



REPUBLIC OF THE PHILIPPINES  
**Senate**  
Pasay City

# Journal

**SESSION NO. 8**  
Tuesday, August 6, 2019

**EIGHTEENTH CONGRESS**  
**FIRST REGULAR SESSION**

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Tuesday, August 6, 2019

**CALL TO ORDER**

At 3:00 p.m., the Senate President, Hon. Vicente C. Sotto III, called the session to order.

**PRAYER**

Sen. Richard J. Gordon led the prayer, to wit:

Lord, August is the eighth month of the year and is named after Augustus Caesar. To be august means to be respected and impressive, and, therefore, Lord, we ask that this Senate remains respected and impressive at all times.

But more than that, Lord, we ask for the discernment, *para makita po namin na tagos sa mga nangyayari sa aming kapaligiran ang kailangan naming gawin para sa aming bansa.*

*Nalula po kami noong nakita namin ang isang pamilya noong Abril 15, ang Canes family ng Mandaue, Cebu, naglalako ng kanilang mga damit kasama ang kanilang eight-year old son tapos biglang pinagbabaril at namatay.*

*Nalula po ako kaninang tanghali habang kumakain ako doon sa bahay*


*nang makita ko po na ang isang pamilya doon sa Parañaque ay pinagbabaril ang dalawang anak at asawa, at patay pong lahat.*

*Itong mga panahon na ito, we have to really look for Your guidance, Lord, on how we can address the problems of this country, and we address it by Your prayer taught to us by St. Francis of Assisi after whom our present Pope has named himself Francis, and he said:*

*Lord, make me an instrument  
of Your peace,  
where there is hatred, let me sow love;  
where there is injury, pardon;  
where there is doubt, faith;  
where there is despair, hope;  
where there is darkness, light;  
where there is sadness, joy.*

*O Divine Master,  
grant that I may not so much seek  
to be consoled as to console;  
to be understood as to understand;  
to be loved as to love.*

*For it is in giving that we receive;  
it is in pardoning that we are  
pardoned;  
and it is in dying that we are born  
to eternal life.*



**MANIFESTATION OF SENATOR GORDON**

Thereafter, Senator Gordon expressed his gratitude to the Body for the gift of friendship and for their birthday greetings for him and Senator Villanueva.

**ROLL CALL**

Upon direction of the Senate President, the Secretary of the Senate, Atty. Myra Marie D. Villarica, called the roll, to which the following senators responded:

Angara, S.	Marcos, I. R.
Binay, M. L. N. S.	Pacquiao, E. M. D.
Cayetano, P. S.	Pangilinan, F. N.
Dela Rosa, R. B. M.	Pimentel III, A. K.
Drilon, F. M.	Revilla, R. B.
Gatchalian, W.	Sotto III, V. C.
Go, C. L. T.	Tolentino, F. N.
Gordon, R. J.	Villanueva, J.
Hontiveros, R.	Villar, C.
Lacson, P. M.	Zubiri, J. M. F.
Lapid, M. L. M.	

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

Senators Poe and Recto arrived after the roll call.

Senator De Lima was unable to attend the session as she was under detention.

**ACKNOWLEDGMENT  
OF THE PRESENCE OF GUESTS**

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

- Department of Agrarian Reform Secretary John R. Castriciones, along with Undersecretary Paguio and Undersecretary Padilla;
- Mayor Samuel S. Co and Councilor Tyra Co of Pagadian City; and
- Representative Eduardo Gullas, Sr. and Mayor Gerald Anthony "Samsam" Gullas Jr. of Talisay, Cebu.

Senate President Sotto welcomed the guests to the Senate.

**APPROVAL OF THE JOURNAL**

Upon motion of Senator Zubiri, there being objection, the Body dispensed with the reading of the Journal of Session No. 7 (August 5, 2019) and considered it approved.

**REFERENCE OF BUSINESS**

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

**BILLS ON FIRST READING**

Senate Bill No. 501, entitled

AN ACT ADDRESSING THE SYSTEM OF PROSTITUTION, IMPOSING PENALTIES ON ITS PERPETRATORS, PROVIDING PROTECTIVE MEASURES AND SUPPORT SERVICES FOR ITS VICTIMS, REPEALING FOR THE PURPOSE ARTICLES 202 AND 341 OF THE PENAL CODE

Introduced by Senator Cayetano

**To the Committees on Justice and Human Rights; and Finance**

Senate Bill No. 502, entitled

AN ACT REQUIRING THE ISSUANCE OF EMPLOYMENT CERTIFICATION IN FAVOR OF RESIGNED, DISMISSED OR SEPARATED EMPLOYEES AND PROVIDING PENALTIES FOR VIOLATION THEREFOR, AMENDING FOR THIS PURPOSE THE LABOR CODE OF THE PHILIPPINES

Introduced by Senator Cayetano

**To the Committee on Labor, Employment and Human Resources Development**

Senate Bill No. 503, entitled

AN ACT MANDATING THE USE OF SURVEILLANCE CAMERAS FOR SECURITY, SAFETY, AND ACCOUNTABILITY IN GOVERNMENT OFFICES

*[Handwritten signature]*



Introduced by Senator Cayetano

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

Senate Bill No. 504, entitled

AN ACT RECOGNIZING THE CIVIL  
EFFECTS OF CHURCH ANNUL-  
MENT DECREE

Introduced by Senator Cayetano

**To the Committee on Women, Children,  
Family Relations and Gender Equality**

Senate Bill No. 505, entitled

AN ACT AMENDING EXECUTIVE ORDER  
NO. 209, OTHERWISE KNOWN AS  
THE FAMILY CODE OF THE  
PHILIPPINES AND FOR OTHER  
PURPOSES

Introduced by Senator Cayetano

**To the Committee on Women, Children,  
Family Relations and Gender Equality**

Senate Bill No. 506, entitled

AN ACT CREATING AND ESTABLISH-  
ING THE PHILIPPINE HIGH SCHOOL  
FOR SPORTS

Introduced by Senator Cayetano

**To the Committees on Basic Education,  
Arts and Culture; Sports; Ways and Means;  
and Finance**

Senate Bill No. 507, entitled

AN ACT EXEMPTING THE IMPORT-  
ATION OF CERTAIN MEDICINES  
FROM CUSTOMS DUTY AND  
VALUE-ADDED TAX

Introduced by Senator Cayetano

**To the Committee on Ways and Means**

Senate Bill No. 508, entitled

AN ACT EXEMPTING THE IMPORT-  
ATION OF MEDICAL DEVICES AND  
EQUIPMENT FROM CUSTOMS  
DUTY AND VALUE-ADDED TAX

Introduced by Senator Cayetano

**To the Committee on Ways and Means**

Senate Bill No. 509, entitled

AN ACT PROTECTING THE RIGHT OF  
ATHLETES TO REPRESENT THE  
PHILIPPINES AS PART OF THE  
NATIONAL TEAM AND PROVID-  
ING PENALTIES FOR VIOLATIONS  
THEREOF

Introduced by Senator Cayetano

**To the Committee on Sports**

Senate Bill No. 510, entitled

AN ACT INSTITUTING A NATIONAL  
LAND USE POLICY, PROVIDING  
THE IMPLEMENTING MECHAN-  
ISMS THEREFOR, AND FOR OTHER  
PURPOSES

