



REPUBLIC OF THE PHILIPPINES
Senate
Pasay City

Journal

SESSION NO. 35
Tuesday, October 18, 2016

SEVENTEENTH CONGRESS
FIRST REGULAR SESSION

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CALL TO ORDER

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

PRAYER

Sen. Panfilo M. Lacson led the prayer, to wit:

Ever-loving God, with all Your omnipotence and kindness, we pray:

Teach us not to succumb to life’s challenges, but rise above them;

Fight evil in a way that it does not break our soul and spirit;

Stand up for the truth amid all the prevarications that confuse us;

Forgive our iniquities as we clasp our hands in supplication;

Make our conscience our constant guide in our everyday life;

Admonish us to pray not only for ourselves, but for the next generation of Filipinos who will remember the values and disvalues of our generations.

All these we ask in the Name of Your Son, Jesus.

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

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

Senators Aquino, Poe, Recto, Trillanes and Zubiri arrived after the roll call.

Senators Cayetano and Gatchalian were on official mission abroad as they accompanied President Duterte in his state visit to China.

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. 34 (October 17, 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:

- Mayor Jessie Galano and members of the *Sangguniang Bayan* of Paoay, Ilocos Norte and several barangay captains;
- Vice-Mayor Rico Golez of Parañaque City;
- Acting Mayor Noemi Espinosa together with the members of the *Sangguniang Bayan* of Sta. Fe, Cebu;
- Department of Health Secretary Paulyn Jean Rosell-Ubial and several DOH representatives;
- *Sangguniang Bayan* members of Alcala, Pangasinan – Top Jigur Peregrino, Johnny Carajay, Eduardo dela Cruz Jr., former *Sangguniang Bayan* member Eduardo dela Cruz Sr. and Barangay Captain Emmanuel Salvador; and
- CHED Commissioner Prospero de Vera.

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. 1201, entitled

AN ACT PROVIDING FOR THE ESTABLISHMENT OF BREAST CARE CENTERS IN EVERY REGION NATIONWIDE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Cynthia A. Villar

To the Committees on Health and Demography; Local Government; and Finance

Senate Bill No. 1202, entitled

AN ACT PROHIBITING TEXT SCAMS, MISLEADING ADVERTISEMENTS, AND FRAUDULENT SALES PROMOTIONS, MANDATING FOR THIS PURPOSE THE REGISTRATION OF ALL USERS OF SUBSCRIBER IDENTITY MODULE (SIM) CARDS, AND PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF

Introduced by Senator Cynthia A. Villar

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

Senate Bill No. 1203, entitled

AN ACT CREATING A FRIENDLY WORKING ENVIRONMENT FOR WOMEN AND FOR OTHER PURPOSES

Introduced by Senator Sotto III

To the Committees on Labor, Employment and Human Resources Development; and Women, Children, Family Relations and Gender Equality

Senate Bill No. 1204, entitled

AN ACT INSTITUTING CORPORATE INCOME TAX REFORM, AMENDING FOR THIS PURPOSE, SECTIONS 27 AND 28 OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Ways and Means

RESOLUTIONS

Proposed Senate Resolution No. 195, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEES ON JUSTICE AND HUMAN RIGHTS; AND CULTURAL

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COMMUNITIES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE ROOT CAUSES OF INTERNAL DISPLACEMENT OF INDIGENOUS CULTURAL COMMUNITIES (ICCS)/INDIGENOUS PEOPLE'S (IPS) WITH THE END IN VIEW OF ENACTING LEGISLATION TO UPHOLD RIGHTS OF INTERNALLY DISPLACED PERSONS (IDPs)

Introduced by Senator Leila M. de Lima

To the Committees on Justice and Human Rights; and Cultural Communities

Proposed Senate Resolution No. 196, entitled

A RESOLUTION COMMENDING AND CONGRATULATING THE FILIPINO ATHLETES WHO BAGGED TWENTY-ONE MEDALS DURING THE 5TH ASIAN BEACH GAMES IN VIETNAM

Introduced by Senator Emmanuel "Manny" D. Pacquiao

To the Committee on Rules

Proposed Senate Resolution No. 197, entitled

RESOLUTION DIRECTING THE APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, TO LOOK INTO ISSUES AND CONTROVERSIES SURROUNDING THE FAILURE OF SOME COOPERATIVES TO OBTAIN IMPORT AND/OR EXPORT LICENSE OR PERMIT

