

**Consultative Commission to Propose the Revision of the 1987 Constitution  
Session No. 1  
Wednesday, 28 Sept. 2005**

**CALL TO ORDER**

At 3:13 p.m., Executive Secretary Eduardo R. Ermita, acting as the Chairman, called the session to order.

**NATIONAL ANTHEM**

The participants sung the Philippine National Anthem.

**ECUMENICAL PRAYER**

Brother Rolando R. Dizon and Bishop Efraim M. Tendero offered the following ecumenical prayers:

Bro. Dizon:

Let us remember, we are in God's presence. Almighty God, we promise You and we thank You for Your loving Providence and infinite wisdom. In spite of our weaknesses and sinfulness, You have blessed us with a country where freedom reigns and the dignity of every human being is upheld.

The crisis facing our nation demands that we craft a new Constitution more responsive to the needs of the common good and more attuned to the global reality of competition and interdependence. We beseech You, therefore, to send Your Spirit of Light and Wisdom, so that together, we can author a new Charter that can lead us to greater equality, justice, peace and prosperity. Grant us, we beseech You, the intellectual clarity and moral strength to perform well the sacred task You have entrusted to us. All this we ask for Your greater

honor and glory and the good of our beloved countrymen. Amen.

Bishop Tendero:

As we continue in the presence of the Lord, let us continue to seek His guidance, His direction, as all of us here have come to give our voluntary time, talent, and energy, in order that we can make the kind of consultation, study and necessary proposal for the amendments of our Constitution. We need to seek God's wisdom. We need to seek His guidance. And so our God and heavenly Father, as we stand in Your presence, we thank You for this historic occasion that You have granted upon every one of us, an opportunity to chart the destiny and the direction of our nation. We pray, as have been prayed, that Your wisdom will be upon us. We pray that there will be that respect, recognition, as well as the kind of collegiality in our interactions with one another. We pray that Your presence will be the one that will lead us. Grant us, not only the wisdom, but the strength, as well as the diligence that is needed for us to carry out the mandate that has been entrusted to us. Together we long for a Philippines where peace, justice, and righteousness reign. Together we long for a Philippines where there is a decent standard of living for everyone. And we pray that as God-loving, God-fearing Filipinos, we may be able to do our share in helping chart the destiny of this nation. We dedicate our task unto

You in the name of Jesus, we pray.  
Amen.

### **FORMAL INTRODUCTION OF THE MEMBERS OF THE CONVENOR'S GROUP**

Executive Secretary Ermita introduced the following members of the Convenor's Group.

DILG Secretary Angelo I. Reyes  
Chief Presidential Legal Counsel,  
Secretary Merceditas N. Gutierrez  
PMS Secretary Rigoberto D. Tiglao  
DND Secretary Avelino J. Cruz, Jr.

### **ROLL CALL**

Upon request of the Chair, the Chief Presidential Legal Counsel, Secretary Merceditas Gutierrez, called the roll to which the following Constitutional Commission delegates responded to by standing up:

Abueg, Alfredo E. Jr.  
Abueva, Jose V.  
Acevedo, Anthony Y.  
Adamat, Ronald L.  
Angeles, Emmanuel Y.  
Apostol, Sergio A. F.  
Azurin, Rene B.  
Bello Jr., Jose C.  
Bengzon, Ma. Romela M.  
Bian, Joji Ilagan-  
Chua, Francis  
Dee, Donald G.  
Dizon, Rolando R.  
Duavit, Gilberto M.  
Espina Sr., Gerardo S.  
Garcia, Pablo, P.  
Gonzalez, Nelia T.  
Jimeno, Rita Linda V.  
Jurado, Gonzalo M.  
Leviste Jr., Jose P.  
Lim, James Marty L.  
Lorenzana, Lito Monico C.  
Magno, Alexander R.  
Marohombsar, Emily M.

