



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 23
Tuesday, September 20, 2016

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

SESSION NO. 23
Tuesday, September 20, 2016

CALL TO ORDER

At 3:23 p.m., the Senate President, Hon. Aquilino “Koko” Pimentel III, called the session to order.

PRAYER

Sen. Juan Miguel F. Zubiri led the prayer, to wit:

Let us bow our heads and humble ourselves in the presence of the Lord.

Lord, You are our light and our savior. You know everything and have the power over all things.

You are the exalted offering. You wash away our sins, wipe away our tears, and protect us from our fears. You are the Creator of life and Giver of boundless love.

Dear Father, we need Your loving embrace to heal us now. Our institution is being tested. Our Senate family is sailing in rough seas. Let Your love tame the waters. Kindly let the noise of derision and division turn into peace of forgiveness and reconciliation.

In the midst of conflict, guide us to turn our other cheek to those who vilify us in the way the You lovingly taught us.

Dear Father, we know that some will have deeper wounds than others. Please let Your love heal those wounds equally and completely.

Dear Father, please make us whole again. Please let us face this day with the radiance of renewal. Empty our hearts of bitterness and resentment, and fill our hearts with hope and understanding.

Dear Father, gather us close to Your heart so that we shall walk together once again. We ask You to bring us back to our mission to serve Your people.

Dear Father, help us face this new day with the highest praise to Your Name.

Amen.

ROLL CALL

Upon direction of the Senate President, the Secretary of the Senate, Atty. Lutgardo B. Barbo,



called the roll, to which the following senators responded:

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

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

Senator Cayetano was on official mission as indicated in the September 20, 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. 22 (September 19, 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:

- Political Science students of the University of Perpetual Help – Laguna, headed by Professor Estabillo;
- Social Work Department of Columban College, Olongapo City, headed by its chairperson, Mrs. Anonat;
- Political Science students of the University of the East—Manila, headed by Professors Pinlac and Bolasoc; and
- Dr. Mahar A. Lagmay, academician and head of the DOST-Project NOAH.

Senate President Pimentel welcomed the guests to the Senate.

REFERENCE OF BUSINESS

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

BILLS ON FIRST READING

Senate Bill No. 1146, entitled

AN ACT ESTABLISHING A NETWORK OF SUSTAINABLE ELEVATED PEDESTRIAN WALKWAYS ALONG EPIFANIO DE LOS SANTOS AVENUE AND PERTINENT MAJOR PUBLIC THOROUGHFARES IN HIGH DENSITY URBAN AREAS, ESTABLISHING APPROPRIATE INFRASTRUCTURE AND FACILITIES, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Grace Poe

To the Committees on Public Services; Public Works; and Finance

Senate Bill No. 1147, entitled

AN ACT CREATING THE PHILIPPINE BOXING COMMISSION THEREBY STRENGTHENING THE COUNTRY'S STANDING IN BOXING SPORTS, ENSURING THE WELFARE OF FILIPINO BOXERS, AND PROVIDING FUNDS THEREFOR

Introduced by Senator Joseph Victor Ejercito

To the Committees on Sports; Health and Demography; and Finance

Senate Bill No. 1148, entitled

AN ACT AMENDING REPUBLIC ACT NUMBERED SEVENTY-SIX HUNDRED AND FIFTY-THREE ENTITLED "THE NEW CENTRAL BANK ACT" AND FOR OTHER PURPOSES

Introduced by Senator Joseph Victor Ejercito

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



Senate Bill No. 1149, entitled

AN ACT CREATING THE YOUTH DRUG ABUSE RESISTANCE EDUCATION AND PREVENTION PROGRAM AND PROVIDING FUNDS THEREFOR

Introduced by Senator Joel Villanueva

To the Committees on Youth; and Finance

Senate Bill No. 1150, entitled

AN ACT CREATING THE MINDANAO RAILWAYS AUTHORITY PRESCRIBING ITS POWERS, FUNCTIONS, AND DUTIES, AND PROVIDING FOR THE NECESSARY FUNDS FOR ITS OPERATION AND SUSTAINABILITY

Introduced by Senator Emmanuel "Manny" D. Pacquiao

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

RESOLUTIONS

Senate Joint Resolution No. 4, entitled

JOINT RESOLUTION DECLARING SEPTEMBER OF EVERY YEAR TO BE THE NATIONAL MONTH FOR TRUTH-TELLING

Introduced by Senator Risa Hontiveros

To the Committee on Education, Arts and Culture

Proposed Senate Resolution No. 147, entitled

A RESOLUTION COMMENDING AND CONGRATULATING JOHNRIEL CASIMERO FOR RETAINING INTERNATIONAL BOXING FEDERATION FLYWEIGHT TITLE AT LONDON, ENGLAND

Introduced by Senator Emmanuel "Manny" D. Pacquiao

To the Committee on Rules

Proposed Senate Resolution No. 148, entitled

RESOLUTION COMMENDING AND CONGRATULATING HISTORIAN AMBETH OCAMPO FOR BEING CHOSEN AS THE RECIPIENT OF THE 2016 FUKUOKA ACADEMIC PRIZE FOR HIS OUTSTANDING ACHIEVEMENTS IN THE FIELD OF ASIAN STUDIES, CONTRIBUTING TO THE WORLD'S UNDERSTANDING OF ASIA

