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SESSION NO. 63
Monday, March 10, 2014

SIXTEENTH CONGRESS
FIRST REGULAR SESSION

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CALL TO ORDER

At 3:09 p.m., the Senate President, Hon. Franklin M. Drilon, called the session to order.

PRAYER

Sen. Sergio R. Osmeña III led the prayer, to wit:

Heavenly Father, we gather before You today to seek Your guidance so that we may conduct our work with a spirit of joy and enthusiasm and excellence.

During this Lenten season, we remember the sacrifices that Your Son, the Lord Jesus Christ, made for us. Live within our midst as we set aside time to reflect on what it means to live meaningful lives. Keep our minds open so that we may look at the big picture and determine our respective roles in making our nation and our world a better place.

Lastly Holy Father, we lift up to You our hearts and minds, so that we may overcome our selfishness and trust in Your goodness as we reach out to others with compassion. Help us to remember the value of prayer, and the importance of caring for others following the example of Your Beloved Son.

We ask You this through Jesus Christ, our Lord.

Amen.

NATIONAL ANTHEM

The DKS Kammerchor Singers led the singing of the national anthem and thereafter rendered the song, entitled "*Isang Dugo, Isang Lahi, Isang Musika.*"

ROLL CALL

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

Angara, S.	Lapid, M. L. M.
Aquino, P. B. IV B.	Legarda, L.
Binay, M. L. N. S.	Osmeña III, S. R.
Cayetano, A. P. C. S.	Pimentel III, A. K.
Drilon, F. M.	Poe, G.
Ejercito, J. V. G.	Recto, R. G.
Enrile, J. P.	Revilla Jr., R. B.
Escudero, F. J. G.	Sotto III, V. C.
Estrada, J.	Trillanes IV, A. F.
Guingona III, T. L.	Villar, C. A.
Honasan, G. B.	

With 21 senators present, the Chair declared the presence of a quorum.

Senator Cayetano (P), who was on official mission, arrived after the roll call.

Senator Defensor Santiago was on official mission.

Senator Marcos was on official mission abroad.

APPROVAL OF THE JOURNAL

Upon motion of Senator Cayetano (A), there being no objection, the Body dispensed with the reading of the Journal of Session No. 62 (March 5, 2014) and considered it approved.

APPROVAL OF SENATE BILL NO. 1733 ON THIRD READING

Upon motion of Senator Cayetano (A), there being no objection, the Body considered, on Third Reading, Senate Bill No. 1733, printed copies of which were distributed to the senators on March 5, 2014.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, upon motion of Senator Cayetano (A), there being no objection, Secretary Yabes read only the title of the bill, to wit:

AN ACT IMPLEMENTING THE PEOPLE'S
RIGHT TO INFORMATION AND THE
CONSTITUTIONAL POLICIES OF
FULL PUBLIC DISCLOSURE AND
HONESTY IN THE PUBLIC SERVICE
AND FOR OTHER PURPOSES.

Secretary Yabes called the roll for nominal voting.

RESULT OF THE VOTING

The result of the voting was as follows:

In favor

Angara	Lapid
Aquino	Legarda
Binay	Osmeña
Cayetano (A)	Pimentel
Drilon	Poe
Ejercito	Recto
Enrile	Revilla
Escudero	Sotto
Estrada	Trillanes
Guingona	Villar
Honasan	

Against

None

Abstention

None

With 21 senators voting in favor, none against, and no abstention, the Chair declared Senate Bill No. 1733 approved on Third Reading.

EXPLANATIONS OF VOTE

Pursuant to the manifestation of Senator Cayetano (A), hereunder are the written explanations of vote of the following senators*:

By Senator Binay

This is to elucidate my support and vote in approving Senate Bill No. 1733, entitled "People's Freedom of Information Act of 2013," otherwise known as the "FOI Bill."

The right to information is enshrined under Article III, Section 7 of our 1987 Philippine Constitution which provides, to wit:

"Section 7. *The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.*"

Consistent with the previous statements regarding the matter, I reiterate that access to information is an essential requirement of transparency and accountability. The FOI Bill fosters the right to information, which translates to transparency, public accountability and good governance.

Based on the foregoing, I fully support the passage of FOI Bill as approved by the Senate of the Philippines on Third Reading.

By Senator Cayetano (P)

I vote affirmatively for the passage of Senate Bill No. 1733 or The People's Freedom of Information Act of 2013 into law. The right to information of the Filipino people is enshrined in the 1987 Constitution, to wit:

Article II, Section 18. Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest.

Article III, Section 7. *The right of the people to information on matters of public concern shall be recognized.*

* Manifestation of Senator Cayetano (A) on page 89.

Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.

This right, though constitutionally guaranteed, is useless without the law that supports it. Abid Hussain, the UN Special Rapporteur on Freedom of Opinion and Expression, in his 1995 Report to the UN Commission on Human Rights, elaborated on this stating: "Freedom will be bereft of all effectiveness if the people have no access to information. Access to information is basic to the democratic way of life. The tendency to withhold information from the people at large is therefore to be strongly checked¹.

It is a fundamental human right recognized in international law. The right to information is protected in the Universal Declaration of Human Rights and finds international legal protection in Article 19 of the *International Covenant on Civil and Political Rights*, which states that "Everyone shall have the right...to seek, receive and impart information and ideas of all kinds, regardless of frontiers."

The freedom of information (FOI) laws all over the world are the same in essence. They establish a "right-to-know" legal process by which requests may be made for government-held information, to be received freely or at minimal cost, barring standard exceptions². This provides a means by which people can come to know about their rights and even violations of such rights, and more importantly, hold the government accountable for constitutional and international human rights obligations.

As of September 2013, at least 95 countries had nationwide laws establishing the right of, and procedures for, the public to request and receive government-held information (including four with actionable ATI regulations, *i.e.* Argentina, China, Niger and Tunisia)³.

The time has come for our own FOI Law.

With the political background of graft and corruption scandals in the Philippine government, especially the pork barrel scam that rocked

our country last year, the ordinary Juan has become more vigilant in the affairs of the state. Sen. Grace Poe in her sponsorship speech said, "The FOI will not only prevent graft and corruption but, more importantly, our citizens will learn to get involved and participate and thus will become true stakeholders in government. This is the true essence of democracy."

There is a clamor to ensure transparency and accountability in public offices. Access to information will be the key. By providing public access to data held by government, our citizens will become involved in the shaping of national policies and will have the opportunity to make informed questions. They can participate actively in the national discourse. A net effect will also be a more responsive government that will strive to deliver the basic services more efficiently and effectively.

The FOI Law will show the clear mechanism and procedure by which to get access to the information our constituents want and need. It will provide limited exceptions of the grant to the access, mostly concerning our national security. It will also mandate certain types of information to be disclosed, especially relating to public funds. Remedies will also be provided in cases of denial of request for information.

During the period interpellations, I pointed out some areas that I felt should be clarified to ensure the practical enforceability of the provisions. Thereafter, I proposed some amendments⁴

4 Sec7 (b) "including exchanges when the chief executive was not present"

Sec. 7 (d) "The information requested *pertains to matters of human security, such as, but not limited to, food, health, money and trade: Provided, That such disclosure or premature disclosure will imperil our well-being or degrade the quality of life of our people by causing unnecessary panic and conflict, and threatening to limit the range of policy choices available to the concerned implementing and regulating agencies: Provided, further, That this exception shall apply only until such time that the confidentiality requirement of the action plan of said agency is no longer necessary in addressing the said security issue."*

Sec. 7(1)(3) "with a majority vote of the Body in accordance with their own rules of procedure, when applicable"

Sec. 9 "shall make available upon the request of any citizen"

Sec. 9(12) "deadlines"

Sec. 11(a) "Freedom of Information Manual within six (6) months from the effectivity of this Act"

1 UN Doc. E/CN. 4/1995/32, para.35.
<http://www.article19.org/data/files/pdfs/publications/foi-as-an-international-right.pdf>
 2 http://en.wikipedia.org/wiki/Freedom_of_Information_laws_by_country#cite_note-1
 3 <http://www.right2infor.org/access-to-information-laws/access-to-information-laws>

to strengthen the law and improve public access to information, and the sponsor graciously accepted and approved them. With all bases covered for the protection and effective implementation of this right, as well as safeguards well placed for the government and the citizens, I commend the sponsor and my colleagues for shepherding this bill to approval in the legislative mill in the Senate.

Thus, I vote in the affirmative for The People's Freedom of Information Act of 2013.