Matula, Jose Sonny G.  
Naval, David  
Ortega, Victor F.  
Ortiz-Luis Jr., Sergio R.  
Paterno, Vicente T.  
Pedrosa, Carmen N.  
Rodriguez, Oscar S.  
Romualdo, Pedro P.  
Seno, Cecilio T.  
Tendero, Ephraim M.  
Teves, Rey Magno  
Vilar, Antonio T.

Hon. Miguel B. Varela, Hon. Angelo M. Abarico and Hon. Democrito T. Mendoza arrived at 3:33 p.m., 3:59 p.m. and 4:29 p.m., respectively.

### **OPENING REMARKS**

Prior to the delivery of his opening remarks, Executive Secretary Ermita acknowledged the presence of the following resource persons: Former Prime Minister Cesar Virata and former Central Bank Governor Gabriel Singson. Executive Secretary Ermita also announced former President Fidel Ramos' acceptance of the invitation to be one of the Commission's resource persons. The Executive Secretary also extended the President's greetings to the members of the Consultative Commission.

He delivered the following opening remarks:

On July 25 this year, in her State of the Nation Address, President Gloria Macapagal-Arroyo delivered this strong message to the nation, I would wish to quote from her State the Nation Address.

*“Over the years, our political system has degenerated to the extent that it is difficult for anyone to make any headway yet to keep his hands clean. To be sure, the system is still capable of achieving great reforms,*

*but by and large, our political system has betrayed its promise to each new generation of Filipinos, not a few of whom are voting with their feet, going abroad and leaving the system behind. It is time to turn the people, bring them into government and change the way that government is done. The system clearly needs fundamental change, and the sooner the better. It's time to start the great debate on Charter Change."*

This day heralds the fulfillment of the great debate and it could not have come at a better time. The deterioration of our political system is reflected in the tyranny of the minority whose angry voices and almost daily rallies keep foreign investors and tourists away. It is also reflected in the vicious cycle of destabilization that threatens our institutions and democracy itself each time our country is poised for an economic take-off.

As Executive Order 453 states, our present political and economic systems need structural reforms to respond to inward and global changes to make them relevant and competitive. Poverty deepens whenever gridlock in government occurs. The rallies held in Makati, the country's busiest commercial district, reflect a clear intention on the part of those opposing the President to promote such gridlocks. In contrast, the President and majority of our people continue to work hard to keep the economy moving and to hold the rule of law.

The debate on constitutional reforms will encourage all Filipinos to focus on the future of this country; instead of constantly looking back at a past with hatred and divisiveness. Constitutional reform is a public

commitment the President made before and during the 2004 elections and when she won, this was included in her Medium-Term Philippine Development Plan. Thus, charter change is clearly part of our national agenda.

In the spirit of freedom and transparency, the President believes that the Filipino people must be involved in the study and formulation of amendments or revisions to the 1987 Philippine Constitution. Your role, therefore, as members of the Consultative Commission is to review our Constitution, conduct public consultations, and undertake the necessary studies on the kind of changes that are needed to improve the fundamental law of the land.

Thus, this body shall look into proposals such as:

- A shift from the Presidential-unitary system to a parliamentary-federal system of government;
- The refocusing of economic policies in the present Constitution to match the country's vision for global competitiveness; and
- A review of the economic policies which tend to hinder that vision and adversely affect the people's welfare.

The EO instructs you to study these and other constitutional reform proposals and hold nationwide consultations with various sectors of society, such as farmers, fishermen, workers, students/youth, women, indigenous people, the urban and rural poor, the different leagues of local government units, and members of Congress and the judiciary, to include former members of these institutions, and for that

matter, former high government officials with experience in running the government.

Your final report will be received by no less than the President in December 2005. She will then formally transmit this to both Houses of Congress as the contribution of the Executive Branch to congressional deliberations on charter change.

Your presence here today is no accident. You were chosen from a talent pool of more than 200 outstanding nominations from varied sources because clearly, you have the intellectual ability, probity and patriotism needed to fulfill the mandate of the Consultative Commission.

