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NINETEENTH CONGRESS
FIRST REGULAR SESSION

PREPARED BY THE
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SENATE OF THE PHILIPPINES

SESSION NO. 57
Monday, March 6, 2023

CALL TO ORDER

At 3:00 p.m., the Senate President, Hon. Juan Miguel “Migz” F. Zubiri, called the session to order.

PRAYER

Sen. Win Gatchalian led the prayer, to wit:

Heavenly Father, we praise You for the gift of another day. We offer You our highest praise and thanks as Your grace has brought us together in this session.

Nawa'y magsilbing susi ang mga panukalang batas na tatalakayin sa araw na ito tungo sa kaunlaran ng bansa at maging sa pag-angat ng kalidad ng buhay ng bawat Pilipino.

Hinihiling namin, Ama, na mapanatili sa amin ang katatagan at lakas ng loob sa gitna ng mga hamon na aming kinakaharap. Sa kabila ng transport strike na kasalukuyang nagaganap, gamitin Mo kaming instrumento sa pagsulong ng konkretong solusyon para sa kapakinabangan ng jeepney drivers, mga kababayang gumagamit ng mga pampublikong transportasyon at ng gobyerno.

Tulungan Mo rin po kaming wakasan ang pag-iral ng kultura ng karahasan na napapaloob sa aming lipunan katulad ng sunod-sunod na patayan na kinasangkutan ng mga lingkod-bayan at maging ang kalunos-lunos na sinapit ng mga biktima ng hazing.

As we also celebrate Women’s Month, we give thanks to You, Almighty Father, for many ways You have provided us with strong, capable, and inspiring women.



Our mothers, sisters, friends, and committee members, may we continue to instill greater empathy in them so that they can reflect the same love You have shown to us.

In today's session, direct our actions and guide our efforts and let them be in accordance with Your holy will. May the pursuit of goodness be the guiding light as we carry out our duties as policy makers of our nation.

This is our prayer, in Christ's Name.

Amen.

NATIONAL ANTHEM

The PWU-JASMS Rondalla led the singing of the national anthem and thereafter rendered the song, entitled "*Pilipinas Kong Mahal*."

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Renato N. Bantug Jr., called the roll, to which the following senators responded:

Angara, S.	Marcos, I. R.
Binay, M. L. N. S.	Padilla, R. C.
Cayetano, P. S.	Pimentel III, A. K.
Dela Rosa, R. B. M.	Poe, G.
Ejercito, J. V. G.	Revilla Jr., R. B.
Escudero, F. J. G.	Tolentino, F. T. N.
Estrada J. E.	Tulfo, R. T.
Gatchalian, W.	Villanueva, J.
Go, C. L. T.	Villar, C. A.
Hontiveros, R.	Villar, M. A.
Lapid, M. L. M.	Zubiri, J. M. F.
Legarda, L.	

With 23 senators present, the Chair declared the presence of a quorum.

Senator Cayetano (A) arrived after the roll call.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Villanueva acknowledged the presence in the gallery of the following guests:

- Rep. Edgar Chatto of Bohol; Mayor Maria Pureza Chatto and Vice Mayor Esther Patrishia Chatto of Balilihan, Bohol;
- Abduljalal Indar Decampong, President of the Provincial Board Members League of BARRM;
- Subdivision and Housing Development Association, headed by Ms. Arlene Keh, chairperson of the board, and Mr. Leonardo Dayao, Jr., national president;
- Plenary Affairs Division personnel of the Bangsamoro Transition Authority, headed by Aster Zahira Piang Antenor; and

- Mr. Raymond Mitra, president and CEO of the Philippine Aerospace Development Corporation.

Senate President Zubiri welcomed the guests to the Senate.

APPROVAL OF THE JOURNAL

Upon motion of Senator Villanueva, there being no objection, the Body dispensed with the reading of the Journal of Session No. 56 (March 1, 2023) and considered it approved.

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. 1941, entitled

AN ACT GRANTING THE BASES CONVERSION DEVELOPMENT AUTHORITY, THE POWER TO ASSIST THE DEPARTMENT OF NATIONAL DEFENSE IN THE CREATION OF NEW MILITARY BASES AND FACILITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7227, AS AMENDED BY REPUBLIC ACT NO. 9400, OTHERWISE KNOWN AS THE BASES CONVERSION AND DEVELOPMENT ACT OF 1992

Introduced by Senator Tolentino

To the Committees on Government Corporations and Public Enterprises; and National Defense and Security, Peace, Unification and Reconciliation

Senate Bill No. 1942, entitled

AN ACT ESTABLISHING A LEVEL II GENERAL HOSPITAL IN SAN JOSE CITY, NUEVA ECIJA, TO BE KNOWN AS THE DR. ELEUTERIO R. VIOLAGO GENERAL HOSPITAL, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Angara

To the Committee on Rules

Senate Bill No. 1943

AN ACT CONVERTING THE ROAD STRETCHING FROM SITIO BOLIGANAY, BARANGAY PANIQUE, MUNICIPALITY OF ODIONGAN TO SITIO KABALIWAN, BARANGAY BACHAWAN, MUNICIPALITY OF SAN AGUSTIN, ALL IN THE PROVINCE OF ROMBLON, INTO A NATIONAL ROAD AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

To the Committees on Public Works; and Finance

Senate Bill No. 1944, entitled

AN ACT PROMOTING THE DEVELOPMENT OF THE PHILIPPINE DOWN-STREAM NATURAL GAS INDUSTRY, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

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

Senate Bill No. 1945, entitled

AN ACT ESTABLISHING A NATIONAL HIGH SCHOOL IN BARANGAY SAN ISIDRO, CITY OF ORMOC IN THE PROVINCE OF LEYTE TO BE KNOWN AS SAN ISIDRO NATIONAL HIGH SCHOOL AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

To the Committee on Rules

Senate Bill No. 1946, entitled

AN ACT TO ENHANCE THE CAPABILITY AND STREAMLINE ORGANIZATIONAL ROLES OF THE DEPARTMENT OF NATIONAL DEFENSE AND ITS BUREAUS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Villanueva

To the Committees on National Defense and Security, Peace, Unification and Reconciliation; Civil Service, Government Reorganization and Professional Regulation; and Finance

Senate Bill No. 1947, entitled

AN ACT DECLARING CAGAYAN DE ORO RIVER AND ITS IMMEDIATE ENVIRONS LOCATED IN CAGAYAN DE ORO CITY, PROVINCE OF MISAMIS ORIENTAL A CULTURAL HERITAGE ZONE

Introduced by Senator Marcos

To the Committees on Culture and the Arts; and Tourism

Senate Bill No. 1948, entitled

AN ACT ESTABLISHING A TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY (TESDA) TRAINING AND ASSESSMENT CENTER IN THE MUNICIPALITY OF DAPA, SIARGAO ISLAND, PROVINCE OF SURIGAO DEL NORTE, TO BE KNOWN AS THE SIARGAO, SURIGAO

DEL NORTE TESDA TRAINING AND ASSESSMENT CENTER, AND
APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

To the Committees on Higher, Technical and Vocational Education; and Finance

Senate Bill No. 1949, entitled

AN ACT ESTABLISHING A COLLEGE OF MEDICINE IN THE UNIVERSITY OF
SCIENCE AND TECHNOLOGY OF SOUTHERN PHILIPPINES-CAGAYAN DE
ORO CITY CAMPUS IN THE CAGAYAN DE ORO CITY, PROVINCE OF
MISAMIS ORIENTAL, TO BE KNOWN AS THE "UNIVERSITY OF SCIENCE
AND TECHNOLOGY OF SOUTHERN PHILIPPINES-COLLEGE OF MEDICINE,"
AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

**To the Committees on Higher, Technical and Vocational Education; Ways and
Means; and Finance**

Senate Bill No. 1950, entitled

AN ACT CONVERTING THE AGUSAN DEL NORTE PROVINCIAL HOSPITAL IN
BUTUAN CITY, PROVINCE OF AGUSAN DEL NORTE INTO A LEVEL III
TEACHING AND TRAINING HOSPITAL TO BE KNOWN AS THE AGUSAN
DEL NORTE GENERAL HOSPITAL AND TRAINING CENTER, AND
APPROPRIATING FUNDS THEREFOR

Introduced by Senator Marcos

To the Committee on Rules

Senate Bill No. 1951, entitled

AN ACT GRANTING ADDITIONAL BENEFITS TO FILIPINO CENTENARIANS,
RECOGNIZING OCTOGENARIANS AND NONAGENARIANS, AND APPRO-
PRIATING FUNDS THEREFOR, AMENDING FOR THE PURPOSE REPUBLIC
ACT NO. 10868, OTHERWISE KNOWN AS THE "CENTENARIANS ACT
OF 2016"

Introduced by Senator Hontiveros

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

RESOLUTIONS

Proposed Senate Resolution No. 512, entitled

RESOLUTION DIRECTING THE APPROPRIATE COMMITTEE OF THE SENATE
TO UNDERTAKE AN INQUIRY, IN AID OF LEGISLATION, ON THE
ALLEGED VIOLATION OF SAN FERNANDO ELECTRIC LIGHT AND POWER
COMPANY INC. (SFELAPCO) IN INCLUDING THE POWER SUPPLY

AGREEMENT IN THE RETAIL RATES WITHOUT THE APPROVAL OF THE ENERGY REGULATORY COMMISSION (ERC)

Introduced by Senator Tulfo

To the Committee on Energy

Proposed Senate Resolution No. 513, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE SERIES OF AIRCRAFT CRASHES INVOLVING CHARTERED FLIGHTS, NONSCHEDULED COMMERCIAL FLIGHTS AND PILOT TRAINING SCHOOLS, WITH THE END IN VIEW OF STRENGTHENING THE CURRENT AVIATION PROTOCOLS AND PRACTICES AND ENSURING COMPLIANCE WITH INTERNATIONAL SAFETY STANDARDS

Introduced by Senator Revilla

To the Committee on Public Services

Proposed Senate Resolution No. 514, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO REVIEW THE EXISTING REQUIREMENTS OF THE GOVERNMENT SERVICE INSURANCE SYSTEM (GSIS) ON EMPLOYEES' RETIREMENT/PENSION BENEFITS, WITH THE PURPOSE OF INITIATING AMENDATORY LEGISLATION TO ENSURE THE EFFECTIVE AND EFFICIENT ADMINISTRATION OF GRANTING SUCH RETIREMENT/PENSION BENEFITS AND EVALUATE THE IMPLEMENTATION OF REPUBLIC ACT NO. 7699 OR THE PORTABILITY LAW

Introduced by Senator Binay

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

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Villanueva acknowledged the presence in the gallery of Mayor Roseller Rodriguez and Vice Mayor Alexander Espinosa of Capas, Tarlac.

Senate President Zubiri welcomed the guests to the Senate.

APPROVAL OF SENATE BILL NO. 1850 ON THIRD READING

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1850, printed copies of which were distributed to the senators on March 2, 2023.

Pursuant to Section 67, Rule XXIII of the *Rules of the Senate*, upon motion of Senator Villanueva, there being no objection, Secretary Bantug read only the title of the bill, to wit:

AN ACT CONDONING ALL PRINCIPAL AND INTERESTS OF LOANS ARISING FROM THE AWARD OF AGRICULTURAL LANDS UNDER THE COMPREHENSIVE AGRARIAN REFORM PROGRAM AS OF DECEMBER 31, 2022 AND FOR OTHER PURPOSES.

