



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 16
Wednesday, August 31, 2016

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

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CALL TO ORDER

At 3:18 p.m., the Senate President, Hon. Aquilino “Koko” Pimentel, called the session to order.

PRAYER

The Senate President led the prayer, to wit:

Heavenly Father, we praise You, the Creator of all we see, hear, feel and know, whose infinite wisdom we seek in all our endeavors, and whose light we seek in times of darkness.

We acknowledge our faults and sins and pray for Your forgiveness. We ask for Your guidance that we may be free from temptations that lead us astray from our path and purpose as public servants. May You continue to bless us with integrity and prudence as we craft the laws of our land. We hope that You would suffuse us with purpose as we go about our daily tasks, to ensure that we will always be true to the Filipino people and not our personal interests.

Heavenly Father, we ask You to bless our country and always watch over us. Let us carry out change according to Your will.

Let us never forget the poor, those bereft of hope and those who seek justice.

Heavenly Father, we thank You for the blessings that You have given our country. Rich in the blessings of nature, rich in the blessings of faith, rich in the blessings of love for our fellow human beings. May the Filipino people and the members of the Senate do only what is right and pleasing in Your eyes.

All these we ask, through Christ our Lord.

Amen.

ROLL CALL

Upon direction of the Chair, the Secretary of the Senate, Atty. Lutgardo B. Barbo, called the roll, to which the following senators responded:

Angara, S.	Hontiveros, R.
Aquino, P. B. IV B.	Lacson, P. M.
Binay, M. L. N. S.	Legarda, L.
Drilon, F. M.	Pacquiao, E. M. D.
Ejercito, J. V. G.	Pangilinan, F. N.
Escudero, F. J. G.	Pimentel III, A. K.
Gatchalian, W.	Sotto III, V. C.
Gordon, R. J.	Villar, C. A.
Honasan, G. B.	

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With 17 senators present, the Chair declared the presence of a quorum.

Senators Cayetano, Poe, Recto, Villanueva and Zubiri arrived after the roll call.

Senator Trillanes was on official mission abroad.

Senator De Lima was unable to attend the session as "she was not feeling well due to her vertigo attack," as indicated in the August 31, 2016 letter of the Senator's chief of staff.

APPROVAL OF THE JOURNAL

Upon motion of Senator Sotto, there being no objection, the Body dispensed with the reading of the Journal of Session No. 15 (August 30, 2016) and considered it approved.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Sotto acknowledged the presence in the gallery of the following guests:

- The Vietnamese Overseas Initiative for Conscience Empowerment (VOICE) headed by Atty. Trinh Hoi Long;
- Boxers competing in the IBF World Championships, namely, Puerto Rican fighter McJoe Arroyo, Antono Odtero, Alex Caraballo and Peter Rivera and Filipino fighters Jerwin Ancajas and team managers Mr. Jimenez and Mr. Francisco; and
- Miss Philippine-Earth Imelda Bautista Schweighart and Ms. Lorraine Schuck.

Senate President Pimentel welcomed the guests to the Senate.

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. 1113, entitled

AN ACT REQUIRING GOVERNMENT AGENCIES TO INDICATE THE BLOOD TYPE OF INDIVIDUALS IN THE IDENTIFICATION CARDS, CERTIFICATES AND LICENSES

Introduced by Senator Cynthia A. Villar

To the Committees on Health and Demography; Civil Service, Government Reorganization and Professional Regulation; and Finance

Senate Bill No. 1114, entitled

AN ACT PROVIDING FOR A COMPREHENSIVE MALNUTRITION PROGRAM AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Cynthia A. Villar

To the Committees on Health and Demography; Women, Children, Family Relations and Gender Equality; and Finance

Senate Bill No. 1115, entitled

AN ACT GRANTING THE MAGNA CARTA FOR DAY CARE WORKERS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Cynthia A. Villar

To the Committees on Social Justice, Welfare and Rural Development; Civil Service, Government Reorganization and Professional Regulation; and Finance

RESOLUTIONS

Proposed Senate Resolution No. 115, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE RECENTLY ADOPTED SCHEME OF REQUIRING FILIPINO APPLICANTS FOR EMPLOYMENT IN THE STATE OF KUWAIT TO UNDERGO MEDICAL EXAMINATION CONDUCTED EXCLUSIVELY THROUGH WINSTON Q8 CERTIFICATIONS SOLUTIONS, INC. (WINSTON Q8) AS PRE-REQUISITE FOR THE GRANT OF WORK VISA BY THE EMBASSY OF THE STATE OF KUWAIT IN THE PHILIPPINES.

WHICH NOT ONLY EXPOSES OVERSEAS FILIPINO WORKERS TO ARBITRARY AND EXORBITANT EXPENSES BUT ALSO CONTRAVENES THE PROVISIONS OF THE MIGRANT WORKERS AND OVERSEAS FILIPINOS ACT OF 1995, AS AMENDED

Introduced by Senator Cynthia A. Villar

To the Committees on Labor, Employment and Human Resources Development; and Foreign Relations

Proposed Senate Resolution No. 116, entitled

RESOLUTION HONORING AND COMMENDING THE TEN (10) OUTSTANDING TEACHERS OF 2016 AWARDED BY THE METROBANK FOUNDATION, INC.

Introduced by Senator Paolo Benigno "Bam" Aquino IV

To the Committee On Rules

Proposed Senate Resolution No. 117, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON EDUCATION, ARTS AND CULTURE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATE OF INTERNET CONNECTIVITY IN SCHOOLS NATIONWIDE

Introduced by Senator Paolo Benigno "Bam" Aquino IV

To the Committee on Education, Arts and Culture

Proposed Senate Resolution No. 118, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE TAX REFORM PROPOSALS OF THE DEPARTMENT OF FINANCE WITH THE ULTIMATE GOAL OF IMPROVING THE COUNTRY'S TAX

COLLECTION EFFORT WHILE ENSURING THAT THE COUNTRY'S TAX SYSTEM IS SIMPLER, MORE EQUITABLE AND PROGRESSIVE"

Introduced by Senator Sonny Angara

To the Committee on Ways and Means

Proposed Senate Resolution No. 119, entitled

RESOLUTION DIRECTING THE COMMITTEE ON ACCOUNTABILITY OF PUBLIC OFFICERS AND INVESTIGATIONS (BLUE RIBBON), AND OTHER APPROPRIATE SENATE COMMITTEE(S) TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED CONTROVERSIES INVOLVING THE PHILIPPINE CHARITY SWEEPSTAKES OFFICE (PCSO), WITH THE END IN VIEW OF REVIEWING ITS CHARTER AND MAKING AMENDMENTS THERETO IN ORDER TO PROMOTE INTEGRITY, TRANSPARENCY, AND ACCOUNTABILITY IN ITS OPERATIONS AND INNOVATION IN THE DELIVERY OF ITS SERVICES

Introduced by Senator Aquilino "Koko" Pimentel III

To the Committees on Accountability of Public Officers and Investigations; and Government Corporations and Public Enterprises

ADDITIONAL REFERENCE OF BUSINESS

RESOLUTIONS

Proposed Senate Resolution No. 120, entitled

RESOLUTION HONORING AND COMMENDING THE 2016 METROBANK FOUNDATION'S SEARCH FOR OUTSTANDING TEACHERS (SOT) AWARDEES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Rules



Proposed Senate Resolution No. 121, entitled

RESOLUTION HONORING AND COMMENDING THE 2016 METROBANK FOUNDATION'S COUNTRY'S OUTSTANDING POLICE OFFICERS IN SERVICE (COPS) AWARDEES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Rules

Proposed Senate Resolution No. 122, entitled

RESOLUTION HONORING AND COMMENDING THE 2016 METROBANK FOUNDATION'S THE OUTSTANDING PHILIPPINE SOLDIERS (TOPS) AWARDEES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Rules

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 3:28 p.m.

RESUMPTION OF SESSION

At 3:32 p.m., the session was resumed.

**PRIVILEGE SPEECH
OF SENATOR CAYETANO**

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

Following is the full text of his speech:

I start with a quote from Proverbs 29, Verses 1 and 2:

"He who is often rebuked and hardened his neck, will suddenly be destroyed, and without remedy."

Iyon pong pinagsabihan na pero napakatigas ng ulo at ayaw magbago ay gigibain at wala ng magagawa.

"When the righteous are in authority, the people Rejoice; But when the wicked beareth rule, the people mourn."

Just like all of our colleagues here, we are human. As politicians, we have our constituents; we have our experts; we have our staff.

I had a secret weapon.

At this juncture, Senator Cayetano showed pictures on the screen.

The person in the picture is Pastor Doy Castillo. He was our pastor, a second father. The picture on the left was the picture after the SONA. *Humabol siya sa dinner namin just to make sure I was okay at pinagpipilitan nya na mag-picture kami to show the other pastors in his group na okay lamang ako. Kaya sinabi ko sa kanya, "Pastor, photobomber na lang ako to show that I fully support Senate President Aquilino Pimentel."* Koko, it was a friendly fight and I am ready to do my duties for the country.