Introduced by Senator Sonny Angara

To the Committee on Rules

Proposed Senate Resolution No. 149, entitled

RESOLUTION COMMENDING AND CONGRATULATING JANELLE MAE FRAYNA FOR BECOMING THE COUNTRY'S FIRST EVER WOMAN CHESS GRANDMASTER

Introduced by Senator Sonny Angara

To the Committee on Rules

Proposed Senate Resolution No. 150, entitled

A RESOLUTION DIRECTING THE SENATE COMMITTEE ON ECONOMIC AFFAIRS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, INTO THE IMPACT TO THE ECONOMY OF THE CONDITIONAL CASH TRANSFER PROGRAM, THROUGH THE PANTAWID PAMILYANG PILIPINO PROGRAM (4PS), BY GENERATING EMPIRICAL DATA TO SHOW THAT THE GOVERNMENT'S EXPANSIVE INVESTMENTS ON EDUCATION AND HEALTH HAVE HAD AN IMPACT ON THE REDUCTION OF POVERTY AND INCOME INEQUALITY, FOR THE PURPOSE OF PROVIDING DIRECTION TO FUTURE ECONOMIC DEVELOPMENT POLICY AND APPROPRIATION

Introduced by Senator Win Gatchalian



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

Proposed Senate Resolution No. 151, entitled

RESOLUTION URGING THE SENATE COMMITTEE ON JUSTICE AND HUMAN RIGHTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ALLEGED EXTRAJUDICIAL OR SUMMARY KILLINGS PURPORTEDLY COMMITTED BY THE "DAVAO DEATH SQUAD," WITH THE INTENTION OF COMING UP WITH REMEDIAL LEGISLATION TO ENSURE THE PROTECTION OF THE PEOPLE'S BASIC HUMAN RIGHTS, AND THEIR RIGHT TO LIFE AND THE OBSERVANCE OF DUE PROCESS OF LAW IN THE GOVERNMENT'S CONDUCT OF ITS CAMPAIGN AGAINST TERRORISM, DRUGS AND STREET CRIMES

Introduced by Senator Trillanes IV

To the Committee on Public Order and Dangerous Drugs

Proposed Senate Resolution No. 152, entitled

RESOLUTION RECOGNIZING AND COMMENDING JOSEPHINE MEDINA FOR WINNING BRONZE MEDAL IN THE 2016 PARALYMPIC GAMES IN RIO DE JANEIRO, BRAZIL

Introduced by Senator Joel Villanueva

To the Committee on Rules

Proposed Senate Resolution No. 153, entitled

RESOLUTION URGING THE EXECUTIVE DEPARTMENT, THROUGH THE DEPARTMENT OF FOREIGN AFFAIRS, TO EXTEND AN INVITATION TO THE UNITED NATIONS SPECIAL RAPPORTEUR ON EXTRAJUDICIAL, SUMMARY OR ARBITRARY EXECUTIONS TO VISIT THE COUNTRY TO LOOK INTO

THE EXTRAJUDICIAL KILLINGS AND SUMMARY EXECUTIONS AMIDST THE ADMINISTRATION'S WAR ON DRUGS

Introduced by Senator Leila M. de Lima

To the Committees on Foreign Relations; and Public Order and Dangerous Drugs

**PRIVILEGE SPEECH
OF SENATOR DE LIMA**

Availing herself of the privilege hour and on a question of personal and collective privilege, Senator De Lima delivered the following speech:

First of all, congratulations are in order.

Even if he is not around, congratulations to Sen. Alan Peter Cayetano for his triumphant victory yesterday, and for making me realize that a committee chairmanship is not the end of everything for me as a senator. No committee chairmanship is worth it, if it means sacrificing my principles and surrendering the causes that I pledged my life to fight for. Many friends and colleagues have told me, if only I did not call out the President on the murderous consequences of his war on drugs, and decided to be as meek as a sheep, I would not be in this trouble, and I would still have the committee chairmanship. As the Bible says: "What does it profit a man to gain the whole world, and yet lose his soul?"

I choose to keep my soul.

It would take more than a committee chairmanship, a House inquiry intended to pillory and crucify me, an Ethics Committee complaint based on hearsay, a baseless election protest, almost everyday tirades from the Secretary of Justice and the Solicitor General, and vicious personal attacks from the President, to take me down. I guess it would take two magazines of an Uzi machine pistol to take me down. As the saying goes, "everything has been thrown at me except the kitchen sink." I am still waiting for the kitchen sink.

Mr. President, I did not expect you or the senators to defend me from the vicious attacks of Malacañang as a person and as an incumbent senator of the Republic. The least I expected, of course, is you allow me to defend myself, by myself, without any support whatsoever from the Senate. But for this Body to strip me of my committee in an unprecedented fashion at this point when we have categorical testimony establishing an uncanny similarity between the



current phenomenon of the nationwide EJKs and the Davao City EJKs as perpetrated by the so-called Davao Death Squad, was unimaginable. I now resolve to imagine more of what the President's allies are capable of.

Sinabi naman po ng Pangulo, hindi siya titigil hangga't ako ay kanyang madurog at mapadapa. With the House inquiry now ongoing, I already warned him, "*Huwag na po ninyong ituloy, mahal na Pangulo, dahil mapapahiya lamang po kayo.*"

DOJ Secretary Aguirre has also recently pronounced that he is ready to file the criminal complaints against me this week. But these are all based on false and fabricated evidence.