This body represents a broad spectrum of views and backgrounds that would make for a free, open, and responsible debate on political reforms without the extra baggage of political ambition or self-serving interest. It is understandable that there would be objections to the proposed basic changes to the Constitution. Changes make people feel uneasy, and the fear of uncertainties makes them prefer the status quo. But then there is a genuine need for change. We have to move forward, or else our country will forever remain behind in economic development. The reality of globalization has exposed the weaknesses of our existing political and economic framework. The challenge of our times requires that we modify both our political structure and our fundamental economic policies, for us to attain global competitiveness.

The creation of this Consultative Commission is aimed towards the

fulfillment of that commitment, a commitment to make the needed changes, changes that will serve best the common will of the Filipino people. The Constitution belongs to the people. It is time that the views of our people on charter change are heard, pure and unfiltered, through the consultations that this body will undertake.

The Consultative Commission is the constellation of stars that will light up our political landscape and infuse it with constructive and well-studied proposals to improve the fundamental law of the land and strengthen our republic. Your work is not meant to supplant the proceedings of Congress on constitutional amendments but to support it by bringing this important issue to the doorstep of every Filipino.

In behalf of her Excellency, President Gloria Macapagal-Arroyo, and the Filipino people, thank you for accepting her invitation to serve in the consultative commission. Your wealth of experience and knowledge of constitutional matters assure the nation that the grand debate on charter change is off to a good start.

*Umaasa po ang sambayanan sa inyong kakayahan na bumalangkas ng makabuluhang pagbabago sa ating Saligang Batas. Maraming salamat po. Mabuhay and God speed.*

#### **PRESENTATION OF EXECUTIVE ORDER NO. 453 AND SECRETARIAT ORGANIZATIONAL STRUCTURE**

Secretary Tiglao began his presentation by thanking the delegates for accepting the challenge of being a part of the Consultative Commission. He proceeded by giving a review of the

provisions of Executive Order No. 453 and how PMS can assist the commission delegates.

Secretary Tiglao first explained the rationale for proposing revisions to the Constitution. He said that there is a need for structural reforms to make political and economic systems relevant and competitive. There is also a need for effective and accountable political institutions in applying appropriate solutions to chronic political, economic and cultural problems and a decentralized government that is more responsive and accountable to the people and allows them to participate effectively in its policy and decision making. He also reminded the body that Constitutional reform was a public commitment of PGMA in 2003 and 2004 and it was incorporated in the Medium-Term Public Investment Program 2005-2010. It was also given the highest priority in the President's SONA in 25 July 2005.

The Consultative Commission was created by virtue of Executive Order No. 453 (EO 453), *“Creating a Consultative Commission to Propose the Revision of the 1987 Constitution with Various Sectors of Society”* dated 15 August 2005.

Secretary Tiglao said that the Consultative Commission's mandate under EO 453 shall be to propose amendments and revisions to the 1987 Constitution. The amendments shall principally focus on the proposals to shift from the presidential to the parliamentary system of government; to refocus economic policies to match the country's vision for global competitiveness; and to review economic policies which tend to hinder the country's global competitiveness and adversely affect the people's welfare.

EO 453 also mandates that the members of the Consultative Commission, invited by the President, shall not exceed fifty (50) members. They shall represent the national, regional and sectoral constituencies. The national representatives shall be men or women of national standing, experienced in government or with recognized competence in their respective fields. The regional representatives shall be apportioned among the different regions while the sectoral representatives shall be chosen among farmers, fishermen, workers, students, lawyers, professionals, businessmen, military, academic, ethnic and other similar groups.

As previously undertaken, Executive Secretary Ermita shall preside at the Commission's initial meeting until the Commission elects its Chairman, Vice-Chairman, Secretary and other officers. The election of officers shall be the Commission's first order of business.

The Commission's plenary sessions shall be public and duly recorded. Its committee sessions can be held anywhere in the country while public hearings shall be conducted to ensure wide public participation. The Commission itself shall provide the rules of its proceedings.