But a few days ago, *(right picture) bigla siyang binawian ng buhay.* And the relevance of all these is that he was so practical and idealistic. That when we had problems like extrajudicial killings versus drugs, corruption versus inefficiency, *natatakbuhan ko po siya at nakakausap.*

So today, I turn to you, my colleagues, our people for advice. *Medyo kasi full supporter ako ng drugs sa war pero naapektuhan din po ako sa nababasa ko sa Time Magazine, sa South China Post, sa Facebook, sa mga pinapadala sa atin, at sa mga upakan. At lalo po akong naapektuhan sa mga pulis na napapatay at ang kanilang mga biyuda na ang napapanood po sa Senado ay iyon pong pamilya noong mga nasa drugs na nagte-testify dito.*

So let me start with the facts in asking for some advice. Allow me *na parang kwentuhan lamang ba na nasa sulok tayo, nag-uusap at ito po ang aking pananaw sa nagyayari.*

Una po sa akin, it is a fact that the drug menace is a national security threat and has destroyed millions of lives of Filipino families for the past decades. Wala pong isang presidente, wala pong isang pulitiko, isang administrasyon ang may kasalanan nito. Ang drug menace ay worldwide phenomenon. We have had people here, like Senator Sotto, who has made it his main advocacy since he was vice mayor, and many others here.

The international and local drug syndicates have plagued the communities and threatened



our personal security. *Wala pong sense of security ang Pilipino dati. Pagka may kuwintas, may cellphone, hindi mo pwedeng ilabas sa jeep baka manakaw. Pagkakuha ng sweldo, hindi ka makadiretso sa labas at kapag kukunin mo ang sweldo sa ATM, hindi pwede sa gabi baka manakawan ka. Uwi ka ng gabi baka bastusin ka, rape-in ka, kukunin ang kotse mo, papatayin ka pa.*

We value the sanctity of life. We are religious people – Christians, Muslims, whatever religion, *importante ang buhay.*

Our war against illegal drugs is not a war against life, but a war to fight for the lives of all Filipinos. It is not a war against human rights, but a war to protect the human rights and to ensure the safety and welfare of the Filipino people.

At this juncture, Senator Cayetano showed a picture from the Philippine Star of a seven-year old girl who died after being raped by a man high on shabu.

No one in their normal state of mind, *kahit na criminal po iyong mind na iyon, kahit malaswa iyong kanyang isipan ang mangre-rape ng isang seven year old.*

At this juncture, a video clip from Aksyon TV5 was shown.

If we look at the next slide, we will see that there was a 92% increase in the number of recorded cases of rape from 2010 to 2014, and 200% increase on violations of the Anti-Violence Against Women and Children Law. And to be fair to the past administration, going back to the Arroyo, Estrada and Ramos administrations, *pataas ng pataas iyan dahil sa droga – 40%.*

Even the Supreme Court — and I commend the Supreme Court — saw the problem *kaya po nag-create siya ng 240 additional trial courts nationwide to handle cases involving the Dangerous Drugs Act of 2002.*

So the question is, how do we solve the problem? *May bago po tayong Pangulo at siya po ang unang dapat sumagot nito. So we ask, what is the policy of the Duterte administration? Let us view the President's answer.*

At this point, a video clip was presented showing President Duterte's speech in his first State of the Nation Address.

Malinaw na ang policy ng Presidente ay all-out war against drugs kaya ang sabi nya, "double, triple your effort." Pero sinabi rin po niya na ikukulong at lilitisin. Choice ng drug lord o ng nagbebenta ng droga kung gusto niyang mabuhay o mamatay. Bakit po? Kapag lumaban siya at papatayin niya ang pulis—kung ikaw ba ang pulis, ibibigay mo ang buhay mo sa drug lord? Para sa bansa, oo; pero sa drug lord, hindi. Kaya marami ang nagsasabi at nababasa ko sa pahayagan, at nakikita ko po sa telebisyon na sinasabi, "Si Mr. President naman, ang bukambibig, patayin lahat iyan, kill them all." Again, what is the Duterte administration's policy on drugs and criminality?

Before I show you the next video, *nagtanung-tanong po ako* and you can bear me out, Mr. Senate President, *dahil* during the campaign *madalas kong marinig, "Iyong mga durugista kapag ayaw tumigil, patayin." Sa aming mga Tagalog, ang durugista ay iyong mga adik. Noong magtanong ako sa mga taga-Davao ang sabi nila, "Boss, iba kasi dito ang pagkaintindi sa durugista—sila iyong mga adik na nagbebenta." So iyong mga user ay pusher din. Ano ang policy ng ating Pangulo sa mga pusher at user?*

A video of President Duterte's speech in the SONA was shown.

Malinaw na ang gusto ng Presidente para sa mga adik ay rehabilitation. Nabasa nga natin sa diyaryo na si Mr. Ramon Ang ng San Miguel Corporation ay magbibigay ng P1 billion para nga po gumawa ng rehabilitation centers para walang gastos ang gobyerno. Ang balita ko po pati ang mga Tan ng Megaworld at marami pang ibang negosyante ay nakipag-meeting na rin kay DILG Secretary Sueno para malaman kung saang kampo ng PNP maglagay ng rehab centers. So, iyong ipinapalabas na papatayin lahat ay malinaw na hindi galing sa ating Pangulo.

To the next question, are we using the term "extrajudicial killings" loosely? Not the human right advocates *kasi* we respect them, *kailangan natin sila. Pero iyong ibang drug lords na gustong siraan ang Pangulo o gustong ituloy ang kanilang negosyo, iyong iba sa pulitika na hindi matanggap na mayroon tayong Pangulo na katulad ni President Duterte, are they loosely using the word "extrajudicial killings" to discredit the PNP and the Duterte administration?*

Proposed Senate Resolution No. 9 was shown on the screen.

Sa resolution pa lamang po ng ating kasama na si Sen. Leila De Lima, makikita po ninyo, "The Recent Rampant Extrajudicial Killings and Summary Executions of Suspected Criminals." I reviewed na marami po sa atin nilalagyan ng salitang "alleged" kasi iniimbestigahan pa lamang. Pero sa kanya po kung saan siya ang chairperson at nangunguna sa hearing, hindi niya tatanggapin na hindi ito summary killing or extrajudicial killing. Hindi lamang sa papel na ito kung hindi sa maraming interview.

This effort to discredit the President has reached the international news. In fact, dahil walang suporta dito sa ating bansa— of course, nire-report kailangan gawin ng ating mga kapatid sa media. But the people feel safe. Nararamdaman ng tao ang pagbabago. Dati ang takot ay mga inosenteng tao at hindi takot ang mga kriminal. Ngayon, ang takot ay ang mga kriminal at ang mga mamamayan ay hindi na natatakot. They feel safe or at least they are beginning to feel safe. Kaya kung makikita po ninyo sa Time Magazine, iyon pong South China Post, grabe po ang mga article at pinapalabas po na ang mga nangyayari sa ating bansa ay parang wild, wild west, parang kahit sino ay puwedeng patayin. Ang difference lamang po nito sa Huffington Post ay iyong nakatira doon sa ibang bansa ay hindi na makapagpigil kaya ipinapaliwanag niya na iba ang nangyayari sa Pilipinas at iba ang nire-report sa ibang bansa. Tingnan po natin ang interview kagabi sa ating kasamahan na si Senator De Lima:

At this juncture, the video interview with Senator De Lima by Chief International Correspondent for CNN Christiane Amanpour was shown.

Hindi po sana ako mao-offend na sinisiraan tayo internationally or hindi ko sana sasabihin na mini-mislead ni Senator De Lima ang international community at ang publiko sa numero ng mga namatay kung hindi tayo nagkaroon ng hearing. Sa hearing po hindi ko po pinagsama iyong nine years at six years, in-average ko po ito monthly. Narinig ninyo sa kanyang bibig ang sabi niya 2,000 na daw ang namatay sa drug war. Bakit po? Kasi po lahat ng patay pinagsama-sama po niya at charged against Duterte. Para bang sa isang restoran na isa lamang ang mesa ng pangulo pero lahat po ng nasa restoran ay sumigaw ng Duterte! Duterte!— ibibigay na agad ang resibo sa Presidente. Siya na po ba ang dapat magbayad para sa lahat? Bakit po ganoon?

Ni-report naman po ng PNP kung ilan: less than 800 po at that time ang patay because of

legitimate law enforcement operation. Pero iyong 2,000 na kahit sino lang ang namatay maaring dahil sa love triangle o dahil sa away sa jueteng o utang o pustahan sa basketball o dahil inilagay ang karatulang "drug addict" ay charged na po kay Duterte at sa drug war?

Tingnan po natin para hindi tayo malito lahat, sa bibig na po mismo ng dalawang nangunguna sa imbestigasyon na ito, kung ano ba talaga ang definition ng extrajudicial killings kasi baka po tayo magkalituhan sa definition.

A slide showing a photo of Senator De Lima and CHR Chairman Gascon during the hearing on extrajudicial killings was shown on the screen.

Kita mo, hinugot niya kay Philip G. Alston iyong kanyang definition. Itong kaibigan natin na si Chairman Gascon ay may pinaghuhugutan talaga kaya galit na galit siya sa ating Pangulo. The reality is there was the same number of murder or homicides, or even less in a monthly average during the Arroyo, Aquino and Duterte administrations. Uulitin ko po, kung ang patay ngayon ay 2,000 sa dalawang buwan, that is 1,000 a month; ganoon din po noong panahon ni Presidente Aquino. Isang libo mahigit ang patay buwan-buwan pero dahil mas mabait magsalita ang ating dating pangulo at mas politically correct, wala ito sa front page ng mga pahayagan around the world kung ilan ang patay. Pero ngayon po, tuwing may namamatay para bang ang Pangulo natin ang may-ari ng punerarya sa ating bansa at charged po lahat parati kay President Duterte.

A slide was presented showing the number of deaths from 2010 – 2015 based on the PNP Directorate for Investigation and Detective Management report.