Introduced by Senator Cayetano

**To the Committees on Environment and  
Natural Resources; Urban Planning, Housing  
and Resettlement; and Finance**

Senate Bill No. 511, entitled

AN ACT IMPLEMENTING THE RIGHT  
OF THE PEOPLE TO INFORMATION  
ON MATTERS OF PUBLIC CONCERN  
GUARANTEED UNDER THE 1987  
PHILIPPINE CONSTITUTION, AND  
FOR OTHER PURPOSES

Introduced by Senator Cayetano

**To the Committees on Public Information  
and Mass Media; and Civil Service, Govern-  
ment Reorganization and Professional Regula-  
tion**



*At this juncture, the session was suspended and was resumed shortly thereafter.*

Senate Bill No. 512, entitled

AN ACT PROVIDING FOR A MAGNA CARTA OF TRICYCLE DRIVERS AND OPERATORS, INSTITUTIONALIZING MECHANISMS FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES

Introduced by Senator Dela Rosa

**To the Committees on Public Services; and Local Government**

Senate Bill No. 513, entitled

AN ACT STRENGTHENING THE DRUG ABUSE PREVENTION, TREATMENT, AND REHABILITATION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 9165, OTHERWISE KNOWN AS "THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002" AS AMENDED, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Dela Rosa

**To the Committees on Public Order and Dangerous Drugs; Health and Demography; and Finance**

Senate Bill No. 514, entitled

AN ACT PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE NATIONAL POLICE AND FOR OTHER PURPOSES

Introduced by Senator Dela Rosa

**To the Committees on Public Order and Dangerous Drugs; Ways and Means; and Finance**

Senate Bill No. 515, entitled

AN ACT MODERNIZING THE CRIME INVESTIGATION TECHNIQUES OF LAW ENFORCEMENT AGENCIES AND FOR OTHER PURPOSES

Introduced by Senator Dela Rosa

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

Senate Bill No. 516, entitled

AN ACT DECLARING A NATIONAL PEACE POLICY THEREBY CREATING A COMMISSION ON PEACE

Introduced by Senator Dela Rosa

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

Senate Bill No. 517, entitled

AN ACT AMENDING REPUBLIC ACT NO. 7183 OTHERWISE KNOWN AS AN ACT REGULATING THE SALE, MANUFACTURE, DISTRIBUTION AND USE OF FIRECRACKERS AND OTHER PYROTECHNIC DEVICES AND FOR OTHER PURPOSES

Introduced by Senator Dela Rosa

**To the Committees on Public Order and Dangerous Drugs; and Trade, Commerce and Entrepreneurship**

Senate Bill No. 518, entitled

AN ACT MANDATING LAW ENFORCEMENT PERSONNEL TO WEAR A BODY CAMERA DURING LAW ENFORCEMENT AND SPECIAL POLICE OPERATIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Dela Rosa

**To the Committees on Public Order and Dangerous Drugs; and Finance**

Senate Bill No. 519, entitled

AN ACT INSTITUTING REFORMS IN REAL PROPERTY VALUATION IN

THE PHILIPPINES, ESTABLISHING  
THE NATIONAL VALUATION  
AUTHORITY AND APPROPRIAT-  
ING FUNDS THEREFOR

Introduced by Senator Zubiri

**To the Committees on Ways and Means;  
Local Government; and Finance**

Senate Bill No. 520, entitled

AN ACT PROHIBITING THE USE OF  
PYRAMID SCHEMES OR CHAIN  
DISTRIBUTION PLANS IN DOING  
BUSINESS AND PROVIDING PENAL-  
TIES THEREFOR AND FOR OTHER  
PURPOSES

Introduced by Senator Zubiri

**To the Committees on Trade, Commerce  
and Entrepreneurship; and Finance**

Senate Bill No. 521, entitled

AN ACT CONVERTING THE DON  
CARLOS POLYTECHNIC COLLEGE  
INTO A STATE COLLEGE TO BE  
KNOWN AS DON CARLOS POLY-  
TECHNIC STATE COLLEGE

Introduced by Senator Zubiri

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

Senate Bill No. 522, entitled

AN ACT ESTABLISHING A CENTER  
FOR AUTISM AND FOR OTHER  
PURPOSES

Introduced by Senator Zubiri

**To the Committees on Health and Demo-  
graphy; Women, Children, Family Relations  
and Gender Equality; and Finance**

Senate Bill No. 523, entitled

AN ACT PROVIDING FOR A SYSTEM OF  
REDISTRIBUTING AND RECYCL-

ING FOOD WASTE TO PROMOTE  
FOOD SECURITY

Introduced by Senator Zubiri

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

Senate Bill No. 524, entitled

AN ACT INSTITUTIONALIZING THE  
BAMBOO INDUSTRY DEVELOP-  
MENT IN THE PHILIPPINES, CREAT-  
ING THE BAMBOO INDUSTRY  
RESEARCH AND DEVELOPMENT  
CENTER (BIRDC), APPROPRIATING  
FUNDS THEREFOR, AND FOR  
OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committees on Trade, Commerce  
and Entrepreneurship; Ways and Means; and  
Finance**

Senate Bill No. 525, entitled

AN ACT BANNING THE CATCHING,  
SALE, PURCHASE, POSSESSION,  
TRANSPORTATION, IMPORTATION,  
AND EXPORTATION OF ALL  
SHARKS AND RAYS OR ANY PART  
THEREOF IN THE COUNTRY

Introduced by Senator Zubiri

**To the Committees on Agriculture and  
Food; and Environment and Natural Resources**

Senate Bill No. 526, entitled

AN ACT TO DEVELOP THE RUBBER  
INDUSTRY, ESTABLISHING FOR  
THE PURPOSE THE PHILIPPINE  
RUBBER INDUSTRY DEVELOPMENT  
BOARD, DEFINING ITS POWERS  
AND FUNCTIONS AND APPRO-  
PRIATING FUNDS THEREFOR

Introduced by Senator Zubiri

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

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Senate Bill No. 527, entitled

AN ACT PROVIDING FOR THE ISSUANCE OF A LIST OF LOW-LYING AREAS OF THE PHILIPPINE TERRITORY VULNERABLE TO RISING SEA LEVELS AS A RESULT OF CLIMATE CHANGE, AND AREAS AT HIGH RISK FOR NATURAL DISASTERS, MANDATING THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, DEPARTMENT OF SCIENCE AND TECHNOLOGY, CLIMATE CHANGE COMMISSION AND OTHER CONCERNED GOVERNMENT AGENCIES FOR ITS REGULAR UPDATING AND APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committees on Environment and Natural Resources; Science and Technology; and Finance**

Senate Bill No. 528, entitled

AN ACT ESTABLISHING THE PHILIPPINE LEGISLATIVE ACADEMY, DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committees on Accounts; Ways and Means; and Finance**

Senate Bill No. 529, entitled

AN ACT AMENDING COMMONWEALTH ACT NO. 473, OTHERWISE KNOWN AS THE "REVISED NATURALIZATION LAW" AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committee on Justice and Human Rights**