Secretary Bantug called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Marcos
Binay	Padilla
Cayetano (P)	Pimentel
Dela Rosa	Poe
Ejercito	Revilla
Escudero	Tolentino
Estrada	Tulfo
Gatchalian	Villanueva
Go	Villar (C)
Hontiveros	Villar (M)
Lapid	Zubiri
Legarda	

Against

None

Abstention

None

With 23 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1850 approved on Third Reading.

APPROVAL OF SENATE BILL NO. 1604 ON THIRD READING

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1604, printed copies of which were distributed to the senators on March 2, 2023.

Pursuant to Section 67, Rule XXIII of the *Rules of the Senate*, upon motion of Senator Villanueva, there being no objection, Secretary Bantug read only the title of the bill, to wit:

AN ACT ESTABLISHING AN ACADEMIC RECOVERY AND ACCESSIBLE LEARNING (ARAL) PROGRAM, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES.

Secretary Bantug called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Legarda
Binay	Marcos
Cayetano (P)	Padilla
Dela Rosa	Poe
Ejercito	Revilla
Escudero	Tolentino
Estrada	Tulfo
Gatchalian	Villanueva
Go	Villar (C)
Hontiveros	Villar (M)
Lapid	Zubiri

Against

Pimentel

Abstention

None

With 22 senators voting in favor, one against, and no abstention, the Chair declared Senate Bill No. 1604 approved on Third Reading.

EXPLANATION OF VOTE OF SENATOR PIMENTEL

Upon request of Senator Pimentel, his explanation of negative vote on Senate Bill No. 1604 was inserted into the records, as follows:

I vote "No" to the Senate Bill No. 1604, entitled "An Act Establishing an Academic Recovery and Accessible Learning (ARAL) Program, Appropriating Funds Therefor, and for Other Purposes," for the following reasons:

Senate Bill No. 1604, known as the ARAL Program Act (hereinafter referred to as "ARAL"), seeks to remedy learning gaps in Language, Mathematics, and Science experienced by students from Kindergarten up to Grade 10. ARAL is supposed to be mandatory to covered students, while engaging the services of teachers and para-teachers who will be compensated and student tutors who will earn credits to their Literacy Training Service under the National Service Training Program Act of 2001. (Incentives shall also be given to pre-service teachers.)

Undoubtedly, ARAL has good intentions, but given its mandatory or "close to mandatory" nature as well as the program's estimated cost of P10 billion, the undersigned believes that the more "cost effective" approach to address these observed learning gaps would be to devote resources to (1) improve the basic education curriculum, (2) assist our teachers in their basic needs like their salaries, equipment, teaching methods and pedagogy, and (3) improve the overall learning environment including the physical aspect like building and/or renovating classrooms.

Why is the undersigned advocating for the over-all review of the basic education curriculum? Because these learning gaps which ARAL wants to address were not caused by the COVID-19 pandemic. They existed way before COVID-19. Allow me to cite statements attributed by the news media to the sponsor, Sen. Sherwin Gatchalian:



This was reflected in the 2018 Programme for International Student Assessment (PISA) where the Philippines scored lowest in Reading out of 79 countries that participated, Sen. Gatchalian recalled.

Results of the PISA further show that only one out of five Filipino learners aged 15 achieved at least the minimum proficiency level in Overall Reading Literacy.

He also said results of the 2019 Southeast Asia Primary Learning Metrics (SEA-PLM) also show that only 10 percent of the country's Grade 5 learners achieved the minimum proficiency at the end of primary education.

And if our learning poverty is already estimated to be at 90.9%, then remedial measures like a tutorial intervention program may no longer be enough or sufficient to make a dent in our effort to bring this learning poverty down. But that overhauling the basic education curriculum might be the better effort, which addresses, at least, the root cause of this learning poverty.

The inclusion of the Kindergarten level in this "national learning intervention program" which is a level where there shouldn't be any need for any intervention, yet as these learners are really supposed to be just being introduced to various educational concepts, is already an indication that our basic problem is with the curriculum itself.

At this juncture, it is well to have our public school system look at itself in the mirror. If this problem has existed even before the pandemic, what we ought to do as legislators is to allocate funds to increase the salaries of our teachers, to build and renovate classrooms, to provide rules on teacher-student ratios (and be open to hiring more teachers), and to urge our Department of Education to update and improve our basic education curriculum and pedagogy training to global standards. In which case, there will be no need to incur tremendous costs for the "logistics and other costs" related to remedial classes and training for tutors.

What should be brought therefore to attention is the quality of our public school system itself. If our public school system fails to deliver the sufficient quality of teaching even under normal conditions, no amount of remedial classes can solve the issue.

For the above reasons, the ARAL Program is a counter-intuitive use of taxpayer's money. And given our limited fiscal space, we need to spend the people's money more strategically. If spend we must, then spend we will, but let us address the root causes of our nation's problems.

To reiterate, no amount of remedial classes can alleviate the learning poverty rate if the default conditions are problematic in themselves. Thus, I vote NO to the ARAL Program Act.

MANIFESTATION OF SENATOR HONTIVEROS

As requested by Senator Hontiveros, following is her manifestation in support of Senate Bill No. 1604 which was deemed inserted into the *Record of the Senate*. She also requested that she be made coauthor of the bill.

I express my support and intent to be a co-author of the ARAL Program bill.

I joined the sponsor in recognizing the need for a massive and institutionalized learning recovery and continuity program to address learning poverty, losses, and gaps due to the COVID-19 pandemic.

In the same breath that we enacted the EDCOM 2 law, the ARAL Program offered an opportunity to improve and catch up with our educational performance and narrow the gap regarding our productivity losses.

I also shared the belief that the funding requirements, estimated at PhP 20B, are just a fraction of our future investments in youth and human capital development.

I hope that our implementing agencies, once we pass the proposal on 3rd reading, will ensure that some of the anticipated implementation issues are addressed, from the standardization of the



assessment tools and practices to better management of our pool of tutors; and, most especially, addressing the gaps in the learners' context both in the urban and rural setting.

Lastly, as the proposed bill recognized the need for parental involvement, I urge our other government agencies, like the Department of Social Welfare and Development (DSWD), to ensure that adequate financial education assistance will be rolled out to cut the costs on the part of the parents to ensure that those identified learners be enlisted in the ARAL program.

Maraming salamat and to our sponsor.

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

PROPOSED SENATE RESOLUTION NO. 520

With the consent of the Body, upon motion of Senator Villanueva, the Body considered Proposed Senate Resolution No. 520, entitled

RESOLUTION EXPRESSING THE PROFOUND SYMPATHY AND SINCERE
CONDOLENCES OF THE SENATE OF THE PHILIPPINES ON THE DEATH
OF NEGROS ORIENTAL GOVERNOR ROEL RAGAY DEGAMO.

Thereupon, the Chair recognized Senate President Zubiri to sponsor the resolution.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 3:19 p.m.

RESUMPTION OF SESSION

At 3:19 p.m., the session was resumed.

SPONSORSHIP SPEECH OF SENATE PRESIDENT ZUBIRI

In sponsoring Proposed Senate Resolution No. 520, Senate President Zubiri delivered the following speech:

I join the people of Negros Oriental in honoring the life of our good friend, Gov. Roel Ragay Degamo.

In the middle of all the necessary discourse about the series of senseless killings targeting politicians across the country, I want to take some time to remember Gov. Degamo beyond the tragedy of his death.

He was every bit a man of and for the people. He was a hardworking civil servant even before he entered politics, and he brought that same humility and working man's discipline into his political career.

His leadership was marked by flagship programs such as the HELP Program (Health, Education and Environment, Livelihood Programs), projects for peace and development, and landmark efforts to move Negros Oriental toward a future powered by renewable energy.

He was a well-loved leader, winning his people's trust and confidence in consecutive runs for the gubernatorial seat. And though his death was senseless, the fact that he spent his last moments on earth opening his home and attending to his constituents is telling of the kind of man he was—a truly committed public servant.



There will be time later on, after this speech, to discuss the brutal circumstances of his death, which we all rightfully feel strongly about. And indeed, we join the Degamo family in seeking justice for his death. But for now, we remember Governor Degamo for the life that he lived, and the legacy of service that he leaves behind.

I hope all our colleagues will support the passage of this resolution.

CONSPONSORSHIP SPEECH OF SENATOR VILLANUEVA

Upon motion of Senator Villanueva, there being no objection, the Body approved the insertion of his cosponsorship speech on Proposed Senate Resolution No. 520 into the *Record of the Senate*.

Following is the full text of Senator Villanueva's cosponsorship speech:

This Representation would like to offer my deepest condolences to the family left behind as well as the constituents of Gov. Roel Degamo. We likewise offer our sincerest condolences to the victims that were killed or injured during the attack.

Governor Degamo is a good friend and a partner in many of our efforts at the grassroots level. Among many others, we were together as we witnessed the pride and victory of 2,546 tech-voc students during the TESDA Career Advocacy at Mass Graduation for in Negros Oriental back in 2015.

He was a true and genuine public servant who devoted decades of his life serving the Filipino people. It is truly a loss for Negros Oriental and the country that continuously strives to attain good governance and economic empowerment for all.

Nakapanghihinayang po at nakagagalit ang nangyari sa ating matalik na kaibigan. We are one with the Degamo family and the people of Negros Oriental in demanding justice.

May he rest in peace.

COSPONSORSHIP SPEECH OF SENATOR VILLAR (C)

Senator Villar (C) delivered her cosponsorship speech on Proposed Senate Resolution No. 520, as follows:

I rise to cosponsor with a heavy heart Proposed Senate Resolution No. 520, taking into consideration Proposed Senate Resolution No. 521 which I filed, expressing the Senate's profound sympathy and condolences on the untimely demise of Gov. Roel Ragay Degamo of Negros Oriental. I joined the rest of the nation in strongly condemning the March 4, 2023 atrocious attack by armed assailants while Governor Degamo was attending to the needs of his constituents at his residence in Pamplona, Negros Oriental, which resulted in his unwarranted death and of eight more individuals at the premises.

Their death is senseless and despicable, to say the least, and has no place in a civilized and democratic society. We call on our law enforcement agency to act with dispatch and fast-track the investigation to truthfully identify and catch not just the perpetrators who brutally shot the victims, but also the masterminds who instigated the attack on the governor, so that all of them may be held accountable for the atrocity they have committed, and so that they may no longer be allowed to do other acts of violence to others.

As we join the collective call that truthful justice be served on the death of Governor Degamo and of the eight other people who died with him, we are taking this time to honor Governor Degamo who has exemplified kindness, generosity, competence, diligence, hard work, patriotism, and bravery while in public service.

He was a stalwart of the Nationalista Party in Negros Oriental, and a true friend of my family. We have discussed the danger to his life and it finally came about. I even asked the help of a fellow senator with his problem, when he was having a problem with his police security years ago.

Governor Degamo came from humble beginnings: a fisherman's son who studied hard and equipped himself with perseverance, courage, and kindness in order to have a bright future for himself and his family. While his rise to being governor of the province in 2011 was initially by virtue of succession or because of the succeeding deaths (due to sickness) of Gov. Emilio Macias and Gov. Agustin Perdices, his succeeding election for the post in the following 2013 elections was phenomenal as he won overwhelmingly over his opponents (who were then political heavyweights in the province), chiefly because of his good performance in office, his being charismatic, and his affinity to the ordinary people. He enjoyed the support of the masses and, thus, was reelected overwhelmingly in the succeeding elections, including the May 2022 elections that proved to be the most challenging for him.