Let us look at the figures na galing sa PNP. Noong 2010 - 12,352 ang patay sa homicide at murder; noong 2013 - 16,160. Sa ibaba po galing sa Philippine Statistics Authority (PSA), noong 2010 – 12,622; 2013 – 15,481; 2015 – 12,478. May kaunting discrepancy pero magkakadikit. Siguro po baka sa PSA natin makikita sa death certificate, kung ano ang pinaka-accurate. But what is my point? An average of 35 to 45 deaths per day. Ang kaibahan po noong araw, ang napapatay ay mga biktima ng durugista. Hindi lamang po death kundi murder at homicide ng mga inosente. Ngayon po, iyong 700 sa legitimate PNP operations, ang mga pusher na labas sa legitimate operations na walang sinuman ang nakakaalam; halimbawa, iyong

pumatay ng kapwa drug lord kasi kumanta o ayaw magpahuli o kaya yung namatay bunga ng love triangle o away sa utang o sabog sa droga.

Pero kung makikita po ninyo noong Aquino administration, naglabas po ng Administrative Order No. 35 kung saan dine-define po nila kung ano ang extrajudicial killing.

A slide showing the definition of extrajudicial killings per Administrative Order No. 35 and who are the victims of extrajudicial killings according to the salient provisions of the Operational Guidelines of AO 35, Article 1 was presented.

Ang sinabi rito: "For the purpose of the focused mandate of AO 35, killings related to common crimes and/or the perpetration of their crime shall be addressed by other appropriate mechanisms within the justice system." So to be convenient, during the Aquino administration, kapag ordinary crimes, ang droga ay hindi kasama sa extrajudicial killings; pero pagdating sa Duterte administration, kapag droga, kasama iyan sa extrajudicial killings.

Iyan po mismo sa kanilang sariling definition: "The victims were: 1) members of or affiliated with an organization to include political, environmental, agrarian, labor, similar cases; or 2) an advocate of the above-named causes; or 3) media practitioner." In other words, ikaw po ay member ng cause-oriented group, aktibista ka against coal and mining, kung aktibista ka na journalist, investigative journalist ka, kapag may nangyari sa iyo at napatay ka, diyan ka ba-bagsak. But let me ask our journalists today, let me ask our labor or environmental activists: Don't you feel safer today than six years ago?

Iyan po ang ipinapakita ng Aquino administration at ni Senator De Lima abroad sa report nila na total of 394 lamang ang extrajudicial killings sa panahon nila. Bakit po? Kasi iniba nila ang depinisyon. Kapag sila ang naglaro, ang gusto nila rules ng volleyball; kapag tayo ang naglaro, rules ng basketball tapos banat nang banat.

Kung ang Pangulo lamang po ang nasisira, I will let him speak for himself. Ang problema, isa tayo sa kulelat pagdating sa turismo. Nagwork hard ang Department of Tourism at iba't ibang ahensya ng gobyerno para dumami ang mga turista, pagkatapos palalabasin natin sa ibang bansa na hindi safe sa atin dahil grabe ang patayan? Samantalang ang mga OFWs mismo ang nagsasabi na mas safe na ngayon ang kanilang pamilya.

So I have a question to Chairman Gascon: "Why are you destroying the image of the Philippines? Why are you inviting trade sanctions from the European Union?" *Hindi po ako anti-Aquino. Hindi ako galit sa dilaw as a general rule. Some of my best friends and seatmates are members of the Liberal Party. We have worked together in important bills. We recognize the contribution of PNoy on our economy. But, Mr. Gascon, nagagawa mo naman ang trabaho mo rito, in-involved mo pa ang European Union? Ano po ang sabi niya? "The GSP + system is anchored and based almost fully and significantly in compliance with certain international standards—human rights standards, labor standards and environmental standards."*

Question, Mr. Gascon, *sa environment muna: Iyong mga power plant, lalo iyong coal, iyong mga minahan, hindi ba mas mahigpit ngayon sa Duterte administration to the point na iyong mga kapitalista, mga may-ari ng kumpanya, ay nagsasabing ridiculous na, masyado nang mahigpit. Mas mahigpit pa sa pinakamahigpit na world standard. Sa environmental, better tayo. Labor standards, nag-hearing na kaagad si Senator Villanueva pagdating sa contractualization, sa "endo." Ang Civil Service Commission nagsalita na kahapon sa contractualization sa gobyerno. So two out of three—labor and environmental, huwag mo naman sabihing hindi tayo mas magaling. So dapat siguro sinabi ni Mr. Gascon, "EU increase trade with the Philippines." Pero anong pinukol niya? Human rights standards. Now, let me test whether tama o mali iyong sinabi ni Mr. Gascon.*

Ito po: "Extrajudicial killings remain the biggest rights problem under Aquino." It is the U.S. report. But I did not blame President Aquino. I supported him. Hindi madali to get rid of extrajudicial killings – killings ng media, di ba?

Interagency body, Human Rights Watch, said the same thing. I did not criticize President Aquino. I supported him because I saw he was moving in the judiciary, in the DOJ, *et cetera*, to address all of this. Si Mr. Gascon ba nagsalita noong panahon na iyan? Sinabi ba niya "EU, tigilan ninyo iyong ibang trade with President Aquino. Iyong upgrade, huwag muna kasi may problema sa human rights?" Hindi po. Tahimik siya noon.

Pero, ano po ba talaga ang nakalagay sa International Covenant on Civil and Political Rights? Ito pa ang nakalagay: "Every human being has the inherent right to life." May karapatan pong mabuhay ang bawat tao. "The

right shall be protected by law. No one shall be arbitrarily deprived of his life.” Underline “arbitrarily.” *Bakit po? Ito po ang dini-discuss ng mga experts on human rights at ipo-propose po nila dito sa convention iyong definition ng “arbitrary”:* “Although it is inherent in every human by virtue of membership in the human family, the right to life is not absolute. By requiring the deprivation of life must not be arbitrary in nature.”

Article 6, paragraph 1 implicitly recognizes that some deprivations of life may be justified in some cases. *Minsan po may dahilan kung bakit kukunin ang isang buhay. Ano po ang example? “Use of lethal force against the person who poses an immediate threat to the lives of others when no other less harmful means of protection are or could have been available does not prima facie constitute an arbitrary deprivation of life.” Ibig sabihin po, ang pulis na makikipagbarilan sa isang drug lord ay mamimili - buhay niya o buhay ng drug lord? Siyempre, pipiliin niya ang buhay niya. At iyan po ay hindi violation ng Article 6, Right of Life, sa International Convention.*

I also want to take note of this because I think this will be discussed next month in the convention *at ito po ay dini-discuss* for the last 10 or 20 years. “All human rights are universal, indivisible, interdependent and interrelated.” *Ibig sabihin po, puti ka man, itim, kayumanggi. ikaw man ay Intsik, Hapon, Filipino, Amerikano – may karapatan ka sa buhay.* “But the international community must treat human rights globally in a fair and equal manner – on the same footing and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of the State, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.”

Ang parati pong nababanggit niyan ay Singapore. Sa Singapore po ay grabe ang peace and order, grabe po ang katahimikan sa droga. Pero parati silang tinutuligsa sa human rights. Pero sabi po nila, “We are Asians. Iba kultura namin.” Kasi po sa ibang bansa, recreational iyong ibang drugs. Iba din ang droga na gamit nila. I will not go into that discussion right now. Ang ibig ko lamang sabihin, huwag naman tayo husgahan ng ibang bansa base sa kanilang kultura kasi meron tayong sariling kultura, sarili nating paniniwala. At kasama sa ating paniniwala ang sanctity of life.

Dati po, ang tao ang takot, ang kriminal hindi. Dati po, ang kriminal may baril, kahit saan, puwede pumunta. Ang tao, hindi pwede sa madilim. Sa gabi, ingat pag nakasakay sa dyip, pag nagko-commute, tago iyong mga valuables. Ngayon po, nagbago na. Ang mga kriminal ang takot and people are beginning to feel safe.

Let us ask the two again *kung sino ang nasisisi.*

At this juncture, another video is presented before the Body.

All right, two points.

Unang-una, bago nagsalita si Chairman Gascon, lahat ng witness ay nagsabi na ang kanilang kaso ay iniimbestigahan. In fact, iyong unang witness kinasuhan na ng murder ang dalawang pulis. So, sa sariling definition ni Mr. Gascon – failed to investigate, prosecute and punish – paano nag-fail? Naimbestigahan na nga ng CHR, naimbestigahan na nga ng pulis, facing murder na nga at iniimbestigahan ng Senado. Pero ano ang sabi ni Mr. Gascon? Kasama daw sa definition ang nangyayari ngayon – failed to prosecute and punish. Mr. Gascon, and to our colleagues, malabo naman yata iyon. Ang na-quote nila, “extra judicial killing is any killing by government forces as well as the killing by any other groups or individual which the government failed to investigate, prosecute and punish.” Hindi po iyan nangyayari ngayon.

Pakinggan po natin ang ating Pangulo. Ano ang kanyang policy pagdating po sa pag-imbestiga at pang-aabuso po ng pulis.

At this juncture, a video clip of President Duterte’s 2016 SONA is presented before the Body.

Malinaw ang sabi ng Pangulo: Monitor the LGU, PNP. Ang LGU hindi kasama po ng PNP. Iyan, puwedeng magsumbong. Sinabi po niya sa mga pulis, hindi puwedeng may abuso. Sinabi niya, he will stake his honor, hindi lamang sa mga lalabanan sa droga. Pati iyong umabuso na mga pulis. Because the President is not only anti-drugs, he is for law and order.