Senate Bill No. 530, entitled

AN ACT PROVIDING FOR A MAGNA

**CARTA FOR STUDENTS' RIGHTS AND WELFARE**

Introduced by Senator Zubiri

**To the Committees on Basic Education, Arts and Culture; and Higher, Technical and Vocational Education**

Senate Bill No. 531, entitled

AN ACT FURTHER AMENDING COMMONWEALTH ACT NO. 146 OTHERWISE KNOWN AS THE PUBLIC SERVICE ACT, AS AMENDED

Introduced by Senator Zubiri

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

Senate Bill No. 532, entitled

AN ACT MANDATING SHIPOWNERS, SHIP CREW, AND CONCERNED GOVERNMENT AGENCIES TO PROVIDE FOR AND ENSURE THE SAFETY OF PASSENGERS AT SEA, PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committee on Public Services**

Senate Bill No. 533, entitled

AN ACT ENCOURAGING VOLUNTEERISM DURING EMERGENCIES BY PROTECTING VOLUNTEERS FROM LIABILITY

Introduced by Senator Zubiri

**To the Committees on Social Justice, Welfare and Rural Development; and Justice and Human Rights**

Senate Bill No. 534, entitled

AN ACT PROVIDING FOR THE PROTECTION OF FINANCIAL CONSUMERS AND FOR OTHER PURPOSES

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Introduced by Senator Zubiri

**To the Committees on Banks, Financial Institutions and Currencies; and Trade, Commerce and Entrepreneurship**

Senate Bill No. 535, entitled

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

Introduced by Senator Zubiri

**To the Committee on Ways and Means**

Senate Bill No. 536, entitled

AN ACT REPEALING REPUBLIC ACT NO. 10912, OTHERWISE KNOWN AS THE "CONTINUING PROFESSIONAL DEVELOPMENT ACT OF 2016"

Introduced by Senator Zubiri

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

Senate Bill No. 537, entitled

AN ACT CLASSIFYING THE SALE OR IMPORTATION OF PETROLEUM PRODUCTS AND RAW MATERIALS IN THE MANUFACTURE THEREOF AS VALUE-ADDED TAX EXEMPT TRANSACTIONS, AMENDING FOR THE PURPOSE SECTION 109 (1) OF THE NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED, AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committee on Ways and Means**

Senate Bill No. 538, entitled

AN ACT PROVIDING INCENTIVES FOR THE MANUFACTURE, ASSEMBLY, CONVERSION AND IMPORTATION

OF GREEN VEHICLES, AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

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

Senate Bill No. 539, entitled

AN ACT EXEMPTING GOVERNMENT OFFICIALS AND EMPLOYEES FROM THE PROHIBITION AGAINST DISCLOSURE OF OR INQUIRY INTO DEPOSITS WITH ANY BANKING INSTITUTION, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 1405, OTHERWISE KNOWN AS THE "SECRECY OF BANK DEPOSITS LAW"

Introduced by Senator Zubiri

**To the Committee on Banks, Financial Institutions and Currencies**

Senate Bill No. 540, entitled

AN ACT INSTITUTING INCLUSIVE EDUCATION THROUGH THE ESTABLISHMENT OF INCLUSIVE EDUCATION LEARNING RESOURCE CENTERS FOR CHILDREN AND YOUTH WITH SPECIAL NEEDS IN ALL PUBLIC SCHOOLS DIVISION, PROVIDING FOR STANDARDS AND GUIDELINES, AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Zubiri

**To the Committees on Basic Education, Arts and Culture; and Women, Children, Family Relations and Gender Equality; and Finance**

Senate Bill No. 541, entitled

AN ACT REGULATING ELECTRONIC CIGARETTES

Introduced by Senator Zubiri

**To the Committees on Health and Demography; and Trade, Commerce and Entrepreneurship**

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Senate Bill No. 542, entitled

AN ACT INCREASING THE POSITIONS RESERVED FOR PERSONS WITH DISABILITIES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7277, AS AMENDED, OTHERWISE KNOWN AS THE MAGNA CARTA FOR DISABLED PERSONS

Introduced by Senator Zubiri

**To the Committees on Social Justice, Welfare and Rural Development; Labor, Employment and Human Resources Development; and Finance**

Senate Bill No. 543, entitled

AN ACT ESTABLISHING QUALITY STANDARDS FOR MINERAL, CARBONATED AND OTHER BOTTLED WATER

Introduced by Senator Zubiri

**To the Committees on Health and Demography; Trade, Commerce and Entrepreneurship; and Finance**

Senate Bill No. 544, entitled

AN ACT CREATING THE METRO BATAAN DEVELOPMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committees on Government Corporations and Public Enterprises; Economic Affairs; and Finance**

Senate Bill No. 545, entitled

AN ACT SYNCHRONIZING THE OPENING OF ALL CLASSES IN ALL SCHOOLS IN THE PHILIPPINES

Introduced by Senator Zubiri

**To the Committees on Basic Education, Arts and Culture; and Higher, Technical and Vocational Education**

Senate Bill No. 546, entitled

AN ACT PROHIBITING MERCHANDISING STORES AND SERVICE ESTABLISHMENTS FROM CHARGING MORE THAN THE CASH RETAIL PRICE OF GOODS AND SERVICES PURCHASED WITH CREDIT CARDS AND PRESCRIBING PENALTIES FOR ANY VIOLATION THEREOF

Introduced by Senator Zubiri

**To the Committees on Trade, Commerce and Entrepreneurship; and Banks, Financial Institutions and Currencies**

Senate Bill No. 547, entitled

AN ACT ESTABLISHING ROAD SAFETY CURRICULUM, CAMPAIGN AND TRAINING, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Introduced by Senator Zubiri

**To the Committees on Basic Education, Arts and Culture; Public Services; and Finance**

Senate Bill No. 548, entitled

AN ACT TO PROMOTE THE PRODUCTION, PROCESSING, MARKETING AND DISTRIBUTION OF PHILIPPINE MANGOES PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Introduced by Senator Lapid

**To the Committees on Agriculture and Food; Trade, Commerce and Entrepreneurship; and Finance**

Senate Bill No. 549, entitled

AN ACT PROVIDING THE ENABLING MECHANISMS FOR RESEARCH AND DEVELOPMENT (R&D) OF COCONUT SUGAR IN THE COUNTRY, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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Introduced by Senator Lapid

**To the Committees on Agriculture and Food; Science and Technology; and Finance**

Senate Bill No. 550, entitled

AN ACT ESTABLISHING A SECURITIES AND EXCHANGE COMMISSION (SEC) OFFICE IN KORONADAL CITY AND APPROPRIATING FUNDS THEREFOR

Introduced by Senator Pacquiao

**To the Committees on Banks, Financial Institutions and Currencies; and Finance**

**RESOLUTIONS**

Proposed Senate Resolution No. 67, entitled

RESOLUTION DIRECTING THE COMMITTEE ON LABOR, EMPLOYMENT AND HUMAN RESOURCES DEVELOPMENT AND OTHER APPROPRIATE SENATE COMMITTEE TO INQUIRE AND REVIEW, IN AID OF LEGISLATION, THE POLICY, MANDATES, MEASURES ADOPTED AND COORDINATION OF CONCERNED GOVERNMENT AGENCIES TO ADDRESS THE INFLUX OF ILLEGAL FOREIGN WORKERS, ESPECIALLY IN PHILIPPINE OFFSHORE GAMING OPERATORS (POGOs), AND ENSURE THE COUNTRY BENEFITS FROM POGO AND RELATED ACTIVITIES OR SERVICES

