decreased its tariff way below the rates of neighboring Asian countries, as a result of which, the country is now the dumping ground of finished products in the region which has in turn, wiped out many domestic industries.

Senator Angara lamented that developed countries are fast in using their trade measures to exclude the products of developing countries while it takes a poor country like the Philippines so much time to impose counter measures.

Senator Biazon also recalled that in the special General Assembly of the United Nations in New York, he raised the issue of the unilateral decision of the United States to impose a 35% tariff on imported steel and a 12% tariff on Philippine tuna while exempting Peru and Chile.

Asked whether this was still the situation, Senator Angara replied in the affirmative.

INQUIRY OF SENATOR ENRILE

At this juncture, Senator Enrile inquired whether the rules of the Senate have been amended to allow a Member to interpellate another interpellator. He said there must be order in the proceedings.

Senator Pangilinan replied that he viewed the statement of Senator Angara as a matter of personal privilege which could be subject to an interpellation. But Senator Enrile pointed out that he thought that Senator Angara merely interjected an information for the benefit of the senators as requested by Senator Arroyo.

Senator Pangilinan agreed with the observation of Senator Enrile that strictly speaking, the statement of Senator Angara was an interjection but he reiterated that he viewed it liberally as a

matter of personal privilege so that interpellation could follow.

Senator Enrile stated that since he values his membership in the Senate, he raised the issue as a matter of personal privilege because he believed that the Members should be responsible enough to observe the rules.

SUSPENSION OF SESSION

With the permission of the Body, the Chair suspended the session.

It was 5:45 p.m.

RESUMPTION OF SESSION

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

Upon resumption, Senator Enrile said that he raised the question because the privilege speech of Senator Biazon was the matter pending on the floor and other senators wanted to interpellate Senator Biazon.

Senator Pangilinan informed the Body that after conferring with Senator Enrile and the other Members, he would treat the interjection of Senator Angara as a matter of personal privilege, subject to interpellation. But he gave assurance that it would not be used as a precedent for future deliberations.

The Chair noted Senator Pangilinan's statement.

REMARKS OF SENATOR BIAZON

Senator Biazon said that he took the floor to ask questions because it was his impression that Senator Angara's remarks was not an interpellation but an information to the Body. But if the rules do not allow it, he was withdrawing his question.

Senator Angara stated that at the appropriate time, he would rise on the issue which was the subject of the debate in order to answer questions from the Members.

MANIFESTATION OF SENATOR ROXAS

Senator Roxas manifested that he too wanted to interpellate Senator Angara but would wait until such time that the issue shall be brought up again on the floor. He said that the matter was of great interest to him and he would review such matters in the appropriate committee at the proper time.

The Chair noted the manifestation.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Pangilinan, there being no objection, the Chair referred the privilege speech of Senator Arroyo and the interpellations thereon to the Committee on Foreign Relations.

Thereafter, the Chair recognized Senator Biazon, Sponsor of the speech on the National Family Planning Day, and Senator Enrile for his interpellation.

INTERPELLATION OF SENATOR ENRILE

At the outset, Senator Enrile agreed with Senator Biazon that the time was right to deal with the issue of population and that population growth is a function of the country's economic development. He stressed that the country cannot go on without dealing with this very important element of its socio-economic problems. Commending Senator Biazon for his courage in bringing up the issue, he expressed the view that the former's privilege speech would be the beginning of a debate on the population issue. Moreover, he agreed that a population policy must be crafted.

Asked if the country has no population policy at the moment, Senator Biazon replied that the present policy is not the kind which would push for a family planning program in the country. He disclosed that he made population policy a campaign issue which drew negative reactions. On the other hand, he surmised, he might have won because of it, hence, he was pushing the population debate.

Asked what he believed to be the population policy of the country at present, Senator Biazon averred that the question of population covers a very wide range of issues including health, education and employment opportunities. He clarified that his bill on reproductive health care focuses specifically on family planning.