In fact, earlier on, the PNP issued a memorandum saying *na iyong mga vigilante killings ay hindi nila pinapayagan at lahat ng report of vigilante killings kailangang seven days meron pong imbestigasyon at report.*

So, Mr. Gascon, *saan iyong sinasabi mong hindi pinapansin, hindi iniimbestigahan, hindi pino-prosecute.*"

Even the Supreme Court – *dahil nabahala na rin sila at marami tayong kagalang-galang na mga justices at human rights advocates – nagpapasalamat kami sa kanilang pag-form ng isang body to look into human rights violations. Bakit po?*

Because under the Alston definition - De Lima's and Gascon's definition – the question has to be asked: Are these deaths extrajudicial killings? The answer is a big NO. And that is why we thank the Supreme Court because they are part of the State.

Pag sinabi ni Chairperson Gascon at sinabi ni Senator De Lima that the state is not investigating/prosecuting, kasama tayo doon. Duterte is not the state. The presidency is not the state. We are a presidential form of government. There are checks and balances. Pag may problema iyong Executive, nandiyan iyong Legislative, nandiyan iyong Judiciary. Kaya nga may impeachment, kaya nga mayroong kasuhan. May prosecution, kaya nga may Ombudsman.

The state includes all of us – Executive, Legislative, Judiciary, CHR. *Kasama po iyan.*

There is no national outrage regarding the drug war. *Bakit po? Alam naman po na ang tina-target talaga ang nagbebenta ng droga. Hindi naman tina-target ang inosente. At alam naman po na iyong mga sumurender are treated humanely. But there is an international effort to discredit the Duterte administration.*

Makikita ninyo ang statement ni Senator De Lima: "Killings may lead to charges of crimes against humanity." Ang bigat naman. Isasama mo si Duterte, crimes against humanity. Iyong mga kinakasuhan rian mga madmen, iyong mga kinakasuhan niyan genocide. Pero ganyan ang statement niya while she is chairing a hearing and saying that she can be neutral? How can you be neutral pag iyan ang sinabi mo?

Pero, tanong muna: Why are we involving the International Criminal Court (ICC) in the drug war in the Philippines? Gusto ninyo ba na mahati ang attention ng Pangulo sa kaso niya abroad at iyong drugs na problema dito? Gusto ba nating itigil ang laban sa droga?

But a second question. *Kasi akala ng iba ang ICC parang metropolitan trial court (MTC), regional trial court (RTC), Court of Appeals (CA), Supreme Court at Sandiganbayan. Hindi po. Tingnan po natin ang rules ng ICC:*

"The case is being investigated or prosecuted by a state which has jurisdiction over it unless the state is one willing or unable genuinely to carry out the investigation or prosecution." (Rome Statute Article 7-A, Issue of Admissibility)

Alam po ng lahat ng abogado na pag hindi admissible, hindi tatanggapin. Part ng jurisdiction po. Sinasabi sa rules mismo ng ICC na kapag pinaparusan ng estado ang mga extrajudicial killings sa kanyang bansa, hindi mo puwedeng dalhin sa ICC because it is not state-sponsored. Ang pinapalabas ng marami rito, state-sponsored ang ginagawa na extrajudicial killings or that all of these are extrajudicial killings. Do we want to tie the President in the International Criminal Court?

But let us remember that not all alleged extrajudicial killings cases are admissible in the ICC because "the case has been investigated by a State which has jurisdiction over it and the State has decided not to prosecute the person concerned, unless the decision resulted from the unwillingness or inability of the state to genuinely prosecute. (Article 17-B, Issue of Admissibility)

Dapat nga dito iyong estado mismo ang nagsabi, "Ayoko i-prosecute iyan." Dito nga pino-prosecute natin at pinakita natin, kumikilos ang DILG, kumikilos ang PNP. Ang Senado kumikilos. Mas marami pa ngang hearing iyon kaysa sa iba pang mga hearing sa ibang komite.

Do we disregard human rights? What is the Duterte administration's policy on human rights? Again, let us hear from the President:

At this juncture, another video of President Duterte's speech is played before the Body.

Narinig po natin sa sariling bibig ng ating Pangulo na ang human rights ay importante sa ating bansa. Pero hindi puwedeng gamitin iyong human rights para hindi ituloy ang drug war. Hindi rin puwedeng abusuhin ang human rights.

But let me play the advocate, *tatal humingi ako ng advice sa inyo at sa ating mga kababayan. Pero sabihin niyo, "Kuya Alan, narinig ko, sinabi ng Pangulo iyang human rights na yan, wala iyan."*

Well, let me ask you. *Sino sa atin ang hindi nakarinig sa teacher o sa boss natin ng "I will accept no excuses! Today's exam or*

today's requirement, no excuses!" *Eh kung namatayan ka sa pamilya mo? Kung nasa ospital ka? At lumapit ka sa teacher mo at sabihin mo, "Ma'am, pasensiya na, alam ko 'no excuses' pero naka-dextrose po ako. Unconscious ako, hindi po ako makakapunta. "Hindi ba tatanggapin iyong excuse na iyon?*

In other words, it is a hyperbole or it is a manner of speaking. If you look at all the speeches, especially the policy speeches of the President, *parati niyang sinasabi*, "We will operate within the confines of the Philippine Constitution. We will respect the Bill of Rights, the rule of law." In fact, *ang hinahanap lamang ng ating Pangulo ay iyong nangyayari sa Singapore*. People love the law but people fear the law. People know that the law will protect them but people know that they have to follow the law. *Ang hinahanap lamang ng Pangulo natin – mayaman, mahirap, kriminal, hindi kriminal, Bisaya, Ilokano, Ilonggo, Kapampangan, anuman ang pakakaiba natin – lalaki, babae, LGBT – may isang batas na hindi nagdi-discriminate at sinusunod nating lahat. Hindi katulad ng nangyayari dati. Kapag drug lord ka, lord ka. You are above the law. And there is only one Lord, they should not be drug lords.*

In ending my conversation with the people and with you, I have an appeal. *Pag-isipan nating mabuti kung dapat ang nagtse-chair ng isang komite sa hearing – I am not questioning the chairmanship of the Committee on Justice and Human Rights – sa hearing na iyon, kung ikaw ay advocate, kung ikaw ay decided na, papaano mo mabibigyan ng tsansa iyong kabilang side? Nakita ninyo po iyong pinilang witnesses, panay pamilya ng mga napatayan dahil sa droga. Hindi naman po pinila iyong mga witnesses noong mga pamilya naman ng mga pulis na napatay. Nakita naman po natin na kapag PNP ang nagsasalita ay may time limit. Pero kapag ang nagsasalita po ay iyong pamilya ng mga nagbebenta ng droga ay walang time limit. Nakita po natin sa mga interview.*

Senator Gordon was chairman of the Blue Ribbon Committee. I was the chairman of the Blue Ribbon Committee. Many here chaired the committees in aid of legislation. But when we are the chairmen, we are neutral. We can make certain statements, but we are the judges. So, we allow the others to either defend or prosecute, in a manner of speaking, to be the advocate. So that is the first question I want to throw to the Body. *Paano mangyayari na sa isip po ng chairman or ni Senator De Lima guilty na po ang administrasyon? Paano mabibigyan ng fair na*

hearing ito? Kahit sabihin po nating legislative fact-finding ito.

Pangalawa, ang balita ko ay nag-schedule ng hearing ng September 5, 2016. Ano po ba ang ating adhikain dito? Na malaman ang totoo, maprotektahan ang karapatang pantao, human rights o mapahiya ang Pangulo? Tanungin niyo po sa kahit sinong diplomat. Tanungin niyo po sa kahit anong bansa. Kapag may international conference lalo na kapag heads of state ang magkita-kita o kahit na state visit, ang mga oposisyon sa isang bansa ay nananahimik muna dahil hindi sila oposisyon sa kanilang sariling bansa, oposisyon sila sa administrasyon.

Tingnan niyo po ako first three years, 2010 to 2013, Minority Leader ako rito. Paminsan-minsan, tinutuligsa ko si President Aquino pero kapag may state visit siya, either tahimik na lamang muna ako o pinupuri ko. Bakit? Because he is representing the country. So mayroon po tayong international gathering. Heads of state ang kasama ng Pangulo next week, tapos sasabayan natin ng hearing na ganito at pipilahan ninyo ng witnesses na mga kamag-anak ng mga pushers? Of course, may karapatan din sila, and, of course, we have to hear them. But, isasabay natin?

Sa diyaryo mukhang mayroon pong meeting si President Obama at ang ating Pangulo. He will be meeting other prime ministers and other presidents and then tayo maghi-hearing dito and it will appear that this is a Duterte-orchestrated mad-man type of killing everyone, killing all involved in drugs in our country. I know in the Senate, the chairperson is king or queen, depending on if he is male or female.

But, should we not have ground rules? *Hindi ba tao rin naman tayong lahat? Pilipino rin naman tayong lahat. Hindi ba puwedeng hintayin niyo muna ang Pangulo bago kayo mag-speech? Noong makita ko po na wala si Senator De Lima ngayon, inisip ko po na huwag na mag-speech. Ang problema, Wednesday ngayon, bukas Thursday, tapos next week na ang pagpunta ng President. Anytime naman puwede siyang mag-speech at sasagot ako.*

But the point is, *kahit wala siya, wala ako*, we are only senators. We represent our people here in the Senate but we do not represent our people and our country outside of the country in an unofficial manner. We are representatives of the people but we are not THE representative. And in attending the international conference



next week, the President will be representing our OFWs, our trade agreements, our pitches for tourism, he will be representing our needs to the other countries, the needed funding for infrastructure. Our President will be representing the opposition and the administration altogether.

So, can we not be united when the President represents not his administration but the whole country?