Sino naman po ang mga testigo nila? Hindi pa ho ako nakinig o nanood doon sa ongoing House inquiry nila, although *meron akong mga staff na medyo nakinig* via radio or probably TV. *Sino po ba ang mga testigo nila? Mga preso sa Bilibid, mga convicted criminals, DOJ or NBI officials and others who have an axe to grind against me, or those who have skeletons in their closet and are now being pressured to do Malacañang's bidding at the risk of being charged themselves.*

Sa puntong ito, gusto kong iparating ang aking pagpapatawad sa lahat ng tumatayo at tatayong witness laban sa akin sa House hearing na yan. Alam ko na kayo ay napilitan at napuwersa lamang para idawit ako sa kung anumang anomalya sa Bilibid, gamit ang panggigipit, blackmail, o marahil pati torture. Ang hindi ko mapapatawad ay ang mga nasa likod nitong pag-imbento ng ebidensiya laban sa akin. May araw din po kayo.

What is the situation now in the Bilibid? I have received reports, very reliable and credible reports, of inmates and gang leaders being taken by the Special Action Force deployed at the Bilibid for overnight interrogation sessions, reportedly taken to ISAFP quarters which can also be a euphemism for psychological torture. I am referring to the overnight interrogation sessions, all in an effort to fabricate testimony that I received bribes from drug lords.

The New Bilibid Prison under this administration is now a tropical Gulag. Prisoners are being selected and isolated just to be intimidated into implicating me and to fit the President's narrative that I am a drug lord coddler, aside from being the most evil woman in the planet.

Sa punto pong ito, nananawagan po ako sa Commission on Human Rights na magsagawa ng checking, inspection, i-check ninyo po ito,

i-confirm ninyo po ang tunay na nangyayari diyan sa New Bilibid Prison. Nananawagan din po ako sa Senado, I will be filing the appropriate resolution, na imbestigahan din po ang mga pangyayari na yan sa loob ng New Bilibid Prison.

Pero ano naman po talaga ang ginawa ko? Wala naman po talaga akong ginawa kung hindi gawin ang trabaho ko. Kahit ang Pangulo, minsan na niyang sinambit na kahit siya ang nasa kalagayan ko, ganoon din ang gagawin niya, dahil ginagawa ko lang ang trabaho ko.

I am not the problem. I am not the one giving a bad image to this country before the international media contrary to the accusation and belief of Senator Cayetano. The problem of this country and this Administration is the extrajudicial killing of more than 3,000 of our countrymen in the past three months, or more than a thousand per month.

Sinabayan pa ito ng bunganga ng Pangulo na walang patumanggang magmura ng mga opisyal ng UN at ng mundo, katulad ng Santo Papa, ni Pangulong Obama at ni Secretary General Ban Ki-moon, sa kabila ng pagnanais lang nila na kausapin siya sa kanilang mga agam-agam tungkol sa polisiyang giyera sa droga ng Pangulo. And, may I add, the President has already proven that he is more than capable of single-handedly giving a bad image of this country to the whole world in the short span of three months in office. He does not need any help from anybody on that aspect, least of all from me.

Kaya huwag po ninyong baligtarin ang mundo na ako ang nagbibigay ng masamang imahe sa Pilipinas dahil hindi ako ang nagmura kay Obama at kay Ban Ki-moon. Minsan ay tanggalin naman ninyo ang mga tapalodo ng kabayo sa inyong mga mata at medyo punahin naman ninyo kahit konti ang walang kontrol na bunganga ng inyong Pangulong pinagtatangol, Senator Cayetano.

Ito pong mga patayan na ito ang nagbibigay ng masamang imahe sa Pilipinas ngayon. Ganoon na ba tayo kakitid mag-isip para maniwala na hindi papansinin ng mundo o ng international media ang nangyayari sa ating bansa kung wala ang isang Leila De Lima? Ang pagpatay ng mahigit 30 katao araw-araw ay pagpatay pa rin sa mata ng mundo, nandiyan man si Leila De Lima o wala. Sa tingin ba ni Senator Cayetano na sa kanyang tagumpay na matanggal sa akin ang Committee on Justice and Human Rights ay gaganda na antimano ang imahe ng Pilipinas sa mundo? Maaari,

hindi naman bawal na managinip si Senator Cayetano.

Hindi po ako ang pumapatay sa mga kababayan natin para maibalita sa international media. Hindi po ako ang nag-ra-riding-in-tandem at tumitira sa mga maralitang drug suspects. Hanggang ngayon po ay nandiyan pa rin ang mga salarin na umiikot sa kadiliman ng gabi para itumba ang mga pinagbibintangan na mga kriminal, totoo man silang kriminal o hindi. Maaring iilan sa kanila ay ang mga dating kasamahan ng ating witness na si Edgar Matobato sa Davao Death Squad. Gusto lang nating malaman kung may katotohanan sa haka-haka na ito, upang sila ay tuluyan nang madakip at mahinto na ang patayan.

There are criticisms from Senator Lacson and Senator Cayetano that I should have vetted the witness first before presenting him in the hearing.

The vetting process of witnesses on the DDS has started since 2009 when, as Commission on Human Rights (CHR) Chairperson, I conducted the inquiry on the Davao Death Squad. At that time, we were able to interview and get statements from several DDS members who chose to talk but not to testify for fear of their lives. In fact, as early as 2009, Edgar Matobato has already been identified by one DDS witness as a companion of said witness in one of his DDS operations.