By Senator Cayetano (A)

*When the righteous are in authority,
the people rejoice; but when the wicked
rule, people mourn.*

Proverbs 29:2

For the past fifteen years, the Filipino people have endured a government that is constantly plagued by questionable practices, anomalous government contracts, and other instances of graft and corruption – from the Euro-Generals controversy to the AFP *Pabaon* Scandal, from the NBN-ZTE Deal to the PEA-AMARI Scam, from the *Juetengate* Scandal, the Fertilizer Fund Scam and the “Ma’am Arlene” controversy to the Pork Barrel Scam. Instances of slow and inefficient government processes, and public officers not acting without receiving special favors, have prompted ordinary citizens to resort to fixers or even bribery in order to get ordinary transactions done in record time. Graft and corruption has slowly become the norm instead of the exception. It is time to act on this perversion.

Even the wicked will have a hard time ruling and will eventually be removed if we have a law on Freedom of Information (FOI) and an institutionalized policy of transparency and accountability. Graft and corruption is a threat to the righteous, especially if there is no FOI law in place.

Had the FOI Law been enacted earlier, I believe a good number of corruption cases, high-profile or not, could have been avoided with a citizenry that is consistently vigilant. The FOI Law provides the mechanism to share knowledge and information about governance with our people. With an FOI Law in place, every Filipino would have the capacity to be a graft-buster, a reformist, and a crucial building block of an empowered citizenry united in aiming for national development.

I have always advocated for and supported legislative measures aimed towards a transparent and responsive government which ensures that

every Filipino family is able to cope with the problems of high prices, lack of jobs, and low income. The goal is to make sure that every Filipino family can lift itself out of poverty and feel the benefits of the growing and inclusive economy.

The Philippines has consistently ranked low in terms of anti-corruption efforts. In Transparency International's Corruption Perception Index 2013, which measures perceived level of public sector corruption on a scale of 0 (highly corrupt) to 100 (very clean), the Philippines got a score of 34 and ranked 94th out of 177 countries. Indeed, there is a need to intensify our fight against graft and corruption.

The United Nations Convention against Corruption (UNCAC), of which the Philippines is a state-party, recognizes that corruption poses serious problems to the stability and security of societies, undermines the institutions and values of democracy, ethical values, and justice, and jeopardizes sustainable development and the rule of law. Acknowledging that the prevention and eradication of corruption is a responsibility of all states, the UNCAC requires states to “develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.”

Under Article 10 of the UNCAC, the Philippines obligated itself to “take such measures as may be necessary to enhance transparency in its public administration, including, with regard to its organization, functioning and decision-making processes, *where appropriate*.” The UNCAC notes that such measures may include, *inter alia*, (a) adopting procedures or regulations allowing members of the general public to obtain, where appropriate, INFORMATION on the organization, functioning and decision-making processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public; (b) simplifying administrative procedures, where appropriate, in order to facilitate public access to the competent decision-making authorities; and (c) publishing INFORMATION, which may include periodic reports on the risks of corruption in its public administration.

Through the passage of the PEOPLE'S FREEDOM OF INFORMATION ACT, we not only comply with our obligation under the UNCAC, but also move towards a more transparent and accountable government, a more

vigilant and participative citizenry, and a more institutionalized policy of implementing “*Tuwid na Daan*.” In a time when our citizenry is already so sick of corruption, abuse of power, and deception, the passage of the FOI Bill into law will not only restore the faith of the Filipino people in the three branches of the government, it will also boost investors’ confidence to enable the government to provide jobs for poor Filipinos.

The passage of this law, however, is just winning half the battle. The other half requires us to promote values formation, prioritize the passage of the Whistleblowers Protection Act, and expand the Witness Protection Program.

On this note, I register my full support for the passage of this landmark piece of legislation.

By Senator Guingona

I am in favor of the passage of Senate Bill No. 1733, the People’s Freedom of Information of 20103.

The right of the people to information is enshrined in Article III, Section 7 of the 1987 Constitution which provides that:

Section 7. The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.

Public scrutiny is vital in the functioning of any government. It is the heart and soul of a democracy. Senate Bill No. 1733 is one mechanism that safeguards our democracy, as it implements the people’s right to information. Under Senate Bill No. 1733, every Filipino citizen shall be given access to information, subject to certain exceptions only.

The passage of this bill not only ensures greater transparency in government functions but it also ensures greater accountability from our public officers. As aptly stated by Justice Louis D. Brandeis: “Sunlight is said to be the best of disinfectants....”

The passage of the People’s Freedom of Information Act has long been overdue. This law has been present in the United States of America since 1966, the United Kingdom in 2000,

and Japan in 2001 and has helped their citizens secure greater transparency and accountability from their respective governments.

The right of the people to know how policies are made and how their taxes are spent serves as a check and balance on the government. By enabling public scrutiny, every citizen will be able to monitor government performance and expenditures easily. This then ensures quality public services and good governance. Simultaneously, the right to information would facilitate the elimination of corruption, fraud, and inefficiency in government agencies.

To be a genuinely participative democracy, the right to information should be upheld. Let us empower our people.

I therefore reiterate my vote in favor of the passage of the “People’s Freedom of Information Act of 2013.”

By Senator Legarda

I vote in favor of the People’s Freedom of Information, embodied in this landmark Senate Bill No. 1733 that shall strengthen the trust of the Filipino people in their government.

For years, the country has been hounded by many controversies, each leaving a dent in the integrity of public service. With this bill, we aim to feed our people with information about the leaders they have elected into office. All government agencies will be mandated to disclose information on transactions, documents or records imbued with public interest. Vital information will be translated into major Filipino languages and made easier to comprehend by every citizen.

However, we acknowledge the fact that certain information must be kept confidential especially those that may compromise the nation’s security, interfere with international diplomatic relations, or intrude into the privacy or endanger the life and safety of an individual. We have hopefully covered these exceptions, and if such may cause the denial of access to information, the government agency concerned is required to make the appropriate explanation.

Given the tremendous import of this measure, I express my fervent hope that we will soon witness its enactment, as we remain faithful to the maxim that “a public office is a public trust” and to the virtues of honesty, transparency and accountability to the Filipino people.

I vote in favor of Senate Bill No. 1733.

By *Senator Pimentel*

Thank you for allowing me to explain my affirmative vote for the Freedom of Information Act of 2013, Senate Bill No. 1733.

My vote in favor of the Freedom of Information bill is primarily rooted in my belief that the 1987 Philippine Constitution mandates a transparent government.

Three constitutional provisions immediately come to mind as pursuing this lofty goal, to wit:

- (1) Article III, Section 7 of the 1987 Constitution which provides the Right of the People to Information on Matters of Public Concern, reads as follows:

“The right of the people to information on matters of public concern shall be recognized. Access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis of policy development, shall be afforded the citizen, subject to such limitations as may be provided by law.”

- (2) Article II, Section 28 of the 1987 Constitution which provides the State’s Policy on “Full Public Disclosure” is worded as follows:

“Subject to reasonable conditions prescribed by law, the State adopts and implements a policy of full public disclosure of all its transactions involving public interest.”

- (3) Article XI, Section 1 of the 1987 Constitution which is about the Accountability of Public Officers emphasizes the following principle:

“Public office is a public trust. Public officers and employees must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty and efficiency, act with patriotism and justice, and lead modest lives.”

An enabling law on freedom of information (FOI) is long overdue. Without the FOI law, there will always be that opportunity for decision-makers to keep the public in the dark. If this is allowed to happen, the officers and employees in the entire government will no longer be “accountable to the people at all times” and in such a situation, it can no longer be said that “public office is a public trust.”

Our country needs an FOI law if we are serious about our fight against graft and

corruption, and even against cheating in all its forms.

With an FOI law in place, that law shall be one of the tools to address issues on government transparency and accountability, and this enhanced system of transparency and accountability will bring about the impetus to launch public service here in our country into the realm of openness and ultimately into a regime of honesty, trust, involvement and participation. Filipinos will learn how their government really works and how they can actively participate in nation-building. Only when each Filipino is actively engaged in matters of public concern can we say that democracy is at work.

In short, in order for democracy to survive and flourish, the citizenry must not only be informed, but be well-informed. Likewise, the citizenry’s representatives, their legislators, must also be kept well-informed.

For these reasons, I register a “Yes” vote to the passage of the FOI bill.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Cayetano (A) acknowledged the presence in the gallery of the following:

- Representatives of the Right to Know, Right Now Coalition:
 - Janet Morales of the Public Service Labor Independent Confederation (PSLINK);
 - Joy Chavez of the Action for Economic Reforms;
 - Dr. Nicole Curato of the UP Sociology Department;
 - Elso Cabangon of the Filipino Migrant Workers Group;
 - Allan Pangilinan and company of the FOI Youth Initiative;
 - Yuen Albana and company of the *Partido ng Manggagawa*;
 - Rhodora Albano of the Center for Migrant Advocacy;
 - Vince Lazatin and company of the Transparency and Accountability Network;
 - Rio Magpayo and Aurora Kilala from the Philippine Legislators Committee on

Population and Development (PLCPD);
and

- Atty. Irene Aguila of Angkop;
- The Ten Outstanding Young Men of 2013;
- TOYM Foundation;
- TOYM 2013 Search Committee;
- The Junior Chamber International Philippines; and
- Justice Efren Dela Cruz of the Sandiganbayan.