Secretary Tiglao clarified that the Presidential Management Staff's (PMS) role shall be to set up the Commission and provide a Secretariat to serve as technical and staff support. Thus, the Commission is an entirely independent body.

The PMS and other government agencies, entities and instrumentalities shall try to make available necessary and useful information and documents and suitable premises, equipment and furniture for the use of the Commission.

Secretary Tiglao then presented the structure of the Commission's Secretariat and introduced to the body its different heads and officers. PMS Undersecretary Charito Eligir is the overall head of the Secretariat. Undersecretary Hezel Gacutan shall be its main officer who shall manage the Secretariat's day-to-day activities. Secretary Tiglao informed that Undersecretary Gacutan is experienced in parliamentary work, having once served as Secretary-General of the Senate.

Documentation and record-keeping of the Commission's proceedings is headed by PMS Director Ana Maria Cadena. Secretary Tiglao informed that extensive research by PMS revealed that the matter of making the transcript of proceedings is huge work. He then recommended that the members of the Commission discuss the PMS proposal to outsource the documentation of the proceedings.

The Study/Research Group shall be headed by Secretary Joe Nathan Tenefrancia, Senior Deputy Executive Secretary for Legal Affairs of the Office of the President. The National Economic and Development Authority (NEDA), the Office of the Executive Secretary and PMS shall provide support to the Study/Research Group.

Secretary Tiglao reiterated that the PMS would provide initial support until such time that the Commission has established a definite work arrangement.

The Administrative and Finance Services shall be headed by PMS Director Emmy Reyes who shall be responsible for the Commission's accommodations and the like.

The Information, Education and Communications Services shall be

headed by Undersecretary Susana "Toots" Ople who shall handle media coordination.

The Security Services shall be headed by PMS Assistant Secretary Aletho Cruz who has made arrangements with the Philippine National Police (PNP) for this purpose.

All materials relevant to the Commission shall be kept in the Information Center headed by PMS Assistant Secretary Joanna Rodriguez.

EO 453 appropriated the initial amount of P10 million for the operational expenses of the Commission. Secretary Tiglao informed that in view of the government's austerity measures, additional funding may not be forthcoming. The President, may however decide to allocate additional funds.

EO 453 also mandates that the Commission complete its work before December 15, 2005. Secretary Tiglao admitted that it is a very short timeframe but said that the Commission would not start from scratch since many of the members have been quite keen on amending the Constitution. The Secretary said that the Commission could cull all proposals to revise the Constitution to make their work faster.

EO 453 further directs the Commission to "present to the President its report and proposed revision of the 1987 Constitution for proper transmittal to Congress."

Secretary Tiglao ended his presentation by emphasizing the availability and readiness of the PMS and the Office of the President to assist the Commission with whatever problems and needs it may have. He showed to the body a slide containing the contact

numbers of the members of the Secretariat.

### **PLEDGE OF ACCEPTANCE OF MEMBERS**

Executive Secretary Ermita then administered the Pledge of Acceptance to the members of the Commission, as follows:

I, \_\_\_\_\_, as member of the Consultative Commission created pursuant to Executive Order No. 453, Series of 2005, do hereby solemnly swear that I shall faithfully discharge to the best of my ability this voluntary obligation of reexamining our present Constitution in consultation with various sectors of society, to propose changes therein that will effectively address the political, social and economic reforms needed by our country, and advance the general welfare of the Filipino people.

So help me God.

Signed before me this 28<sup>th</sup> day of September 2005, in Quezon City, Philippines.

Eduardo R. Ermita  
Executive Secretary

Executive Secretary Ermita then offered his congratulations to the members of the Commission. He instructed the Secretariat to gather the copies of the signed pledges so he can affix his signature.

### **SUSPENSION OF SESSION**

Upon motion of Hon. Lito Lorenzana, the session was suspended for fifteen minutes.

*It was 3:50 p.m.*

### **RESUMPTION OF SESSION**

At 4:05 p.m., the session resumed with Executive Secretary Ermita presiding.