Nagtutugma po ang ilang mga kuwento sa kuwento ng ating witness na si Edgar Matobato. Katunayan, noong 2009, may mga pangalan ng mga opisyaes ng Davao City Police ang lumabas na mga miyembro ng DDS sa heinous crime section ng DCPO, mga pangalan na binanggit na rin ni Matobato sa kanyang testimonya. Ang ilan po sa mga pangalan na ito ay ang mga sumusunod:

SPO4 Arthur Lascañas;
P/CInsp Jacy "Jay" Francia;
P/CInsp Fulgencio Pavo;
P/CInsp Ronald Lao;
SPO3 Jim Tan;
SPO4 Sanson "Sonny" Buenaventura;
SPO1 Reynante B. Medina;
SPO1 Bienvenido Furog;
SPO1 Vivencio "Jun" Jumawan;
SPO2 Enrique "Jun" Delos Reyes Ayao;
SPO3 Jun Laresma;
SPO2 Rizalino "Bobong" G. Aquino;
SPO3 Donito "Pogi" Ubales;
SPO1 Jun Bisnar;
SPO1 Gaston Aquino;
P/SSupt Isidoro "Dick" Florivel/Florobel;

P/SSupt. Rey Capote;
P/SSupt Tony Rivera;
P/SSupt Dionisio Abude;
Bienvenido Laud;
Alvin Laud;
Roly Engalia; and
Arnold Ochavez.

Iyong ilan po sa mga pangalan na nabanggit ni Mr. Matobato noong kaniyang testimony noong Huwebes. Iyong iba naman po ay nabanggit niya sa akin noong in-interview ko siya bago ko pinaharap doon sa hearing na iyan. Tandaan ninyo po ang mga pangalan na iyan. At iyang mga pangalan na iyan, kung puwede po sana, kung nakikinig kayo, kung sino man sa inyo ang mga nakikinig ay pag-isipan ninyo na. Lalantad ba kayo o magtatago na lamang kayo?

Those names compose the core group of the Davao Death Squad, according to witness Edgar Matobato.

Malakas pong ebidensiya ang testimonya ni Edgar Matobato. Hindi ito katulad ng drug matrix na nilabas ng Pangulo na walang gustong umamin sa NBI, PNP, o PDEA kung kanino galing sa kanila ang impormasyon na laman nito. Kung ang pamantayan ng ebidensiya ni Senator Cayetano ay katulad ng drug matrix ng Pangulo na parang drawing ng isang dose-anyos na bata, di hamak na lampas lampas naman ang testimonya ni Matobato sa pang-dose anyos na standard ng kanyang mahal na Pangulo. Kung minsan po talaga, ang pinakamahirap gisingin ay ang mga nagpapanggap na tulog.

May mga binanggit na pong mga opisyal ng kapulisan ang ating witness. Nasaan na po ang mga opisyal na ito ngayon? Masarap pa ba ang kanilang tulog sa kabila ng mga binitawang testimonya ni Edgar Matobato? Kung nakakatulog pa sila, marahil sila ay inosente. Pero paano kung sila ay hindi inosente?

The implication is that we have a group of serial killers and mass murderers right within the ranks of the organization which is supposed to protect and serve the people. I might be jumping to conclusions, but what if it is true as claimed by Mr. Matobato? Was the action of the Senate yesterday stripping me of my committee going to help to uncover the truth, or was it part of the plan to hide the truth? I hope it is not the latter.

I still bear a great amount of respect for my colleagues. I believe that their action yesterday was borne out of an honest desire to diffuse the

unnecessary political complexion of the investigation by choosing a more, shall we say, "neutral" and non-controversial senator to lead the investigation.

At this point, I would like to sincerely congratulate Senator Richard Gordon for having been vested with the vote of confidence of the Senate and for accepting the burden of investigating the current phenomenon of extrajudicial killings. I believe in his capability to carry out a serious probe into these incidents and get to the bottom of the killings. I watched his career as a senator for several terms and I am convinced that he possesses the integrity and the courage not to be cowed by the Executive and act as a mere lackey of Malacañang.

I believe that he is also capable of exercising that impartiality that Senator Cayetano has repeatedly drilled into our heads that I am not capable of. I believe that Senator Gordon bears more fortitude and strength than I did, to be able to call out and censure any colleague who transgresses the boundaries of unparliamentary speech when he accuses Liberal Party senators of conspiring to overthrow the President without presenting a single piece of evidence, while accusing me of having prejudged the EJK investigation on the basis of an eyewitness account coming from a man who claims to have been an original member of the so-called Davao Death Squad, until he was betrayed and framed up by his own comrades for a crime he did not commit.

I am fervently convinced that with his experience and no-nonsense personality, Senator Gordon will be more able to throw out any attempt to badger, harangue, abuse, or otherwise malign a witness by misleading and forcing him to admit that the reason he is testifying is that he was recruited by the senators of the Liberal Party to trigger the ouster of the President and to put in Malacañang Vice President Leni Robredo whom the witness admitted he barely knows.