Senate President Drilon welcomed the guests to the Senate.

PRIVILEGE SPEECH OF SENATOR VILLAR

Availing herself of the privilege hour, Senator Villar delivered the following speech:

WETLANDS AND AGRICULTURE: PARTNERS FOR GROWTH

I rise on a matter of personal and collective privilege. It is on rare occasions that the advocacies we support and topics we value share a synergy or find a common ground. In my case, it is agriculture and environment protection.

The year 2014 was declared by the United Nations as the International Year of Family Farming. And just last month on February 2, the World Wetlands Day was observed, led by the Ramsar Convention. The chosen theme was, "Wetlands and Agriculture: Partners for Growth," to emphasize the close linkage between wetlands and agriculture.

World Wetlands Day marks the anniversary of the signing of the convention on Wetlands of International Importance or Ramsar Convention in Ramsar, Iran in 1971. The Convention on Wetlands is an intergovernmental treaty that embodies the commitments of its member countries to maintain the ecological character of their Wetlands of International Importance and to plan for the "wise use," or sustainable use, of all of the wetlands in their territories.

The Philippines joined the Ramsar Convention in 1994. Signatories to join the Convention agree to "include wetland conservation considerations in their national land-use planning," and commit to implement and promote "the wise use of wetlands in their territory." By "wise use" of wetlands, Ramsar refers to approaches that integrate protection or conservation with development.

Six sites in the Philippines have been designated as "Wetlands of International Importance." And I am proud to say that the most recent addition to the Ramsar list is our very own Las Piñas-Parañaque Critical Habitat and Ecotourism Area or what we call LPPCHEA.

In fact, it was four days short to this day, on March 15 last year, when the 175-hectare LPPCHEA was included in the list of Ramsar's Wetlands of International Importance. It is to mark that important date that we are staging a photo exhibit outside of the session hall. I do hope you take time out to visit our exhibit.

The other Philippine sites on the Ramsar list are: the Puerto Princesa Subterranean River National Park in Palawan listed on June 30, 2012; the Tubbataha Reefs National Marine Park in Sulu listed on November 12, 1999; the Agusan Marsh Wildlife Sanctuary listed on November 12, 1999; the Naujan Lake National Park in Oriental Mindoro listed on November 12, 1999; and the Olango Island Wildlife Sanctuary in Cebu listed on July 1, 1994.

Each of those sites has special qualities to deserve a spot on Ramsar list. But being more familiar with it, I will talk briefly about LPPCHEA, which was qualified as a Ramsar Wetland of International Importance because of its compliance with the Criteria Nos. 2, 4, and 6 under Ramsar's "Criteria for Identifying Wetlands of International Importance," these are:

- Criterion 2: A wetland should be considered internationally important if it supports vulnerable, endangered, or critically endangered species or threatened ecological communities. And for us, it is the Chinese egret, the Philippine Duck and the Black-Winged Stilt;
- Criterion 4: A wetland should be considered internationally important if it supports plant and/or animal species at a critical stage in their life cycles, or provides refuge during adverse conditions;
- Criterion 6: A wetland should be considered internationally important if it regularly supports 1% of the individuals in a population of one species or subspecies of waterbird.

It serves as a sanctuary to migratory bird species from as far as Siberia. According to the Wild Bird Club of the Philippines, Metro Manila has 150 species of birds, 84 of which are found at LPPCHEA. It is the only bird sanctuary located in an urban setting. There are also numerous trees and plants that are indigenous to our country

thriving there. And of course, there are mangroves around the area, where the fingerlings of the fish in Manila Bay grow. Because of its biodiversity, LPPCHEA was declared as a critical habitat in 2007 by Presidential Proclamation No. 1412.

Maswerte tayo dito sa Pilipinas at marami tayong wetlands. Bukod sa mga nabanggit ko na nasa Ramsar list, marami pang iba, katulad ng:

- Paoay Lake in Ilocos Norte;
- Buguey Wetlands in Cagayan Province;
- Candaba Swamp in the Provinces of Bulacan and Pampanga;
- Manila Bay from Cavite City to Balanga, Bataan;
- Laguna De Bay in Provinces of Rizal and Laguna;
- Taal Lake in Taal, Batangas;
- Balayan Bay in Batangas;
- Tayabas Bay in Quezon Province;
- Apo Reef in Occidental Mindoro;
- Lake Manguao and Malampaya Sound in Taytay, Palawan;
- Ulugan Bay in Palawan;
- Lake Buhi and Lake Bato in Camarines Sur;
- Talabong Island and Bais Bays in Dumaguete City;
- Lake Balanan in Negros Occidental;
- Cabulao Bay in Tagbilaran, Bohol;
- Inabangan Coast in Inabanga, Bohol;
- Leyte Sab-A Basin in Leyte;
- Lake Duminagat and Langaran River in Misamis Occidental;
- Panguil Bay in the Provinces of Misamis Occidental and Zamboanga del Sur;
- Lake Lanao in Lanao del Sur;
- Liguasan Marsh in South Cotabato;
- Lake Sebu in the Provinces of South Cotabato and Sultan Kudarat;
- Siargao Island in Surigao City; and
- Turtle Island on the Southwestern tip of the Philippines, between Philippines and Malaysia.

Some of the common benefits from wetlands include providing water supply and irrigation,

fisheries, livestock grazing, cultivation, grass and wild plants for food, craft and medicinal use. Those benefits are linked to the livelihood of the people as well.

Ngunit ang hindi matatawaran ay ang crucial role in maintaining ecological balance and in the ecosystem at large. And after typhoon Yolanda, we have also realized that they provide a solid protection against strong typhoons and storm surges, particularly the mangroves.

The environmental benefits are numerous. To cite a few more: flood control, maintenance of dry-season river flows, groundwater recharge, water purification, climate change regulation, erosion control, and soil formation.

“Wetlands bring a wide variety of tangible and intangible benefits to large numbers of people. The way they do so is complex and multifunctional and is directly related to the specific ecological functions and the condition of the wetland,” according to International Water Management Institute.

Moreover, not many of us realize that they are also used for agricultural purposes. That is what I what want to focus on — the synergy between wetlands and agriculture, particularly on the need for the wetlands and agricultural sectors “to work together for the best shared outcomes.”

The UN International Year of Family Farming 2014, according to the Ramsar Convention and its partner organizations such as the Food and Agriculture Organization (FAO) and the International Water Management Institute (IWMI), provides an ideal opportunity to highlight the critical role of wetlands as a natural infrastructure to support agriculture for food production. This becomes even more relevant since many family farming operations rely on the soils, water, plants and animals found in wetlands to provide food security and improve their livelihoods.

The importance of wetland agriculture is becoming widely recognized. In fact, a study showed that more than 78% of all Ramsar sites supported agricultural activities. In Africa and Asia, in particular, which cover more than 170 million hectares — 66% and 48% of them, respectively, are listed as used for agriculture.

In Africa, a greater percentage of Ramsar sites are used for agriculture than for fisheries, while the reverse is true in Asia, which reflects the differences in diet of the people as well as the nature of the wetland types present in the said continents.

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And when we talk of agriculture, it does not only refer to land-based farming activities, it also includes what is referred to as “coastal aquaculture,” which as defined by Food and Agriculture Organization or FAO, include the farming of both animals (including crustaceans, shellfish and mollusks) as well as plants such as seaweeds. According to the Ramsar definition, wetlands also include areas of marine water, the depth of which does not exceed six meters during low tide.

Unfortunately, wetlands face various threats. To quote the short write-up about LPPCHEA on the Ramsar website, it cited that LPPCHEA “faces threats associated with being located near densely populated areas. Waste from nearby cities accumulates along the coast and heavy metals and other organic contents coming from residential and industrial effluents (liquid waste or sewage discharged into a river or the sea) affect surrounding areas. Other threats include ongoing land reclamation projects and mangrove cutting”.

At dahil nga ang pakinabang o importansya ng wetlands ay two-pronged: environmental at agricultural, hindi nakapagtataka kung bakit hindi lamang ang mga environmentalists ang aktibo sa aming pagsuporta sa pangangalaga ng mga wetlands, kasama din namin ang mga mangingisda at iba pang grupo katulad ng mga urban poor na nagre-rely sa agriculture for their livelihood and daily sustenance.