Introduced by Senator Zubiri

To the Committees on Cooperatives; and Trade, Commerce and Entrepreneurship

Proposed Senate Resolution No. 198, entitled

RESOLUTION CONGRATULATING AND COMMENDING THE PHILIPPINE TEAM FOR WINNING THREE (3) GOLD AND FIVE (5) BRONZE MEDALS IN

THE 10TH WORLD TAEKWONDO POOMSAE CHAMPIONSHIP HELD ON SEPTEMBER 29 TO OCTOBER 4, 2016 IN LIMA, PERU

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Rules

Proposed Senate Resolution No. 199, entitled

RESOLUTION DIRECTING THE PROPER SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTS THAT TERRORIST GROUPS IN MINDANAO JOIN FORCES TO ESTABLISH AN ISLAMIC STATE OR ISIS SATELLITE EXTENSION IN THE PHILIPPINES

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committees on National Defense and Security; and Public Order and Dangerous Drugs

ADDITIONAL REFERENCE OF BUSINESS

MESSAGE OF THE PRESIDENT OF THE PHILIPPINES

Letter of President Rodrigo Roa Duterte, dated 11 October 2016, certifying to the necessity of the immediate enactment of House Bill No. 3408, entitled

AN ACT APPROPRIATING FUNDS FOR THE OPERATION OF THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES FROM JANUARY ONE TO DECEMBER THIRTY ONE, TWO THOUSAND AND SEVENTEEN, AND FOR OTHER PURPOSES,

in order to address the need to maintain continuous government operations following the end of the current fiscal year (FY), to expedite the funding of various programs, projects and activities for FY 2017, and to ensure budgetary preparedness that will enable the government to effectively perform its constitutional mandate.

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To the Committee on Rules**BILLS ON FIRST READING**

Senate Bill No. 1205, entitled

AN ACT ESTABLISHING THE
SUSTAINABLE DEVELOPMENT
GOALS (SDG) AND AMBISYON
NATIN 2040 FUND

Introduced by Senator Sonny Angara

**To the Committees on Economic Affairs;
and Finance**

Senate Bill No. 1206, entitled

AN ACT CREATING THE BANANA
INDUSTRY DEVELOPMENT
COUNCIL AND PROVIDING FUNDS
THEREOF AND FOR OTHER
PURPOSES

Introduced by Senator Cynthia A. Villar

**To the Committees on Agriculture and
Food; and Finance****RESOLUTIONS**

Proposed Senate Resolution No. 200, entitled

RESOLUTION DIRECTING THE
COMMITTEE ON NATIONAL
DEFENSE AND SECURITY TO
CONDUCT AN INQUIRY, IN AID
OF LEGISLATION, ON THE
ALLEGED PILFERAGE/SMUGGLING
AT THE GOVERNMENT ARSENAL
IN LIGHT OF THE SEIZURE OF
PHP 6 MILLION-WORTH OF
HIGH-POWERED FIREARMS AND
AMMUNITION BELONGING TO
THE GOVERNMENT ARSENAL
PURPORTEDLY INTENDED TO BE
SOLD FOR ABU SAYYAF GROUP
AND WAR LORDS IN ARMM

Introduced by Senator Trillanes IV

**To the Committee on National Defense and
Security**

Proposed Senate Resolution No. 201, entitled

RESOLUTION DIRECTING THE COM-
MITTEE ON PUBLIC ORDER AND
DANGEROUS DRUGS TO CONDUCT
AN INQUIRY, IN AID OF LEGISLA-
TION, ON THE ALLEGED INVOLVE-
MENT OF SOME MEMBERS OF THE
PHILIPPINE NATIONAL POLICE
(PNP) IN NUMEROUS EXTRAJUDI-
CIAL KILLINGS IN THE COUNTRY
WITH THE END IN VIEW OF REVISIT-
ING THE PHILIPPINE NATIONAL
POLICE REFORM ACT TO ENSURE
THAT THE CONSTITUTIONALLY
ENSHRINED MANDATE OF THE
PNP TO "SERVE AND PROTECT"
REMAINS TO BE UPHELD