This is the kind of pretentious and hypocrite objectivity coming from Senator Cayetano that Senator Gordon will be facing. I wish you good luck, sir. I can tell you it was not a pleasant experience for me. Not at all. You can have the justice committee as well as the offensive and unparliamentary antics of Senator Cayetano. Package deal *po yan*. On the other hand, you will still have me as a member of the justice committee. I promise to behave and not give you a hard time. A Senator Cayetano is enough. I will not bother you with another obnoxious

personality in your hearings in the justice committee.

May nakausap po akong taxi driver noong isang araw. Ang sabi niya ay parang magulo na naman sa bansa natin, katulad ng pagkagulo ng bansa sa ilalim ng ilang mga nakaraang administrasyon. Patayan dito, bombahan doon, mga bangkay na naglipana sa daan, mga barilan ng mga riding-in-tandem, mga abuso ng mga kapulisan sa mga pag-raid at pag-Tokhang sa mga urban poor areas, etcetera, etcetera.

Sa totoo lang po, wala akong nakausap na taxi driver. Ginaya ko lang po ang istilo ng pagkwento ni Senator Cayetano para patunayan niya na ang Pilipinas ay kasing-safe na ng bansang Singapore. Sa totoo lang po, medyo nabilaukan ako sa sinabi na iyon ni Senator Cayetano kahit nandoon na ako sa katahimikan ng aking opisina kahapon. Kasing-tahimik at kasing-ligtas na raw tayo katulad ng Singapore.

Hindi pa po ako nakapunta sa Singapore. Pero kung kasing-tahimik ng Singapore and Pilipinas, kailangan din bang may bumubulagta na mahigit 30 tao kada araw sa Singapore para sila ay maging ligtas? Kailangan din ba nilang mag-Tokhang para malipol ang mga mapanganib na mga pusher at addict at malinis ang mga komunidad ng masasamang elemento? Kailangan ba nilang padanakin ang dugo sa kanilang mga kalsada upang mapanatag ang mga tao na may ginagawa ang gobyerno para mapuksa ang kriminalidad? Kailangan din bang may mamatay na apat-o limang-taong gulang na Singaporean sa kamay ng mga vigilante dahil ang lolo o tatay nila ay mga markadong pusher o adik?

O ibang pamamaraan ba ang ginawa ng Singapore para mapanalig ang tao sa respeto sa kaayusan at sa paghahari ng batas? Ang pamamaraan ng patayan para magkaroon ng katahimikan ay magdudulot lang ng katahimikan ng sementeryo. Papunta na po tayo doon, dahil unti-unti ng pinupuno ng administrasyong ito ang ating mga sementeryo sa kanyang pagkibit-balikat kung hindi man tahasang pang-enganyo sa isang marahas na landas tungo sa pagpuksa ng literal sa mga kriminal.

The point is, Senator Cayetano wants to impress upon us the Singapore-like safety of our communities in the middle of all these killings with anecdotes. His proof that we are safe consists of anecdotal taxi driver stories. In the meantime, his President has just declared a state of national emergency due to the existence of

lawless violence. For the first time since the eve of the declaration of Martial Law 44 years ago to the day today, the country has not come close to such an admission by the State that it is incapable of enforcing order in society, that the President has to resort to his extraordinary commander-in-chief powers under the Constitution in order to maintain public safety, peace and order.

So are we in a State of Safety, as claimed by Senator Cayetano? Or are we in a State of Lawlessness, as declared by the President?

Safe lawlessness, or lawless safety? *Ang tawag po doon sa salitang Ingles ay "oxy-moron,"* with emphasis on moron.

Senator Cayetano's anecdotes will not pass any known academic standard to prove his proposed thesis that our countrymen feel safe. I, for one, do not feel safe, what with the President unleashing the might and power of the whole Executive Branch, the other half of Congress, and 1/24 of the Senate to go after me and destroy me, a single senator from Bicol who wants nothing else in the world but to be and play with her dogs at home and to see that the killings stop and justice be done to those who already fell during the night.

The next time Senator Cayetano recites his now famous anecdotes about how safe we are, maybe he can include my own story. Definitely it is not a story of being safe. It is the story of being the first target of a new McCarthyism in our time, of being singled out by the powers-that-be for daring to think differently and to advocate passionately for what one believes in.

Matagal na po itong linya ng kanyang mga bayarang trolls sa social media. Kapag hindi ka Pro-Duterte, ikaw ay drug lord coddler, ikaw ay pusher, ikaw ay isang adik. Ito po ang bagong komunistang panakot sa ating panahon ngayon: Ang Adik. Kapag hindi ka sumamba kay Poong Duterte, ikaw ay adik, dahil adik lang ang hindi sumamba kay Poong Duterte.

Bakit po tayo nahantong sa ganito? Na ang mga nagnanais ng maayos at naayon sa batas na laban sa kriminalidad ay mga nababansagan na mga adik, at nawawalan ng kalayaan na sumalungat sa pamamaraan ng tinatawag na pagbabago sa pamamagitan ng kaliwat kanang patayan? At ngayon na napapalapit tayo sa paghubad ng katotohanan na ang ganitong pangyayari ay naganap na sa Davao City, ay biglang ide-declare na vacant ang komiteng dumidinig sa paksa ng patayan dahil lang sa sinabi ng pinakadakilang taga-pagtanggol ng Pangulo sa Senado, at sinegun-

duhan ng isang senador na galing sa mga mahihirap, mga mahihirap na ngayon ay walang tigil na Tinotokhang ng mga pulis.