Maraming components ng wetlands ang sumusuporta sa agrikultura at sa livelihood ng mga tao sa paligid nito. Una na diyan ang mga mangroves o mga bakawan na nagsisilbing pinakamabisang pananggalang natin sa mga bagyo at storm surges. Mas matibay pa sa kahit anong pinakamatibay na semento o sea wall. Bukod diyan, ang mga mangrove na ito ay mahalaga rin sa ating mga mangingisda, dahil dito nangingitlog ang mga isda at kung saan namamahay ang maliliit na isda.

Unfortunately, according to experts, we have lost over 75% of mangroves in the past 82 years. *Ang nakakabahala pa ay imbes na magtanim na magtanim ng mangrove, kapag nagre-reclaim, pinuputol pa ang mga ito. Actually, bawal putulin ang mga mangroves. Kami nga ay regular na nagtatanim ng mangrove sa Las Pinas dahil batid namin ang importansya nga mga ito. Makikita ninyo na napakaraming mangroves doon at nakakatulong ito para hindi kami masyado bahain.*

Atty. Benjamin Tabios, Assistant Director for Administrative Service of the Bureau of

Fisheries and Aquatic Resources (BFAR), cited a study conducted by the National Fisheries Development Institute in 2012. *Ang sabi niya, “the hot spot for spawning fish is in the Eastern part of Manila Bay” and “the volume of (fish) eggs laid is the highest in that area.”* LPPCHEA is part of the Eastern part of Manila Bay.

Ang mga sea grass ay importante rin. Ayon kay Dr. Giovanni Tapang ng Center for Environmental Concerns: “an acre of sea grass allows 40,000 fish annually to develop and around 50 million small invertebrates to live.” Imagine kung gaano karaming isda ang mamatay kapag na-disturb ang ecosystem sa mga wetlands. Madi-disrupt din ang ating food production at supply.

Ayon sa mga fisherfolk groups, napakaraming yamang-tubig o marine organisms ang kanilang naha-harvest sa LPPCHEA. Ilan sa mga ito ay mga tilapia, tahong, hipon, alimango, alimagsag, talangka, kanduli, dalagang bukid, banak, halaan, tulya, gulaman, salinyasi at iba pa.

Both Attorney Tabios and Dr. Tapang expressed concern na kapag nagkaroon ng reclamation sa LPPCHEA, *maapektuhan ang bakawan kung saan pinapanganak ang mga isda na nagpo-provide ng fingerlings sa Manila Bay. Kapag tinambakan ang area na iyun, mamamatay ang mga mangrove; mawawala ang mga isda; mawawalan ng kabuhayan ang mga mangingisda at mga nagbebenta ng mga isda; at masisira ang supply ng isda sa Metro Manila at karatig na mga bayan sa CaMaNaVa area o sa Cavite, Malabon, Navotas at Valenzuela pati na rin sa Bulacan. Ayon sa mangingisdang si Pablo Rosales, noong itinayo ang Mall of Asia, about 37,000 fishermen were displaced.*

At ayon sa Pambansang Lakas ng Kilusang Mamamalakaya ng Pilipinas o Pamalakaya, ang mga big-scale reclamations ay lubhang naapektuhan na ang kanilang pamumuhay. Sa isang news article na lumabas sa Philippine Star, ayon kay Myrna Candinato, head of Alyansa ng Mandaragat ng Bacoor, Cavite, and I quote: “the Cavite Expressway Road Extension (Cavitex) project caused the environmental destruction in Bacoor Bay” and that “before the reclamation, she and other tahong growers used to collect 200 gallons per day during harvest season. She said that they used to earn P30 per gallon of tahong a day and the harvest would last for a week, enabling them to earn at least P30,000 per harvest season.” After reclamation, “harvest of tahong during harvest season limits them to an average of 30 gallons to 50 gallons of tahong, a decline of 75% in tahong harvest compared to the pre-reclamation days.”

Malaki rin ang mawawala sa ating ekonomiya. Batay sa estimate na ibinigay ni Dr. Tapang, tinatayang US\$ 20,500 ang contribution per acre per year ng mga yamang-dagat na ito sa over-all economy. Kaya ayon sa kanya, hindi dapat masira ang mga sea grass beds na tinatawag. For example, ang madagdag na 38,272 hectares bunga ng reclamation ay mapapalawak nga ng 0.13% ang land area, pero mababawasan naman nito ang ating water area at pati na rin sea grass beds ng parehong porsyento rin. For about 382.72 square kilometers sea grass lost, it will mean equivalent losses of 4.7 million invertebrates and 3.78 trillion fish, translated into Php77 billion losses per year.

Based on studies, "A crude estimate of the global economic value of wetlands is US\$70 billion a year — of which 53% or US\$37.1 billion is in Asia.

With the link of wetlands to agriculture, there is also that inevitable link to poverty reduction. *Katulad ng paulit-ulit kong binabanggit sa mga pagdinig ng Senate Committee on Agriculture and Food, ang mga magsasaka, mangingisda at iba pang mga taong dependent on agriculture for jobs and livelihood ang isa sa pinakamahirap na sektor sa ating bansa. Halimbawa, ang mga coconut farmers sa Davao earn less than P50.00 lang sa araw-araw. Ang mga mangingisda sa Manila Bay ay nakakahuli ng mga tatlong kilo ng isda sa maghapon na naibebenta nila ng P150.00.*

"Although representing a relatively small proportion of the total agricultural GDP of each region, it should be remembered that wetland agriculture is often undertaken by the poorest. And that, in addition, fisheries and wild food sources add significantly to food security, particularly in years of drought," cited the International Water Management Institute (IWMI) in its report, "Wetlands, Agriculture and Poverty Reduction," which highlights how wetlands contribute in diverse ways to the livelihoods of millions of people worldwide.

"For poor rural households that are short of food, wetlands can provide a life-saving safety net. Some rural households increasingly use wetlands to supply local markets with irrigated vegetables and other products which generate income. For these households, wetlands represent a development opportunity which can lead them out of poverty," added the International Water Management Institute in its report.

The keyword is sustainability. *Alam naman natin na lahat ng sobra ay nakakasama rin. Applicable rin iyan sa wetland agriculture.*

Agriculture is also considered as one of the threats to wetlands, if not put in check. The correct agricultural practices should be used and the local communities should be involved because they know best how to take care of their source of livelihood. Experts agree that more studies should be done on how to improve traditional wetland agriculture systems. *Katulad na lamang sa Lake Bato sa Camarines Sur, ang paggamit ng chemical fertilizers ay na-pollute na ang tubig at naapektuhan ang supply ng isda.*

"Wetlands and agriculture can and must coexist. We need policies on wetlands that support ecosystems, sustain rich biodiversity, and simultaneously improve the livelihoods of farming communities who depend on wetlands or whose activities directly affect them," said Matthew McCartney, a hydrologist and a contributor to the report of the International Water Management Institute (IWMI). Among those cited as detrimental to wetland protection are forced drainage measures that transform wetlands to dry soils and, of course, reclamation.

Agricultural and other land uses of wetlands should be sustainable and safe. It has been done in other parts in the world where some wetlands have been fished and farmed for thousands of years. There are so-called sustainable farming and fishing methods.

Research is really needed to explore which combinations of land use and water management are optimal for supporting local communities in a sustainable way. It is of vital importance that agronomists, environmental scientists and local stakeholder groups cooperate to strive to find the best combination or perfect balance between farming and conservation.

Our economic managers themselves at the National Economic and Development Authority (NEDA) have stressed time and again that the development of agriculture and fisheries are key components towards our collective goal of inclusive growth and poverty reduction. These are among the priorities also in updating the Philippine Development Plan (PDP) 2011-2016 that aim to transform agriculture and fishery into a highly productive and competitive sector that not only meets the country's food requirements but also offers better income and employment opportunities.

NEDA also identified the main constraints to further increasing productivity in agriculture which include: degradation of natural resources that has been further threatened by climate-related risks and slow development of agri-business opportunities.

It is clear that in our quest to ensure that economic gains trickle down, or flow freely, to the poorest sectors of our society, everything is interconnected and come into play. Moreover, progress and development need not be at the expense of environment degradation and damage. In the same manner that environment protection does not mean economic stagnation.

Sa ating pagpapasigla ng ating ekonomiya, hindi dapat isinasakripisyo ang ating kalikasan at mga natural resources, lalunglalo na ang ating human resources. Kadalasan, sa bawat trabaho na naki-create, may mas maraming tao ang nawawalan ng kabuhayan.