Governor Degamo will always be remembered as one of this generation's well-loved Philippine governor—a governor who truly cared for the poor people and who worked hard to uplift the quality of their lives and bring improvement to the remote areas of Negros Oriental. Quoting a heartfelt statement that appeared in the social media—"Governor Degamo was the voice of the voiceless *"taga-bukid"* who were forsaken for many years."

In my personal capacity, on behalf of my family and of the Nacionalista Party, *lubos po ang pakikiramay namin sa iniwang pamilya ni Governor Degamo na pinangungunahan ng kaniyang maybahay na si Mayor Janice Degamo ng Pamplona, Negros Oriental at sa ating mga kababayan sa Negros Oriental.* We pray for the eternal repose of the soul of Gov. Roel Degamo and for the safety and security of the family he left behind. May the Lord God protect them and always keep them in his loving care.

Taimtim rin po ang aming dasal na makamit natin ang hustisya para sa kahindik-hindik na pagpatay kay Governor Degamo at ng walo pang namatay na kasama niya.

MANIFESTATION OF SENATOR CAYETANO (P)

Senator Cayetano (P) joined the Body in honoring Governor Degamo, who was a friend to many, and a true public servant. She said that she was very impressed with the governor's humble beginnings besides his humility, respectability and simplicity, as he walked around town just wearing slippers to meet his constituents. Even if Governor Degamo had no political party to back him up, she noted that the governor still fought for causes which he believed would be good for the people of Negros Oriental.

In recalling the numerous discussions with the governor, Senator Cayetano (P) said that she would always be grateful at how Governor Degamo had enriched her life, supporting her advocacy for sports, peace, and youth development. She believed that the people whose lives he touched would also share the legacy and good memories of the governor. She then hoped that more public servants would emulate Governor Degamo's deeds.

ADOPTION OF PROPOSED SENATE RESOLUTION NO. 520

Upon motion of Senator Villanueva, there being no objection, Proposed Senate Resolution No. 520, taking into consideration Proposed Senate Resolution No. 521, was adopted by the Body, subject to style.

COAUTHORS

Upon motion of Senator Villanueva, there being no objection, all senators present were made coauthors of Proposed Senate Resolution No. 520.

PROPOSED SENATE RESOLUTION NO. 517

Upon motion of Senator Villanueva, there being no objection, the Body considered Proposed Senate Resolution No. 517, entitled



RESOLUTION EXPRESSING THE SENSE OF THE SENATE STRONGLY CONDEMNING THE RECENT SPATE OF KILLINGS OF, AND ATTACKS AGAINST GOVERNMENT OFFICIALS AND PRIVATE PERSONS, AND URGING THE PHILIPPINE NATIONAL POLICE AND OTHER LAW ENFORCEMENT AGENCIES TO UNDERTAKE THE NECESSARY STEPS IN ENSURING THE SAFETY OF ALL.

With the permission of the Body, only the title of the resolution was read without prejudice to the insertion of its full text into the *Record of the Senate*.

Thereupon, the Chair recognized Senate President Zubiri for the sponsorship.

SPONSORSHIP SPEECH OF SENATE PRESIDENT ZUBIRI

In sponsoring Proposed Senate Resolution No. 517, Senate President Zubiri delivered the following speech:

Over the weekend, we all learned about the fatal attack against Negros Oriental Gov. Roel Degamo, a dear friend to all of us. An ambush that killed not just the long-serving governor but eight other individuals, some of whom were civilian constituents who were simply seeking government aid at that time during his 4Ps meeting.

This comes as the most recent in a string of attacks against incumbent and former government officials, and is the third in just last month, but we cannot afford to be desensitized to incidents like these. We cannot accept these attacks as a normal part of our culture. We cannot let violence like this terrorize our people, and force us all to live in fear.

In the last few months alone, we have seen the senseless murders of Governor Degamo; Cagayan Vice Mayor Rommel Alameda; former Lamitan City, Basilan Mayor Rose Furigay; former Lobo, Batangas Vice Mayor Romeo Sulit; and former Samar Mayor Miguel Abaigar. Some of their companions and colleagues have also met their deaths in these attacks.

Worse yet and part of my list should be the ambushed Governor Adiong. And, let me correct the newspaper accounts, he was not ambushed in Bukidnon. He was ambushed in Wao, Lanao del Sur but was taken to hospital in Bukidnon for treatment. And, of course, the Abra mayor that was killed just this week and also the mayor from Maguidanao who was ambushed as well after attending the League of Municipalities of the Philippines here in Manila.

Worst yet are the deaths of innocent civilians who have nothing at all to do with whatever motivations are behind these assassinations. To target government officials is dastardly, but to involve hapless civilians is downright evil. I am now beside the Minority Leader, who is a bar topnotcher, and we can consider this ambush to be an act of terrorism.

Under Sec. 4 (a) of Republic Act No. 11479 or "The Anti-Terrorism Act of 2020," a terrorist act is committed by any person who "engages in acts intended to cause death or serious bodily injury to any person, or endangers a person's life."

And clearly, lives were lost and other victims suffered serious injuries during this ambush. The crime committed was intended to intimidate the general public. Clearly, with what they did, they wanted to show and sow fear among our people. It was the statement that they wanted to make.

As I said, clearly, it was intended to intimidate the general public and create an atmosphere of fear or spread a message of fear, which qualifies the crime as an act of terrorism under our law.

Dapat lahat po ng perpetrators na ito and the killers should be treated as terrorists, including its mastermind—whoever the mastermind may be—and, of course, an enemy of the state.

By now, many of us have probably seen the CCTV footage of the ambush at Governor Degamo's compound. We saw how the constituents were patiently lined up in their chairs, waiting for the governor to attend to them as beneficiaries of the Pantawid Pamilyang Pilipino Program. *Walang kamalay-malay, walang kalaban-laban. Ganyan sila pinatay—parang mga baboy lamang na kinatay para gawing litson.*

Think of those constituents and think of their families waiting for them to bring home a little aid that Saturday morning, only to be met with the devastating news of their death. *Karumal-dumal ang pagpatay sa kanila.*

This is not just a matter of being at the wrong place at the wrong time, to assume that the ambush was inevitable. We must not let these heinous crimes pass as an inevitability. This is how the culture of impunity continues to grow, and this is how spineless murderers—shielded by anonymity and by hired gunmen—are emboldened to carry out these killings.

This is why, we are appealing urgently to the Philippine National Police and our law enforcement agencies to step up their efforts against these killings. That means arresting the perpetrators behind the Degamo ambush, yes, but it also means preventing similar crimes from happening in the future.

Nauubos na po ang tiwala ng taumbayan na kaya silang protektahan ng gobyerno. Every incident like this ambush is a failure of police intelligence, of police visibility, and of our peace and security efforts. We have already failed Governor Degamo and his constituents. We cannot keep on failing, not when lives are at stake. So, we call on the PNP to live up to their mandate to serve and protect the Filipino people. *Kamay na bakal na ang kailangan natin. Parang hindi na natatakot itong mga killer na ito, hired men o politically-motivated.*

Kailangan silang matuto na, unang-una, kapag may ginawa silang krimen, let the full weight and full force of the law be put upon them without fear or favor. Kapag ganiyan ay malaking deterrence na iyan in the future na may mangyari sa ating mga kababayan.

So, once again, I seek the support of our dear colleagues for the passage of this measure. And we also like to remind the PNP and the forces in charge of protecting our people to do double time in their work in protecting our Republic.

Thereafter, Senator Ejercito relinquished the Chair to Senate President Zubiri.

COSPONSORSHIP SPEECH OF SENATOR VILLANUEVA

Senator Villanueva delivered the following speech in support of Proposed Senate Resolution No. 517:

Nakagagalit, kahindik-hindik at nakapanghihinayang. Ito po ang ating naramdaman noong nakita natin ang video kung saan ang ating kaibigan ay walang pakundangang pinaulanan ng bala sa mismong kaniyang tahanan.

There are no words that can adequately and appropriately describe the waves of emotions that we feel upon hearing the news on the attack against a good friend, Gov. Roel Degamo of Negros Oriental.

Our sincerest condolences to his family—*kay Mayor Janice, sa kanyang mga anak, sa mga kababayan natin sa Negros Oriental.*

Kasangga natin si Governor Degamo sa ating mga adbokasiya mula pa noong tayo ay nasa TESDA. Buo po ang kanyang suporta lagi kung nagkakaroon tayo ng mga career orientation, advocacy at mass graduation, noon pong ginawa natin, iyong 2,546 Tech-voc students ng Negros Oriental, taong 2015. Kasama rin po natin siya nitong nakaraang eleksiyon sa pag-ikot at pagpapatupad ng ating mga proyekto.

In broad daylight and in his own home, while attending to his constituents—*sabi ninyo nga po, giving aid to his constituents—these criminals opened fire at Governor Degamo. Eight more persons would also be killed. Dinamay pa po ang mga inosenteng sibilyan. Maging si Satanas ay nagimbal sa kawalanghiyaan ng mga ito. Wala po silang takot sa gobyerno. Walang katiting na takot sa ating mga otoridad. Mga walang konsensiya at walang kaluluwa. Shameless. Barbaric.*

While we laud the efforts of our PNP *sa paghuli at pagtugis sa mga perpetrator*, we ask them to be more proactive in protecting our public officials, in protecting our people. *Hindi po maikakaila na planadong-planado ang aktong pagpaslang kay Governor Degamo. Nakapixelized na uniporme at armado ng high-powered at high-end firearms. I am sure hindi ito*

nakarehistro. Hindi po ito mga pipitsugin na firearms. The recovered items include five assault rifles, 5.56 millimeters; a B40 rocket-propelled grenade launcher with five ammunition; four bandoliers fully loaded with plates; one rifle case; and two combat uniforms. *Mayroon pa pong nakahanda na tatlong sasakyan sa pagtakas; pantakas na Mitsubishi Pajero, Mitsubishi Montero, Isuzu pickup.* May resources *po sila. Hindi po ito puwedeng sabihin na pipitsugin, at hindi mo rin puwedeng sabihin na hindi ito parte ng isang private army.* These criminals have become too brazen.

In a span of 15 days, from February 17 to March 4, 2023, three local executives were likewise injured or killed in ambushes: Lanao del Sur Governor Mamintal Adiong, February 17, 2023; Aparri, Cagayan Vice Mayor Rommel Alameda, February 19, 2023; and Datu Montawal, Maguindanao Mayor Ohto Montawal, February 22, 2023, with civilians injured and likewise killed.

Other former local executives were also attacked last year, including Vice Mayor Danilo Amat of Dolores, Quezon; former Mayor Rose Furigay of Lamitan City, Basilan; former Vice Mayor Romeo Sulit of Lobo, Batangas; former Vice Mayor and Provincial Board Member, Narciso Amansec of Dipaculao, Aurora; and former Mayor Miguel Abaigar Jr. of Calbiga, Samar.

Kung titingnan po natin ang datos, 105,568 incidents recorded from July 20, 2022 to January 2023. Six months *lamang po itong mga incidents po, most are theft, rape, and robbery: 57,103 in Luzon, 21,421 in Visayas, and 27,044 in Mindanao.*

Wala po ni katiting na puwang sa isang sibilisadong lipunan ang karahasan. Wala rin pong dahilan ang makapagbibigay-katuwiran sa pagpatay. Ang nangyari po kay Governor Degamo ay sampal sa ating pamahalaan. Sampal din ito sa taumbayan na araw-araw naghahangad ng malaya at ligtas na pamumuhay.

Sa inilabas po na survey ng Social Weather Stations noong February 7, 2023, 50% ng mga lumahok sa survey ay nagsabing takot silang maglakad ng gabi sa kalsada dahil hindi ito ligtas.