I am not saying *patayin natin ang hearing na ito. Hindi ko po sinasabing huwag bantayan*. In fact, *baka nga kailangan may permanent tayong committee* just to represent human rights in the Senate. I will agree to that. But having said that, *ayusin naman po natin na iyong sumisigaw ng human rights, gawin din niya*.

And this is my final point, *ano po ba ang pinaka-basic sa human rights? Hindi ba due process? Hindi ba sina Eva at Adan, alam naman ng Diyos na kinain nila iyong mansanas pero sabi ng Diyos sa kanila: "Eva at Adan, bakit kayo nagtatago?" Nagtanong muna ang Diyos, pero alam Niya na, na guilty. Pero iyon ang example parati sa law school ng due process. Tinanong muna, "Bakit po?" Nagtuturan na. Sabi ni Adan: "Si Eva po nagbigay sa akin." Sabi naman ni Eva: "Ang ahas ang nagbigay sa akin." Nakapagpaliwanag po sila pero may due process. Tayo po naghi-hearing pa lamang sinasabi na ni Chairman Gascon at ni Senator De Lima.*

Lastly *po, sabi ni Chairman Gascon, ang pangalan ng team nila na nag-iimbestiga sa mga pulis ay "team rubout."* I think it was Senator Lacson, if I am not mistaken, who pointed that out and rightly so, and I thank Senator Lacson. *Isipin mo naman pulis ka, makatatanggap ka ng sulat: "Kailangan kang ma-interview ng team rubout." Wala ka pang ginagawa, guilty ka na. "Team rubout," iyon po ang pangalan, taga-human rights kayo. Kung ang pulis siguro o kami rito sa Senado na hindi expert sa human rights ang magkamali, okay lamang. Pero kayo sa human rights, iyan ang trabaho ninyo.*

Hindi naman trabaho ng human rights lamang ang isumbong ang violation sa human rights. Ang trabaho rin ng human rights is to represent us to the world, that in our country, Filipinos respect human rights. If there are violations, tell me what country ang walang human rights violation? Anong bansa? Simula noong kay Cain at Abel at pinatay iyong kapatid, mayroon ng human rights violation. Ang kuwestiyon po, may ginagawa ba tayong

Panoorin natin ang interviews nila sa CNN, sa BBC at sa iba. Pinalalabas nila na wala tayong ginagawa which I take exception to.

Medyo humaba ang aking speech pero ako ay nagpapasalamat sa inyong lahat. Ako ay humihingi ng patnubay din, alam ko lahat tayo ay gustong magsalita sa isyu na ito. Pero let us act as one in the Senate in deciding certain important facts including how do we help the police; how do we add to their equipment; paano natin patataasin ang suweldo nila pati ang bombero, ang jail guards, pati po ang ating militar. Let us act together in saying kailangan lahat ng hearing dito sa Senado, fair at lahat po ng chairmen walang bias. Although mahirap ang mag-judge talagang kapag inumpisahan natin, baka isa-isahin na natin, mahirap naman po.

But, may I repeat my appeal, *baka naman puwedeng may gentleman's and gentlewoman's agreement tayo dito? Kapag ang Presidente nasa abroad and representing all of us, let us take care of other matters muna. Pagbalik, tuloy ang ligaya, upakan uli. That is democracy.*

MANIFESTATION OF SENATOR VILLAR

Senator Villar explained that the GSP+ was an action by the European Union that lifted the tariff on 6,000 products of the Philippines being exported to the European Union. She said that the GSP+ came after the EU lifted the country's "yellow tag." She explained that the country could have been given the red tag had it not passed the law amending the Fisheries Code which strengthened the prohibitions against illegal, unreported and unregulated fishing in the Philippines. She said that a red tag comes after the yellow flag, which could have resulted in a ban of all the country's fisheries export to Europe which, to date, amounts to P9 billion.

Senator Villar said that she could not see any connection between GSP+ and human rights violations.

INTERPELLATION OF SENATOR SOTTO

At the outset, Senator Sotto congratulated Senator Cayetano for the well-prepared privilege speech. He expressed his admiration to Senator Cayetano for opening his privilege speeches with passages from the Holy Bible. Reminded earlier of the passages mentioned by Senator Pacquiao — Romans 13: 1-5 and Acts 25:10-11, he said that he wished to add Luke 19:27 to the list, which states:



"But those mine enemies, which would not that I should reign over them, bring hither, and slay them before me."

Senator Sotto also commended Senator Cayetano for his tagline in his audio-visual presentation of his privilege speech which says, "No to Drugs, Yes to Peace and Order." He said that whenever he would travel around the country, he would see logos or lines in some areas which say, "Yes to God, No to Drugs." He said that he preferred Senator Cayetano's tagline of "No to Drugs, Yes to Peace and Order" because drugs should never be compared to God.

Senator Cayetano thanked Senator Sotto for his "congratulations." He said that he would use verses because he believes in the principle that quoting from the Bible, the Koran or any Holy Book believed in by different religions, is giving glory to God.

Asked by Senator Sotto on his opinion on the Odicta assassination, whether this case should be charged against President Duterte as an extrajudicial killing, Senator Cayetano said that listening to Senator De Lima and CHR Chair Gascon in general would make it appear that it is an extrajudicial killing because according to these people, anybody killed for the reason of criminality is extrajudicial killing. But he pointed out that in layman's term, extrajudicial killing means "out of court," or any killing, not of natural death, that is ordered out of court. He lamented that the problem with human rights advocates here and abroad is that they create the impression that "extrajudicial killings" are state-sponsored killings or deaths.

Regarding the Odicta assassination, Senator Cayetano believed that it was not the DILG, the President or the PNP who ordered the Odicta couple dead. He said that normally in an organized crime like the Mafia, when an alleged drug lord reports to the police or the DILG, the other drug lords, for fear of being squealed on, would eliminate the former.

Senator Cayetano disclosed that he has received information that many drug dependents, users and pushers surrender to the authorities for two purposes: first, to tell the police that they would cooperate because they are afraid of possible encounters; and second, to plead for their safety. He said that the drugs users and pushers who have surrendered are usually the ones that are killed. He cited another example where rogue police enforcers would use pushers in their illicit activities, and would facilitate

the pusher's release from custody should the pusher be arrested; however, in cases where a pusher voluntarily surrenders to the law enforcers, he would tell the police the names of the drug suppliers and protectors; in some cases, it would be the rogue police who would eliminate their "asset." He pointed out that this should not be considered as an act of the state, but the problem is that this is so considered based on CHR Chair Gascon's and Senator De Lima's faulty generalization. To further illustrate, he said that a bribe given to a DOJ prosecutor would not necessarily mean that the DOJ Secretary would also benefit from the bribe. Similarly, he said that it would be unfair to charge to President Duterte the alleged extrajudicial killings.

Senator Sotto said that in his capacity as president of the Philippine Narcotics Enforcement Officers Association, he had observed that a number of drug users and pushers would report and surrender to the law enforcers simply to lift the pressure off their backs, after which they would go back to their old way of life. He said that the government is being placed in a difficult situation especially because the Duterte administration is seriously bent on totally curtailing the drug menace.

Moving on to another matter, Senator Sotto disclosed that he has had two tiffs with the CHR: first, when he was vice mayor of Quezon City, he proposed a mandatory drug testing in Quezon City but the CHR questioned it; and second, when he was the chair of the Dangerous Drugs Board, he successfully incorporated mandatory drug testing in the law, but the CHR again questioned it.

Senator Cayetano pointed out that the concept of human rights evolved among the Europeans and the people from the West because they place a high value on their individual rights and rights to privacy, so that to them, mandatory drug testing, when not done in random, would already be considered a violation of human rights. On the other hand, he noted that individual rights and rights to privacy are not so much a part of Asian culture, so that like in Singapore, when a member of a family is into drugs, the whole family undergoes drug testing.

Senator Cayetano maintained that it does not violate individual rights especially in the context of certain circumstances, as in the case of a police officer who has to undergo a mandatory drug test, not a random drug test, precisely because people



need to have faith and confidence in their law enforcers and even in politicians.

Senator Cayetano said that he understands the frustration of Chairman Gascon in trying to address the problem and in upholding the rights of innocent people. However, he noted that the CHR has become a stumbling block instead of an organization that could help the President find the solution to the drug problem.

Senator Sotto said that his impression is that some people feel that nobody could meddle in their drug habits, believing that it is one of their human rights. However, he pointed out that a lot of families have been ruined because of drug abuse. He then asked whether indeed in such cases the human rights of drug addicts are being trampled upon.

Senator Cayetano said that unlike private citizens, it is alarming not to ensure that government people are drug-free, such as teachers who handle students or police officers manning women's desks that handle women victims of violence.

Asked if the thousands of crimes committed by persons under the influence of drugs have been investigated by the CHR, Senator Cayetano replied that based on public pronouncements, the Commission's focus is always on cases involving law enforcers, except for the SAF 44 case, and that if ever the CHR investigated the killing of police officers by drug lords, human rights violations were not really emphasized.

As regards the rape and killing of a seven-year old girl by a marijuana addict, Senator Cayetano replied that apparently to the CHR, the case was not within its jurisdiction since it did not involve a law enforcer. He said that he actually wanted to ask the CHR about the case during Senator De Lima's committee hearing but failed to do so due to limited time.