Dapat timbangin ang bawat aspeto ng proyekto o stratehiya. Katulad ng nasabi ko kanina, napakagandang halimbawa ng partnership at synergy between wetland protection and agriculture towards growth. There is no need to destroy anything, one can coexist with another. There is no need to tamper with nature to generate profits or fuel the economy. Public interest should always prevail, particularly over selfish interests.

One of the resource persons in our recent hearing posed a good point, we should be wary of people's "eternal appetite" for profit or gain.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Angara, the Chair referred the privilege speech of Senator Villar to the Committee on Agriculture and Food as the primary committee and to the Committee on Environment and Natural Resources, as the secondary committee.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Angara acknowledged the presence in the gallery of officers of the Publishers Association of the Philippines, headed by Luis Ariola, with executive vice president Johnny Nuñez, chairman Juan Dayang, treasurer Nelson Santos, secretary Sheryll Mallari, vice president for Mindanao, Edna Kuyno and Esther Galang.

Senate President Drilon welcomed the guests to the Senate.

STATEMENT OF SENATOR POE

In expressing her gratitude for the passage on

Third Reading of the Freedom of Information bill, Senator Poe made the following statement:

Twenty-one years and eight months ago today, the first Freedom of Information Act was first filed in Congress. The legislation authored by Representative Oscar Orbos in the House of Representatives and in the Senate by Senators Alberto Romulo, Raul Roco, Anna Dominique Coseteng, Francisco Tatad, Ernesto Hererra, was in honor of the landmark principle enshrined in the 1987 Philippine Constitution that "Public office is a public trust." It was also in the same period that the citizens wanted to have access to information on public debts incurred by the country and data on the status of the land ownership of *hacenderos* and *sakadas* in the agrarian reform sector.

After seven Congresses, from the 9th Congress of the Republic to the present 16th Congress, and after it was filed 44 times by different legislators, we have just passed on third reading the version of the Senate of the Philippines.

Today, the high significance of the People's Freedom of Information Act is reflected in the very situation as well as problems confronting the country at present. We simply needed to pass the law. We simply need to be transparent and accountable. We simply need to honor that public service is serving with honesty and integrity. *Ang pagsisilbi sa pamahalaan ay serbisyong tunay, paglilingkod nang matapat, at pagkilos nang marangal.* The People's FOI bill which I humbly submit for the approval of this Chamber is the product of constant collaboration with my fellow senators and their staff. Each interpellation and amendment, every piece of advice and every moment of thorough scrutiny was crucial in polishing this bill into something that the Filipino people can be proud of.

From government, I would like to thank the Office of the President – Secretaries Herminio Coloma and Manolo Quezon, Civil Service Commission, Department of Justice, Department of National Defense, National Security Council, Office of the Ombudsman, Philippine Communications Operations Office, PIA, DOST and DTI. From the media, I would like to thank the representatives of *Kapisanan ng mga Brodkaster ng Pilipinas*; Publishers Association of the Philippines, Inc.; broadcast stations ABS-CBN, GMA 7, Interaksyon, Solar News; National Press Club, National Union of Journalists of the Philippines, Net 25, Philippine Center for Investigative Journalism, Philippine Press Institute, and Rappler.

From civil society, I would like to thank the Right to Know, Right Now Coalition; Access to Information Network; Center for People Empowerment in Governance; Crusade Against Dynasty and Corruption; Movement Against Dynasty; Philippine Transparency International; the NGO Alert and Transparency and Accountability Network. Also, the individual bloggers and social netizens who helped shape the People's FOI.

From the academe, I would like to thank the University of the Philippines' College of Mass Communication, UP Department of Political Science, and Ateneo de Manila University's Department of Political Science.

Finally, from the private sector, I would like to thank former Representative Lorenzo "Erin" Tañada III, Mr. Tonyo Cruz and Mr. Ramon del Rosario, chairman of the Makati Business Club; Philippine Chamber of Commerce and Industry and the various economic and business organizations who supported the legislation.

Muli po, sa liderato ng institusyon at sa aking mga kapwa senador na nagsulong sa pagpasa ng mahalagang panukala na ito para sa ating mga mamamayan, kay Senador Gregorio Honasan na isa sa orihinal at tahimik na taga-taguyod ng People's Freedom of Information Act, sa Senate Proper at Secretariat ng Senado ng Pilipinas, marami pong salamat.

MANIFESTATION OF SENATOR ANGARA

Senator Angara congratulated Senator Poe for steering the passage of the Freedom of Information bill. He said that as an author of the FOI bill way back when he was still a member of the House of Representatives, he would also like to pay tribute to his former colleagues who pushed for the FOI measure, namely, Rep. Erin Tañada, Rep. Joel Villanueva who now heads TESDA, Representatives Liza Maza, Teddy Casiño of *Bayan Muna* and Risa Hontiveros Baraquel of *Akbayan*.

PRIVILEGE SPEECH OF SENATOR LEGARDA

Availing herself of the privilege hour, Senator Legarda delivered the following speech on cyber pornography:

On March 8, women took the global centerstage once again with the celebration of International Women's Day.

While the Philippines has been gaining success in empowering women, challenges

remain and new ones have arisen, including cyber pornography—a crime that crosses geographical boundaries in a matter of seconds; a crime that curtails a girl's freedom to choose a dignified life even before she understands what it means to be empowered.

In Navotas, four girls aged 12 to 19 were recently rescued from a cybersex trafficker who was selling them to foreign pedophiles. Instead of playing with dolls, the girls were surrounded by sex toys, locked in a sullied shanty doing activities that are inhumane regardless if they were children or adults.

The suspect arrested by operatives of the National Bureau of Investigation (NBI) was the uncle of two of the victims.

On February 17, the NBI raided a school in Muntinlupa as well as two call centers in Quezon City, all of which secretly nestled cybersex rooms.

According to NBI Cybercrime Division Head, Mr. Ronald Aguto, the school owner of Muntinlupa-based Mountain Top Christian Academy, identified as Purisima Martinez, harbored cyber crime operations in a disguised computer laboratory within the school campus. As hundreds of children supposedly learn good values from this Christian school, no less than the institution's president went off course.

Destitution, affordable high-speed internet, and a wealthy overseas customer base have spurred the growth of cybersex dens run by organized crime groups as well as mom-and-dad shops to exploit children for financial gain.

These young minds will suffer and be left with permanent psychological, physical and emotional scars. When a recording of that sexual abuse is made or released on the world wide web, it haunts a child for the rest of his or her life.

We hear reports about the raids relating to cybersex crimes from time to time, however an incident-driven response to this barbaric transgression is only effective if it is matched with immediate and long-term tactical investigation that focuses on crime markets and criminal scheme architects.

The biggest challenge in cybercrime stems from innovations created by these offenders, difficulties in accessing electronic evidence, logistic limitations and lack of funding.

Therefore, our law enforcement must use both new and traditional policing techniques. With emerging technologies, we need to adapt to the new methods and devices used by

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criminals, including the use of Smartphones, a transition from desktop computers. Our authorities need a sustainable, comprehensive technical support and assistance in the investigation and battle of cyber crimes.

It is in this light that I wish to express my commendation to the NBI, led by Director Virgilio Mendez, for doing everything in its power to go after these syndicates, despite various obstacles and growing challenges.

To strengthen our battle against cyber pornography, we need to raise this issue and voice our concerns louder, raise awareness, forge public-private partnerships and generate better cybercrime strategies with a broader cyber security perspective.

We need to work together to put an end to all forms of the illegal human trade. We need to beef up our efforts now and save the lives of innocent children, many of whom are girls, who are hoping that soon they will be rescued from slavery and be able to tread on a new path for a much brighter future as empowered men and women.

INTERPELLATION OF SENATOR CAYETANO (P)

At the outset, Senator Cayetano (P) commended Senator Legarda for bringing up the topic on cyber pornography involving children which she described as a worrisome and gruesome reality. She observed that everytime the nation celebrates an occasion, like Women's Month in the month of March, activities would usually focus on positive events like celebrating women empowerment and honoring women who have been an inspiration to all. However, she noted that in reality, people need to be strong enough to face the gruesome realities that endanger the lives of women as manifested in the speech of Senator Legarda.

Senator Cayetano (P) recalled working with Senator Legarda in introducing amendments in order to strengthen the anti-trafficking law, and she asked Senator Legarda if she has feedbacks on how the amended law was being implemented. Senator Legarda admitted that while the IACAT is doing its best, the actual outcome and effectiveness of the new law have yet to be seen. She noted that like the first Anti-Trafficking in Persons Act, which she authored and was sponsored by former Senator Loi Ejercito, then chair of the Committee on Youth, Women and Family Relations, after its passage in 2003 up to 2010, there was very little progress in

convicting the offenders. It was for that reason, she said, that with the help of the Department of Justice, a subcommittee was created to monitor its implementation, amendments were crafted to plug the loopholes, and with the support of Senator Cayetano (P), the amended law was enacted.