Takot ang ating mga kababayan—60% ay takot na baka pasukin ang kanilang sariling tahanan. Sino nga ba ang hindi magigimbal na makita ang video—tahanan mismo ng ating gobernador ng Negros Oriental ay papasukin lamang ng ganon-ganon? How much more ang ordinaryong mamamayan?

Hustisya ang ating panawagan. Kaisa ng mga biktima ng karahasan at karumal-dumal na krimen, we urge our law enforcement agencies, in the strongest sense, to do everything in their power to ensure that these criminals will know the full extent of the law. We are calling on them for the conduct of prompt, impartial, and efficient investigation and prosecution of cases, dismantling private armies.

Again to the families and constituents of Governor Degamo, and others whose families are victims of these senseless killings, we are one with you in demanding justice. We likewise offer our full support to our law enforcement agencies to take the necessary actions to ensure that the rule of law will be upheld.

Our Senate will go to the ends of the earth and back to end this culture of impunity. I will say it again: this Senate will go to the ends of the earth and back to end this culture of impunity. We will not allow heinous and abominable crimes to become our state of affairs. Our country will be ruled by laws, and basic human decency shall prevail.

Maraming salamat po at hinihingi natin ang suporta ng bawat isa nating kasama dito sa Bulwagang ito.

COSPONSORSHIP SPEECH OF SENATOR REVILLA

In cosponsoring Proposed Senate Resolution No. 517, Senator Revilla delivered the following speech:

Nakakapangilabot, nakakagigil, nakakagalit!

Lantaran na ang pang-abuso ng mga masamang loob na tila wala nang sinasanto. The recent assassination of Negros Oriental Governor Roel Degamo is truly at the height of atrocity. *Masahol pa sa hayop ang paglalapastangan sa ating batas.*



Sobra na ang pangamba ng taumbayan sa mga sunod-sunod na tila pagdi-diyos-diyosan ng mga halang na kaluluwang mga kriminal. The brazenness of these attacks is as revolting as it is enraging. Pati mga walang kinalaman na nandoon nang dahil lamang sa ayuda ay walang habas na pinagbabaril hanggang sa mamamatay nang walang kalaban-laban—mga babae, mga bata, matanda.

Hindi na tao ang mga ito. Sila ay mga demonyo na pera-pera lamang; mga kampon ni Satanas na hindi na dapat pamarisan at wala nang puwang sa ating lipunan.

This is obviously a systematic gun-for-hire attack. *Kaya nga ang mas malalim na katanungan—sino ba ang nasa likod ng krimen na ito? The gunmen are but small fishes. Ang kailangan nating tugisin ay ang mga “master,” so-to-speak. We already have the bullets that killed, but these bullets will not discharge by themselves without those who aimed them at the target, and cause them to be fired.*

Sila ang mga duwag na nagtatago sa likod ng armas at pera; silang naka-upo nang matiwasay habang dumadanak ang dugo sa walang saysay nilang demonstrasyon ng huwad na kapangyarihan.

We call on our law enforcement authorities to exact accountability. *Tugisin, panagutin, at turuan ng leksyon na kailanman ay hindi nila malilimutan. Hasain ang pangil ng batas upang sagpangin ang mga kampon ng kasamaan na iyan.*

This is as much a protest against the monstrosity of these despicable criminals as it is a call to action. While the efforts of the PNP and the authorities are making headway in showing we are in charge, there is still much to be done. *Kailangan tuloy-tuloy ninyong ipakita na you are still in control of the situation. These perpetrators feed on the chaos; that they will feel much bigger if you do not take control. But, in doing so, be thorough and be sure. Siguraduhin natin ang mga tunay na may kagagawan ng mga kaguluhang ito ang siyang mapanagot at maparusahan. Tiyakin natin na hindi sila makakatakas at makakaiwas sa pananagutan.*

These attacks are an affront to our democracy. In a span of just five months—*limang buwan—umaabot na sa siyam na madugo na brutal na pag-atake laban sa mga halal na local government officials, kung saan mahigit na dalawampung buhay ang nasayang dahil lang sa mga bayarang berdugong ito.*

Kaya dapat lamang na putulin na natin ang kanilang sungay, ng mga nasa likod ng kabuktutang ito. Hindi araw-araw, piyesta kayong mga demonyo. The great day of reckoning is coming.

Para naman sa mga pamilya na naulila, mga naiwan, panghawakan ninyo ang pangako namin na kasangga ninyo kami sa paniningil. While we join you in your anguish, we likewise rally behind you in your quest for justice.

Dito sa Senado, makakaasa kayong mananatili kaming mulat at magmamatyag, at dudurugin natin ang mga iyan nang pinong-pino.

Lest the wicked forget, you can run, you can hide, but when Lady Justice catches up, the sword shall swing—and when it does, it will bow to no one.

COSPONSORSHIP SPEECH OF SENATOR DELA ROSA

In cosponsoring Proposed Senate Resolution No. 517, Senator Dela Rosa delivered the following statement:

The life of a public servant is a life of great sacrifice. We, in the government, are mandated to serve our people. In pursuing this calling, we often have rough encounters with the forces of evil. Often we are reminded that we are only mere mortals.

These past few months, we have all witnessed the spate of killings and violence against some local officials and innocent private individuals. Local executives who have faithfully served their constituents were either killed or seriously injured by merciless perpetrators whose motives were hatched in the deepest recesses of hell.

The impunity and brutality instilled horror, anxiety, and panic among our people. This poses an enormous challenge to our law enforcement authorities, particularly the Philippine National Police. Peace and order must be restored in our communities and ensure that the criminals behind these evil deeds be held accountable.

I would like to extend my heartfelt condolences to the family of the late Gov. Roel Ragay Degamo of Negros Oriental. During the last Congress, the good governor appeared before the Committee on Public Order and Dangerous Drugs and shed light on the series of killings in his province. Never have I thought that Governor Degamo himself would be a victim of the killings he has condemned.

It is unimaginable, unacceptable, and heartbreaking that he would suffer the same tragic end in his home province that he faithfully and lovingly served.

He was optimistic and shared his campaign to improve the law and order situation in Negros Oriental; an uphill battle that he had to face.

I likewise grieve with the families of other local officials who have been victims of savagery and barbarity. Words cannot express the sadness and despair of their families and constituents.

To the PNP and other law enforcement agencies, you are expected to rise above and take control of the situation, reestablish law and order.

Today, more than ever, your presence and concerted efforts in providing security to the community are urgently needed. Respond to this call and be true to your mission in upholding public safety and security for our people.

COSPONSORSHIP SPEECH OF SENATOR GO

In cosponsoring Proposed Senate Resolution No. 517, Senator Go delivered the following speech:

I stand before you today with immense sadness as we take into consideration this measure before us.

First of all, I condole with the family of the late Negros Oriental Governor Roel Degamo, *isang Bisaya rin po*. I have known him for being a loyal ally during the Duterte administration and a reliable partner in public service. Governor Degamo died while literally serving his constituents. Last Saturday, the late governor was there, working for the people of Negros Oriental. He was truly a servant of the people.

Nakikiramay rin po ako sa pamilya ng iba pang nasawi sa pangyayaring ito katulad din ng kanilang gobernador, marami rin ang nasawi at nasaktan, ay naroon upang maglingkod sa kapuwa nating Pilipino.

Huwag nating hayaan na manaig ang mga masasamang loob na walang hiyang pumapatay ng kapuwa tao.

Ang nangyari kay Governor Degamo ay isa lamang sa mga dumaraming kaso ng pagpatay ng mga government official at private individual sa ating bansa na kapag hindi naagapan ay baka lumaganap pa.

Noong nakaraang taon, napakaraming local executives na hindi rin pinalampas ng mga mamamatay-tao na ito. Several killing incidents even took place in broad daylight.

Patunay lamang po kung gaano kalakas ang loob ng mga taong ito na pumatay kung saan at kailan nila gusto.

Local executives na po ito. If they were not spared, paano na lamang iyong mga ordinaryong mamamayan na hindi kayang protektahan ang mga sarili nila?

To our authorities, *magtulungan po tayo. Buo ang aking suporta at tiwala sa inyo sa pag-imbetiga sa mga insidenteng ito. Gawin natin ang lahat ng ating makakaya to make sure that justice will be served.*



Let us continue to uphold and protect the rights and safety of our people. *Iparamdam natin sa kanila* that we are doing our best to make sure that they are secure *dahil nandito ang kanilang gobyerno*.

Let us not be afraid in doing our work for our people. Let us not waver in our commitment as servants of the people. Instead, we must be more steadfast and more committed to do what we swore to do for our country and the Filipino people.

The life of Governor Degamo is an inspiration for all of us to do everything that we can as public servants while we still can.

Minsan lamang tayo daraan sa mundong ito. Gawin na natin ang lahat ng tulong at kabutihan na puwede nating gawin sa ating kapuwa.

I call on our authorities to pursue and arrest the rest of the perpetrators of this dastardly and cowardly act who also harmed innocent civilians. Justice must be served for the family and the people of Negros Oriental. There is no place for this kind of violence in a democracy such as ours.

COSPONSORSHIP SPEECH OF SENATOR GATCHALIAN

In cosponsoring Proposed Senate Resolution No. 517, Senator Gatchalian delivered the following speech:

In solidarity with my colleagues, I join them in filing Proposed Senate Resolution No. 517 that condemns the recent wave of killings and attacks against government officials and private persons in our country. In just a short span of 15 days from February 17 to March 4, at least three local executives were injured or killed in ambushes. *At kaugnay sa kaso ng walang awang pagpatay kay Gov. Roel Degamo, may mas malala pa ba sa pagpaslang ng isang lingkod bayan habang tapat na naglilingkod sa kaniyang mga kababayan?*

In the wake of these cruel killings, clearly, there has been an uptick in the attacks on local government officials. *At kung nagdudulot ito ng takot sa ating mga lokal na opisyal, tiyak na nagdudulot din ito ng pangamba sa mga ordinaryo nating mga kababayan. Dahil kung mismong mga mambabatas na opisyal na natin ang napupuntirya ng mga masasamang loob, paano pa kaya ang mga ordinaryong mamamayan na walang sapat na proteksyon?*

Such acts of violence and intimidation have no place in a civilized and democratic society such as ours. And this senseless murder of innocent people is an affront to every citizen who respects the rule of law. In the strongest terms, I join my fellow colleagues in the Senate in calling on the Philippine National Police and other law enforcement agencies to exert every bit of their power to apprehend those responsible for these killings and attacks.

Huwag na po sana nating hintayin na may dumagdag pa sa listahan ng mga lingkod bayan na mapapaslang. More killings and attacks will occur if assailants are seen to be escaping justice. Let us exert our maximum effort until those responsible for these heinous crimes have been held accountable. Let us ensure that justice is served as soon as possible.

And to end, *ako po ay nakikiramay sa pamilya ni Governor Degamo, isang mabuti at simpleng lingkod bayan po ng ating bansa. Ako ay taos-pusong nakikiramay at nakikiisa po sa mga naiwan ni Governor Degamo.*

COSPONSORSHIP REMARKS OF SENATOR TULFO

In cosponsoring Proposed Senate Resolution No. 517, Senator Tulfo stated that he had watched the CCTV video of the assassination and was utterly shocked by the gunmen's assault on the victims, particularly as they had freely opened fire on the bodyguards, the governor, and several civilians. He expressed concern that if such a blatant attack could be carried out on a high-ranking and heavily-guarded public official, ordinary persons targeted by criminal elements would not stand a chance.