### **ELECTION OF COMMISSION OFFICERS**

In announcing the next order of business, Executive Secretary Ermita said that aside from a chairman, vice-chairman and secretary to be elected by the members per EO 453, the commission officers may opt to elect other officers among its members and likewise form committees. He then asked for a motion regarding the mode of election of commission officers whether it will be conducted by *viva voce* or secret balloting.

Hon. Pedro Romualdo moved that elections be done by *viva voce* due to time constraints.

Hon. James Lim suggested that in order to have an objective selection of officers, there be a portion in the nomination wherein the body can find out the ideas and orientation of the nominees. He also suggested that an interim chairman be installed while the commission is in the process of choosing its officers.

Executive Secretary Ermita reminded the body that the purpose of the fellowship they had last Friday, during which a list of the prospective commission members and their backgrounds was distributed, was for the members of the commission to have an idea of who shall be their colleagues. He also said that the 15- minute coffee break they just had was intended for the members to build a certain consensus. Nonetheless, he said that the Convenor's Group would still accept further comments.

Hon. Antonio Vilar moved that the body proceed to the voting immediately as the commission has limited time to complete its work. His motion was seconded by Hon. Gerardo Espina.

Hon. Tendero moved that voting be done by secret balloting since there are just 41 members.

Hon. Sergio Apostol raised a point of order, inquiring if there exists a Comelec-like group to take charge of the conduct of elections for the commission officers.

Executive Secretary Ermita said there is a one-man Comelec in the person of Chief Presidential Legal Counsel Gutierrez.

Hon. Lim moved that nominations be done by *viva voce* and the voting by secret balloting.

Hon. Rodriguez further moved to divide the house and there being no objection, the body proceeded to vote whether to hold elections by *viva voce* or secret balloting.

Holding of elections by *viva voce* was carried after twenty seven (27) members voted for it while five (5) voted in favor of secret balloting.

Being the designated election officer, Sec. Gutierrez opened the table for nominations for Chairman.

Hon. Victor Ortega nominated Hon. Jose Abueva while Hon. Espina closed the nominations. Hon. Carmen Pedrosa gave a short seconding remarks for the nomination of Hon. Abueva.

#### **ELECTION OF HON. ABUEVA AS COMMISSION CHAIRMAN**

Executive Secretary Ermita thereupon declared Hon. Abueva as

Chairman of the Consultative Commission by unanimous acclamation.

#### **SUSPENSION OF SESSION**

The session was suspended upon motion of Hon. Adamat.

*It was 4:18 p.m.*

#### **RESUMPTION OF SESSION**

At 4:21 PM, the session was resumed.

#### **FORMAL TURNOVER OF CHAIRMANSHIP**

The Acting Chairman, Executive Secretary Ermita requested the body to return to their seats and to remain seated for the administration of the oath to Hon. Abueva. Thereafter, he administered the Oath or the "Pangako" to the newly elected Chairman:

#### **ANG PANGAKO**

*Ako si Jose V. Abueva, na inihalal bilang Chairman ng Konsultatibong Komisyon na nilikha alinsunod sa Atas Tagapagpaganap Blg. 453, serye ng 2005, na sa pamamagitan nito ay taimtim na nanunumpa na matapat na gagampanan sa abot ng aking kakayahan ang aking tungkulin alinsunod sa batas ng bansa at mga tuntuning ipinapahayag ng Komisyon na may taimtim na layunin na muling suriin ang kasalukuyang Saligang-Batas na may pagsanguni sa iba't ibang sektor ng lipunan, upang magmungkahi ng mga pagbabago dito na mabisang makatutugon sa mga repormang pulitikal, panlipunan at pang-ekonomiyang kinakailangan ng ating bansa at magsusulong sa kapakanan ng ating mga kababayan Pilipino.*

*Patnubayan nawa ako ng Diyos.*

After administering the oath, Executive Secretary Ermita turned-over officially the chairmanship of the body to Hon. Jose V. Abueva and asked that the election of officers be continued with Hon. Abueva presiding.