Introduced by Senator Villanueva

**To the Committees on Labor, Employment and Human Resources Development; Justice and Human Rights; and Ways and Means**

Proposed Senate Resolution No. 68, entitled

RESOLUTION DIRECTING THE COMMITTEE ON HIGHER, TECHNICAL AND VOCATIONAL EDUCATION, COMMITTEE ON BASIC EDUCATION, ARTS AND CULTURE, AND

OTHER APPROPRIATE SENATE COMMITTEES TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE STATUS OF THE IMPLEMENTATION OF REPUBLIC ACT NO. 10968 OTHERWISE KNOWN AS THE PHILIPPINE QUALIFICATIONS FRAMEWORK ACT

Introduced by Senator Villanueva

**To the Committees on Higher, Technical and Vocational Education; and Basic Education, Arts and Culture**

Proposed Senate Resolution No. 69, entitled

RESOLUTION URGING THE SENATE COMMITTEES ON PUBLIC SERVICES AND FINANCE TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE REPORTED UNDERUTILIZATION OF THE BUDGET FOR FLOOD CONTROL PROJECTS BY THE METROPOLITAN MANILA DEVELOPMENT AUTHORITY (MMDA), WITH THE END IN VIEW OF EFFICIENT UTILIZATION OF GOVERNMENT'S RESOURCES FOR URGENT AND IMPORTANT PROJECTS

Introduced by Senator Revilla, Jr.

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

Proposed Senate Resolution No. 70, entitled

A RESOLUTION URGING THE SENATE COMMITTEE ON AGRICULTURE AND FOOD TO CONDUCT AN INQUIRY ON THE STATUS AND PROGRESS OF THE IMPLEMENTATION OF RA 11203 OR THE RICE TARIFFICATION LAW, PARTICULARLY WITH RESPECT TO ITS IMPACT ON RICE FARMERS AND THE AGRICULTURAL SECTOR, WITH THE END IN VIEW OF CRAFTING LEGISLATION TO ENSURE THE PROTECTION OF OUR DOMESTIC PRODUCERS AND AGRICULTURAL SECTOR

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Introduced by Senator Hontiveros

**To the Committee on Agriculture and Food**

Proposed Senate Resolution No. 71, entitled

RESOLUTION DIRECTING THE SENATE COMMITTEE ON YOUTH TO CONDUCT AN INQUIRY IN AID OF LEGISLATION ON THE IMPLEMENTATION OF REPUBLIC ACT NO. 10742 OR THE SANGGUNIANG KABATAAN (SK) REFORM ACT OF 2015 IN ORDER TO DETERMINE THE SUPPLEMENTARY STEPS TO FURTHER STRENGTHEN YOUTH REPRESENTATION IN THE COUNTRY

Introduced by Senator Angara

**To the Committees on Youth; and Local Government**

**ACKNOWLEDGMENT  
OF THE PRESENCE OF GUEST**

At this juncture, Senator Zubiri acknowledged the presence in the gallery of Regional Director Naravi Daguiapan Bidea of Region XII, guest of Senator Pacquiao.

**PRIVILEGE SPEECH OF SENATOR CAYETANO**

Availing herself of the privilege hour, Senator Cayetano stated that in her 12 years in the Senate, she never missed to deliver a speech on breastfeeding to celebrate Breastfeeding Awareness every August, because she is the author of the Expanded Breastfeeding Law together with the late Sen. Edgardo Angara.

As to why there is a need to promote breastfeeding, which is a natural and biological function of every mother, she cited as reason the fact that over the decades the breastfeeding culture especially among working mothers, has been lost and there has been a spread of misinformation on breastmilk alternatives that resulted in sicknesses and deaths among infants.

Historically, Senator Cayetano said that from the time of the Industrial Revolution, there was a major shift in a traditional woman's life as women left their homes to join the workforce, and the long hours of work that they spent meant their separation from

their children, thus interfering with their breastfeeding that resulted in countless sicknesses and deaths among babies. She said that since there were no studies to tell mothers which would be the acceptable alternative to breastmilk, formula milk was invented and later on seen as a suitable alternative to breastmilk; in fact, as the demand of working mothers grew, formula milk became very lucrative and was even touted as the best food to make babies grow stronger, taller and smarter, a claim that has been proven wrong over the decades, because no formula or milk substitute could provide the nutrients or immunological benefits that a mother's milk or breastmilk could give.

Senator Cayetano lamented that the commercial advertisements promoting formula milk led many mothers to believe that formula milk could make babies healthier—a misconception that mostly affected the poorest of the poor because they were not aware of the prescribed manner of using formula milk; instead, they diluted it with more water causing their babies to be malnourished. She added that during times of disaster, some babies even got diarrhea or died when formula milk was made available because there was no access to clean water. This circumstance, she said, led to the passage of Executive Order No. 51 which regulated the promotion and advertising of breast milk substitutes.

Senator Cayetano then shared her experience as a working mother breastfeeding her children. She narrated the invaluable assistance that her mother extended to her while she was in her breastfeeding journey. She admitted that it was not an easy experience because she was a working mother who had to stay up all night; in fact, she cried for the first two months of breastfeeding her baby as she did not have enough supply of breastmilk and was in pain. She even recalled that when she went to work, she would carry a bag that looked like a briefcase but actually contained a breast pump. She said that her third child, Gabriel, was born with a cleft lip and palate and many other conditions brought about Trisomy 13. Since he could not suck well, she said that he was breastfed through a tube that went all the way down his stomach.

Senator Cayetano revealed that when she became a senator, she was approached by many advocacy groups asking for help in promoting breastfeeding. This, she said, gave her the opportunity to work with the late Sen. Edgardo Angara in sponsoring the





“Expanded Breastfeeding Promotion Act of 2009” (Republic Act No. 10028), which requires the setting up of lactation stations in workplaces and other places frequented by women like SM and other malls. Likewise, she stated that the law also requires doctors and health workers to talk about breastfeeding amid complaints from mothers that their doctors never talked about breastfeeding with them.

She hoped that a lot has been achieved since the passage of Republic Act No. 10028 as it was also included in the school curriculum to promote breastfeeding culture and education. To complement the law and to ensure its implementation, she stated that she communicated with health workers and mothers, visited hospitals, and encouraged LGUs to put up milk banks.

She said that if Senator Gordon is a proponent of bloodletting, she is a proponent of milk-letting.

Similar to bloodletting, Senator Cayetano stated that a milk-letting activity invites lactating mothers to voluntarily donate their breastmilk to be stored in milk banks. She said that the recently enacted Maternity Leave Law complements the breastfeeding laws since one big deterrent to continue breastfeeding is the separation of mothers from their children when they go to work. Thereupon, she reminded the men with lactating women in their work force to support and allow these women 40 minutes of lactation break in a workday.

She also took pride of the breastfeeding/lactation center that she launched in the Senate during her previous term and she asked the Secretariat to put up a proper signage to present the Senate as a breastfeeding-friendly institution. Relatedly, she mentioned that she also had the privilege of setting up a lactation center in the House of Representatives.

Subsequently, she enjoined the DOH to ensure that the health sector (hospitals, health institutions and industries that manufacture and distribute milk formula) are compliant with the law; the DOLE, to ensure that private companies follow the requirement that lactation stations are set up within their offices; and the CSC, to ensure that all government agencies are compliant with the law.

To further set up the environment for successful breastfeeding, Senator Cayetano advised the employers to be mindful of the lactation station's

distance from their offices as going there would already use up few minutes of a nursing mother's lactation break.