He lauded the PNP and the military for the immediate arrest of some of the suspects but surmised that there had been some negligence on the part of the authorities. He stated that Governor Degamo had been receiving death threats in the past year, but the police had failed to provide him with adequate protection. He then shared his observation that the CCTV showed that there was no police visibility at the time of the shooting, allowing the gunmen to easily enter the governor's residence.

He then condemned the recurring cycle of assassination of public officials, and opined that the authorities handling the case may already know who planned Degamo's assassination but were constrained to follow due legal process. He expressed hope that one of the apprehended suspects would speak up and identify the individuals behind the governor's death.

He lamented that such heinous acts will continue as long as gambling and drug money could be used to buy off even people in positions of authority.

He stated that he was among those who want to put an end to such senseless violence.

MANIFESTATION OF SENATOR HONTIVEROS

As cosponsor of Proposed Senate Resolution No. 517, Senator Hontiveros delivered the following manifestation:

Ako po ay sumasang-ayon sa panawagan na kondenahin ang walang-habas na pamamaslang kay Gov. Roel Degamo.

Kanina, ako ay naghain ng Proposed Senate Resolution No. 518, which calls for an investigation in aid of legislation on that brazen killing of Governor Roel, and the spate of killings of elected public officials.

*It is my belief that given the frequency of attacks on public officials, it is imperative that we look into the causes and drivers of these incidents so that we can institute the necessary measures, whether policy *pa po iyan*, o legal, o law enforcement, *para subukang maiwasan ang ganitong mga pangyayari.**

Halimbawa po, hindi ko maiwasang isipin na ang pagpatay kay Governor Degamo ay may kinalaman sa desisyon ng COMELEC na siya ay iluklok bilang gobernador ng Negros Oriental matapos idiskwalipika ang boto ng isang nuisance candidate. Does it not cause us to reflect on whether or not this violence was preventable had the nuisance candidate been declared a nuisance earlier on, and the first proclaimed governor allowed to occupy the gubernatorial post?

Hindi ko rin po maiwasan na tanungin sa aking sarili kung bakit nakasuot ng pixelized fatigues ang mga bumaril kay Governor Roel. Naalala ko tuloy ang hearing ng Committee on Public Order and Dangerous Drugs ni Senator Doroy last Congress tungkol sa vigilante killings sa Negros, na ang isang lumitaw rin ay naka-military outfit ang mga pumatay.

While I support in broad strokes the call to investigate the killing, sa akin pong palagay, it is important to also look at the other institutions, and how they may, whether deliberately or not, have contributed to the violence visited upon public officials.

Halimbawa, when we hear of "election-related violence," we usually think of acts of violence in the lead up to or immediately after an electoral contest. Paano kung matagal na ang eleksiyon pero ang ugat ng karahasan ay eleksiyon pa rin? What is our framework for that?

Ako po ay lubos na nakikiramay sa pamilya ni Governor Degamo, lalo na ang kanyang maybahay na si Mayor Janice. We honor his memory, and the memory of the other elected public officials who have fallen, including Cagayan Vice Mayor Rommel Alameda of Datu Montawal, Maguindanao del Sur; former Vice Mayor Danilo Amat of Quezon Province; former Vice Mayor Romeo Sulit of Lobo, Batangas; and former Mayor Rosita Furigay of Lamitan City, Basilan. Ngunit, mauulit po ang ganitong pamamaslang kung hindi natin tukuyin ang puno at dulo ng problema.



COSPONSORSHIP SPEECH OF SENATOR ESTRADA

Senator Estrada delivered the following speech as a cosponsor of Proposed Senate Resolution No. 517:

I would like to convey my strong association with Proposed Senate Resolution No. 517.

It is indeed heartbreaking to listen to news reports about the seemingly wanton assault and killing of our incumbent and former elected officials. Most recent is the assassination of Gov. Roel Degamo of Negros Oriental, right at his place of residence, in broad daylight and in the company of his constituents.

Kung ang ating mga halal ng opisyaes na pinakamataas pa ang katungkulan sa kanilang LGUs ay hindi ligtas sa ganitong panganib, paano pa nga po kaya ang ating mga ordinaryong mamamayan?

Hindi ko rin po alam ang sagot sa tanong na ito. Pero ang alam ko lang ay wala po tayong ibang aasahan kundi ang agarang aksyon ng ating kapulisan at ang mas epektibo at mas maigting pang anti-criminality program ng ating Philippine National Police, ng ating LGUs, at ng ating iba pang law enforcement agencies at public order and safety auxiliary and augmentation forces.

A couple of months ago, we have taken up these issues during our discussions on the SIM Card Registration Bill. And now, we are back to deliberating on issues on criminality; but at least now, we know that we have positively and concretely contributed to the nation's anti-criminality efforts with the recent passage of the SIM Registration Act.

Kung panonoorin naman po natin ang mga CCTV footages ng mga ambush na ito ay masasaksihan natin ang mga walang pakundangang pagpatay. Parang wala nang takot ang mga guns-for-hire na ito at para bang sinusubok ang ating kakayahang mapanagot sila sa kanilang krimen.

Kaya naman po, ang aking marubdob na panawagan sa ating kinauukulan, na huwag tigilan ang paglutas sa mga kasong ito. Naplakahan na natin ang mga sasakyang ginamit – kung ito ay tunay na plaka o mga nakaw-plaka at nakunan naman ng CCTV ang mga nagnakaw na ito – at least at may mahalagang lead na po tayoy.

Mayroon tayong mga CCTV footages, mayroon pong mga witnesses, at mayoroong malakas na panawagan para sa hustisya para sa ating mga pinatay na lingkod bayan.

I also call on the PNP to please intensify its crime investigation and solution program, particularly on these guns-for-hire cases. *Lagi naman pong naka uniporme ng pulis o sundalo ang mga salaring ito. Mayroon pong batas na nagpaparusa sa ilegal na pagsuot at paggamit ng mga unipormeng ito. Mayroon naman pong polisiya ang PNP at ang AFP na dapat ay laging coordinated ang mga operasyon at galaw ng kanilang mga tao kada pagpasok sa ibang teritoryo, maging ito ay mga secret missions pa.*

Kung mayroon sanang laging pumupuna, nag re-report, at umaaksyon ng mga mga kahinahinalang galaw ng mga unipormadong taong ito – ay marami-rami po sana ang krimen na doon pa lang ay napigilan na. Kung mas marami-rami pa po sana ang check points at choke points, lalo na doon sa mga kalsadang posibleng gamitin sa pagtakas ng kanilang mga getaway vehicles ay naampatan na rin sana ang mga krimeng ito.

Lalo na rin siguro kung mas gagalingan pa ng ating Philippine National Police ang kanilang intelligence operations at crime solution capabilities, pati na rin ang kanilang forensics capacity. Gayon na rin ang kakayahang matukoy agad ang mga masterminds sa likod ng mga pagpapatay na ito bago pa sila makatakas sa pananagutan ng batas.

Hindi po kailangan masayang ang buhay ng nasirang Gov. Roel Degamo at iba pang opisyaes at ng mga inosenteng buhay na nadamay. Bagama't hindi po nag e-expire ang panawagan para sa hustisya ay hindi rin naman po magiging makatarungan kung hahayaan na lamang natin sila na dumagdag pa sa statistics ng ating unsolved crimes.

Nanawagan po ako para sa malawakang pagtutulongan sa mga sangay na ating DILG, DOJ, at ng PNP para sa maigting na peace, order, safety, security, at justice system sa ating bansa.



ADOPTION OF PROPOSED SENATE RESOLUTION NO. 517

Upon motion of Senator Villanueva, there being no objection, Proposed Senate Resolution No. 517 was adopted by the Body, subject to style.

COAUTHORS

Upon motion of Senator Villanueva, there being no objection, all the senators were made coauthors of Proposed Senate Resolution No. 517.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 4:16 p.m.

RESUMPTION OF SESSION

At 4:49 p.m., the session was resumed.

COMMITTEE REPORT NO. 23 ON SENATE BILL NO. 1849

(Continuation)

Upon motion of Senator Villanueva, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1849 (Committee Report No. 23), entitled

AN ACT AMENDING SECTIONS 2, 6, 10, 11 AND 15 OF REPUBLIC ACT NO. 11709 OTHERWISE KNOWN AS AN ACT STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES, BY PRESCRIBING FIXED TERMS FOR KEY OFFICERS THEREOF, INCREASING THE MANDATORY RETIREMENT AGE OF GENERALS/FLAG OFFICERS, PROVIDING FOR A MORE EFFECTIVE ATTRITION SYSTEM, AND PROVIDING FUNDS THEREFOR.

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

He stated further that they would be using the bill's amended copy dated February 28, 2023 as the working draft.

Thereupon, the Chair recognized Senator Estrada, sponsor of the measure, and Senator Villanueva for his amendments.

VILLANUEVA AMENDMENTS

As proposed by Senator Villanueva and accepted by the Sponsor, there being no objection, the Body approved the following amendments, subject to style:

1. On page 2, line 28, delete the word "AND";
2. On the same page, line 30, replace the period (.) with a semicolon (;) and add the word AND;
3. On the same page, line 31, insert: (4) SUPERINTENDENT OF THE PHILIPPINE MILITARY ACADEMY;



4. On page 3, delete lines 6 to 25;
5. On the same page, line 26, insert a paragraph to read as follows: TO BE ELIGIBLE FOR APPOINTMENT OR PROMOTION TO THE GRADE OF BRIGADIER GENERAL/COMMODORE (O-7) OR HIGHER, EXCEPT FOR POSITIONS UNDER SECTIONS 2(A) AND 2(B), THE OFFICER MUST HAVE AT LEAST ONE (1) YEAR REMAINING OF ACTIVE SERVICE BEFORE COMPULSORY RETIREMENT;

He explained that the amendment limited the tour of duty provisions to only the top five officers: the Chief of Staff for three years; and the heads of the Army, Air Force, and Navy, and the PMA Superintendent for two years.

6. On the same page, line 30 up to page 4, line 31, delete Section 2 amending Section 6 of RA 11709 and replace with the following:

SECTION 6. COMPULSORY RETIREMENT FOR MILITARY PERSONNEL.

(A) THE FOLLOWING OFFICERS OF THE AFP SHALL BE COMPULSORILY RETIRED:

- (1) THOSE IN THE GRADES OF SECOND LIEUTENANT/ENSIGN (O-1) UP TO LIEUTENANT GENERAL/VICE ADMIRAL (O-9) UPON REACHING THE AGE OF FIFTY-SIX (56) OR ACCUMULATION OF THIRTY (30) YEARS OF SATISFACTORY ACTIVE DUTY, WHICHEVER IS LATER;
- (2) THE CHIEF OF STAFF OF THE ARMED FORCES OF THE PHILIPPINES UNDER SECTION 2A OF THIS ACT, UPON COMPLETION OF OR RELIEF FROM THE TOUR OF DUTY;
- (3) THOSE OCCUPYING A KEY POSITION UNDER SECTION 2B OF THIS ACT, UPON COMPLETION OF OR RELIEF FROM THE TOUR OF DUTY, OR UPON REACHING THE AGE OF FIFTY-EIGHT (58), WHICHEVER COMES FIRST;
- (4) Those commissioned under Presidential Decree No. 1908, and those appointed in the corps of professors upon reaching the age of sixty (60) years of completion of twenty (20) years of satisfactory active duty, whichever comes later;

- (B) An enlisted personnel shall be compulsorily retired upon accumulation of at least thirty (30) years of satisfactory active duty or upon reaching the age of fifty-six (56) years old, whichever comes later;

Senator Villanueva explained that it was the collective sentiment of the Members to revert to the retirement age of 56 years old. He said that with the exception of the top five key officers under Section 2, all other members of the AFP will retire at age 56 or after an accumulation of 30 years of satisfactory active duty.