On whether the United Nations was stepping in on the issue of human rights in the Philippines especially on the issue of drug war, Senator Cayetano replied that as per CNN news, the UN has stepped in, but he believed that the news was not accurate because when one talks of the UN as stepping in, it would have to be the general assembly or an official act of the UN. He disclosed that before President Duterte was sworn into office, UN Secretary-General Ban Ki-moon replied to the

former's comments on human rights violations; however, the Philippine representative to the UN did not file a protest at the UN because according to some members of the diplomatic corps, Secretary-General Ban Ki-moon only had at that time news reports. He also pointed out that the UN Rapporteur investigates and merely reports his findings to the UN, in the same way that UN Rapporteur Alston investigated and reported before, while his current comments were based only on news reports.

Senator Cayetano appealed to the media to be sensitive enough by tempering their use of the words "summary killings," "extrajudicial killings," "vigilante," or "kill list" because people abroad, especially in Europe and the U.S. also watch, hear or read the news from the Philippines and tend to associate such words with human rights violations.

He likewise clarified that no official statement or intervention has yet been made by the UN and that he would be taking up the matter as chair of the Committee on Foreign Relations because he believed there is the need for the Philippine ambassadors, especially the country's representative to the UN, to be more aggressive in reminding the UN that each country has its own culture and language.

Asked if Singapore has a Commission on Human Rights, Senator Cayetano replied that he would not know, only that Singapore has several policies that were severely criticized by human rights advocates.

Senator Sotto informed the Body that Singapore has a policy that when a person is confirmed to be a drug dependent, he and his entire family will also have to undergo drug rehabilitation. Senator Cayetano commented that such is an Asian value, and that although the Westerners love their family, their concept of a family is different. He said that while human rights is important, people should not violate the law. He recalled President Duterte's experience with the CHR, saying the criminals sometimes use the concept of human rights to shield them from liability or investigation. He reiterated that human rights is important, in fact, it is specified in the Constitution that there should an independent Commission on Human Rights, but he believed that this agency should be put in its proper place and should be apolitical, otherwise, they would latch on the idea of certain interpretations of human rights to the detriment of the whole country.

Senator Cayetano clarified that not all drug users are criminals or became criminals; drug users are different from drug addicts since there is a certain degree of dependence on drugs before one can be called an addict. He pointed out that there are two categories in criminality — the bad person who becomes worse because of drugs, or the good person who becomes insane because of drugs.

Senator Cayetano said that the families of the three million users are wrong when they say that the government does not care for them because it is the opposite since the users are also victims. He said that once the users start selling drugs to continue their habits, they become criminals. He clarified that he was not lumping into one category the different kinds of drug dependencies, he was simply reminding that there is a science for it and that the government needs more money, more resources and more help to get rid of drug addiction.

Senator Sotto questioned why people are worried about drug testing, a concern which he brought to the attention of the CHR when he was still the chair of the Dangerous Drugs Board (DDB). He explained that if one is tested positive in the drug test, it does not automatically mean that the person is a drug dependent because he has to undergo confirmatory tests before he is declared a drug dependent. He said that at present, there are regular drug testing for marijuana and *shabu*, but the real drug testing should be conducted in the Assay or 5-Panel drug test which includes, among others, cocaine and nubain.

At this juncture, Senator Cayetano informed the Body that Singapore has no national human rights commission like the country's CHR but it has an inter-ministerial committee which oversees human rights.

Senator Cayetano said that the Committee on Justice and Human Rights should have included other aspects in their committee hearing, like drug dependency, and how to help the prosecutorial system. He said that what he saw in the committee hearing instead was how they put President Duterte on the target which, he opined, does not reflect well on the Senate.

Senator Sotto opined that a Committee on Human Rights should be organized in the parliament under the federal form of government that President Duterte and Senate President Pimentel are advocating.

POINT OF INFORMATION OF SENATE PRESIDENT PIMENTEL

At this juncture, Senate President Pimentel asked whether or not a person who is enjoying illegal drugs is violating the law. Senator Sotto replied that the problem of dangerous drugs is that it is the only crime in the world where a criminal is both the victim and the criminal.

Asked if a user, who is tested positive a few days later, is considered violating the law, Senator Sotto replied that if at that time, the user, though he tested positive, was not into drugs then he was not violating the law, that is why, as pointed out by Senate President Pimentel, there is really nothing to fear about drug testing.

At this juncture, Senator Sotto suggested that the privilege speech of Senator Cayetano be referred to the Committee on Public Order and Dangerous Drugs.

Senate President Pimentel stated that Senator Cayetano raised the issue as to who should chair the committee hearing on extrajudicial killings as he pointed out that need for the chair to be neutral. He expressed the view that the overall substance of the speech is a proper subject matter that should be handled by the Committee on Rules.

MANIFESTATION OF SENATOR CAYETANO

Senator Cayetano believed that there was nothing wrong with being biased or prejudiced when one is pursuing an advocacy, but if he is biased for the poor and prejudiced against oligarchs, then a body should be created to make sure that there would be no uneven playing field.

Senator Cayetano stated that he was not saying that Senator De Lima was doing something wrong by focusing on human rights. He said, however, that it is a deadly combination to be a chairman and an advocate at the same time. He believed that if Senator De Lima wants to preside over the hearing, she has to clearly state that the committee would be following the rules of investigation, in aid of legislation, but he questioned how facts would be allowed to be presented before the committee when the chair has already shown bias. He pointed out that the headlines of killings in the Philippines were not an

accurate picture of what was happening in the streets because, on the contrary, there is already a sense of security in the country which he would want the world to know.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Sotto, there being no objection, the Chair referred the privilege speech of Senator Cayetano and the interpellations thereon to the Committee on Rules.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri manifested his support to the suggestion of Senator Cayetano for the Committee on Justice and Human Rights to defer its scheduled hearing to a later date as a manifestation of unity and support to President Duterte on his trip to the ASEAN Summit.

For his part, Senator Cayetano reminded the Body that whenever the Senate tackles the budget, no other hearings are scheduled. He then sought the consensus of the Body that in certain international engagements where the President is with the other heads of state, the Senate would not conduct hearings that would put the country or the President in a bad light. He added that one cannot tell when a Member is in the opposition or in the administration. He said that he would keep such rule, not only for President Duterte, but for any president.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 5:02 p.m.

RESUMPTION OF SESSION

At 5:33 p.m., the session was resumed.

COMMITTEE REPORT NO. 1 ON SENATE BILL NO. 1112 (Continuation)

Upon motion of Senator Sotto, there being no objection, the Body resumed consideration, on Second Reading, of Senate Bill No. 1112 (Committee Report No. 1), entitled

AN ACT POSTPONING THE OCTOBER 2016 BARANGAY AND SANGGUNIANG KABATAAN ELECTIONS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9164, AS AMENDED BY REPUBLIC ACT NO. 9340 AND REPUBLIC ACT NO. 10656, AND FOR OTHER PURPOSES.

Senator Sotto stated that the parliamentary status was still the period of interpellations.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Sotto acknowledged the presence in the gallery of the guests of Senator Angara who are in support of the postponement of the Barangay and SK elections, namely:

- Comelec officers and staff of the Election and Barangay Affairs Department and Election Records Statistics Department;
- DILG-National Barangay Operations Office;
- Atty. Edmund Abesamis, *Liga ng mga Barangay* national president; and
- Vice Gov. Jose Mari Pelaez of Misamis Oriental

Senate President Pimentel welcomed the guests to the Senate.

Thereupon, the Chair recognized Senator Angara, sponsor of the measure, and Senator Recto for his interpellation.

INTERPELLATION OF SENATOR RECTO

Asked by Senator Recto to cite the pertinent provisions in the Constitution mandating Congress to create a local government structure and to provide for the election of barangay officials, Senator Angara cited Article X, Section 1 which pertains to the various territorial and political subdivisions which include barangays; Section 3 which mandates Congress to enact a Local Government Code and to allocate the powers, responsibilities and resources to provide for the qualifications, elections, appointments and removal of local officials, among others; and Section 8 which refers to the term of office which limits to three years the terms of elective local officials with the exception of barangay officials.



Senator Recto noted that the phrase “with the exception” would refer to the enactment of a Local Government Code that would provide the term of office of the barangay officials. He also pointed out that based on research, matters regarding the barangays are only found in the 1987 Constitution.

To the observation that the Philippines is the only country in the world that has the barangay system as a basic political unit and allows youth participation through elections held regularly every three years, Senator Angara replied in the affirmative. He further affirmed that one of the goals of the Local Government Code, the principal author of which was former Senator Aquilino Q. Pimentel Jr., was to devolve some powers of the national government.

Senator Recto noted that many provisions in the Local Government Code, in fact, provide for the type of services the barangay officials should provide their constituency.

As regards the role and functions of the barangay captain, Senator Angara pointed out that Section 389 of the Local Government Code provides that “The *punong barangay*, as the chief executive of the barangay government, shall exercise such powers and perform such duties and functions, as provided by this Code and other laws,” and they are as follows: enforce all laws and ordinances; negotiate and sign contracts for and in behalf of the barangay; maintain public order; call and preside over the sessions of the sangguniang; appoint the barangay treasurer, secretary, and other appointive barangay officials; and lead an emergency group for the maintenance of peace and order in times of calamity.

Senator Recto pointed out that there are at least 17 such functions listed in the Code. He added that Section 390 talks about the composition of the Sangguniang Barangay, while Section 391 talks about the powers, duties and functions of the sangguniang barangay.

Asked on the principal role of the sangguniang barangay, Senator Angara stated that the sangguniang barangay, which is composed of seven regular members, enacts ordinances. He said that the *Lupong Tagapamayapa* is tasked to settle first-instance incidents between residents of the barangay.

Senator Recto noted that barangay *kagawads* have at least 24 functions and responsibilities and

that they have been functioning very well, yet there have been talks of appointing barangay captains and even of abolishing the position of barangay *kagawad*.