Introduced by Senator Trillanes IV

**To the Committee on Public Order and
Dangerous Drugs**

Proposed Senate Resolution No. 202, entitled

RESOLUTION DIRECTING THE
COMMITTEE ON CIVIL SERVICE,
GOVERNMENT REORGANIZATION
AND PROFESSIONAL REGULA-
TION TO CONDUCT AN INQUIRY,
IN AID OF LEGISLATION, ON THE
ALLEGED WIDESPREAD PRACTICE
OF HIRING TENS OF THOUSANDS
OF CONTRACTUAL AND JOB-
ORDER EMPLOYEES AND OTHER
IRREGULARITIES COMMITTED BY
VARIOUS AGENCIES AND INSTRU-
MENTALITIES OF GOVERNMENT
AS WELL AS LOCAL GOVERN-
MENT UNITS (LGUS), WITH THE
END IN VIEW OF ENACTING
REMEDIAL LEGISLATION FOR THE
CIVIL SERVICE COMMISSION TO
FORMULATE GUIDELINES FOR
THE HIRING OF CONTRACTUAL
AND JOB ORDER PERSONNEL IN
THE GOVERNMENT AND ENSUR-
ING THE PROTECTION OF THE
RIGHTS AND INTEREST OF THE
AFFECTED EMPLOYEES

Introduced by Senator Trillanes IV

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To the Committee on Civil Service, Government Reorganization and Professional Regulation

Proposed Senate Resolution No. 203, entitled

RESOLUTION CALLING FOR THE CONTINUED RECOGNITION OF EXISTENCE OF THE NEGROS ISLAND REGION

Introduced by Senator Zubiri

To the Committee on Local Government

Proposed Senate Resolution No. 204, entitled

RESOLUTION CONGRATULATING AND COMMENDING MARK ANTHONY CACAL FOR WINNING THE BEST CUSTOMER SERVICE FOR FOOD & BEVERAGE AWARD IN THE 2016 SINGAPORE TOURISM AWARDS

Introduced by Senator Maria Lourdes Nancy S. Binay

To the Committee on Rules

ACKNOWLEDGMENT OF THE PRESENCE OF GUESTS

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

- Hon. Lord Jack McConnel of Glenscorrodale of the House of Lords;
- Dr. Gareth McGrath of the Politics Plus;
- Mr. Rupert Compston, Second Secretary for Political Security of the British Embassy;
- Mr. Michael Avoy;
- UNICEF Deputy Representative Julia Rees;
- Asst. Secretary Aimee Neri of the Department of Justice;
- Ms. Normina Mojica of the Council for the Welfare of Children; and
- Ms. Carina Santiago, Regional Nutritional Program Coordinator, and Mr. Reginald Guillen, Nutrition Officer of the National Nutrition Council.

Senate President Pimentel welcomed the guests to the Senate.

CHANGE OF COMMITTEE REFERRAL

Senator Sotto recalled that on Tuesday, October 11, 2016, Senator Gordon delivered a privilege speech on the alleged P3.5 billion worth of questionable dengue vaccines that had been administered by the Department of Health to almost 280,000 students without passing through the so-called WHO prequalification requirements to ensure the vaccine's safety and effectivity. He said that as requested by Senator Gordon, the speech was referred to the Committee on Rules for purposes of determining which committee it could be properly referred to for competent deliberations.

Senator Sotto stated that after a thorough review of the speech and the subsequent interpellations, and a research on the matter, the Committee on Rules concluded that the alleged irregularities involved in the administration of the school-based mass vaccination before it was prequalified by the WHO merit the investigation on the possible culpability of previous and current officials of the DBM, DOH and other ranking officials in the executive branch of the previous administration on the misuse of the P3.5 billion government funds for dengue vaccines.

Upon motion of Senator Sotto, there being no objection, the Chair referred the privilege speech of Senator Gordon delivered on October 11, 2016, and the interpellations thereon to the Committee on Accountability of Public Officers and Investigations as the primary committee, and to the Committee on Health and Demography as the secondary committee, as well as to the Committee on Finance.

PRIVILEGE SPEECH OF SENATOR LEGARDA

In recognition of the National Indigenous Peoples' Month and to call attention to the plight of indigenous Filipino children, Senator Legarda delivered the following speech:

October is National Indigenous Peoples' Month, a celebration of our cultural diversity, an opportune time to honor our IPs and their overwhelming contributions to our history, our culture and heritage.

The Philippine Constitution recognizes this diversity and under the framework of national unity and development, mandates State recognition, protection, promotion, and fulfillment of the rights of our indigenous peoples.



The Indigenous Peoples Rights Act (IPRA) of 1997 outlines the special measures to ensure that the rights of IPs to lands and territories, economic development and self-determination, cultural integrity and access to basic social services are promoted, respected and fulfilled by the government.

Likewise, numerous international treaties, conventions and declarations with similar objectives were entered into by the government. We have supported a historic United Nations Declaration on the Rights of Indigenous Peoples, which articulated their individual and collective rights.