As she echoed Senator Gordon's statement that breastfeeding must also be present in disaster risk situations and in evacuation stations, she called the attention of LGUs to be compliant with the law by supporting and providing assistance to breastfeeding mothers and other family needs.

## REMARKS OF THE CHAIR

Senate President Sotto confirmed that Senator Cayetano has been delivering her speeches on breastfeeding for so many years and that, in fact, there was even a time that he interpellated her. Thereafter, he expressed support for Senator Cayetano's initiative to promote breastfeeding in the country.

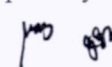
## MANIFESTATION OF SENATOR POE

Senator Poe thanked Senator Cayetano for bringing up the topic of breastfeeding as it would encourage women in the Senate to take advantage of and benefit from the lactation room set up for nursing mothers. She also reminded the Body and the public that a new law—Republic Act No. 11311 which was signed by President Duterte—requires all land transportation terminals to have a breastfeeding station.

She believed that the study on the health benefits of breastfeeding is not a myth, citing her mother who was breastfed until she was two years, and who, now in her golden years, is still very strong, mentally sharp, and healthy. She agreed that breastfeeding should be encouraged among women and that men should likewise encourage their wives or partners to breastfeed their babies.

Senator Cayetano pointed out that the breastfeeding culture actually complements Senator Poe's advocacy on child feeding programs. Accordingly, she reminded the LGUs that the most important thing to do in times of disaster is to feed pregnant and lactating mothers, so they could breastfeed their babies.

Senator Poe recalled that she took *malunggay* tablets to induce milk production and fitness when she was breastfeeding. Senator Cayetano agreed that it would induce more milk and capability for mothers.





## MANIFESTATION OF SENATOR HONTIVEROS

Senator Hontiveros pointed out that one of the main justifications of the Expanded Maternity Leave Law is to give more time for mothers to fully and exclusively breastfeed their infants for the first six months of life. Additionally, she stated that the "Safe Spaces Act" imposes a qualified offense, or a higher offense requiring higher penalties to anyone who would mock or catcall a mother in the act of breastfeeding her child. She said that the law would encourage and make customary public breastfeeding anywhere else in the country as mothers should not be shamed for breastfeeding.

Senator Cayetano recalled that when Congress passed a law putting up lactation stations in public places, there was a report about a mall security guard who accosted a mother for breastfeeding in public because to his understanding, one must only breastfeed inside the lactation room. She lamented that while the mockery was unintentional, there was misunderstanding of the law.

She thanked Senator Hontiveros for raising a related provision of law because she also wanted to ensure that the breastfeeding culture would continue and allow mothers to breastfeed anywhere.

## INTERPELLATION OF SENATOR PANGILINAN

Preliminarily, Senator Pangilinan recalled Senator Cayetano's spirited defense of the breastfeeding measure which was passed in 2009 amid the strong lobby against it by advocates of formula milk as well as those in the formula milk industry. Senator Cayetano explained that her call for the full implementation of the law includes the continued vigilance of the Department of Health (DOH) about the compliance with the law and its regulations.

On the observation that formula milk constitutes one of the major expenses of families with infants, Senator Cayetano said that she had informed the public many times that the price of a can of milk is approximately half the amount of a minimum wage compared to free breast milk. Unfortunately, she lamented, many people are misinformed that they need to spend money on what a mother can provide for free. She underscored the importance of feeding the mother properly, which should be included in a family's budget.

Senator Cayetano agreed with Senator Pangilinan that the formula milk industry is a multi-billion industry which spends a lot in advertisements that give the impression that formula-fed babies are smarter and grow faster.

Senator Pangilinan expressed concern over the billions of pesos spent for formula milk annually when all that is needed is to provide the breastfeeding mothers with proper nutrition, love and care from their partners so that they are not subjected to stress which affects the milk supply. He said that it is critical to establish a stable milk supply in the first three weeks after the infant's birth since mother's milk is definitely more beneficial than formula milk.

Senator Cayetano believed that the DOH should not take the matter lightly amid data showing that Filipino mothers are not exclusively breastfeeding their babies within the recommended length of time of six months to two years; rather, they only do so for about a month and a half or 42 days. She stressed that the six-month period is vital for proper infant nutrition.

Senator Cayetano also agreed with Senator Hontiveros' observation that a main deterrent to continuous breastfeeding is the fact that mothers have to return to work soon after giving birth. As such, she said that the extension of the maternal leave to 105 days would be a big help to working mothers. However, she believed that there is a need to determine the reason why even non-working mothers in the barrios breastfeed their babies for only 42 days only.

## REFERRAL OF SPEECH TO COMMITTEE

Upon motion of Senator Zubiri, there being no objection, the Chair referred the privilege speech of Senator Cayetano and the interpellation thereon to the Committee on Health and Demography.

## PRIVILEGE SPEECH OF SENATOR PACQUIAO

Availing himself of the privilege hour, Senator Pacquiao called on the Body, especially the Committee on Justice and Human Rights, to prioritize the measures seeking to restore the death penalty particularly amid the alarming rise in drug-related cases.

*Handwritten signature/initials*



*The full text of his speech follows:*

My fellow legislators, as I rise on a matter of personal and collective privilege on matters of public concern, I would like to express my gratitude for the opportunity to work with all of you.

Our collective mission is to serve our people and protect our country.

During the 17<sup>th</sup> Congress, I filed Senate Bill No. 185: "An Act To Impose The Death Penalty And Increased Penalties On Certain Heinous Crimes Involving Dangerous Drugs, Amending For That Purpose Other Special Penal Laws, And For Other Purposes."

On August 8, 2016, I delivered my first privilege speech calling for the restoration of the death penalty. The debates on the committee level did not take off because of various factors.

This 18<sup>th</sup> Congress, I filed Senate Bill No. 189: "An Act Imposing Death Penalty And Increased Penalties On Certain Heinous Crimes Which Involves Manufacturing And Trafficking Of Dangerous Drugs, Amending For The Purpose Other Special Penal Laws, And For Other Purposes."

I am one with Sen. Ping Lacson, Sen. Bong Go, and Sen. Ronald Dela Rosa, in calling for the reimposition of death penalty as expressed in the bills that we have respectively filed.

I firmly believe that the government has been given the authority to rule over our people. As a Christian, I subscribe to what the Bible says about "submission to governing authorities."

I can cite Bible verses to support my stand, but let me make this very clear: the focus of our debate on the reimposition of death penalty should be on the basis of its constitutionality.

Let me reiterate the lines from the speech of Sen. Arturo Tolentino on February 2, 1993: "It is my purpose to discuss the question of imposing the death penalty *not on general principle, not under Divine Law or religious dogma, not under moral or philosophical considerations, but simply and specifically in the light of the Constitution.*"

*Kaya ang tanong: Naaayon ba sa Konstitusyon ang muling pagpataw ng parusang kamatayan?*

The 1987 Constitution never abolished the death penalty. *Kung babalikan natin ang naging deliberasyon ng mga miyembro ng 1986 Constitutional Commission, malinaw ang kanilang naging consensus: ipaubaya na*

*lamang sa lehislatura ang desisyon kung pahihintulutan o ipagbabawal ang pagpataw ng parusang kamatayan.*

Our prevailing Constitution reserved the imposition of the capital punishment for offenses so abhorrent to orderly society. This means after the requirements of due trial and exhaustive review are complied with, death penalty may be imposed by the authority with jurisdiction on certain offenses which, based on good faith and best judgment of Congress had qualified as heinous crimes. Thus, Section 19, Article III of the 1987 Constitution now reads: "Excessive fines shall not be imposed, nor cruel degrading or inhuman punishment inflicted. Neither shall death penalty be imposed, unless, for compelling reasons involving heinous crimes the Congress hereafter provides for it."