Senator Legarda believed that the law is good, as far as legislation and policy-making are concerned, but she stressed that it should be properly implemented by the National Bureau of Investigation, police authorities, and the local government units, and the courts should speedily dispose of the cases. She said that she has no information if the law's IRR has already been completed, and she suggested that along with Senator Cayetano (P), it would help if they would join the IACAT in its next inter-agency meeting to find out the problems and how cyber pornography could be prevented from happening.

Senator Cayetano (P) stated that she was also continually monitoring the law, as she admitted that it takes time to apprehend, prosecute and convict the perpetrators. Senator Legarda agreed that it would take time for the policies to take effect, and she lamented that while waiting, more and more children are being victimized by cyber porn syndicates. She urged the IACAT and the LGUs to work closely with the cyber crime division of the NBI which has successfully conducted raids in some areas of the country recently.

Senator Cayetano (P) noted that before apprehension happens, law enforcers conduct investigative and intelligence operations, and it is at this stage where the LGUs could come in because they know what is happening in their respective localities. Senator Legarda revealed that in a case in Cordova, Cebu, it was the parents themselves who engaged their child into cyber porn, claiming that they were only photos and videos and that no sexual act happened.

Senator Cayetano (P) said that aside from the need for coordination with LGUs to stop cyber pornography and abuses of women, there is also a need to raise awareness that women must be respected in all aspects. She added that even beyond sexuality, one can tell whether a man, a person, or a juridical entity, such as a corporation, is showing respect for women by just looking at their cultural, environmental and office policies. She recalled that in the last plenary session, she played an audio advertising campaign of an airline which did a comparison between an airline promo fare and going

out with a girl, the latter described as cheaper to get, and she lamented that the company concerned did not even make any public apology.

At this juncture, Senator Cayetano (P) read the transcript of the audio campaign:

Guy 1: (makes a cat whistle) *Ang hot ng chick, pare!*

Guy 2: *Hindi naman.*

Guy 1: *Ha? Ang ganda kaya ng katawan...long legs...liit ng beywang...tapos kinis pa ng balat. Ano pa ang gusto mo?*

Guy 2: *May mas hot pa dyan.*

Guy 1: *O! Asan? Patingin nga.*

Guy 2: *Ayan, O, iyan Red Hot Peso sale ng AirAsia Zest. Di tulad sa chicks, pare, maliit lang ang gastos dito, mas mag-enjoy ka pa. O, ano? Sino ang mas hot ngayon?*

Guy 1: *AirAsia Zest na pare.*

Senator Cayetano (P) said that she was disappointed and offended because she felt that instead of the company sending her an explanation, it should have apologized to the Filipino people, especially to the women. Senator Legarda joined the call and asked the company to apologize and pull out the ad campaign.

Senator Cayetano (P) said that the run of the advertisement had ended, so there was nothing to pull out anymore. She maintained that the company should have apologized to the Filipino people, particularly the women. Senator Legarda agreed that there is no space in television, radio or even print, for such kind of advertisement. She added that the ad must be pulled off air, and that the ad agency must make a public apology. She also remembered a similar incident when she wrote the BBC regarding slurs on Filipino women. She reiterated that, first, the ad should be pulled out of the radio and television stations; second, the company should apologize to the Filipino people; and third, the KBP should be conscious of such gender-sensitive issues and further filter advertisements.

Senator Cayetano (P) said that although she gave the company the opportunity to make the proper explanation, it was only addressed to her, thus making her feel she was the only one who was offended. She thanked her colleagues for also

expressing their disappointment and for denouncing the advertisement. She pointed out that abuse persists because advertisements that use bodies of women to promote products are allowed to be aired on radio and television. She said that when the abuse of women is allowed in any kind of medium, it can be said that people tolerate such kind of culture. She stressed the need for people to be conscious of the issue, and that awareness of how important it is to respect women must be raised.

Senator Cayetano (P) also brought to the attention of the Body the advertisement of ZIC 4T Racing engine oil showing a woman in midrib and very skimpy shorts with the zipper opened up to her crotch. As opposed to other ads that show women's body parts due to the nature of the product, like the skin for lotions or the waist for long hair, she pointed out that such image has nothing to do with the product being advertised, and is very abusive of women. She admitted that such images are interesting, the reason why they are used in ads, but she stressed that product selling must be done the right way, without taking advantage of a woman's physique.

INTERPELLATION OF SENATOR SOTTO

At the outset, Senator Sotto said that he finds those kinds of advertisements distasteful and that he would never be attracted to them.

Senator Sotto suggested that the proper committee inquire from the Advertisement Board, particularly on its process of approving advertisements to be aired and the penalty being imposed on advertising agencies that go beyond taste, for instance, in the recent ad of the BIR which had caused the ire of doctors. He pointed out the need for some kind of mechanism or standard to regulate the ads, adding that he never hides his resentment against anything that oppresses women, especially since his mother, a doctor herself, was one of the founders of the Women's Rights Movement.

Senator Sotto asked how Senator Legarda defines pornography as he recalled the debates between Senators Tatad and Mercado who both ended up not agreeing with each other on how pornography should be defined. In reply, Senator Legarda admitted that it would be difficult for her to definitively define the term because she would have to rely on its definition in the anti-cybercrime law which the Supreme Court

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recently upheld as constitutional. She said that in her own understanding, cyber pornography is the use of technology or the Worldwide Web, with children and women as tools, in sex acts with customers of either domestic or foreign source.

To the observation that child pornography is not confined to females, Senator Legarda affirmed that child pornography is not confined to females as there are also males who are victims. In the case of the four young girls from Navotas that she mentioned in her speech, she said that their ages ranged from 12 to 19 years old. She disclosed that she has requested the head of the NBI's Cyber-crime Division to give more details about the raid wherein a U.S. observer was also present since the United States government was also very keen on apprehending human traffickers, especially child traffickers.

Asked on the whereabouts of the uncle of the four young girls, Senator Legarda replied that he has been apprehended and presently in the custody of the NBI. She assured that she would follow up on the status of the case which happened only more than a week ago. She said that cyber pornography is a very lucrative industry engaged in by syndicates worldwide since there are people who enjoy seeing children, mostly girls as young as two years old, performing lewd sex acts on the Internet, and that it is lamentable that the family of the children itself allows this to happen because of poverty or ignorance.

Senator Sotto acknowledged that there have been proposals to stop this cyber pornography and that he, along with Senator Legarda, was able to help fund the NBI's Cybercrime Division. Senator Legarda affirmed that the division needs more assistance in terms of personnel and equipment so that it could map out the location of the cyber dens in the country and conduct more raids so that cases could be filed expeditiously to prosecute the criminals. At the same time, she pointed out that the country's culture and the treatment of children should be improved.

Senator Sotto requested that he be informed of the conference with the NBI Cybercrime Division as he was told that most of the children are forced to use dangerous drugs so that they could perform such lewd acts. Senator Legarda agreed, as she further revealed that Cordova, Cebu is one of

the areas where there is a proliferation of cyber-sex dens.

REFERRAL OF SPEECH TO COMMITTEES

Upon motion of Senator Cayetano (A), there being no objection, the Chair referred the speech of Senator Legarda and the interpellations thereon to the Committee on Justice and Human Rights as the primary committee, and to the Committee on Youth as the secondary committee.

MANIFESTATION OF SENATOR CAYETANO (A)

Senator Cayetano (A) manifested that some of the members have requested to be allowed to submit their respective explanations of vote on the FOI bill until Wednesday.

INSTRUCTION OF THE CHAIR

The Chair directed the Secretariat to hold the submission of the *Journal* until the resumption of session in May to enable the Members to submit their written explanation of vote on the FOI bill.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Cayetano (A) acknowledged the presence in the gallery of the following guests:

- Female employees of Tanza Water District, Tanza, Cavite, headed by Myrna Bobadilla and Julieta Bareira; and
- Students of Public Administration from Bicol University's Graduate School in Legaspi City, headed by Atty. Alex Nepomuceno.

Senate President Drilon welcomed the guests to the Senate.

MANIFESTATION OF SENATOR CAYETANO (P)

Senator Cayetano (P) manifested her affirmative vote on the Freedom on Information bill. She said that she has just flown in from Cebu and was getting down from her car when the voting took place.

SUSPENSION OF SESSION

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

It was 4:28 p.m.

RESUMPTION OF SESSION

At 4:29 p.m., the session was resumed.