On a personal note, I do not know where all of this will end for me, in the midst of the House inquiry, the Committee on Ethics complaint, the election protest, the DOJ persecution, and the President's attacks. Honestly, this is all the fault of President Gloria Macapagal-Arroyo when she appointed me as chair of the Commission on Human Rights, where I learned the value of human life and human dignity, regardless of one's station in life. This is also the fault of President Benigno S. Aquino III, when he appointed me as Secretary of Justice, where I learned to fight the abuse of power, corruption, and have taken to heart the principle that peace is the work of justice.

Ang kapayapaan ay bunga ng hustisya. Walang kapayapaan kung walang hustisya.

Pasensiya na po ang ating mga kababayan kung natuto ako sa CHR at sa DOJ na pahalagaan ang buhay ng bawat tao, ang karapatan na magkaroon ng paglilitis bago patawan ng karampatang kaparusahan, at ang seguridad ng lahat na maging tahimik sa loob ng kanilang tahanan.

Gaano man kaliit ang dampa, ang bawat tahanan ay palasyo ng namamahay doon. Iyan ang itinuro sa atin sa batas. Kung gaano kabuo ang respeto ng mga pulis na nagto-Tokhang sa Forbes Park at sa Dasmariñas Village, ganoon din dapat ang respeto na pinapakita nila sa mga Tinotokhang nila sa mga maralitang nakatira sa mga tabing-ilog at estero. Mayaman man o mahirap, kapag Tinokhang mo, dapat ay pantay-pantay. Huwag yung mga berdugong pulis ang ipapadala sa mga dampa sa estero, at mga pulis na sumasali sa modelling contest ang ipapadala sa Forbes Park.

Sasabihin na naman siguro ni Senator Cayetano na hindi naman mga nagmomodel na pulis ang ipapadala sa Forbes Park. Figure of speech lamang po iyon, hindi dapat intindihin ng literal.

I became CHR chair and DOJ secretary not because I sought those positions to which I was appointed. One can say that all these were accidents of history. It is only this position that I hold now that I chose to work hard for to get by tirelessly campaigning and eventually being elected by more than 14 million Filipino voters.

Kaya mahalaga po sa akin ang posisyon na ito dahil katulad ninyo po, mga minamahal

kong kapwa ko senador, pinagsikapan at pinaghirapan ko itong ipagkatiwala sa akin ng mga botanteng Pilipino. Ginagampanan ko lamang ang aking tungkulin bilang isang kandidato na humarap sa mga tao ng may plataporma ng karapatang pantao at hustisya, dahil minarapat nila na iboto ako sa pag-asang ang programang iyon ang aking dadalhin dito sa Senado.

Ito po ang programang dala ko ngayon, mga mahal kong kababayan na bumoto sa akin. Ninais ninyo na ito ang programang dalhin ko. Kung sa pagnanais kong isulong ang programang ito ay tatanggalin ako sa pagka-pinuno ng Komite ng Hustisya at Karapatang Pantao, ay parang hinubad na rin nila sa akin ang mahalagang bahagi ng mandatong iyon.

Pero tatalima po ako sa desisyon ng Senado. Hindi naman dito natatapos ang laban. Nag-iba lang ang anyo at posisyon ng mga magkakatanggali, pero malinaw pa rin ang adhikain at pananalig na sa bandang huli, ang hustisya at karapatan ng bawat mamamayan ang mananaig, hindi ang dikta ng kapangyarihan.

Sa Roma, noong unang panahon, pinagdiriwang ang mga heneral na matagumpay na sumakop ng mga ibang bayan sa pamamagitan ng isang parada, kung saan nakasakay ang heneral sa isang karyote na hila ng apat na puting kabayo habang papasok sa siyudad ng Roma. Sa likod niya ay isang alipin, na may hawak na ginintuang koronang laurel sa itaas ng ulo ng heneral. Sa kahabaan ng prusisyon, walang ibang ginawa ang alipin kung hindi bumulong sa tenga ng heneral ng mga katagang **"Respite post te! Hominem te memento!"** "Tumingin ka sa likod mo, at huwag kalimutan na ikaw ay isa lamang tao." Hindi Diyos, tao. Tao ka lamang.

On the eve of the 44th anniversary of the declaration of Martial Law, we must remember that all power, no matter how seemingly absolute, is fleeting. What is permanent is truth and justice.

Ang lahat ng kapangyarihan, gaano man kalawak ang nasasakupan, ay naglalaho rin sa panahon. Ang tanging nagtatagal sa habang panahon ay katotohanan at katarungan.

Iyan po ang sumpa ng mga may hawak sa kapangyarihan, katulad natin. Maglalaho din yan sa daloy ng panahon. Pero ang katotohanan at katarungan ang mananatili. Katulad po ng sinapit ng rehimeng Marcos noong 1986,

ang lahat ng diktadura ay may hangganan din. Marahil hindi ngayon, pero ang panahon ng lahat ng may kapangyarihan ay may hangganan.

Marami po sa atin ang pamilyar sa kuwento na ito ng Roma tungkol sa alipin na nasa likod ng matagumpay na heneral na mananakop. Ang hindi pa alam ng marami, na ang kinakata-kutan ng heneral ay si Fortuna, na kung tawa-gin ay ang berdugo ng lasing na tagumpay: The Butcher Of Glory.