At this point, let us examine the meaning of the qualifier used by our forefathers: *heinous*. The word is taken from the old French word "*haine*" which means "hatred." Through times, it was used to define things and circumstances that are abominable or totally reprehensible. *Heinous. Kasuklam-suklam.*

Section 19, Article III of the Constitution was crafted in such a way that the Commissioners did not completely foreclose the possibility that the needs of the time may change and may warrant the imposition of the capital punishment. In our forefathers' mind, "the temper and condition of the times change." Hence, they left it to us — the elected representatives of the people in Congress — to assess our current situation and determine whether we find compelling reasons to reinstate the death penalty to protect and preserve our nation.

"Heinous" crimes have already been defined and identified under Republic Act No. 7659 or "An Act to Impose Death Penalty on Certain Heinous Crimes," which was enacted on December 13, 1993. As provided in its *whereas clause*, "The crimes punishable by death under this Act are heinous for being grievous, odious and hateful offenses and which, by reason of their inherent or manifest wickedness, viciousness, atrocity and perversity are repugnant and outrageous to the common standards and norms of decency and morality in a just, civilized and ordered society."

The same law, as amended by RA 9165 or the Comprehensive Dangerous Drugs Act, established that certain drug-related crimes which include the manufacturing and trafficking of dangerous drugs are heinous crimes.

*JP 88*



News reports about the increase of illegal drugs and crimes that were triggered by drug use are alarming.

*At this juncture, a video featuring news clips of shabu shipments and drug-related crimes was presented before the Body.*

Illegal drugs are destroying the lives of our people. The organized international drug syndicates are more aggressive than ever. Should we just allow them to keep doing what they are doing? *Tapos ano? Hayaan na lang nating patuloy tayong malusutan ng mga sindikato?*

The government has put an effort to eradicate the country of shabu by dismantling shabu laboratories across the land. However, shabu manufacturers have come up with ideas to avoid getting caught just like the floating shabu laboratories of the Chinese.

Despite efforts in dismantling the shabu laboratories within the country, South East Asia, including the Philippines, has been the fastest growing shabu market in the world. In the Philippines alone, billions worth of shabu has been confiscated in relation to the anti-drug war of the government. Despite efforts of eradicating our country of this poison, the first quarter of 2019 has the all-time high record of shabu that was seized by authorities.

It is alarming to note that most of the supply of shabu in the Philippines is being facilitated by transnational drug syndicates. Drug-trafficking is well-organized. Aggressive are the international criminal organizations and drug cartels. In fact, there are more foreign nationals than local Filipinos who audaciously smuggled illegal drugs into our borders.

Most of these foreign nationals come from countries that impose death penalty from drug offenses: China, Taiwan, South Korea, India, USA, Indonesia, Malaysia and Singapore.

In the ASEAN region, only the Philippines, Cambodia and Timor Leste do not have death penalty for drug trafficking. Our strategic location as gateway for transnational transactions and our lenient penal system towards drug-trafficking have made our country a safe place for the syndicates' highly profitable drug business.

Drug problem has two faces: first, users who are addicted to drugs; and second, the money-makers — the drug lords, manufacturers, pushers, and protectors who are addicted to money. *Ang mga drug traffickers ay gahaman sa pera at wala silang pakialam kung masira ang kinabukasan ng kanilang mga nabibiktima. Basta ang*

*mahalaga, dumami ang kanilang pera. More drugs, more money.*

It is clear that these criminal organizations and their cohorts cannot be deterred by the present war on drugs nor can they be reformed even if they are already inside the detention facilities. It is high time for the State to step up its game and put these criminals to death through judicial sanction.

This death penalty is a self-defense of the State to protect its people against the destruction of lives and properties brought by drug-related crimes that undermine the Filipinos' faith in the government's ability to maintain peace and order in the country and affect our economic development and prosperity. The State, based on the right to protect as an act of self-defense for society, has the right to take away the life of an individual.

In the case of *People of the Philippines vs. Carillo*, the Supreme Court said: "When a person has proved himself to be a dangerous enemy of the society, the latter must protect itself from such enemy by taking his life in retribution for his offense and as an example and warning to others."

Let me echo the philosophy of the late Prime Minister Lee Kuan Yew, who is one of my favorite presidents, when he strictly implemented criminal legislation in Singapore, and I quote: "In criminal law legislation, our priority is the security and well-being of law-abiding citizens rather than the rights of the criminal to be protected from incriminating evidence."

We can learn a lot from Singapore. Political will to protect the law-abiding citizens and discipline were the formula of Lee Kuan Yew that brought progress to his country.

*Tahanan natin ang Pilipinas. Mga kapwa kong senador, responsibilidad natin na panatilihin itong maayos, malinis at ligtas para sa bawat mamamayan. Sinuman ang may mga masasamang hangarin sa ating tahanan ay dapat lamang managot.*

Drug syndicates are composed of exceptional criminals who cannot be reformed anymore. They are not scared of governments. They are not scared of punishments. For them, the threat of punishment is less important than the motivation of monetary gain. *Hindi sila nata-takot, kahit ano pang parusa diyan, pero pagka nasampolan siguro natin ng death penalty, nakatitiyak ako na magkakaroon sila ng takot.* The primary motivation of these criminals is to make more money at the expense of the society.

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*Dahil ba magaling silang lumusot, hahayaan na lang ba natin na ganoon na lang sila—lasunin ang lipunan at sirain ang ating tahanan?*

We are not giving up the war on drugs because we cannot allow the drug syndicates and the drug lords to reign over our land. This is our land, and we have the obligation to protect our people within the bounds of the Supreme Law of the land, our Constitution.

I am expecting the varied reactions of our colleagues on the arguments I presented. I am anticipating the lengthy discussions and passionate debates regarding the constitutionality of the restoration of death penalty. With this, I urge the Committee on Justice and Human Rights to prioritize the committee hearings on this matter.

## INTERPELLATION OF SENATOR DRILON

At the outset, Senator Drilon congratulated Senator Pacquiao for once again bringing the very sensitive issue of death penalty on the floor.

Asked by Senator Drilon if he would agree that death, when imposed, is irreversible, Senator Pacquiao replied in the affirmative.

Senator Drilon pointed out that death penalty is a system worked out and imposed by judges and justices, men and women of great knowledge who, human beings themselves, are fallible and can commit mistakes. Senator Pacquiao agreed, but he stressed the importance of trust in the authorities and in government.

Senator Drilon said that there is no question about trust—trust in the authorities, trust that Senator Pacquiao is pushing for death penalty in good faith, and trust that their colleagues would decide in accordance with their conscience. However, he reiterated that human beings are fallible and can commit mistakes. Senator Pacquiao concurred that no one is perfect.

Senator Drilon stated that in the history of man, only Jesus Christ can claim infallibility, and yet he was a victim of wrongful execution. Senator Pacquiao said that the death of Jesus Christ happened on purpose to save mankind. Senate President Sotto added that redemption would not have been possible if Jesus Christ did not die on the cross. He recalled

that he had a similar debate with Senator Arturo Tolentino on the issue in 1993.

