

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
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SENATE

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**INTRODUCED BY SENATOR RISA HONTIVEROS**

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**RESOLUTION**

**DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE NEW YEAR SYSTEM FAILURE CRISIS AT THE NINYOY AQUINO INTERNATIONAL AIRPORT (NAIA), RESULTING IN THE BREAKDOWN OF AIR TRAFFIC CONTROL AND THE DISRUPTION OF A TOTAL OF 282 FLIGHTS AFFECTING AROUND 56,000 PASSENGERS**

**WHEREAS**, on New Year's Day, a system failure resulted in the breakdown of the Communications, Navigation and Surveillance Systems for Air Traffic Management (CNS/ATM), forcing the Civil Aviation Authority of the Philippines (CAAP) to close the Philippines' airspace and disrupting flights for around 56,000 passengers scheduled to fly into or out of the Philippines;

**WHEREAS**, the apparent cause of the problem, according to a press briefing conducted by Transportation Secretary Jaime Bautista, was a failure of primary and secondary power supplies, followed by a power surge, that resulted in the loss of communication, radio, radar and internet. This happened when the equipment providing uninterrupted power supply in two NAIA terminals suddenly went offline and failed to connect to the backup commercial power supply of MERALCO;

**WHEREAS**, considering that the unfortunate event happened while the holidays were drawing to a close, many of the affected travelers were overseas Filipino workers returning to their host countries after celebrating the festivities with their Philippines at home, and according to one such OFW, as quoted by Reuters, "in the 24 hours that we have been waiting, we are now very exhausted from lack of sleep, and my body is aching from all the waiting<sup>1</sup>";

**WHEREAS**, aside from the physical toll and discomfort of waiting in the airport or inside airplanes, many also are reportedly worried about losing their jobs because of the flight cancellations;

**WHEREAS**, the incident is also expected to have adverse impacts on our tourism industry, still in the process of recovery after two years of pandemic;

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<sup>1</sup> <https://www.reuters.com/world/asia-pacific/philippines-main-airport-scrambles-restore-normalcy-after-power-cut-2023-01-02/>

**WHEREAS**, while the DOTr has apparently ruled out sabotage, the breakdown of both the primary and secondary source of power throws into question the capacity of our air traffic control system to withstand cyber attacks and hacking, and exposes our vulnerability to such hostile incursions;

**WHEREAS**, what is mind-boggling is that despite the fact that government officials had known that the outdated air control system of the Philippines main gateway to the world was in danger of conking out any time and this issue was supposedly already raised at a Cabinet meeting<sup>2</sup>, no concrete plans had been made for upgrade or improvement;



**WHEREAS**, it is imperative to also probe into who the private contractor of the CNS/ATM is, whether there was a violation of the performance guarantee as may possibly be seen through an examination of documents from the Commission on Audit in the past years, and investigate the brewing allegations of funding delays and possible corruption in the establishment of the CNS/ATM system, as well as the long interval between the initial negotiations in February 2010 and the inauguration in 2018, and how it may have impacted on air control operations;

**WHEREAS**, other allegations involve malversation, ie the diversion of Thirteen (13) billion pesos supposedly earmarked for the backup of the air traffic control system to cosmetic projects during the administration of former President Rodrigo Duterte; negligence in the maintenance and upkeep of the equipment; and even possible human error;

**WHEREAS**, given these competing claims, a thorough investigation must be undertaken to identify both the proximate and the contributory causes of the incident, determine liabilities of government officials and private contractors, and ensure that measures are in place to prevent a similar – or worse – scenario in the future;

**NOW BE IT RESOLVED**, as it is hereby resolved, to direct the appropriate Senate Committee to conduct an inquiry in aid of legislation on the January 1, 2023 system failure at the NAIA Airport.

*Adopted,*

  
**RISA HONTIVEROS**  
Senator 

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<sup>2</sup> <https://www.philstar.com/headlines/2023/01/02/2234849/officials-aware-outdated-air-traffic-system-could-fail-what-was-done-about-it>