Mayroon na naman pong Roman term dito. Para po sigurado, may kodigo po ako na eksakto iyong aking pagkabigkas: **"Tubetque eosdem respicere similis medicina linguae, ut sit exorata a tergo Fortuna gloriae carnifex."**

"Pinagbabadyaan ng mga kataga ang matagumpay na heneral: tumingin ka sa likod, upang mapaamo mo si Fortuna, ang berdugo ng lasing na tagumpay."

Sa mga heneral ng tagumpay at kapangyarihan sa ating panahon: si Fortuna ay inyong kapalaran, nagbabadya na ang lahat ng hawak ninyo ngayon ay maglalaho sa panahon. Mapaamo ninyo man siya, siya at siya pa rin ang kikitil sa inyong pagkalasing sa panandaliang kapangyarihan at tagumpay.

Maraming salamat po.

REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Sotto, there being no objection, the Chair referred the privilege speech of Senator De Lima to the Committee on Rules.

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

At this juncture, Senator Sotto acknowledged the presence in the gallery of the guests of Senator Pacquiao, Mayor Carlo Jose Martinez and company from Bogo City, Province of Cebu.

Senate President Pimentel welcomed the guests to the Senate.

SUSPENSION OF SESSION

Upon motion of Senator Sotto, the session was suspended.

It was 4:07 p.m.

RESUMPTION OF SESSION

At 5:03 p.m., the session was resumed.

CHANGE OF COMMITTEE REFERRAL OF SENATOR DE LIMA'S SPEECH

Upon motion of Senator Sotto, there being no objection, the Body reconsidered the referral of Senator De Lima's privilege speech to the Committee on Rules.

Upon motion of Senator Sotto, there being no objection, the Body approved the change of referral of the privilege speech of Senator De Lima from the Committee on Rules to the Committee on Justice and Human Rights.

COMMITTEE MEMBERSHIP

Upon motion of Senator Recto, there being no objection, Senator Trillanes was elected member of the Committee on Justice and Human Rights, representing the Minority of the Senate.

MANIFESTATION OF SENATOR GORDON

Prefatorily, Senator Gordon said that he intended to right away make a manifestation in connection with the speech of Senator De Lima but waited for the younger senators to make the first move. Still, he clarified that his statement was not aimed to criticize Senator De Lima who, unfortunately, has already left the Chamber, but to address the implications in her speech which seemed to cast aspersions on those who voted to declare vacant the whole Committee on Justice and Human Rights.

He believed that the motion of Senator Pacquiao was made in the interest of objectivity and not against Senator De Lima or against any senator. He pointed out that the situation has become convoluted that charges and counter-charges were being filed and a hearing was being conducted in Congress indicting Senator De Lima. He emphasized that for something of great consequence as investigating extrajudicial killings, objectivity is necessary to guarantee that one is free from bias; albeit, being humans, emotions get into the picture as what transpired in the Senate investigation where suddenly a witness came from nowhere. He believed that Senator Lacson was also surprised and scandalized when he was not told of the presence of

Mr. Matobato despite being the co-chair of the joint committee hearing.

Senator Gordon stated that the resolution was about the recent rampant extrajudicial killings which the committees were called upon to investigate; it has nothing to do with President Duterte or with anybody else. He gave the assurance that the committee would get to the bottom of it but could only do so if the committee chair and its members remain as objective as possible.

On another note, he thanked Senator De Lima for her kind words, and hoped that they were not tongue in cheek. He said he would take the words the way they were spoken.

He stressed that each senator is honorable to speak for himself or herself and that no one should belittle another's lack of education. He lauded Senator Pacquiao for having proven that despite his limited education, he has risen because of his work ethic and ability to speak his mind, more honorably by the fact that he was brave enough to do so.

Senator Gordon said that he has never been dictated upon in his life and so would not want people to insinuate that the senators were dictated upon. He said that, in fact, he only met the President once since he was elected and they even hardly talked or exchanged opinions during the campaign.

He said that President Duterte has never dictated upon them and that he even came out with a bill stating that it is not the President who can declare martial law or suspend the privilege of the writ of *habeas corpus*. He noted that the Constitution has made a legal eunuch out of a provision in Article VII — that it is no longer effective to declare martial law because Congress has been given the right to say no. He also cited another constitutional provision which states that Congress must share the responsibility with the judiciary, since both branches can limit the exercise of emergency powers by the president in terms of duration and objective.

Senator Gordon said that President Duterte's statement that Members of Congress can do whatever they want in the same way that he can do whatever he wants was commendable because it demonstrated his political will, something that the country has been short of. He believed that President Duterte does not want hostility to reign in the country

no not

or the children to become druggies, and neither does he want terrorism to win.

Senator Gordon clarified, though, that personally he draws a line on killings and he believed that no senator would tolerate unnecessary killings in the country, the very reason why there is an ongoing investigation, by virtue of Senator De Lima's resolution, on the rampant killings and bring them to an end.

Senator Gordon disclosed that he spent hours with his staff studying Senator De Lima's resolution to determine whether or not the police were doing their job to address vigilante killings since they are duty-bound to promote peace and order in every region.

Reacting to comments that the senators are being dictated upon, Senator Gordon asserted that they are not rubber stamps who would defer to the President's order. He believed that the senators would always speak out when they see wrong and try to make right what is wrong.

As regards allegations of extrajudicial killings dating back to 2009, he remarked that cases should have been filed that same year.