Despite concerted efforts exerted by the government in partnership with various private organizations and adequate financial support from international communities, still our IPs remain a marginalized sector of our society.

This speech is not only to call or to celebrate, but is also an earnest plea to call everyone's attention to a segment of the indigenous population who are invisible, disenfranchised and discriminated—our indigenous Filipino children.

We acknowledge that there are initiatives within government agencies to fulfill the rights of our indigenous children.

The Department of Education (DepEd) has established the IP Education Office, which helps implement education programs for IPs, and develop education programs that will meet the learning needs of the IP communities; the Department of Social Welfare and Development (DSWD) has the IP Participation Framework (IPPF) and Modified Conditional Cash Transfer for Indigenous Peoples in Geographically Isolated and Disadvantaged Areas (MCCT-IP-GIDA) under the *Pantawid Pamilyang Pilipino* Program; while the Department of Health (DOH) has joined with the National Commission for Indigenous Peoples (NCIP) and the Department of the Interior and Local Government (DILG) to address various issues in the provision of basic health services for IP communities.

However, even with these initiatives, the lack of data on indigenous children makes it difficult to measure the results of existing programs.

Lack of Data Makes Indigenous Children Invisible

There are no accurate figures on the IP population given the lack of census data. The most recent figures based on an unofficial survey conducted by the NCIP estimate the IP population between 12 million and 15 million, accounting for approximately 10% to 15% of the total population of the Philippines.

There are an estimated seven million indigenous children, but without accurate data on IP population, how sure are we that we are designing evidence-based and results-based programs and budget for indigenous children? Are the indigenous children really benefitting from government programs?

The issue of inequity in access to quality education continues to be an alarming situation in the Philippines.

Based on the estimate of the NCIP and the 2010 Philippines Census data, there are around four to five million school-aged children from five to 15 years old who should be enrolled in kindergarten to Grade 9. But data of DepEd in school year 2015 to 2016 shows that the enrollment of IP children at Kindergarten to Grade 6 (elementary level) is around 1.9 million and only about half-a-million are actually enrolled in Grade 7 to 11 (secondary level). In total, there are only around 2.4 million IP children enrolled in Kindergarten to Grade 11.

Moreover, a main cause of many IP learners' difficulties in learning and completion of education is the lack of interface between the IPs' indigenous knowledge, systems and practices on one hand, and the mainstream formal education system on the other. This is being addressed by the IP Education Program and the Mother Tongue-Based Multi-Lingual Education Program (MTB-MLE) of the DepEd. However, the program presently covers only 19 of the 175 indigenous languages in the country.

And even when they get to school, the learning environment is not safe because indigenous children are targets of bullying and discrimination from other children and sometimes even school personnel. In a series of consultation workshops with indigenous children organized by Tebtebba, one child narrated that after walking 10 kilometers to reach the school, the teacher scolded and humiliated her because of her dirty feet, called her a "native," and then sent her home.

Indigenous Children Affected by Situations of Armed Conflict

Our indigenous communities have also been affected by the complex security situation involving the Armed Forces of the Philippines (AFP), the New People's Army (NPA) and paramilitary groups.

In 2015, approximately 17,035 individuals were displaced due to armed conflicts and a significant number of grave violations involved IP children.

An indigenous 14-year-old girl was raped by three soldiers in three separate incidents between May and July 2015. The soldiers were court-martialed and their superior was recommended for administrative sanctions. However, the civilian criminal proceedings for rape were dismissed following an out-of-court settlement made by the alleged perpetrators with the victim's family.

Following a series of killings of indigenous peoples in the same year, the UN Special Rapporteurs on the rights of indigenous peoples and on the situation of human rights defenders called on the Philippine government to launch an independent investigation into the deaths and to bring the perpetrators to justice. To date, none of the perpetrators have been arrested despite having been positively identified by the community that was forced to witness the killings.

Review of Government Progress

These are just a few of the many injustices that our IPs continue to face. These are concerns raised by the UNICEF Representative to the Philippines, Lotta Sylwander, represented by Ms. Julia Rees, deputy representative. In bringing up these issues, they hope that our government will initiate programs that will immediately address these concerns.

It is worth noting that the 2009 Concluding Observation of the Committee on the Rights of the Child acknowledged the steps taken by the Philippine government to address the situation of indigenous children.

However, the Committee reiterated its concern about the widespread poverty among minorities and indigenous peoples and the limited enjoyment of their human rights, in particular, concerning their access to social and health services and education. The Committee also expressed concern at the lack of information about the actual impact of the application of the 1997 IPRA on children.