Senator Angara said that he has heard of such reports and has even read news reports of the proposal to abolish the SK and the barangay councils.

Senator Recto then inquired about the position of former Senate President Nene Pimentel and the thoughts of the incumbent Senate President Koko Pimentel as regards the reported proposed radical amendments to the Local Government Code, the proponent of which is also a partymate of the Senate President. Senator Angara said that he, too, would like to hear what the father of the Local Government Code would have on the matter.

Adverting to Section 8, Article X of the Constitution providing for a three-year term for elective local officials, “except barangay officials, which shall be determined by law,” Senator Recto asked what the intent was of the framers of the Constitution when they gave to Congress the authority to fix the term of office of barangay officials, and if the framers expected Congress to be responsible once in a while and review the terms of office as it had been done in the past, or to postpone the elections on a regular basis.

Senator Angara surmised that perhaps the intent was to give Congress the flexibility in determining the term of office since, historically, the term of office before 1987 was six years.

On whether the framers wanted Congress to postpone the elections regularly, Senator Angara supposed that it is up to the wisdom of Congress to schedule the elections and to shape the system of barangays as he noted that the mandate of Congress was given in very general terms.

Senator Recto believed that it was not the intention of the framers of the Constitution to have the elections postponed on a regular basis because it would provide instability.

On another matter, Senator Recto inquired on the number of barangay elections ever since the enactment of Batas Pambansa Blg. 222 on May 17, 1982, which provided for the election of barangay captains and councilors.

In reply, Senator Angara said that the first barangay elections were held in 1982, the second in 1989, the third in 1994, the fourth in 1997, and in 2002 the barangay elections were synchronized with the SK elections.

As regards the SK elections, Senator Angara said that there had been five held in 1992, 1996 and synchronized with the barangay elections in 2002, 2007 and 2010. Asked how many times the barangay and SK elections were postponed, Senator Angara replied that there have been four postponements for the barangay elections and four postponements for the SK elections.

Asked what the reasons were for each of the eight postponements, Senator Angara recalled that during his first term at the House of Representatives in 2005, the elections were postponed due to fiscal reasons. He expressed regret that the Committee did not have the information sought by Senator Recto but that it would provide the information as soon as it is made available.

Senator Recto believed that advocates for the postponement should explain to the people the reasons why the elections were postponed in the past. He also noted that after the Local Government Code was passed, barangay elections were held in 1989 and 1994, the SK elections were held in 1992 and 1996, and the first synchronized elections were held in 2002.

Asked why the barangay and SK elections were held separately in the beginning, Senator Angara said that it was probably because of the different terms of the officials.

Senator Recto recalled that in the beginning, the elections were held in May, they were moved to July in 2002, and in the present setup, elections were scheduled in October.

In reply, Senator Angara stated that during the hearings, the president of the councilors' league proposed to hold the elections not in October but during the summer to address the concern on voter turnout; when the Committee offered to hold the elections in May 2017, the consensus was that it would be too soon, while 2018 would be too late.

Senator Recto expressed concern that once it is set for October 2017, the elections might be postponed

again because Congress would then be in the process of amending the Constitution.

Senator Angara noted that Senator Recto was raising the possibility of subsequent elections being held in months other than October.

To the proposition of holding the elections in May should Congress agree to postpone the elections scheduled this year, Senator Angara stated that at the moment, he was not tied to having the elections every October but only to the proposed postponement to October 2017, as it is the consensual choice among the resource persons during the hearing.

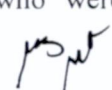
At this point, Senator Recto requested the Committee to provide answers to the question as to why the elections are being held separately. He opined that it would not be wise for the Body to keep on debating on the same issues without understanding what the debate has been in the past, what the reasons were for changing the months and the dates.

Senator Angara confirmed that the barangay and SK elections were held separately because of differences in the terms of the officials, with the barangay officials given a five-year mandate while the SK had a three-year term. He said that it was following the enactment of the Local Government Code which provided for a uniform term limit of three years for both, that the first synchronized elections were held in 2002. He surmised that the issue on expenses was also a reason why the elections had to be held together.

Senator Recto recalled that there was a move in 2007 by the House of Representatives to postpone the elections but the Senate disagreed. Asked why the Senate disagreed to postpone the elections, Senator Angara presumed that the Senate did not want to move it for the second time after having it postponed in 2005.

Senator Recto noted that Comelec Chairman Bautista cited election fatigue as one of the reasons why the the elections should be postponed. He then asked who suffered from election fatigue.

Senator Angara replied that the Comelec chairperson could have been referring to the electorate. He surmised, though, that it might have been the Comelec Commissioners themselves who were suffering from fatigue.



Senator Recto pointed out that both Houses of Congress were not even discussing any move to postpone the elections. Senator Angara affirmed that it was the Comelec that first mentioned election fatigue, claiming that the people had just gone through a divisive and exhausting exercise and might not want to engage in another exercise.

However, Senator Recto pointed out that national elections were held in 2007 and 2010 and were immediately followed by the barangay elections, yet no one was talking about election fatigue. Senator Angara opined that the circumstances of the 2007 and 2010 elections might have been different from the 2016 polls which might be akin to the circumstances in 2005 when the government found itself in a fiscal deficit. He said that the elections pushed through in 2010 because the thrust of the government then was to combat corruption, in line with which was the holding of SK and barangay elections; on the other hand, President Duterte was elected on a platform of peace and order, combating drugs, and addressing other security threats, and the prevailing sentiment was that moving the election would best serve the platform upon which the President was elected.

Senator Recto noted that among the reasons cited why the SK and barangay elections should be postponed was the desire not to break the momentum of the President's war against drugs, criminality and corruption especially since PNP personnel would have to be deployed to some 36,700 polling precincts nationwide. However, he believed that the deployment of PNP personnel would better serve the barangays because they would be there not only to safeguard the elections but at the same time continue their war against drugs.

Senator Recto asked how many of the barangays nationwide have been affected by the drug menace, noting that 94% of the barangays in Metro Manila have drug problems. Assuming that 80% to 90% of the barangays nationwide are affected, he maintained holding the elections as scheduled would be an opportunity to replace the barangay officials who are suspected to be involved in illegal drugs, the same reason put forward by the cities, namely: Bais, Bacolod, Candon, Cebu, Kidapawan and Tarlac, which all wanted to push through with the SK and barangay elections as scheduled in October.

On the other reason that the P6 billion would be saved once the polls are postponed, Senator Recto

explained that the money could not be called savings because it would still be used the next year.

Asked how much the Comelec has already spent from the P6 billion budget meant for the elections, Senator Angara replied that it has already spent P63 million.

Asked what would happen to the P6 billion if the elections would not push through, Senator Angara replied that the fund would be a continuing appropriation. On the possibility that the Comelec could declare it as savings, he acknowledged that the Comelec, like the Civil Service Commission and the Commission on Audit, enjoys some degree of fiscal autonomy. Senator Recto stated that the relevant constitutional provision on fiscal autonomy is Section 5 of Article IX; and under Section 25(5) of Article VI, theoretically, the funds could be realigned. Assuming the elections were postponed, he asked if the allocation could be used to fund drug rehabilitation centers while the Comelec could request for another budget in the next GAA. He said that his initial position was to continue with the SK and barangay elections because he saw the chance for change not only in the national level but also at the barangay level, considering President Duterte's strong stand against corruption, crime, criminality and the drug problem. Senator Angara said that while he respects the opinion of Senator Recto, the consensus arrived at during the committee hearing was to postpone the elections.

Senator Recto noted that the SK Reform Act was cited as another reason for postponing the elections but he pointed out that when it enacted the SK Reform Act, Congress promised that a new set of SK officials would be elected and that, in fact, special registration for the election of the Katipunan ng Barangay had already been conducted by the Comelec which, under the law, was supposed to run for at least one month but only lasted for 15 days with only 3.05 million of the expected six million voters registering for lack of time. He surmised that if the law were to be followed, all six million could have registered.

As to why the Comelec did not comply with the mandate of the law, Senator Recto lamented that the Comelec could have admitted that it was not interested in holding the elections so as not to hassle the whole populace with the reason that they were not able to comply with the one-month registration period.

Citing the P50-million training fund as mandated in the SK Reform Act to be used for the mandatory training of SK officials after their election, Senator Recto asked why there was so much worry about the funds when nobody has been elected yet, adding that such budget could be easily sourced from outside the government. He also pointed out that the funds, if apportioned to 42,000 barangays, would only amount to P1,189.45 per barangay which could barely train an SK official.

Asked on the amount of IRA that the barangays as supposed to receive in 2016, Senator Angara said that the total IRA budget as mentioned during the DBCC meeting is a little over half a trillion pesos; for the barangay, the IRA is P84 billion for 2016 and P97 billion for 2017.

Asked how much of the P84 billion was allotted to SK, Senator Angara said that the amount is P8.4 billion, or 10% for 2016, and P9.7 billion for 2017.

Asked how the money would be spent in case the SK election is suspended, Senator Angara stated that the money would be retained by the respective barangays as a trust fund to be used by the task forces for youth development in accordance with the IRR of Republic Act No. 10632. Senator Recto stated that the task forces referred to by Senator Angara were created by virtue of a DILG circular during the previous administration.

Regarding the utilization of fund by the youth task force, Senator Angara admitted that it was not tackled during the committee hearing, but he hoped that the fund would be used for the same purpose intended by law which is to spend it for youth development.

Senator Recto stated that he would like the SK elections to proceed even if the barangay elections are suspended.