### **SPEECH OF CHAIRMAN ABUEVA**

Hon. Abueva, upon assuming the chairmanship, expressed his deepest thanks to the body for the honor of serving as Chairman of the Commission. He then related that he spent his life in the academia and said that he is used to a culture of collegiality. He further remarked that he belonged to a community of scholars and that he considers the members of the body as all scholars and peers.

Chairman Abueva then underscored two points. First, he noted that the kind of democracy the country has today is participatory and inclusive. In the past, democracies have not been inclusive but rather exclusive. Popular democracy is not just words in the Constitution. This has been proven by the *lakas sambayanan* or people power. The people expect to participate in a participatory process of changing the charter, not to vote only during the ratification of the body's proposals for change, which have to go through the President and Congress.

He highlighted the importance of the Constitutional Commission especially when it is very likely that Congress may select the first mode of changing the constitution through constituent assembly, according to the Constitution. The likelihood of changing the Constitution through a Constitutional Convention is slim. He noted that many, particularly the Citizens' Movement for a Federal Philippines, consistently propose charter change through Constitutional Convention.

Since it is more likely that Congress shall initiate the process of changing the Constitution, the work of this Consultative Commission is very important. During consultations of Chairman Abueva's group with the people around the country regarding their proposals, he felt that there was a demand from the citizens to participate actively in this process.

He also stressed that, while it seems obvious, it needs to be stated that the body has no mandate to make a new Constitution. Because of this, Chairman Abueva suggested that the body retain the best features of the 1987 Constitution for continuity in the development of the country's constitutional democracy. He read from a book that he and his group has written:

*Whatever constitutional changes that are to be proposed and adopted, there are certain continuities in our constitutional democracy that should be observed for the stability of our constitutional democracy. Two of these are the following: one, the retention of the best features of the 1987 Constitution; the second, continuity in the name and identity of our 1987 Constitution.*

*It is important to retain as many as possible of the democratic anti-authoritarian, progressive and humanistic features of our present Constitution. We want to prevent the resurgence of authoritarian rule. We want to continue with the progressive and humanistic ideas relating to peace nuclear weapons, foreign military forces or bases, the bill of rights and other human rights, the rights of women, children and indigenous peoples, environmentalism, participatory democracy, and the active role of*

*civil society, and so on. We must also ensure the subordination of the military and the police to civilian rule. Those are some of the best features of our present Constitution.*

*The second point, continuity in the name and identity of the 1987 Constitution. The revised Constitution, as a result of the process that we are initiating and eventually to be acted upon by Congress, and of course the people eventually in a plebiscite, the revised Constitution should simply be called, fthe 1987 Constitution as Revised (as suggested) to emphasize the continuity of our constitutional democracy since the peaceful People Power of EDSA Revolution that overthrew the dictatorship and restored democratic rule. Even the fundamental change in the form of government, if we succeed from the unitary presidential to federal parliamentary in the revised constitution, does not justify the renaming of our 1987 Constitution to say the 2005 Constitution.*

#### **SUGGESTION OF HON. ROMUALDO**

Hon. Romualdo, however commented that the Commission is a consultative body that shall revise some of the terms of the Constitution with the objective of uniting the people. He said the 1987 Constitution is a hate Constitution. He urged the body to do away with the hate provisions of the Constitution to unite the Filipino people. Thus, he suggested strongly that the body's work is not necessarily the revised 1987 Constitution. He also suggested strongly that provisions of the 1935 Constitution be included as the basis for the body's work. He also suggested that the 1971 Constitution, the original Constitution before it was mangled, be included. These two Constitutions would be the best

references that the body can work on. He, however, agrees with Chairman Abueva's views that all the beautiful features of all these constitutions should be retained. He related that Chairman Abueva was the Secretary General of the 1971 Convention, and Hon. Romualdo was proud to have been part of the body that worked on it. He said that the original work was beautiful. He urged the body not to reject each other's opinions but to work together and see what they can do as a group to address the system that did not allow the country to grow, this being the presidential form of government.