The Philippines is due to submit its combined fifth and sixth periodic report to the Committee on the Rights of the Child on the progress of the implementation of the Convention on the Rights of the Child by 19 September 2017.

The question is: Will the Philippines be able to report good progress for indigenous children?

It is still not too late, but the first step we need to take is to ensure inclusivity, to embrace our indigenous brothers and sisters as part of our society. I am confident that the present administration will provide our indigenous communities

the appropriate programs, sufficient basic services, and proper recognition they truly deserve.

We still have a long way to go in effectively protecting the rights of our IPs, but we should not lose hope. We must continue to work together and assure the role and significance of our IPs, more particularly our IP children in our country.

INTERPELLATION OF SENATOR ZUBIRI

At the outset, Senator Zubiri lauded Senator Legarda for bringing to the attention of the Body the plight of the indigenous children. He said that his province, Bukidnon, is blessed with a large population of indigenous peoples (IPs) of seven tribes, among them the Higaonon, Talaandig, Manobo, Matigsalug and Bukidnon composing almost 30% of the population of the province.

Senator Zubiri then asked why lumad killings have persisted, as he noted that Bukidnon has not been spared from the problem with IPs encamping in a rescue center in front of the provincial capitol of Bukidnon. Senator Legarda confirmed that there were indeed lumad killings, citing those that happened in Lianga, Surigao Del Sur last year, but she wondered what happened to the investigation conducted in Davao City. Stating that the lumad killings have rendered the children most vulnerable, she lamented the fact that there exists an innate discrimination of IPs, with children twice discriminated against: first, because they come from IP families and they reside in far-flung areas, they have the least access to basic social protection service; and second, because they live in strife-torn areas, they practically have no access to education and health care, and as a consequence, they are often victims of bullying and of the internal strife and war among the AFP, MILF, MNLF, Abu Sayyaf and or even the New People's Army. She believed that the peace efforts of the Duterte Administration would augur well for those in the rural areas, especially with the IPs. She added that cultural and political factors also contributed to the killings because they live in areas where tensions between the AFP and some insurgent forces are present.

Senator Zubiri agreed that there has been militarization of lumad communities that has forced them to take sides either with the military or with the insurgents which often resulted in their community suffering more. He agreed with Senator Legarda that lumad killings should stop and he hoped that

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the peace efforts between the insurgents and the government would result in the demilitarization of the luman communities and a long lasting solution for the different tribal communities to live harmoniously with each other would finally be found.

Relative thereto, Senator Zubiri mentioned the *Kaamulan* festival being celebrated in Bukidnon to re-enact the coming together of the seven tribes of the province which happened during martial law when President Marcos and Manuel Elizalde, who formed the organization PANAMIN, initiated the union of the seven tribes through a peace pact. He stressed that the *Kaamulan* festival should be re-enacted but it should already include not only the tribes in Bukidnon but also the lumads in Agusan, Surigao or North Cotabato where many of the IP communities have been militarized. He surmised that many of the lumads took up arms to survive the different struggles that they faced everyday, including hunger.

Asked to confirm the report of the Philippine Statistics Authority that provinces with high density population of IPs also have high hunger incidence, Senator Legarda answered in the affirmative, citing some of the provinces in Mindanao like Sarangani. Thus, she underscored the importance of crafting the General Appropriations Act (GAA) for 2017 in such a way that it is sensitive to the needs of the IPs, for instance, by affording the IPs access to education through the DepEd, and the conditional cash transfer (CCT) under the 4Ps through the DSWD. She recalled that some Manobos from Kidapawan, North Cotabato visited the Senate last year to complain that they were not afforded the services of the government, and when she confronted the concerned government agencies, the reason given was that they did not know how to locate the IP communities, some of which are located in secluded areas of the mountains. Thus, she suggested that the government hire extension workers who would locate IP communities and include them in government programs like the 4Ps, which, she recommended, must be specially designed to suit their needs because the current programs of the government have been based on the needs of the communities in rural and urban settings. For instance, she said that DepEd should set up schools whose requirements could be easily complied with by IP children and that teaching should be done using the indigenous language of the lumads. She stressed that such sensitivities must be considered in implementing government programs for the IPs.