Replying to another query, Senator Biazon affirmed that the present policy allows the multiplication of population without any restriction on the part of government and leaves the decision as to the size of the families to the members of the family themselves. He explained that he was pushing for an informed choice policy and the concept of responsible parenthood. Citing a tricycle driver with ten children, he said that the government cannot dictate to the tricycle driver how many children he should have but his children would still be a concern of the State since they would require education, health care, shelter, nutrition and almost all the basic needs which the tricycle driver could not provide for. He argued that if that individual opted to have only two children but could not afford the modern family planning methods like condoms, hormonal pills, injectibles and mechanical IUDs, then government should be able to provide these.

Senator Biazon informed the Body that the Philippines received US\$5 million assistance from USA to provide education and information on different family planning methods and services down to the grassroots level; last year, it was reduced to US\$3 million and this year, it was stopped. He explained that he proposed P200 million for the 2004 budget to replace the U.S. assistance.

Replying to Senator Enrile's further queries, Senator Biazon affirmed that the country's population policy is addressed to the freedom of the families to decide the number of children they want to have based on the Christian faith which values life. But he reiterated that the policy does not address the problem of population growth. He clarified that the Reproductive Health Care bill does not push for the legalization of abortion which is a crime under Philippine laws and against the teachings of the church. Moreover, he added, the bill is not pushing for population control which allows the State to

dictate the number of children a family ought to have. He stressed that he was pushing for family planning which leaves the decision to the couple as to how many children they want to have.

On the observation that the bill proposes to limit the freedom of the people in determining the size of their families as the present policy impinges on the economic well-being of the nation, Senator Biazon stressed that nowhere in the proposed measure is a limit put on the number of children per family. He pointed out that he was pushing for an education and information campaign which could address such issues as having a large family.

Asked whether the thrust of the proposed measure for an information drive is to accomplish the economic objective of reducing population to have economic growth, Senator Biazon conceded that it would be one of the purposes. The other, he said, is to help underprivileged families uplift their lives. He said that he personally observed the difference between a family with two children and that with ten children when he visited depressed areas. He noted that in depressed areas the number of children determines the kind of life a family lives because the government cannot provide all it needs.

However, Senator Enrile pointed out that in his speech, Senator Biazon mentioned that in the Pulse Asia survey, 97 percent of the Filipinos agree that that it is important to be able to plan the family, and 71% agree that a fast increasing population hinders the development of the country. He asked what the point was of an information drive on which money would only be wasted. In reply, Senator Biazon stressed that many Filipinos need to be informed of the various family planning methods and the different contraceptives. For instance, he pointed out that the marginalized Filipinos do not understand the rhythm method, which is subject to many interpretations. He stated that those who oppose the measures on population control believe that the contraceptives are abortifacients.

Stressing that the Filipinos are aware, through experience, of the link between population and development, Senator Enrile asked how the

government could influence the Filipinos through an education campaign. Senator Biazon replied that the other component of the program is the availability of medical services and contraceptives. He recalled that when then President Marcos took office, the country's population growth rate was 3.7 percent but an aggressive population control program reduced this to 2.36 percent, the current population growth rate, which is still high.

Asked what the population growth rate should be, Senator Biazon stated there are assertions it should be 1.8 percent, 2 percent or 2.1 percent which need validation from the economic experts.

On whose opinion on the population growth rate would matter – the President who implements the law and defines economic policy or the others, Senator Biazon stated that the experiences of other countries and the opinions of experts would be helpful inputs.

Senator Enrile underscored that the government must have a goal, based on economic and other factors, to guide the legislators and the Executive. Senator Biazon noted that planning secretary Romulo Neri has never given a specific population growth rate but there are experts who say two percent is a good target. However, he underscored that this target cannot be put in a law as it would be tantamount to dictating how many children a family should have. He added that this is not the focus of the program he was advocating.

For his part, Senator Enrile stated that if indeed it is imperative for the country to have a workable, useful population policy as a tool for economic and social development, as policy formulators, the legislators should have an idea on the direction of government. He stated that he respects the opinion of Secretary Neri and the experts but he wanted to know the basis of their conclusions so that the Members could be informed when they craft a population policy. He said that he was not necessarily saying he would support a population policy, however, the legislators should objectively study the issue so they could be fully informed.