Senator Estrada asked whether it would be too young to retire at age 56. Senate President Zubiri clarified that the President requested to have the retirement age reverted to 56 to avoid any misunderstandings within the military institution. He then appealed to Senator Estrada to heed the advice of the President, stating that although the Senate is independent of the Executive branch, it would benefit the country if they cooperate with each other.

For purposes of statutory construction in future references, Senator Tolentino averred that the reversion of the retirement age was the overwhelming sense of the Senate and was also a position that stresses its independence as a separate branch of government.

Senator Villanueva pointed out that the provision was without prejudice to the AFP or the DND changing the age of retirement in a separate bill if deemed necessary. Senate President Zubiri

agreed, saying that current circumstances necessitated the reversion, but that it could be amended in future measures.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 5:00 p.m.

RESUMPTION OF SESSION

At 5:04 p.m., the session was resumed.

INQUIRY OF THE CHAIR

Asked by Senate President Zubiri whether the phrase "UPON COMPLETION OF OR RELIEF FROM THE TOUR OF DUTY" meant that the President can cut the term of the top five key officers should it be warranted, Senator Villanueva responded in the affirmative.

Senate President Zubiri however suggested adding the phrase UPON RELIEF BY THE PRESIDENT to the amendment, subject to style. Senator Villanueva stated that he would propose the necessary omnibus amendment.

At this point, Senator Pimentel pointed out that Section 2 (a) and (b) include the phrase "UNLESS SOONER TERMINATED BY THE PRESIDENT," which clearly indicates the point that Senate President Zubiri wanted to be reflected in the measure. He agreed that the idea must be conveyed through the use of a standard phrase or language.

VILLANUEVA AMENDMENTS

(Continuation)

7. As an omnibus amendment, after the phrase "UPON COMPLETION OF OR," insert the phrase UNLESS SOONER TERMINATED BY THE PRESIDENT, subject to style;
8. Still on page 3, line 26, insert a new Section 2 to read as follows:
SECTION 2. SECTION 3 OF RA 11709 IS HEREBY REPEALED; and
9. Renumber the sections accordingly.

Senator Estrada explained that the committee did not amend Section 3 of the existing law governing the PMA Superintendent's four-year tour of duty, without lateral movement, and retirement age of 58. He recalled that in Senator Lacson's sponsorship speech during the 18th Congress, he mentioned that the law ensures "that the position of the Superintendent of the Philippine Military Academy will be conducive to good leadership because the constant change in policy and command on this rank will be detrimental to the institution." He said that the committee merely amended the provisions that caused problems or unintended consequences and that resulted in grumblings among the soldiers. Thereafter, he said that would accept the amendment proposed by Senator Villanueva.

Senator Villanueva stated that the amendments were the result of a series of caucuses, including consultations with the Secretary of National Defense, the AFP Chief of Staff, other generals, and stakeholders involved in crafting the bill.

MANIFESTATION OF SENATOR HONTIVEROS

Reacting to the manifestation of Senator Pimentel, Senator Hontiveros supposed that future studies could include simulations on the possibility of changing the compulsory retirement age from 56 to 57, perhaps as the subject of a future bill, even if there are constitutional and organizational concerns regarding the tenure-in-grade of the PMA Superintendent.

PIMENTEL AMENDMENT TO THE VILLANUEVA AMENDMENT

On the new Section 2, as proposed by Senator Pimentel and accepted by the Sponsor, there being no objection, replace the word "REPEALED" with DELETED, subject to style.

PIMENTEL AMENDMENT

On page 7, line 5, before the word "CYCLES," as proposed by Senator Pimentel and accepted by the Sponsor, there being no objection, the Body approved the insertion of the word PROMOTIONAL.

VILLANUEVA AMENDMENTS

(Continuation)

10. On page 9, line 25, insert a new paragraph to read as follows:

EXCEPT FOR GENERALS/FLAG OFFICERS OCCUPYING POSITIONS UNDER SECTION 2(A) AND 2(B) OF THIS ACT, THOSE APPOINTED AND/OR PROMOTED UNDER REPUBLIC ACT NO. 11709 SHALL COMPULSORILY RETIRE AT FIFTY SIX (56) YEARS OLD OR UPON REACHING THEIR MAXIMUM TENURE-IN-GRADE, WHICHEVER COMES EARLIER: PROVIDED, THAT THOSE WHO HAVE ALREADY REACHED THE AGE OF FIFTY-SIX (56) SHALL CONTINUE TO BE IN SERVICE UNTIL THE AGE OF FIFTY-SEVEN (57) YEARS; and

11. Change the title of the bill to read as follows:

AN ACT AMENDING REPUBLIC ACT NO. 11709 OTHERWISE KNOWN AS "AN ACT STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES, BY PRESCRIBING FIXED TERMS FOR KEY OFFICERS THEREOF INCREASING THE MANDATORY RETIREMENT AGE OF GENERALS/FLAG OFFICERS, PROVIDING FOR A MORE EFFECTIVE ATTRITION SYSTEM, AND PROVIDING FUNDS THEREFORE.

SUSPENSION OF SESSION

Upon motion of Senator Villanueva, the session was suspended.

It was 5:16 p.m.

RESUMPTION OF SESSION

At 5:40 p.m., the session was resumed.

TERMINATION OF THE PERIOD OF INDIVIDUAL AMENDMENTS

There being no other individual amendment, upon motion of Senator Villanueva, there being no objection, the Body closed the period of individual amendments.

APPROVAL OF SENATE BILL NO. 1849 ON SECOND READING

Submitted to a vote, there being no objection, Senate Bill No. 1849 was approved on Second Reading, subject to style.

PRESIDENTIAL CERTIFICATION

Upon direction of the Chair, Secretary Bantug read the Presidential certification as to the necessity of the immediate enactment of Senate Bill No. 1849, to wit:

MALACAÑAN PALACE
MANILA

15 February 2023

SEN. JUAN MIGUEL F. ZUBIRI
Senate President
The Philippine Senate
Pasay City

Mr. Senate President:

Pursuant to the provisions of Article VI, Section 26 (2) of the 1987 Constitution, I hereby certify to the necessity of the immediate enactment of Senate Bill No. 1849, entitled:

AN ACT AMENDING SECTIONS 2, 6, 10, 11 AND 15 OF REPUBLIC ACT NO. 11709 OTHERWISE KNOWN AS "AN ACT STRENGTHENING PROFESSIONALISM AND PROMOTING THE CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE ARMED FORCES OF THE PHILIPPINES, BY PRESCRIBING FIXED TERMS FOR KEY OFFICERS THEREOF, INCREASING THE MANDATORY RETIREMENT AGE OF GENERALS/FLAG OFFICERS, PROVIDING FOR A MORE EFFECTIVE ATTRITION SYSTEM, AND PROVIDING FUNDS THEREFOR"

to further enhance policies and initiatives towards maintaining a responsive and professional Armed Forces of the Philippines.

Best regards.

Very truly yours,

(Sgd.) FERDINAND ROMUALDEZ MARCOS JR.
THE PRESIDENT OF THE PHILIPPINES

Copy furnished:

Rep. Ferdinand Martin G. Romualdez
Speaker of the House
House of Representatives
Batasan Hills, Quezon City

Secretary Mark Llandro L. Mendoza
Presidential Legislative Adviser and Head
Presidential Legislative Liaison Office
2/F New Executive Building
Malacañang, Manila

MOTION OF SENATOR PIMENTEL

Senator Pimentel maintained his consistent position on presidential certifications, as found in Section 26 (2) of Article VI of the Constitution, that it should be limited only to measures whose immediate enactment is made necessary to meet a public calamity or emergency.

Senator Pimentel expressed his disbelief that the alleged grumblings in the AFP, a highly-professional organization with a long history of discipline at that, could be treated as a public calamity or emergency. He then moved that the Body follow the regular procedure on the reading of bills and joint resolutions in accordance with the three-day rule before the approval on Third Reading. In reply, Senate President Zubiri noted that on several occasions including during the Fourteenth Congress when he was Majority Leader, the Body acted on several bills and resolutions based on the presidential certification even as there was no state of emergencies or calamity, as in the case of the national budget.

Senator Pimentel averred that it was good to follow precedents, but he believed that each Senate is actually independent of the past Senate. He pointed out that as its composition changes from one Senate to another, the Body's appreciation and understanding of the Constitution could also change. Hence, he appealed that Section 26 (2) of Article VI of the Constitution should be reserved only for measures that needed immediate enactment to meet a public calamity or emergency, which, he argued, did not exist in the case of Senate Bill No. 1849.

Senator Villanueva opined that President Marcos, with the issuance of the presidential certification on February 15, 2023, might have had the information and reasons that constitute a "public calamity or emergency." Thus, he objected to the motion of Senator Pimentel and stated that the Body could dispense with the three-day rule and pass the bill on Third Reading.

Senate President Zubiri added that there were 220 AFP officers whose respective confirmations were still pending with the Commission on Appointments and they were awaiting the urgent passage of Senate Bill No. 1849 into law so that the commission could act on their promotion.

For her part, Senator Cayetano (P) agreed with Senator Pimentel on the constitutional requirement of a public calamity or emergency; however, she also agreed with Senate President Zubiri that there were already precedents on the matter. She averred that the presidential certification was justified by the urgency to address the concerns of AFP officials who were waiting for the passage of Senate Bill No. 1849 into law.

Thereafter, the motion of Senator Pimentel to observe the three-day rule in the case of Senate Bill No. 1849 was submitted to a vote, and with the majority of the senators voting against, the motion was lost and the Body proceeded to the Third Reading of the bill.

APPROVAL OF SENATE BILL NO. 1849 ON THIRD READING

Upon motion of Senator Villanueva, there being no objection, the Body considered, on Third Reading, Senate Bill No. 1849, entitled

**AN ACT AMENDING REPUBLIC ACT NO. 11709 OTHERWISE KNOWN AS
"AN ACT STRENGTHENING PROFESSIONALISM AND PROMOTING THE
CONTINUITY OF POLICIES AND MODERNIZATION INITIATIVES IN THE
ARMED FORCES OF THE PHILIPPINES, BY PRESCRIBING FIXED TERMS
FOR KEY OFFICERS THEREOF INCREASING THE MANDATORY RETIRE-
MENT AGE OF GENERALS/FLAG OFFICERS, PROVIDING FOR A MORE
EFFECTIVE ATTRITION SYSTEM, AND PROVIDING FUNDS THEREFORE.**

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Villanueva, there being no objection, only the title of the bill was read without prejudice to the insertion of its text into the *Record of the Senate*.

Secretary Bantug called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Cayetano (P)	Padilla
Dela Rosa	Pimentel
Ejercito	Revilla
Estrada	Tolentino
Gatchalian	Tulfo
Go	Villanueva
Hontiveros	Villar (C)
Lapid	Zubiri
Legarda	

Against

None

Abstention

None

With 17 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1849 approved on Third Reading.

MANIFESTATION OF SENATOR ESTRADA

Senator Estrada thanked his colleagues led by Senate President Zubiri for allowing him to push for the passage of Senate Bill No. 1849; to the Majority Leader, Senator Villanueva, for proposing amendments on the bill; to the Minority Leader, Senator Pimentel, for his patience and wise counsel; to the committee resource persons, namely, Gen. Rommel Roldan of the Philippine Air Force, Assistant Secretary Lawrence Dy of the Department of National Defense, General Omar of the Philippine Air Force; and to his staff members for giving their valuable time to attend the briefings and listen to the urgent concerns of the defense establishment.