For his part, Senator Zubiri concurred with the proposition of Senator Legarda that assistance to IPs should have a multi-sectoral and multi-agency approach even as he confirmed that Bukidnon is one of the provinces with high incidences of hunger. He explained that because of their traditions and beliefs, the lumads prefer living in the uplands where there is no irrigation; worse, some parts of the hinterland were damaged by forest and bush fires. He informed the Body that he and Senator Legarda have been trying to come up with a pro-active approach by designing the budget as a multi-agency convergence for poverty reduction among the IPs not only in Bukidnon but also in other provinces like Sarangani, Maguindanao, and Zamboanga del Norte. He lauded Senator Legarda for castigating the DENR for their lack of concern in their greening program, which should be coupled with agro-forestry. Aside from the DENR, he also suggested that the NCIP be given more importance by the national government agencies considering the fact that the Philippine Statistics Authority (PSA) has come up with a high poverty index of 70% for the IPs.

Senator Legarda affirmed that the IPs are considered the poorest of the poor and that the government should locate them so that the PSA could update their records and include them in their data base, particularly indigenous children who are not counted in the health or DSWD programs. She reiterated that the government should have extension programs in all agencies, for instance, in agriculture, to determine the location of the IPs so that they could avail of the basic services of the government.

Senator Zubiri stated that sometimes the government needs to take a step farther to do drastic measures to prevent poverty or to provide education, particularly among the IPs. He recalled his experience as a congressman, how frustrated he was in dealing with the elders of the tribes in Bukidnon who would argue with him when he would initiate better use of their ancestral lands in his efforts to eradicate poverty in Bukidnon.

Asked whether education could play a major role in uplifting the IPs from poverty, Senator Legarda answered in the affirmative, adding that access to education should be accompanied with open minds and hearts to understand the IPs' very rich culture and to benefit from it.

Senator Zubiri cited the schools for the IPs built by the DepEd in the hinterlands which cater to

primary and secondary level. He noted that the teachers were IPs themselves who teach using their mother tongue, thus enabling the children to absorb their lessons well. Asked whether there is a move to increase the budget of the IP schools, Senator Legarda answered in the affirmative, saying that the government just needs to know where the concentration of the IPs are to match the number of buildings to be constructed. She also asked the NCIP to gather data on the IP population, especially the children. She admitted that the real issue was how to develop programs for the IPs when the profiles of their communities are not known.

Senator Zubiri disclosed that the NCIP has requested a budget for the Philippine IP Ethnographic Survey for 2017 to know the location of the IPs. He said that the PSA could also help in the survey.

Senator Zubiri said that he shares his frustration of Senator Drilon as regards the neglect of the IPs by the NCIP even as he suggested that it should be pro-active in dealing with the IP communities.

Senator Zubiri said that Region X, for instance, has a master plan on how to support IP communities, how they can survive and how the government agencies can assist them, rather than the legislators trying to come up with a master plan for them. He recalled that during the budget hearing, the IPs were thanking him for his support in coming up with a master plan for IP communities in Bukidnon as they apparently do not have any. He said that he is one with the proposal of Senator Legarda to assist the children of indigenous communities and to generate a master plan for them considering that they cannot be on a hand-to-mouth existence all the time.

Senator Zubiri stated that there are several countries around the world where IP communities have been fully integrated in the mainstream society and have become the shakers and movers; they have masterfully come up with an efficient utilization of their resources which has become a tool to help them get out of poverty. He expressed hope that under the stewardship of Senator Legarda, the Chamber could come up with a long-term program for IP communities so that in 10 years they would no longer be the poorest of the poor but the movers and shakers of society.

INTERPELLATION OF SENATOR DRILON

Prefatorily, Senator Drilon placed on record his support for the IPs and the welfare of the IP

children. However, he said that he has issues and concerns with the NCIP, specifically about what happened to the Torrens title in Baguio which has been mangled by Certificates of Ancestral Domain Titles (CADTs), over such lands as the Mansion House and other real estate in Baguio. He said that he has been hearing about titles issued over government properties and over areas that have diminished forest cover. He requested Senator Legarda to include this issue of concern in the hearing of the committee to which the privilege speech would be referred. Senator Legarda stated that her privilege speech would be tackled in the Committee on Cultural Communities chaired by Senator Binay.

Senator Drilon also requested to include in the hearing the functions of the NCIP and the manner with which they have exercised their powers. He narrated how he worked hard to comply with the law insofar as the dam that was built in Iloilo was concerned, taking him three years to obtain free and informed prior consent to a project of national significance.