PRESENTATION OF SENATE RESOLUTION NO. 31

Senator Cayetano (A) stated that when the Body adopted Senate Resolution No. 31, the honorees were not present which was why they were not able to personally receive their copy of the resolution.

The Secretary of the Senate read the title of Senate Resolution No. 31, to wit:

RESOLUTION CONGRATULATING AND COMMENDING THE RECIPIENTS OF "THE OUTSTANDING YOUNG MEN" (TOYM) OF THE PHILIPPINES 2013 AWARD HONORED BY THE JUNIOR CHAMBER INTERNATIONAL - PHILIPPINES, INC., THE GERRY ROXAS FOUNDATION, INC., AND THE TOYM FOUNDATION, INC.

Thereupon, the Secretary of the Senate then read the names of the Outstanding Young Men (TOYM) awardees of 2013, as follows:

1. Emerson Atanacio for Social Entrepreneurship;
2. June Cheryl Cabal-Revilla for Community Service;
3. Nicole Paula Curato for Sociology;
4. Custer Deocariz for Science Communications;
5. Miguel Rene Dominguez for Government and Public Service;
6. Alonzo Gabriel for Food Science & Technology;
7. Karl Michael Reyes for Medicine;
8. Paolo Antonio S. Silva for Medicine; and
9. Christopher John Alandy Tiu for Youth Leadership Development.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

Senator Cayetano (A) acknowledged the presence in the gallery of the following guests from the TOYM Foundation, Inc.:

1. Mabel Mamba, director; Ismael Penado, director; Hilario Cruz II, executive director; Naysa Martinez, logistics staff; Nancy Faith de Jesus, logistics officer; and Antonio Codera, logistics staff;
2. The 2013 Search Committee – Junior Chamber International Sen. Luciano Frederick Puyod III, chairman; JCI Sen. Rommel Gerodias, vice chairperson; and JCI member Ana Cecilia-Palma, judging and publication head; and
3. The Junior Chamber of Commerce-International — Mark Manalo, national EVP, incoming TOYM search chairperson; Ma. Christine Garcia, national president; Richard Marina, secretary-general; and Regenal Yu, former secretary-general.

SUSPENSION OF SESSION

Upon motion of Senator Cayetano (A), the session was suspended for the presentation of Senate Resolution No. 31 to the honorees.

It was 4:32 p.m.

RESUMPTION OF SESSION

At 4:37 p.m., the session was resumed.

REFERENCE OF BUSINESS

The Secretary of the Senate read the following matters and the Chair made the corresponding referrals:

MESSAGE FROM THE HOUSE OF REPRESENTATIVES

Letter from the Secretary General of the House of Representatives, informing the Senate that on 4 March 2014, the House of Representatives passed the following House bills, in which it requested the concurrence of the Senate:

House Bill No. 217, entitled

AN ACT DECLARING DECEMBER 8 OF EVERY YEAR AS A SPECIAL NONWORKING HOLIDAY IN THE MUNICIPALITY OF AGOO, PROVINCE OF LA UNION, TO BE KNOWN AS AGOO DAY

To the Committee on Local Government

House Bill No. 438, entitled

AN ACT CHANGING THE NAME OF SAN MANUEL NORTE NATIONAL HIGH SCHOOL IN THE MUNICIPALITY OF AGOO, PROVINCE OF LA UNION TO DR. MANUEL T. CASES SR. NATIONAL HIGH SCHOOL

To the Committee on Education, Arts and Culture

House Bill No. 439, entitled

AN ACT CHANGING THE NAME OF SAN MANUEL NORTE ELEMENTARY SCHOOL IN THE MUNICIPALITY OF AGOO, PROVINCE OF LA UNION TO DR. MANUEL T. CASES SR. ELEMENTARY SCHOOL

To the Committee on Education, Arts and Culture

House Bill No. 605, entitled

AN ACT DECLARING DECEMBER 2 OF EVERY YEAR AS A SPECIAL NONWORKING HOLIDAY IN PASAY CITY TO BE KNOWN AS THE FOUNDATION DAY OF PASAY CITY

To the Committee on Local Government

House Bill No. 2285, entitled

AN ACT TO FURTHER STRENGTHEN THE ANTI-DRUG CAMPAIGN OF THE GOVERNMENT, AMENDING FOR THE PURPOSE SECTION 21 OF REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS THE

COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002

To the Committee on Public Order and Dangerous Drugs

House Bill No. 3117, entitled

AN ACT DECLARING SEPTEMBER 20 OF EVERY YEAR AS A SPECIAL NONWORKING HOLIDAY TO BE KNOWN AS "JOSEFA LLANES ESCODA DAY" IN THE PROVINCE OF ILOCOS NORTE IN HONOR OF THE WORLD WAR II HEROINE AND FOUNDER OF THE GIRL SCOUTS OF THE PHILIPPINES DOÑA JOSEFA LLANES ESCODA

To the Committee on Local Government

House Bill No. 3780, entitled

AN ACT DECLARING THE PROVINCE OF EASTERN SAMAR A MINING-FREE ZONE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

To the Committee on Environment and Natural Resources

House Bill No. 3922, entitled

AN ACT DECLARING NOVEMBER 28 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE MUNICIPALITY OF SANTA MARGARITA, PROVINCE OF WESTERN SAMAR IN COMMEMORATION OF ITS FOUNDING DAY TO BE KNOWN AS THE FOUNDATION DAY OF THE MUNICIPALITY OF SANTA MARGARITA

To the Committee on Local Government

House Bill No. 3943, entitled

AN ACT DECLARING AUGUST 30 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE MUNICIPALITY OF CATARMAN, PROVINCE OF CAMIGUIN TO BE KNOWN AS "CATARMAN DAY,"

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THEREBY AMENDING REPUBLIC ACT NO. 9203, ENTITLED "AN ACT DECLARING THE FIFTEENTH (15th) DAY OF AUGUST OF EVERY YEAR AS A SPECIAL NONWORKING HOLIDAY IN THE MUNICIPALITY OF CATARMAN, PROVINCE OF CAMIGUIN' TO BE KNOWN AS CATARMAN DAY"

To the Committee on Local Government

House Bill No. 3944, entitled

AN ACT DECLARING SEPTEMBER 7 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE CITY OF CAVITE, PROVINCE OF CAVITE IN COMMEMORATION OF ITS FOUNDATION ANNIVERSARY

To the Committee on Local Government

House Bill No. 3945, entitled

AN ACT DECLARING JULY 4 OF EVERY YEAR A SPECIAL NONWORKING HOLIDAY IN THE PROVINCE OF LANAO DEL SUR IN COMMEMORATION OF ITS FOUNDATION DAY

To the Committee on Local Government

House Bill No. 3972, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE NO CALLS AND NO TEXT REGISTRATION SYSTEM AND FOR OTHER PURPOSES

To the Committees on Public Services; Trade, Commerce and Entrepreneurship; and Finance

House Bill No. 3976, entitled

AN ACT DECLARING JULY 25 OF EVERY YEAR AS THE NATIONAL CAMPUS PRESS FREEDOM DAY

To the Committee on Education, Arts and Culture

and House Bill No. 3981, entitled

AN ACT PROVIDING FOR THE MANDATORY APPOINTMENT OF A COOPERATIVES OFFICER IN EVERY LOCAL GOVERNMENT UNIT, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

To the Committee on Local Government

BILL ON FIRST READING

Senate Bill No. 2163, entitled

AN ACT REDUCING THE CORPORATE INCOME TAX RATE, AMENDING SECTIONS 27 AND 28 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Sonny Angara

To the Committee on Ways and Means

RESOLUTION

Proposed Senate Resolution No. 561, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON ENERGY TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE STATUS OF THE ENERGY SECTOR IN THE COUNTRY AND THE POWER SHORTAGE SITUATION IN MINDANAO

Introduced by Senator Ramon Bong Revilla Jr.

To the Committee on Energy

COMMITTEE REPORTS

Committee Report No. 20, submitted by the Committee on Public Services, on House Bill No. 353, introduced by Representative Colmenares, *et al.*, entitled

AN ACT MANDATING THE TELECOMMUNICATIONS SERVICE PROVIDERS TO SEND FREE MOBILE

ps

**ALERTS IN THE EVENT OF NATURAL
AND MAN-MADE DISASTERS AND
CALAMITIES,**

recommending its approval without amendment.

Sponsor: Senator Ramon Bong Revilla Jr.

To the Calendar for Ordinary Business

Committee Report No. 21, submitted by the Committee on Public Services, on House Bill No. 3187, introduced by Representatives Sema and Teodoro, entitled

AN ACT GRANTING COTABATO LIGHT AND POWER COMPANY A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN A DISTRIBUTION SYSTEM FOR THE CONVEYANCE OF ELECTRIC POWER TO THE END-USERS IN THE CITY OF COTABATO AND PORTIONS OF THE MUNICIPALITIES OF DATU ODIN SINSUAT AND SULTAN KUDARAT, BOTH IN THE PROVINCE OF MAGUINDANAO,

recommending its approval without amendment.