Senator Estrada expressed the hope that this measure would improve the morale for soldiers and officers of the Armed Forces of the Philippines as it sends a clear message that their Senate is one with the gallant soldiers and heroes as they perform their noble duty of protecting and defending the country against aggressors and enemies.

He stressed that the bill would also provide the Armed Forces of the Philippines with the flexibility, stability, and dynamism to adequately adopt and respond to the demands of the uncertain times.

COAUTHOR

Senator Villanueva stated the Senator Cayetano (P) requested that she be made coauthor of Senate Bill No. 1604 (ARAL Program).

CONFEREES

Upon nomination by Senator Villanueva, there being no objection, the following senators were designated to constitute the Senate panel in the Bicameral Conference Committee on the

disagreeing provisions of Senate Bill No. 1850 and House Bill No. 6336 (*Condonation of the Agrarian Reform Debt*): Senator Villar (C) as chairperson and, as members—Senator Marcos for the majority and Senator Hontiveros for the minority.

CHANGE OF REFERRAL

Upon motion of Senator Villanueva, there being no objection, the Body approved the change of referral of Senate Bill Nos. 1500 and 1509 (*Granting Philippine Citizenship Kyle Douglas Jennermann*) from the Committee on Rules to the Committee on Justice and Human Rights.

ADDITIONAL REFERRAL

Upon motion of Senator Villanueva, there being no objection, the Body approved to also refer Senate Bill No. 1928 (*Virology and Vaccine Institute of the Philippines Act*) to the same subcommittee handling the Virology and Vaccine Institute of the Philippines with Senator Cayetano (P) as chairperson.

COAUTHORS

Upon motion of Senator Villanueva, there being no objection, Senator Revilla was made coauthor of Senate Bill No. 1864 (*Student Loan Payment Moratorium During Disasters and Emergencies Act*).

Likewise, upon motion of Senator Villanueva, there being no objection, Senator Legarda was made coauthor of the following Senate bills: Senate Bill No. 1359 (*No Permit, No Exam Prohibition Act*); Senate Bill No. 1360 (*Universal Access to Quality Tertiary Education Act*); Senate Bill No. 1470 (*SUCs Land Use Development and Infrastructure Plan Act*); and Senate Bill No. 1864 (*Student Loan Payment Moratorium During Disasters and Emergencies Act*).

PRIVILEGE SPEECH OF SENATOR TOLENTINO

Availing himself of the privilege hour, Senator Tolentino delivered the following speech:

Last March 3, 2023, we celebrated World Wildlife Day. It is a United Nations international day to celebrate all the world's wild animals and plants and the contribution they make to our lives and the health of this planet.

The World Wildlife Day is a celebration of the birth of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora which we ratified in 1981.

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

The convention seeks to prevent extinction of species affected by trade. However, as we celebrated World Wildlife Day, our maritime commercial activities threatened and may likely caused tragedy to global maritime diversity.

In the past month, we have been riddled with maritime incidents. On February 10 of this year, LCT Pacifica 1, a cargo ship capsized off Surigao Del Norte while traversing the waters between Hinatuan Island and Bucas Grande Island. According to the Philippine Coast Guard, it was slammed by big waves about three meters high and the waters then entered the engine room of the vessel which caused an engine trouble. The Philippine Coast Guard is still assessing the situation as to whether it could cause an oil spill.

On February 27, MV Manfel Carrier V, a boat carrier vessel ran aground Lubang Island Occidental Mindoro. According to the Philippine Coast Guard, it departed from Subic Zambales going to Bauan, Batangas when it encountered engine trouble while traversing the vicinity waters

of Fortune Island. It was hit by large waves which caused it to drift towards Lubang and ran aground. The incident caused damage to the coral reefs.

On February 28 of this year, likewise, MV Starlight Saturn, a roll-on, roll-off vessel ran aground in the shallow waters of Bohol. According to the Philippine Coast Guard, the vessel ran aground at Danajon Bank, Kalituban in Talibon, Bohol while *en route* to Pier 5 in Naga City from a port in Surigao. The accident caused damage to the reefs. (A while ago, the wife of former Governor Chatto was here.)

Earlier that day, February 28, MT Princess Empress, an oil tanker sank off between Romblon and Oriental Mindoro with 800,000 liters industrial fuel cargo. According to the Philippine Coast Guard, initial investigation revealed that the distressed water tanker encountered engine trouble due to overheating. It then drifted towards the vicinity waters of Balingawan Point due to rough sea conditions until it submerged.

After MV Princess sank, an oil slick emerged which has now spread over 24 square kilometers. According to the DENR, within the 40-kilometer radius from the epicenter is home to approximately 591 hectares of coral reefs, 1,626 hectares of mangroves, and 382 hectares of sea grass sea weeds. There were also 21 locally-managed marine protected areas located in the City of Calapan, four in the towns of Naujan and Pola, four in Pinamalayan, two in Gloria in Oriental Mindoro, and the town of Gasan, Marinduque Province. It has already affected nine towns in Oriental Mindoro. These are Naujan, Pola, Pinamalayan, Gloria, Bansud, Bongabong, Roxas, Mansalay, and Bulalacao. It was also reported that it has now reached the Province of Antique.

The provincial agriculture office reported the sightings of dead fishes and sea birds in the shore lands of Pola, Naujan, and Pinamalayan towns. The PDRRMO of Oriental Mindoro reported more than 10,000 families were affected by the oil spill. There are also reports of residents falling ill. The Department of Health is now assessing whether water from the deep wells, shallow tube wells, and water pumps, and other sources of water are already contaminated by the oil spill. Due to the oil spill, fishing now has been banned by Mindoro Oriental Governor Dolor. There are around 18,000 registered fishermen in this province.

An oil spill of this magnitude was last experienced in 2006 when MT Solar 1 sank on the coast of Guimaras which carried 2.1 million liters of banker fuel. It affected 1,500 hectares of the local ecosystem comprised of mangrove, sea grass and coral reefs. It ended the livelihood of 20,000 fishermen and required a long period of rehabilitation.

Ngayon nangyari na naman po ito. The current oil spill trajectory model by marine experts projected that approximately 20,000 hectares of coral reef, 9,900 hectares of mangroves, 6,000 hectares of sea grass may be affected, and the oil spill may potentially reach as far as the shores of Palawan. This is far more reaching than the damage caused by empty Solar 1 years ago. Under the UNCLOS, we have the obligation to protect and preserve the marine environment and enact measures to deal with all sources to prevent, reduce, and control pollution of marine environment.

These maritime incidents could have been prevented. In LCT Pacifica 1, the huge waves caused engine trouble. MV MANFEL Carrier V also encountered engine trouble. For MV Starlite Saturn, the cause is still being determined by the Coast Guard. In MT Princess Empress, it had engine trouble due to overheating.

Under Executive Order No. 125, as amended, MARINA is mandated to undertake safety regulatory functions pertaining to vessel operations. Under Republic Act No. 9993, or the Philippine Coast Guard Law of 2000, the Philippine Coast Guard is mandated to enforce all maritime laws.

The question is: Were LCT Pacifica 1, MV MANFEL Carrier V, MV Starlite Saturn, and MT Princess Empress found to be seaworthy by the regulatory agencies?

In insurance law, seaworthiness is defined by the Supreme Court ruling in *Santiago Lighterage Corporation vs. Court of Appeals* as follows: "To be seaworthy, a vessel must have that degree of fitness which an ordinary, careful and prudent owner would require his vessel to have at the commencement of her voyage, having regard to all the probable circumstances of it." Thus, the degree of seaworthiness varies in relation to the contemplated voyage. Crossing the Atlantic calls for stronger equipment than sailing across the Visayan Sea. It is essential to consider that once the necessary degree of seaworthiness has been ascertained, this obligation is an absolute one,

i.e. the undertaking is that the vessel actually is seaworthy. It is no excuse that the ship owner took every possible precaution to make her so, if in fact he failed.

If seaworthiness is relative to the circumstances, then the standards of seaworthiness should be higher during the Amihan season. In fact, last February 22, PAG-ASA advised fishing boats and small vessels not to venture into the sea, and larger sea vessels have been alerted against big waves. *Bakit po pinayagan sila?*

Now, it can no longer be prevented. The oil spill by the sinking MT Princess Empress will devastate our marine ecosystem. The coral reef, the mangrove areas, and the marine protected areas are breeding grounds of fish, which are among our top sources of food. According to the BFAR—and this can be confirmed by Sen. Cynthia Villar—marine municipal fisheries output for the entire country reached 946.88 metric tons in 2022.

The oil spill is occurring in major fishing areas, and spreading to pristine fishing breeding grounds. It threatens the Verde Island passage, one of the country's richest areas of biodiversity, and might even reach the world-famous Boracay.

Our laws are not poor when it comes to oil pollution. We have RA 9993, the Philippine Coast Guard Law; PD 602, the National Oil Pollution Operation Center Decree; PD 979, the Marine Pollution Decree of 1976; RA 10654, the Amended Fisheries Code of the Philippines; RA 9275, the Philippine Clean Water Act of 2004; RA 9483, the Oil Pollution Compensation Act of 2007; and RA 10121, the Philippine Disaster Reduction Management Act of 2010.

The Philippine Coast Guard is the responsible agency for preventing and controlling pollution in the country's territorial waters. It made a National Oil Spill Contingency Plan (NOSCP). However, the policy for combating oil spill is limited because of lack of resources.

While we are seeking accountability, our efforts, in the meantime, should be focused on the containment of the oil spill to prevent it from causing further irreversible damage to our marine ecosystem. Next should be the recovery. *Ito rin po siguro ang dahilan kung kaya nangailangan na ng tulong si Secretary Bautista ng DOTr sa bansang Japan para mabawasan ang oil spill.*

As we have experienced in the Guimaras oil spill, recovery and rehabilitation will be extensive. It will affect not just the marine ecosystem, but all those who depend on it. Those who will be primarily affected will be the fishermen and their families. Today, 18,000 fishermen lost their livelihood. If we fail to contain the oil spill, it will affect thousands more.

But, as we have done again and again, we will rise as a nation and face this tragedy as one.

INTERPELLATION OF SENATOR LEGARDA

At the outset, Senator Legarda thanked Senator Tolentino for bringing to the Body's attention the oil spill which affected not just Oriental Mindoro but several provinces and regions in the country.

Relative to the oil spill, she revealed that the previous weekend, DSWD Secretary Rex Gatchalian offered assistance to affected communities in north Antique, particularly Semirara Island, and other areas mentioned by Senator Tolentino like Marinduque, certain areas in MIMAROPA, and some parts of Western Visayas.

Senator Legarda asked if the Philippine Coast Guard (PCG) or the Bureau of Fisheries and Aquatic Resources (BFAR) already submitted an estimate of the damage caused by the oil spill to communities and marine life. Senator Tolentino replied that the University of the Philippines' maritime office made a trajectory model which projected the oil spill to approximately affect 20,000 hectares of coral reef, 9,900 hectares of mangrove, and 6,000 hectares of seagrass, and that such damage could even reach Palawan and Boracay shores; and that according to the local Provincial Disaster Risk Reduction and Management Office (PDRRMO) of Oriental Mindoro, more than 10,000 families were affected by the oil spill, and that as days and hours pass by, greater damage could happen which might surpass the effects of the 2006 Guimaras oil spill wherein 18,000

fishermen lost their livelihood. Senator Legarda assessed that 10,000 affected families to a family of five is 50,000 individuals for Occidental Mindoro alone.