Senator Angara said that some resource persons, including the National Youth Commission, are of the opinion that notwithstanding the postponement of the barangay elections, the SK elections should proceed after having waited for a long time. Unfortunately, he said that it was just a minority sentiment among resource persons.

As regards the banning of public work projects during elections as another reason for the postpone-

ment, Senator Angara said that there is a prohibition for the construction of public works under Republic Act No. 6679 (An Act to Amend Republic Act No. 6653 to Postpone the Barangay Elections to March 28, 1989, Prescribing Additional Rules Governing the Conduct of Barangay Elections and for Other Purposes), to wit: "Sec. 3. The construction or maintenance of provincial, city, municipal and barangay-funded roads and bridges shall be prohibited for a period of ten (10) days immediately preceding the date of election, the provisions of Section 261, paragraphs (v) and (w), of the Omnibus Election Code to the contrary notwithstanding."

Asked by Senate President Pimentel if RA 6679 provided an exemption to Section 261 (prohibited acts tantamount to an election offense) of the Omnibus Election Code, Senator Angara admitted that it is an exemption to the general rule which provides for a 45-day period which RA 6679 shortened to 10 days.

As regards the proposal of passing a law which exempts the barangay from the ban insofar as infrastructure projects are concerned, Senator Angara said that the Comelec is willing to provide exemptions for several important projects like construction of classrooms and school buildings.

To the observation that Congress could easily pass a law to hold barangay elections without disrupting government projects, Senator Angara disclosed that both the DILG Secretary and the Comelec chair, based on their testimonies during the committee hearing, were of the impression that the ban is for a longer period.

To the suggestion of passing a law to change the 30-day ban on appointments as provided for in the Omnibus Election Code to 10 days, Senator Angara agreed that it would certainly make lives easier for many.

Senator Recto said that, in effect, all the arguments pointed out with regard to the postponement of the barangay elections are not really reasonable, for instance, election fatigue, as he pointed out that for three times in the past there was no fatigue to speak of. As regards the war on drugs, he believed that the election is not a hindrance but an opportunity.

Asked who were invited during the committee deliberations, Senator Angara said that various leagues



were summoned—the League of Cities, the League of Municipalities, the League of Barangays, the National Movement of Young Legislators, DILG, NYC, Comelec, PNP, AFP, the SK Reform Coalition, and some civil society groups.

Asked how the leagues responded, Senator Angara stated that the League of Governors conducted an informal survey among the provinces; in the case of the League of Municipalities, they have yet to choose a new set of officers; while the Liga ng Barangay presented a strong opposition to the postponement.

Asked if he expected the League of Governors to speak otherwise, Senator Angara admitted that their sentiment was to hold the elections because majority of them are new governors.

Asked when the election of the new set of officers of the League of Governors would be, Senator Angara replied that the league recently held its elections with Ilocos Sur Governor Ryan Singson as the new head.

Asked how many were in favor or against the postponement of the barangay elections and if there was an official resolution per province, Senator Angara revealed that there were three governors—from the provinces of Zamboanga del Norte, Kalinga and Quirino—who did not want to postpone the election. At this point, Senator Recto proposed to hold the elections in the three provinces. He also doubted the result of the so-called survey.

Senate President Pimentel pointed out that since the country's form of government is unitary, it is either holding the elections nationwide or not. Besides, he cautioned that such a law might be questioned as violating the equal protection clause. He cited a leading case wherein a law allowing the appointment of probation officers in the provinces was struck down by the Supreme Court for the reason that there would be some provinces with probation officers while others do not.

Reacting thereto, Senator Recto stated that the extension of term of barangay officials might possibly be rendered unconstitutional as well.

Adverting to the cost of elections per province, Senator Angara said that on the average, the cost would be about P74 million per province.

As regards the League of Cities, Senator Angara said that in a position paper/informal survey handed to him, 41 cities supported the postponement.

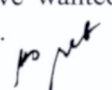
On whether it was possible that the Liga simply followed the DILG's position, Senator Angara replied that the DILG's position could have influenced their decision.

As regards the move to amend the Charter as another reason cited why the elections should be postponed, Senator Angara stated that should the Duterte administration decide to push through with the idea of a constitutional convention, there could be an election of delegates at the same time in October 2017. Senator Recto remarked that no one would know if elections would be held in October 2017 because the move for charter change might be cited as reason again to postpone the elections. Moreover, he stated that there is no certainty that the current budget for the elections would be carried over to 2017 and that it could even be utilized by the Comelec as additional MOOE or intelligence fund. If that happened, he said, the P6-billion budget would have to be appropriated again for 2017, in effect, doubling the budget to P12 billion.

For his part, Senator Angara expressed his belief that the elections would be held in 2017, adding that he would oppose any further moves to postpone elections once the measure is passed.

As regards the view that Congress was not being honest with the public as it has repeatedly postponed the elections even though it promised the electorate that the 2013 exercise would push through in 2016, Senator Angara believed that the elections would finally be held unless there are moves to shift to federalism or change the charter. He stressed that he, along with other members, such as Senator Aquino, shared similar views that a one-year postponement is sufficient and that they would oppose any move to postpone it further to 2018.

On whether there was a real clamor to postpone the barangay and SK elections based on consultations with the voters themselves or if these voters groups had been invited to the committee deliberations, Senator Angara replied that a few youth groups were invited, including the National Youth Commission which was amenable to the postponement of the barangay elections although it would have wanted the SK elections to push through in 2016.



Asked whether the SK elections could push through in 2016, Senator Angara replied that the Comelec had given the reason of "election fatigue" as the reason for the postponement.

Senator Recto noted that the various leagues expectedly and naturally did not want the elections to push through, while the youth groups who wanted it to happen were heard but not heeded.

Asked if there was really a clamor to postpone the elections, Senator Angara said that the clamor to postpone the SK and barangay elections is not an issue that elicits an emotional response from the people.

On whether the clamor was coming from the political elite, Senator Angara replied that these groups are also speaking on behalf of their constituents and could well be echoing their sentiments as well.

Senator Recto pointed out that the barangay and SK elections are unique to the Filipinos and to the Philippine Constitution. He noted that there had been eight postponements and he wondered who truly benefitted from these postponements. Senator Angara believed that the general public and the people as a whole benefitted from it especially upon seeing the lowering of the crime rate in the last two months.

To the observation that the improvement in the peace and order situation is not related to the postponement of the barangay elections, Senator Angara said that precisely, the police and the soldiers need to be concentrated in their efforts to stamp out criminality. However, Senator Recto said that the presence of law enforcers during the elections would not only mean that peace and order is secured during the conduct of the exercise but they could also continue their programs in the barangays. He maintained that the elections are an opportunity to remove erring public officials who are involved in drugs, crime and corruption.

Senator Recto pointed out that the electorate had been made to believe that the barangay officials who were elected to their positions three years ago had a term of contract of only three years and that the elections would offer them the opportunity to elect new officials. However, he noted that the measure would actually extend their term to four years. He expressed concern that the postponement would only lengthen the term of officials who have poorly managed many drug-infested barangays.

Asked how many are expected to vote in the SK elections, Senator Angara replied that there was an estimated 21.698 million potential voters including the three million new registrants aged 15 to 18 years old, and that only three million of the projected six million new voters had signed up during the 15-day registration period.

To the observation that the postponement would effectively disenfranchise 21 million potential voters who had been promised an election three years ago, Senator Angara clarified that there were no losers in the proposal since the voters' opportunity to exercise their rights had not been cancelled but had only been postponed.

In closing, Senator Recto said that he was merely putting his sentiments on record but was not taking it against Senator Angara who was likely echoing the sentiments of the administration on the matter.

TERMINATION OF THE PERIOD OF INTERPELLATIONS

There being no further interpellation, upon motion of Senator Sotto, there being no objection, the Body closed the period of interpellations and proceeded to the period of committee amendments.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 6:50 p.m.

RESUMPTION OF SESSION

At 6:51 p.m., the session was resumed.

PROPOSED COMMITTEE AMENDMENT

On line 10 of page 1 of the bill, Senator Angara proposed to change the word "LAST" to FOURTH.

PARLIAMENTARY INQUIRY OF SENATOR RECTO

Senator Recto asked at what stage would he be allowed to propose an amendment because, according to him, his proposal may have something to do with the date of elections which Senator Angara sought to amend. In response, the Chair pointed out the need

ps put

to reconsider the parliamentary status, since Senate Bill No 1112 is a substitute bill.

**RECONSIDERATION
OF THE OPENING OF THE PERIOD
OF COMMITTEE AMENDMENTS**

Acting on the Chair's suggestion, upon motion of Senator Sotto, there being no objection, the Body reconsidered the opening of the period of committee amendments and instead proceeded to the period of individual amendments, Senate Bill No. 1112 being a substitute bill.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 6:56 p.m.

RESUMPTION OF SESSION

At 7:06 p.m., the session was resumed.

Upon resumption, Senator Sotto said that because of possible intricacies in the wordings that would go into Sections 1 and 2 and in the title of the bill, it would be best that Body take up the measure on Monday, September 5, to give the senators time to fully prepare.

**SUSPENSION OF CONSIDERATION
OF SENATE BILL NO. 1112**

Upon motion of Senator Sotto, there being no objection, the Body suspended consideration of the bill.

ADJOURNMENT OF SESSION

Upon motion of Senator Sotto, there being no objection, the Chair declared the session adjourned until three o'clock in the afternoon of Monday, September 5, 2016.

It was 7:07 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. LUTGARDO B. BARBO

Secretary of the Senate
Quin 9/5 *R P* *pt* *h*

Approved on September 5, 2016