Sponsor: Senator Ramon Bong Revilla Jr.

To the Calendar for Ordinary Business

SPECIAL ORDERS

Upon motion of Senator Cayetano (A), there being no objection, the Body approved the transfer of the following from the Calendar for Ordinary Business to the Calendar for Special Orders:

1. Committee Report No. 20 on House Bill No. 353 (Free Mobile Disaster Alerts Act); and
2. Committee Report No. 21 on House Bill No. 3187 (granting franchise to Cotabato Light and Power Company).

**CONSIDERATION OF HOUSE BILL
NOS. 353 AND 3187**

Upon motion of Senator Cayetano (A), there

being no objection, the Body considered, on Second Reading, the following bills, one after the other:

House Bill No. 353, entitled

AN ACT MANDATING THE TELECOMMUNICATIONS SERVICE PROVIDERS TO SEND FREE MOBILE ALERTS IN THE EVENT OF NATURAL AND MAN-MADE DISASTERS AND CALAMITIES; and

House Bill No. 3187, entitled

AN ACT GRANTING COTABATO LIGHT AND POWER COMPANY, A FRANCHISE TO CONSTRUCT, INSTALL, ESTABLISH, OPERATE AND MAINTAIN A DISTRIBUTION SYSTEM FOR THE CONVEYANCE OF ELECTRIC POWER TO THE END-USERS IN THE CITY OF COTABATO AND PORTIONS OF THE MUNICIPALITIES OF DATU ODIN SINSUAT AND SULTAN KUDARAT, BOTH IN THE PROVINCE OF MAGUINDANAO.

Pursuant to Section 67, Rule XXIII of the Rules of the Senate, with the permission of the Body, upon motion of Senator Cayetano (A), only the titles of the bills were read without prejudice to the insertion of their full texts into the Record of the Senate.

The Chair recognized Senator Revilla for the sponsorship.

SUSPENSION OF SESSION

Upon motion of Senator Cayetano (A), the session was suspended.

It was 4:43 p.m.

RESUMPTION OF SESSION

At 4:47 p.m., the session was resumed.

**OMNIBUS SPONSORSHIP SPEECH
OF SENATOR REVILLA**

Senator Revilla delivered his omnibus sponsorship speech covering House Bill Nos. 353 and 3187, to wit:

The Committee on Public Services has the honor to present for the approval of this honorable Body the herein legislative proposals, House Bill No. 353, entitled "An Act Mandating the Telecommunications Service Providers to Send Free Mobile Alerts in the Event of Natural and Man-Made Disasters and Calamities" under Committee Report No. 20; and House Bill No. 3187, entitled "An Act Granting Cotabato Light and Power Company, a Franchise to Construct, Install, Establish, Operate and Maintain the Distribution System for the Conveyance of the Electric Power to the End Users in the City of Cotabato and Portions of Datu Sinsuat and Sultan Kudarat, Both in the Province of Maguindanao" under Committee Report No. 21.

The whole world has seen the massive destructions brought about by the storm surge "Yolanda." The death toll recorded reached less than 10,000. But those who were able to witness the actual destruction would attest that the figure far exceeded media report.

As a representative of the Filipino people, my heart bled when I personally saw the situation. Had there been an advance notice to the citizens of the impending disaster, our people would have had a chance to prepare.

It is in this light that I am seeking the urgent approval of this Chamber of House Bill No. 353, mandating all the telecommunications service providers to send free mobile alerts in the event of natural and man-made disasters and calamities to avoid future and massive destruction.

I would like to inform this Chamber that Senator Poe had also filed a similar bill on disaster preparedness. However, our committee had no jurisdiction yet over the bill when it conducted public hearing. In view thereof, may I manifest that Senate Bill No. 2129 be incorporated in this report.

The second report is House Bill No. 3187. First of all, I would like to state that the Philippine Constitution has recognized the vital role of the private sector in promoting the welfare of the nation by providing services to the public, such as the provision of electric distribution facilities to the far-flung areas of our country.

While the Constitution recognizes the role of the private sector in providing their services to the public, it is not complacent in granting the privilege to operate the same for public use, for which it states clearly Section 11 of the 1987 Philippine Constitution: "No franchise, certificate or any other form of authorization for the opera-

tion of public utility shall be granted except to citizens of the Philippines."

The Committee on Public Services, through this Representation, has examined and evaluated all the documents submitted by the applicant and has come out with the following findings:

1. That the application for a grant of franchise has complied with all the requirements prescribed by law, including the provisions of the Local Government Code;
2. That the applicant, including all his officers and directors, are all citizens of the Philippines;
3. That the incorporation of the entity of the applicants has been organized under the laws of the Philippines, complying with all the requirements set forth by the Securities and Exchange Commission (SEC) as well as the Energy Regulatory Board (ERB); and
4. That there are provision measures on the non-exclusivity clause of the franchise, the period that the grant of franchise would be for the common good. Such grant could be the subject of amendments, alteration or repeal when the common good so requires.

Our Committee, through this Representation, is urging the immediate approval of the grant of franchise to Cotabato Electric Company in order for the residents of the province of Maguindanao to continue to enjoy the excellent service of the electric company.

To reiterate, our Committee, through this Representation, is seeking the approval of this Chamber of House Bill Nos. 353 and 3187.

MANIFESTATION OF SENATOR CAYETANO (A)

Senator Cayetano (A) manifested that Senator Poe would submit her cosponsorship speech on the measure for insertion into the Journal and Record of the Senate.

COSPONSORSHIP SPEECH OF SENATOR POE

Pursuant to the manifestation of Senator Cayetano (A), the following is the cosponsorship speech of Senator Poe on House Bill No. 353 which was deemed read into the Journal and Record of the Senate:

I stand to cosponsor Committee Report No. 20. Let me state that one of my bills—Senate Bill No. 2129—is included in the report as

manifested by the Chair of the Senate Committee on Public Services earlier in his sponsorship speech.

I always believe that innovation and technology are significant in the achievement of goals and in the dissemination of good information.

Modern notification systems, such as mobile phone alerts, can be used to augment the existing and inefficient system as the Philippines had about 107 million mobile phones as of October 2013—ranked 12th in the world—and was expected to rise to 117 million mobile phone users by 2016. The government can also capitalize on wireless emergency alerts to warn and inform the public about local hazards—as is done by the United States, Australia and the Netherlands—since the Philippines is considered as the texting capital of the world due to a large volume of SMS traffic exchange in the country daily.

At present, there are 200 million estimated number of text messages sent in the Philippines every day. According to a US study, an average Filipino receives around 600 messages per month.

On average, 19 cyclones enter the Philippines annually. Last year, however, was an extraordinary year for the Philippines: a total of 25 weather disturbances wrought havoc to a nation considered as one of the most disaster-prone countries in the world. Super typhoon “Yolanda” swept several provinces on November 8, last year, leaving more than 8,000 people dead and some 1,700 still missing. The typhoon was catastrophic that it left millions without shelter, and thousands of families are still reeling from the massive destruction of the typhoon.

In closing, the Senate should accord this policy measure with urgent consideration. Let me reiterate, the legislation “An Act Mandating Telcos to Send Free Mobile Alerts in the Event of Natural and Man-Made Disasters and Calamities,” should be passed soonest.

Marami pong salamat.

COSPONSORS

Upon motion of Senator Cayetano (A), there being no objection, all the Members present were made cosponsors of House Bill Nos. 353 and 3187.

SUSPENSION OF CONSIDERATION OF HOUSE BILL NOS. 353 AND 3187

Upon motion of Senator Cayetano (A), there being no objection, the Body suspended consideration of the bills.

MANIFESTATION OF SENATOR CAYETANO (A)


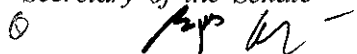
Senator Cayetano (A) stated that the Sandiganbayan bill was supposed to be part of the agenda for the day; however, upon consultation with Senator Sotto, he was informed that the Minority bloc has requested for more time to study and formulate questions on the measure. He said that he would again consult Senator Sotto and that the bill would be included in the next day’s agenda.

ADJOURNMENT OF SESSION

Upon motion of Senator Cayetano (A), there being no objection, Senate President Drilon declared the session adjourned until three o’clock in the afternoon of the following day.

It was 4:54 p.m.

I hereby certify to the correctness of the foregoing.


OSCAR G. YABES
Secretary of the Senate


Approved on May 5, 2014