Asked what the PCG was capable of doing based on their available equipment and resources, Senator Tolentino said that they have utilized floating steel booms to siphon and contain the spread of oil. But he disclosed that PCG admitted to not having the capability to siphon all 800,000 liters of oil, the reason why he suggested seeking help from Japan; in fact, Secretary Jaime Bautista of the Department of Transportation (DOTr) had called the Embassy of Japan to ask for help on how to mitigate the effects brought about by the oil spill.

Asked how long the effects of the Guimaras oil spill went and how many families and communities were affected by it, Senator Tolentino said that while he did not have the exact data, the incident happened in 2006 when MT Solar 1 carrying 2.1 million liters of bunker fuel sank off the coast of Guimaras Island, thereby affecting 1,500 hectares of local ecosystem comprising of mangroves, sea grass, and coral reefs, and ended the livelihood of 20,000 fishermen because the oil spill required a long period for cleanup and rehabilitation.

As to what the legislators could do to encourage the Philippine Coast Guard Auxiliary (PCGA) and civilian volunteer groups to assist in containing the oil spill, Senator Tolentino averred that there should be a whole-of-government approach involving government agencies concerned, the private sector, big companies owning private tankers and siphoning equipment as well as scientists and marine experts from Silliman University. He agreed to Senator Legarda's suggestion to also seek assistance from the UP Marine Science Institute.

Regarding the simplest way to clean up the oil spill, Senator Tolentino stated that the PCG has a National Oil Spill Contingency Plan to contain the oil spill in one area and to spare Verde Island by all means, as it is the center of marine biodiversity.

In reply to Senator Legarda's query whether the PCG's oil spill contingency plan was being implemented since funding thereof could be sourced from the DBM or DRR funds from the local government, Senator Tolentino admitted that more than the provision of the contingency plan for specific details to contain the oil spill or utilize private equipment, huge amount of resources was likewise necessary, the reason why during the debates on the proposed DFA agreements between Japan and the Philippines, not only humanitarian reasons would be raised but also emergency response because Japan has the capability to immediately render assistance in such situation. He stated that while the oil spill was more or less stagnant because of the *amihan* season, there would still be consequential fish kill.

Asked if there was insurance against oil spills caused by shippers and vessel owners, Senator Tolentino believed that there was, but no amount of money could compensate for the damage caused to the environment.

As an aside, Senator Tolentino informed the Body that the previous week, the United Nations signed and adopted in New York a landmark convention on the high seas concerning the protection of marine resources, to which the Philippines was a signatory. But despite being a signatory to international conventions, Senator Legarda lamented that when disasters or accidents occur in the high seas, the Philippines remains to be helpless not for lack of laws, but for lack of resources to protect its people.

She asked how the affected fisherfolk could be assisted, and what alternative livelihood could be made available for them. Senator Tolentino surmised that the government had learned from the Guimaras oil spill, the reason why the DSWD Secretary offered immediate assistance and

response. Senator Legarda confirmed that Secretary Gatchalian was one of the two proactive officials who informed her about the oil spill.

However, Senator Tolentino wondered why certain regional agencies that should have immediately responded to the incident were all based in Metro Manila. For instance, he noted that the regional center which should be located in Calapan, Oriental Mindoro is based in Metro Manila; and even the agencies for MIMAROPA and Region IV-A could be found in Metro Manila.

To Senator Legarda's further query as to why unseaworthy vessels were allowed to ply sea routes, Senator Tolentino replied that under Executive Order No. 125, the Maritime Industry Authority (MARINA) was the agency tasked to inspect the seaworthiness of ships and vessels together with the Philippine Coast Guard under Republic Act No. 9993. He suggested that MARINA should be more proactive in the conduct of timely inspections, not only during holidays and the Lenten season. Further, he believed that government should take a second look in the purchase of second-hand vessels abroad, as these had been utilized for several decades.

Senator Legarda inquired if in the five days since the incident occurred on March 1, 2023 relevant government agencies such as the MARINA, the Philippine Coast Guard (PCG) in the region, and the Regional Disaster Risk Reduction Management Council (NDRRMC), at either the national or regional levels, had convened to address the issue. Senator Tolentino said he was not privy to any meetings held by the aforementioned agencies, and could only hypothesize on their possible actions. Senator Legarda agreed that they could only speculate at the moment.

Asked if the Senate should summon the head of MARINA and the regional NDRRMCs of both MIMAROPA and Region VI, Senator Tolentino replied in the affirmative, stating that the Provincial Disaster Risk Reduction Management Office (PDRRMO) of Oriental Mindoro had already reported that approximately 10,000 families were affected by the oil spill. Senator Legarda, however, believed that the PDRRMO would be helpless since it lacked the necessary financial resources to address the issue. She emphasized that the NDRRMC in the MIMAROPA Region, as well as the national level, should be summoned by the Body due to the P15 billion funding allocation in the General Appropriations Act that could be used as a Quick Response Fund (QRF) for disaster management.

Senator Tolentino then restated a concern that he had previously raised over the regional NDRRMC meeting in the affected area to establish a factual analysis of the situation, notwithstanding the fact that its member agencies were dispersed around Metro Manila. Senator Legarda echoed Senator Tolentino's concern and urged the Body to immediately convene a hearing with the following agencies: 1) PCG; 2) MARINA; 3) NDRRMC officers—the regional NDRRMC, or the PDRRMO of each affected province; and 4) Department of Agriculture (DA) in the MIMAROPA Region and Region VI, so that they could brief the senators on what they had done in the past five days since the incident. She argued that even in the absence of a meeting or a hearing, the Senate may require the agencies to produce a report outlining their respective courses of action. Senator Tolentino agreed with Senator Legarda's proposal.

Senator Legarda then stated that she would join Senator Tolentino when a hearing on the subject is called. She stated that she would ask the PDRRMO, DA-Province of Antique, and the barangay captain of Semirara to answer questions at the proper time, as well as inquire about the measures they had done to contain the oil spill.

MANIFESTATION OF SENATOR CAYETANO (P)

Senator Cayetano (P), recalling her experience as chairperson of the Committee on Environment, Natural Resources and Climate Change during the 2006 Guimaras oil spill, stated that there were

pertinent lessons to be gained from her committee's investigation into such incident. She recalled that when she conducted the ocular inspection of the affected locality, the damage caused by the oil spill was evident—the oil had combined with the dirt and the debris, as well as what was naturally present in the water, to resemble mud. She added that the substance gathered by bare hands and transferred to PET bottles at the time was literally oil.

She stated that her committee visited the site on August 27, 2006 and conducted a joint investigation together with her co-chairperson, Rep. Nereus "Neric" Acosta of the House of Representatives. She stated that subsequently, on June 4, 2007, the Oil Pollution Compensation Act of 2007 was enacted. She stated that ship owners challenged the statute, but the Supreme Court ruled with finality in 2018. She then read the summary of the ruling, to wit:

This case concerns the constitutionality of establishing the "Oil Pollution Management Fund," under Section 22(a) of Republic Act No. (RA) 9483 and Section 1, Rule of its Implementing Rules and Regulations (IRR), by imposing "ten centavos (10c) per liter for every delivery or transshipment of oil made by tanker barges and tanker haulers."

The constitutionality and validity of sub-paragraph a, Section 22 of Republic Act No. 9483, as well as Section 1, Rule of the Implementing Rules and Regulations of said law are hereby upheld.

Senator Cayetano (P) stated that the objective was to establish a fund to address oil spills. She then stressed the necessity of looking into the fund to ensure that it was intact and that, moving forward, it could be tapped in the event of another oil spill.

As to the earlier query of Senator Legarda on the agencies that assisted with the 2006 Guimaras oil spill, Senator Cayetano (P) stated that a number of international non-profit organizations, government agencies, and academic institutions collaborated in responding to the crisis, including the 1) United States National Oceanic and Atmospheric Administration (NOAA); 2) the United Nations Development Program (UNDP); 3) International Maritime Organization (IMO); 4) Green Peace, 5) Worldwide Fund for Nature (WWF); 6) NDRRMC, 7) Department of Environment and Natural Resources (DENR); 8) Bureau of Fisheries and Aquatic Resources; and 9) the University of the Philippines-Visayas.

Quoting from the same article where she culled the names of the aforementioned agencies, Senator Cayetano (P) informed the Members that 13 years after the incident, "Guimaras once again boasts pristine beaches with white sand; Taklong Island National Marine Reserve (TINMR) is crowned as 'the jewel of Guimaras'; and the fisherfolk have returned to harvesting the abundance of waters."

Concerning health, Senator Cayetano (P) informed the Body that the Center for Disease Prevention and Control (CDC), through its regional offices, would be tasked to respond to the incident, since it could also be considered a public health incident. She defined it as "either a public health emergency or a public health threat due to biological, chemical, radio nuclear or environmental agents." However, she said that while CDC had yet to establish itself, the task of ensuring the health of the residents and fishermen in Oriental Mindoro would fall under the purview of the Department of Health.

For his part, Senator Tolentino added that at that stage of the oil spill, the government could also enlist the assistance of the Philippine Space Agency (PhilSA), whose operation the Senate had adequately funded, and whose satellites could be used to evaluate the damage along the straits of Mindoro, Romblon, and the Verde Island. Senator Cayetano (P) concurred with Senator Tolentino.

Finally, Senator Cayetano (P) stated that as chairperson of the Committee on Sustainable Development Goals, Innovation and Futures Thinking, the issue was of great interest to her, and

that Senator Tolentino's proposal to tap the PhilSA could be considered part of futures thinking as well, as it would utilize innovation and technology to address the problem. In addition, she said that the Oriental Mindoro oil spill specifically addressed Sustainable Goal No. 6 (SDG-6), which is about clean water and sanitation, (SDG-8), which is about decent work and economic growth, and (SDG-14), which is about life beneath the water.

MANIFESTATION OF SENATOR VILLANUEVA

Senator Villanueva expressed his support and gratitude to Senator Tolentino for bringing the recent oil spill in Oriental Mindoro to the Body's attention. He said that the Philippines has a coastline of 36,000 kilometers, making it the fifth longest in the world, and that Philippine oceans are part of the global center of marine biodiversity. He noted that the oil spills effect the nation's food security, since the West Philippine Sea alone accounts for 7% of the nation's total fish produce. He manifested his intention to participate in the forthcoming public hearings on the matter.

MANIFESTATION OF SENATOR VILLAR (C)

At this juncture, Senator Villar (C) read the following update from the Bureau of Fisheries and Aquatic Resources (BFAR) regarding the matter:

"The BFAR, jointly with the Coast Guard, the DENR, and the DOH have representatives in the area to oversee the clean-up operation of the oil spill of MT Princess Empress, to prevent further damage to nine out of 13 towns of Mindoro Oriental which are now affected; Antique Province has Caluya, which has the Semirara Island.

"BFAR is doing water quality testing and fisheries impact assessment. They have given out 5,000 food packs to distressed residents. They have given livelihood support, such as tinapa-making, by transporting fishes from clean areas to affected municipalities.

"The service contractor of the owner of the ship has sourced out equipment from abroad to remove the spill, which will arrive Friday this week. The ship has been found in Pola, Mindoro Oriental."

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Villanueva, there being no objection, the Chair referred the privilege speech of Senator Tolentino as well as the interpellations and manifestations thereon to the Committee on Environment, Natural Resources and Climate Change.

ADJOURNMENT OF SESSION

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

It was 6:49 p.m.

I hereby certify to the correctness of the foregoing.

Atty. **RENATO N. BANTUG Jr.**
Secretary of the Senate

Approved on March 7, 2023