Senator Legarda stated that she agrees with Senator Drilon on two basic points: 1) the issue of overlapping titles; and 2) the stalling of projects of national significance. She said that the issue of overlapping titles has been deliberated in most hearing year in and year out. She disclosed that in a hearing with the NCIP, she emphasized that the agency's concern must not only be issues on certificates of ancestral domain titles (CADTs) or certificates of alienable land titles (CALTs) or titles over whatever part of the ancestral domain they claim as belonging to them pursuant to the IPRA, but also other matters that make health care and education accessible not only to the IPs in general but more particularly the indigenous children. She agreed that there was no reason why the Mansion House, a government property, should be issued a CADT.

Senator Legarda agreed that implementation of projects of national significance should not be an issue considering that the framers of the IPRA law did not intend to be a hurdle in the process for sustainable development. She said that similar to Senator Drilon's dam project in Iloilo, the hydro project in Antique has also not been fully operational because of the alleged presence of IPs in the area who, according to the project proponent, were not there in the beginning. She said that while there are issues on IPs, it should not cloud the need to recognize IPs especially indigenous children.

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INTERPELLATION OF SENATOR HONTIVEROS

At the outset, Senator Hontiveros commended Senator Legarda for her speech, saying that while she has heard many speeches on IPs in general, the speech that day was one of the rare times that brought out in public specific concerns on indigenous children. She noted that the discussion between Senator Drilon and Senators Legarda also had something to do with pending legislative efforts on the National Land Use Act to harmonize competing claims from various social reform measures such as the IPRA, Agrarian Reform Law.

Asked by Senator Honteviros on the initiatives which the government has undertaken on political participation, representation and leadership of IP children when they come of age, Senator Legarda admitted that while there are existing programs by various government departments, their effectiveness still need to be felt. For instance, on the use of the mother tongue as instituted by the DepEd, she emphasized the importance of the DILG and other government agencies coordinating with NCIP to find out how effective the program on indigenous families are. Also, she proposed the crafting of a budget that would be more responsive to the needs of the IPs. She expressed hope that the DOH budget could reach the 15 million IPs, particularly the six million indigenous children, so that they would have the same benefits enjoyed by every non-indigenous Filipino child.

As regards the 4Ps program of the DSWD, Senator Legarda said that while it recognizes indigenous families, the requirements are difficult to fulfill. She pointed out that to access the 4Ps, a child must attend regular school but since indigenous children live in remote places, they cannot go to school regularly; also, one must be compliant with reproductive health but since there are no rural health centers in mountainous ranges where the IPs are, it would be difficult for them to become members of the 4Ps, hence, there is a suggestion to tweak the compliance of 4Ps for indigenous families to make it more attuned to their culture.

Relative to basic health services, Senator Hontiveros recalled that in the first hearing of the committee with Secretary Rosell Ubial, one of the goals of the DOH as regards the Five-Year Strategic Plan is to fulfill Philippine health agenda within the framework of primary health care and to extend check-ups to

20 million poorest Filipinos, including the IPs and their children.

Asked what should be the main elements or characteristics of the basic health services that would create an impact on the health of indigenous children, Senator Legarda replied that the government should first locate the IPs, so that they would be included in the census data. Also, she suggested calling in DSWD outreach or extension workers to validate the number of indigenous families to be included in the 4Ps benefit coverage; accordingly, DOH may provide access to basic health services and provide a health care center with basic facilities in barangays or sitios that would teach basic hygiene and nutrition. For this purpose, she suggested that the DOH and the National Nutrition Council (NNC) design a special program for indigenous children. Senator Hontiveros said that a number of bills being heard by her committee are in partnership with the NNC, foremost of which was the First 1,000 Days Nutrition Program for children.

Senator Legarda added that subsequent to the mapping of the IPs' location and determining what crops and vegetables would grow best in their respective terrains, the NCIP and the PSA may establish health centers and, if possible, implement organic farming.

Senator Hontiveros agreed that the IPs in their ancestral domain are the most familiar as regards nutritious plant foods, aside from being custodians to a wide range of medicinal plants.

Senator Legarda believed that the DOH-Philippine Institute of Traditional and Alternative Health Care (PITAHC) which specializes on traditional, operative medicine may be tapped since the IPs have indigenous knowledge on preventive and curative herbs and plants, and that there is much to learn from them. She further suggested establishing such models of *gulayan* or herb farms in the areas of indigenous communities and teaching IP families and their children how to cultivate a small plot of land to make it sustainable for their families.

As regards basic health services, Senator Hontiveros added that with the leadership of the DOH, the role of indigenous healers in the community could be further explored by reinforcing health teams primarily deployed by DOH to serve the health needs of indigenous communities and learn

from their indigenous health practices and rituals passed on by their elders.