Given the present economic growth rate, Senator Enrile asked what the economic managers say should be the minimum and

maximum population growth rates of the country. Senator Biazon stated that this matter could be addressed in the hearing.

In reply to a query, Senator Biazon clarified that P0.37 per day per capita is spent by the government for health care.

On how many of the 84 million Filipinos get sick daily, Senator Biazon replied that the data would come out during the hearing.

Senator Enrile stated that if the P0.35 per capita for health care is correlated to the 84 million population, it means that the government is spending P32 million daily for health care. He stated that this is a serious matter considering the precarious financial condition of the country. Senator Biazon agreed.

As to the acceptable number of doctors allocated for every one million Filipinos, Senator Biazon said that this information is based on a research by the Institute for Social Studies and Action.

Senator Enrile cautioned that one must be careful when presenting such statistics. Senator Biazon gave assurance that he would get in touch with the Department of Health and other appropriate agencies for the correct figures.

Senator Enrile observed that the speech called for a revision in the population policy to suit the present economic circumstances through population reduction and the issue at hand is the method of accomplishing such population slow down.

On the statement that population cannot be reduced without a method of control, Senator Biazon conceded that the word "control" would more aptly apply to the decision of the family rather than to a dictate from the State as the latter would definitely go against the teachings of the church.

Asked about the experience of Southeast Asian governments like Thailand, Singapore, Malaysia, China and Japan, Senator Biazon replied that in Thailand, the population control program was successful when the religious leaders encouraged

the use of condom. However, he believed that the Philippines would not be able to legislate such a program. He cited the adverse reactions he received to his campaign on the matter. As to Italy or Spain, he promised to get more accurate data. He added that 65% of the people in Western Europe use contraceptives and that abortion incidence there is pegged at 10%, only 35% of the people in Eastern Europe use contraceptives and the region has a higher incidence of abortion.

Senator Enrile asked Senator Biazon to get the family planning experiences of other countries particularly those that are predominantly Catholic for the information of the Body.

Senator Biazon said that he has a file of resolutions from an interfaith group composed of Christians who are advocating the adoption of a family planning program. He added that the Islamic communities had also provided him with a Fatwah which also supports the adoption of a family planning program.

Asked which religious denomination indicated an aversion to a population planning policy, Senator Biazon said that in most of his public consultations, the priests and nuns of the Catholic church were most opposed to his proposal. Senator Enrile said that he understood the word "church" to mean the Body of Christ which would encompass all Christians and not just a segment or religious denomination. He said that the Senate is legislating not only for Catholics but for all Filipinos regardless of faith. Senator Biazon agreed, noting that the center of the issue is the separation of the Church and the State. Further, he said that it is the right of the Catholic church to preach against the use of contraceptives to their members but imposing this policy on other religious denominations would result in a collision course with the principle of separation of the Church and the State.

Replying to further queries, Senator Biazon disclosed that a principal objection of the Catholic church to family planning concerns its beliefs on procreation. But he believed that God would likely

command man to have smaller families should He see the misery of overpopulation on earth today although there are certain things that cannot be done because they are against the teachings of the Church.

To the proposition that the Catholic church should not impose its brand of morality on others who do not believe in its tenets, Senator Biazon agreed.

Senator Enrile suggested that data on population issues around the world be collated to establish whether population control affects the economy.


At this juncture, Senator Pangilinan stated that both the Majority and the Minority agreed to suspend the interpellations on the speech of Senator Biazon until the following day. He manifested that the following had reservation to interpellate: Senators Defensor Santiago, Cayetano, Roxas, Ejercito Estrada (L), Pimentel, Flavier, Gordon, Villar, and Ejercito Estrada (J), in that order

ADJOURNMENT OF SESSION

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

It was 6:53 p.m.

I hereby certify to the correctness of the foregoing.


OSCAR G. YABES
Secretary of the Senate

Approved on August 4, 2004