Senator Gordon said that he commiserates with Senator De Lima who, he believed, is innocent until proven otherwise. He lamented that perhaps due to the political turmoil in the country brought about by colonialism, the Filipino mindset was brought down to a level that people became submissive and are afraid to speak up.

Declaring that he would not submit to anyone, he believed that like him, the other senators cannot be dictated upon.

Senator Gordon said that he too could list down all the past occurrences, such as the Mamasapano incident which has not brought anyone to justice notwithstanding the court cases filed against the previous administration; the impeachment of former Chief Justice Renato Corona; and the violation of the constitutional rights of former President Gloria Macapagal-Arroyo when she was prevented from leaving the country.

Senator Gordon cited instances when past presidents made issuances in the same light as President Duterte's, as when President Macapagal-Arroyo declared a state of emergency and lawlessness when

her administration was threatened by a coup; when President Cory Aquino declared a revolutionary government; and when President Estrada declared a state of emergency and an all-out war in Mindanao.

He said that while passion sometimes overtakes the mind, the senators have already agreed in the caucus not to block one another from speaking nor see a committee chair unable to control the proceedings.

Senator Gordon guaranteed that he would chair the committee in a firm and fair manner and that he would always consult the Body. He said that the hearing on Thursday, September 22, at one o'clock in the afternoon would continue examining the witness, Mr. Matobato. He added that in consultation with the Body, the committee would no longer allow the witnesses to speak up unless the senators are furnished with affidavits to let them prepare and fulfill the task given to them in a firm, fair, cogent and reflective manner.

He said that through the years, he has learned to dissipate tension by making remarks out of jest to keep the camaraderie, friendship and collegiality among his colleagues.

MANIFESTATION OF SENATOR SOTTO

Senator Sotto associated himself with the manifestation of Senator Gordon, particularly with the statement that the senators cannot be dictated upon, as he assured everyone that he has not received any call from anyone when he voted in favor of reorganizing the Committee on Justice and Human Rights.

MANIFESTATION OF SENATOR ZUBIRI

Senator Zubiri admitted that while he already delivered a statement to the media, he would also like to make the same manifestation as regards comments casting aspersions that the senators were called by Malacañang or by a cabinet member to reorganize the Committee on Justice and Human Rights. He disclosed that he even asked Senate President Pimentel if a motion could be made to reorganize the committee, adding that the decision to do so was prompted by what happened in the Senate hearing last Thursday which they found quite alarming.

He believed that it is essential to nominate chairmen who would conduct public hearings

JP

efficiently, fairly and with impartiality because people want results. He also expressed disappointment that the Senate investigation was being used to push other people's agenda, saying that in his five years as a civilian when he resigned in 2011, until his election in 2016, he watched several Senate proceedings that often descended into grandstanding and a tool for demolition jobs.

Senator Zubiri said that as legislators, they should be productive and proactive rather than destructive inasmuch as people demand results from the hearings and inquiries especially on developmental laws which need to be passed, or hearings on the national budget in which Senator Legarda, who has been fighting a lonesome battle every day, needs the help and close attention of all the senators.

He said that the offices of the senators must be used to deliver the change which was promised in the first year of the new administration — solving the horrible traffic situation, poverty eradication, jobs generation, improving education; stopping the spread of illegal drugs and criminality — instead of focusing on political agendas.

Senator Zubiri enjoined the members to avoid using the Senate for grandstanding, saying that he has much respect for its power and prerogative to investigate in aid of legislation. He said that once hidden agenda is involved, the whole process becomes derailed and the public interest becomes forgotten. He said that like his fellow senators, he just wants to buckle down to work considering the county's problems which need to be solved. He reiterated that he has no hidden political agenda.

MANIFESTATION OF SENATOR SOTTO

Contrary to insinuations that the Senate was stopping the hearings on the issue of extrajudicial killings, Senator Sotto announced that the Committee on Justice and Human Rights chaired by Senator Gordon would continue its hearing on the matter on Thursday, September 22, 2016.

ADDITIONAL COMMITTEE REFERRAL

Senator Sotto moved that Proposed Senate Resolution No. 151, which was primarily referred to

the Committee on Public Order and Dangerous Drugs, be also referred to the Committee on Justice and Human Rights.

Asked by Senate President Pimentel which committee would head the investigation, Senator Sotto replied that the Committee on Public Order and Dangerous Drugs would remain as the primary committee while the Committee on Justice and Human Rights would be the secondary committee.

Asked by Senator Recto to clarify the resolution that would be tackled during the hearing, Senator Sotto explained that Proposed Senate Resolution No. 151 was a new resolution filed by Senator Trillanes earlier in the day's session which was primarily referred to the Committee on Public Order and Dangerous Drugs but which would also be secondarily referred to the Committee on Justice and Human Rights following the agreement between Senators Lacson and Trillanes, so that the Matobato issue could be tackled at the joint hearing of the two committees on Thursday.

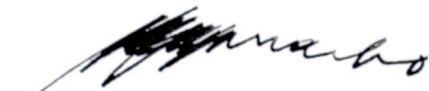
Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 151, which had been primarily referred to the Committee on Public Order and Dangerous Drugs, was also referred to the Committee on Justice and Human Rights as the secondary committee.

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 the following day.

It was 5:29 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. LUTGARDO B. BARBO
Secretary of the Senate
awil *S. Sotto*

Approved on September 21, 2016