Citing the Bible, Senator Pacquiao said that Jesus could have commanded his angels to protect him but chose not to because he was sacrificing himself for people to have eternal life. Senate President Sotto agreed, as he related the saying “*Vox Populi, Vox Dei*” to the outcry of people to release Barabas instead of Jesus because it was God’s plan for Jesus to redeem mankind.

Senator Drilon stated that earlier, Senator Pacquiao asserted that the reimposition of death penalty is not a constitutional issue because the Constitution itself allows it. He then asked if the debate then should be on the question of policy. Senator Pacquiao disagreed, pointing out that as provided by the Constitution, the death penalty, for compelling reasons, can be imposed for heinous crimes, and drug-related crimes are considered heinous crimes. Senator Drilon pointed out that when they, as legislators, craft a law, they are establishing a policy, so that when Congress, in its judgment, enacts a law reimposing the death penalty, it is establishing a policy. Senator Pacquiao maintained that the Constitution already allows death penalty, and that the only thing that Congress needs to decide on is whether or not the matter of illegal drugs is a heinous crime.

Asked if he is aware that the imposition of death as capital punishment is automatically elevated to the Supreme Court for review, Senator Pacquiao affirmed.

Asked when the death penalty was reimposed and when it was suspended, Senator Pacquiao replied that it was reimposed in 1993 (Republic Act No. 7659) and suspended in 2006 (Republic Act No. 9346). Senator Drilon asked how many cases were reviewed by the Supreme Court when the death penalty was imposed. Senator Pacquiao replied that he did not have data on the number of cases as of the moment.

Senator Drilon suggested that when it is time to debate on the bill, data on the matter be readily made available so that the Members could make a rational decision as to whether or not to reimpose the death penalty.

On whether he was aware of the decision of the Supreme Court in *People of the Philippines vs. Efren Mateo y Garcia*, Senator Pacquiao replied in the negative.

*ps*



Senator Drilon placed on record the pertinent portion of the Supreme Court decision that stated the number of cases that were elevated to them, to wit:

"Statistics would disclose that within the eleven-year period since the re-imposition of the death penalty law in 1993 until June 2004, the trial courts have imposed capital punishment in approximately 1,493, out of which 907 cases have been passed upon in review by the Court. In the Supreme Court, where these staggering numbers find their way on automatic review, the penalty has been affirmed in only 230 cases comprising 25.36% of the total number. xxx The cases where the judgment of death has either been modified or vacated consist of an astounding 71.77% of the total of death penalty cases directly elevated before the Court on automatic review. That translates to a total of six hundred fifty-one (651) out of nine hundred seven (907) appellants saved from lethal injection."

Senator Drilon pointed out that had it not been for the appeal process, almost 72% of those wrongfully convicted in the trial courts would have been meted the death penalty.

Senator Drilon asked if it was possible that there could be some error committed in the 230 cases where the death penalty was allowed by the Supreme Court justices. Senator Pacquiao replied that it would be speculative to say so.

But Senator Drilon recalled that earlier, Senator Pacquiao agreed that man is fallible and could commit errors. He said that even among lawyers, they know that the Supreme Court could commit errors.

Supposing the death penalty is carried out but a DNA test would later show the innocence of the accused, Senator Drilon asked if the case can be reopened and the judgement reversed. Senator Pacquiao stressed the need for people to put their trust and confidence in the Supreme Court.

Senator Drilon stated that in the practice of law, results of a DNA test are given superior treatment because it cannot be erroneous; on the other hand, judgment of a human being could be erroneous. He said that the irreversibility of the decision even if new evidence is discovered after the fact is his primary reason why he is against the reimposition of the death penalty.

At this juncture, Senate President Sotto stated that most of the propositions of Senator Drilon were correct for common crimes but not for high-level drug trafficking, that was why his proposal is limited to high-level traffickers.

Senator Drilon clarified that his premise was based on Senator Pacquiao's agreement that no one can claim infallibility nor anyone is perfect, thus, not all judgments are absolutely correct.

Senator Pacquiao maintained that what is most important is to give 100% trust and confidence to the judicial system and to government.

Senator Drilon gave the assurance that there is trust and confidence in the system and the government. However, he stated that nobody is perfect and that everyone is working in an imperfect system which is going to impose a perfect end to life if the death penalty is imposed.

Senator Pacquiao said that even in the Bible, God gives permission to the one in authority – the government – to impose capital punishment to discipline wrongdoers.

But Senator Drilon pointed out that even during Jesus' time, the judgment to nail him to the cross was erroneous. Senator Pacquiao stated that it was authorized by the person in authority at that time.

Disagreeing with Senator Pacquiao, Senator Drilon stated because of the pit falls of such policy, he would not accept the argument that the government is given the authority to impose the death penalty. At this point, he manifested his desire to debate on the matter further once the bill is presented and sponsored on the floor.

Senate President Sotto said that he would be sponsoring the bill that would impose the death penalty for high-level drug trafficking.

Senator Drilon stated that he would debate on the bill at the proper time.

## SUSPENSION OF SESSION

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

*It was 4:36 p.m.*



## RESUMPTION OF SESSION

At 4:42 p.m., the session was resumed with Senate President Pro Tempore Recto presiding.

## MANIFESTATION OF SENATOR DRILON

Senator Drilon said that during the break, Senate President Sotto had requested that the interpellation on the privilege speech of Senator Pacquiao be first suspended as he would like to deliver a speech on a related matter which could be included in the referral of Senator Pacquiao's speech to the appropriate committee. He then suspended his interpellation to give way to Senate President Sotto.

## MANIFESTATION OF SENATE PRESIDENT SOTTO

Preliminarily, Senate President Sotto clarified that he would simply make a related manifestation, not a privilege speech, precisely because he wanted to place on record other points related to the issue of illegal drugs which are not necessarily directed on the issue of death penalty.

Senate President Sotto said that while the government has been quite successful in the enforcement of Republic Act No. 9165, or the Comprehensive Dangerous Drugs Act of 2002 which he principally authored, it has not been doing well in the prosecution of the drug offenders, noting that in the last six to eight years, conviction on dangerous drugs cases was less than 15% and the dismissal was 85%. He attributed this dismal performance to the absence of a good demand reduction strategy program, a program, if implemented and successful, would render the death penalty unnecessary. He underscored the need of introducing a drug abuse resistance education program in Grades 6 and 7 so that at a young age, they would already know the evils of these dangerous drugs and would avoid using them. For those who are drug dependents already, he suggested that a massive rehabilitation program be undertaken by the government. He said that the bottom line is that "the day people stop buying is the day they stop selling."

Senate President Sotto hoped that the issue on demand reduction program could be addressed by the concerned committees so that the death penalty issue would only be for high-level drug trafficking.

## REMARKS OF SENATOR DRILON

Senator Drilon said that the statement of Senate President Sotto confirmed that killing, whether judicial or extrajudicial, is not the solution to the country's drug problem, but the reduction of demand for illegal drugs.

## INTERPELLATION OF SENATOR HONTIVEROS

At the outset, Senator Hontiveros asked if the contention of Senator Pacquiao was that only big-time drug pushers and syndicates would be imposed the death penalty. Senator Pacquiao replied in the affirmative.