Thereupon, Senator Legarda requested the DOH to document the indigenous health practices and rituals of IPs so that aside from being passed on by elders and indigenous health practitioners, the government would likewise learn from them, but only if the IPs would allow it.

As regards the previous proposal to modify the basic CCT to make it more responsive and poverty-alleviating for indigenous families inasmuch as the current requirements have been difficult to fulfill, Senator Legarda said that it would be the NCIP and DSWD that could know what is best for the IPs and how they could be easily complied with. She suggested that the NCIP and the DSWD coordinate with each other for this purpose. She expressed willingness to include a special provision under the CCT program of the DSWD in the GAA so that the implementation of the 4Ps would have more inclusivity and cover more indigenous peoples.

On whether the IP Education Office and the Mother Tongue-Based Multilingual Education are sufficient not only to extend the alternative learning system of the DepEd to indigenous children but also to incorporate indigenous learning systems into the mainstream educational system, Senator Legarda replied that the use of the mother tongue for educational instruction was only being modeled but was not being implemented in all areas where there are indigenous peoples. However, she believed that the multi-language instruction for schools should not only be limited to IPs because there is so much to be learned from these communities. She stated that incorporating the study of different languages, of which there are about 180 in the Philippines, would be advantageous to establishing the nation's cultural identity as it would allow non-IPs to understand their indigenous brethren better.

Recalling how she was able to document indigenous agricultural and environmental practices in six state colleges and universities and in the Cordillera region, Senator Legarda expressed hope that other regional SUCs could also document indigenous health practices as proposed by Senator Hontiveros because these comprise the indigenous knowledge systems.

For her part, Senator Hontiveros believed that this information would be a valuable resource in forging policies for the indigenous peoples and their children.

Asked whether indigenous peacekeeping, peacemaking and peace building ways of the IPs ought to also be incorporated into the curriculum, Senator Legarda replied in the affirmative, adding that these should be documented by the SUCs. She suggested that SUCs in areas inhabited by IPs ought to help in documenting the health, peacekeeping, agricultural, environmental care practices of these indigenous peoples as these are tangible and intangible heritage for future generations.

In closing, Senator Hontiveros thanked Senator Legarda for highlighting the importance of a modified CCT particularly as the indigenous peoples and their children belong to the poorest among the poor in the Philippines. Senator Legarda believed that the plenary discussion would be a reminder for her to include these special provisions in the national budget.

REFERRAL OF SPEECH TO COMMITTEES

Upon motion of Senator Sotto, there being no objection, the privilege speech of Senator Legarda and the interpellations thereon were referred primarily to the Committee on Education, Arts and Culture, and secondarily to the Committee on Youth.

PROPOSED SENATE RESOLUTION NO. 205

With the permission of the Body, upon motion of Senator Sotto, the Body considered Proposed Senate Resolution No. 205, entitled

**RESOLUTION AUTHORIZING ALL
REGULAR STANDING COMMITTEES,
OVERSIGHT COMMITTEES AND
SPECIAL COMMITTEES OF THE
SENATE TO CONDUCT HEARINGS,
MEETINGS AND CONSULTATIONS
DURING THE RECESS OF THE 17TH
CONGRESS TO HAVE CONTINUITY
IN THE PROCESS OF PASSING PENDING
PROPOSED LEGISLATIONS
AND TO CONDUCT INVESTIGATIONS
ON ISSUES OF NATIONAL
INTERESTS TO AID IN CRAFTING
RELEVANT LEGISLATIONS.**

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

RS

**ADOPTION OF PROPOSED
SENATE RESOLUTION NO. 205**

Upon motion of Senator Sotto, there being no objection, Proposed Senate Resolution No. 205 was adopted by the Body, subject to style.

OVERSIGHT COMMITTEE MEMBERSHIP

Upon nomination by Senator Sotto, there being no objection, the following senators were elected to constitute the Senate panel in the Congressional Oversight Committee on the Overseas Voting Act of 2003 (pursuant to Section 25 of Republic Act No. 9189, the Overseas Voting Act of 2003):

Chairperson : Drilon

Members:

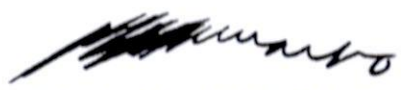
Pangilinan	Recto
De Lima	Escudero
Angara	Trillanes
Ejercito	

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 4:33 p.m.

I hereby certify to the correctness of the foregoing.


ATTY. LUTGARDO B. BARBO
Secretary of the Senate
L. P. Barbo

Approved on October 19, 2016