But Senator Hontiveros noted that in Section 7 of Senator Pacquiao's bill, the death penalty is imposed on any person who plants or culture any source of dangerous drug regardless of quantity. Senator Pacquiao replied that such provision would still be amended so that only major drug traffickers would be subject to death penalty.

Senator Hontiveros said that based on the October 2018 Social Weather Stations survey on drug-related crimes, 53% to 78% of Filipinos prefer imprisonment over the death penalty; that according to the 78% respondents, criminals should be sentenced to either 20 years or 40 years or life imprisonment for the following crimes: importation of illegal drugs, maintenance of drug dens, manufacture of illegal drugs, murder under the influence of drugs, sale of illegal drugs, working in drug dens, and rape under the influence of drugs. Thus, following the "*Vox Populi, vox dei*" principle, she said that the death penalty should not be reimposed.

Senator Hontiveros clarified that she too hates drug lords and the illegal drugs that ruin the life of the youth but she could not ignore the evidence, the jarring statistics that militate against the death penalty. She also cited Senator Drilon's information earlier that 72% of the death penalty cases reviewed by the Supreme Court were found erroneous. She said that even with the death penalty imposed on drug lords or plunderers, there would still be no assurance that it could address the problems on drugs or plunder. She further noted that even Senate President Sotto earlier stated that the effective approach against illegal drugs is drug abuse prevention and drug abuse rehabilitation program. She maintained that the



sustainable solution lies in reforming the country's overall justice and criminal system to ensure that the law will be applied swiftly and that the rights of every individual are protected.

Senator Hontiveros stated that the real deterrent to crime would not be the death penalty but the certainty that drug lords and plunderers would be arrested, prosecuted and punished. She said that the law must offer fair punishment to law offenders, whether poor or rich. She added that the basic principle in the effectiveness of the law is determined not by its harshness or ruthlessness, but its sureness and certainty.

Senator Pacquiao said that the people need to have full trust in the law, in the government and in the law enforcers especially at this time when the government is struggling in its fight against the proliferation of illegal drugs. He clarified that the debates would not center on the users but on the high-level drug traffickers who are bringing to the country hundreds of kilos of *shabu* worth billions of pesos.

He opined that Filipinos are not by nature hard-headed as many of them respect and abide by the laws of the other countries that they visit. He, however, lamented how badly some are behaving when they are in their homeland. He then stressed the need to instill in the minds of every Filipino the proper values and respect for the rule of law as well as for the law enforcers.

Senator Pacquiao believed that the death penalty is crucial because most of the high-level drug traffickers who have been apprehended were foreigners unafraid of peddling illegal drugs in the country precisely because of the absence of the death penalty. He believed that without the foreigners importing illegal drugs into the country, there would be no drug users.

Senator Pacquiao stressed the need for Filipinos to learn the value of respect even for simple rules like traffic rules.

## INTERPELLATION OF SENATOR ZUBIRI

At the outset, Senator Zubiri expressed appreciation to Senator Pacquiao for bringing to the plenary the controversial topic of death penalty, whether to reinstate it or to continue banning its imposition. He said that the solution that Congress should come up with must rely on the data from the judicial

system. He said that he is against illegal drugs, the reason he principally authored the Dangerous Drugs Law along with Representatives Cuenco and Ablan in the House of Representatives, and with Senator Barbers and Senate President Sotto as his counterparts in the Senate. He said that it pains him to recall that he lost his uncle and cousin because of drugs.

To Senator Pacquiao's call for the people to trust the country's judicial system, Senator Zubiri stated that it is very difficult to trust the justice system of the country, expressing his disappointment over the dismissal of the case of WellMed, simply because of technicality which is proof of the incompetence of the prosecutors.

Asked whether it would be right to assume that it is still a long way to go before the criminal justice system of the country can be trusted based on what happened to the WellMed case, Senator Pacquiao replied that the case against WellMed was dismissed because of wrong jurisdiction.

*At this juncture, Senate President Pro Tempore Recto relinquished the Chair to Senate President Sotto.*

Senator Zubiri pointed out that the death penalty in the United States did not deter the white supremacists from committing mass killings.

Senator Pacquiao surmised that the culprits were unafraid because they still have to see the death penalty being actually carried out.

Senator Zubiri asked whether the death penalty could truly be a deterrent to crime considering that heinous crimes like mass murders and illegal drug trade happen in countries where there is death penalty in their criminal statute books.

Senator Zubiri agreed to the observation of Senator Pacquiao as regards the behavior of Filipinos abroad. He said that in his travels, he would make it a point to obey rules and policies for fear of being apprehended by the police. He said that in Singapore, he would pick up the trash that his kids would throw because he knew that littering is in violation of a Singaporean law constituting a fine of SG\$ 1,000. He likewise underscored the need for government to support the country's uniformed personnel by giving them the best equipment to allow them mobility so that they could perform their jobs in combatting the

proliferation of illegal drugs. He said that another factor to the success of eradicating the drug problem was mentioned by Senator Hontiveros, which is the community-based method of rehabilitation. He cited how Bukidnon was able to build the biggest drug rehabilitation center which is currently fully-booked. He said that he is for the prosecution and the arrest of drug offenders, and that, as a matter of fact, he has filed a bill proposing to create an Alcatraz-type maximum security prison for hardened criminals. He said that as a member of Red Cross, it is his duty to save lives, irrespective of a person's affiliation.

Senator Pacquiao stated that in the United States, only 29 of the 50 states have death penalty. Also, he clarified that the Constitution does not require any deterrents involving heinous crimes.

#### MANIFESTATION OF SENATOR DRILON

Senator Drilon again manifested that he was suspending his interpellation in the meantime.

#### SUSPENSION OF SESSION

Upon motion of Senator Zubiri, the session was suspended.

*It was 5:19 p.m.*

#### RESUMPTION OF SESSION

At 6:09 p.m., the session was resumed with Senate President Pro Tempore Recto presiding.

#### COMMITTEE VICE-CHAIRMANSHIPS

As manifested by Senator Zubiri, the following senators were designated chairpersons of the committees hereunder indicated:

##### *Committee on Accountability of Public Officers & Investigations (Blue Ribbon)*

Senator Angara

##### *Committee on Justice and Human Rights*

Senator Lacson

##### *Committee on Government Corporations and Public Enterprises*

Senator Gatchalian

#### COMMITTEE MEMBERSHIPS

Upon nomination by Senator Zubiri, there being no objection, the following senators were elected as members to the committees hereunder indicated:

##### *Committee on Ways and Means*

###### *Members :*

###### *Majority*

Go	Dela Rosa
Lacson	Tolentino
Gordon	Pacquiao
Gatchalian	Poe
Lapid	Revilla

###### *Minority*

Pangilinan	De Lima
Hontiveros	

As manifested by Senator Zubiri, Senator Angara was designated committee vice chairman.

##### *Committee on Cultural Communities*

###### *Members:*

###### *Majority*

Pacquiao	Dela Rosa
Binay	Gordon
Angara	

###### *Minority*

De Lima

#### ADJOURNMENT OF SESSION

Upon motion of Senator Zubiri, there being no objection, the Senate President Pro Tempore declared the session adjourned until three o'clock in the afternoon of Wednesday, August 7, 2019.

*It was 6:11 p.m.*

I hereby certify to the correctness of the foregoing.



ATTY. MYRA MARIE D. VILLARICA

*Secretary of the Senate*

Approved on August 7, 2019