He also commented that the body chose Chairman Abueva as chairman because of his expertise.

#### **CONCLUSION OF CHAIRMAN ABUEVA'S SPEECH**

Chairman Abueva thanked Hon. Romualdo and acknowledged the comments made. He did not proceed to read the publication. He concluded that the nation is divided or polarized today. There are prophets of boon and doom. He, however, believes that the Constitutional Commission is contributing to a process of renewal and hope for good governance, in the midst of pessimism in the nation.

#### **COMMENT OF HON. PEDROSA**

Hon. Carmen Pedrosa remarked thereafter that the body should take the example of other countries which call their constitutions as, for example, the French Constitution and the American Constitution. She urged the body to call the Philippine Constitution just the Philippine Constitution.

### **SUGGESTION OF HON. ADAMAT TO PROCEED WITH THE ELECTIONS**

Hon. Ronald Adamat asked that the body proceed with the election of the vice-chairman or the different vice-chairmen.

### **SUGGESTION OF CHAIRMAN ABUEVA**

Chairman Abueva recounted that during the fellowship meeting of the body, suggestions were made that the body follow the practice of good symbolic representation of the various large regions of the country, despite the provisions of EO 453 to elect one vice chairman. It was suggested for example, that instead of one vice chairman, the body may have a vice chairman each for Luzon, Visayas, Mindanao and Metro Manila. The body has to respect the geographic constituencies of the country. He then asked if the suggestion was acceptable to the body.

### **COMMENT OF HON. ANGELES**

Hon. Emmanuel Angeles responded that there may be a need to amend the said Executive Order if the suggestion of Chairman Abueva shall be followed citing that the body is not authorized to amend the Executive Order. It is specific in the Order that the body shall only elect a vice chairman and a secretary.

### **COMMENT OF HON. PATERNO**

Chairman Abueva then asked the body for other comments.

Hon. Vicente Paterno commented that the body is free to elect additional officers since the Executive Order provides the election of other officers, i.e. "...and other officers."

Chairman Abueva remarked that Hon. Paterno's comment is a liberal interpretation of the Executive Order. If there were no strong objections, the body may modify the Executive Order, electing more than one vice chairman. Chairman Abueva asked the body if there were no objections to the said suggestion.

### **SUGGESTION OF HON. APOSTOL**

Hon. Apostol suggested that the body elect an executive Vice-Chairman and three other vice-chairmen for Luzon, Visayas and Mindanao. This would comply with the provisions of the Executive Order.

Hon. Jose Leviste moved that the suggestion of Hon. Apostol be carried out.

It was seconded by Hon. Lim.

### **ELECTION OF OTHER OFFICERS**

At 4:40 p.m., Chairman Abueva proceeded with the election of the other officers, opening the floor for nominations.

### **NOMINATION OF AN EXECUTIVE VICE-CHAIRMAN**

Hon. Commissioners Rolando Dizon, Leviste, and Espina were nominated for Executive Vice-Chairman by Commissioners Lim, Ortega and Adamat, respectively. However, Hon. Commissioners Leviste and Espina declined their nominations and recommended that Hon. Dizon be elected as executive vice-chair instead. Hon. Leviste specifically noted that he declined the nomination to build unanimity within the body and not divide the house in an election.

### **ELECTION OF EXECUTIVE VICE-CHAIRMAN**

Hon. Dizon was then elected Executive Vice-Chairman of the Commission.

### **ARRIVAL OF OTHER COMMISSIONERS**

After the election of the executive vice-chairman, Chairman Abueva acknowledged the presence of Hon. Commissioners Miguel Varela, Angelo Abarico, and Democrito Mendoza.

He then proceeded to open the floor for nomination of the four vice-chairmen.

### **APPOINTMENT OF FOUR VICE-CHAIRMEN, CREATION OF COMMITTEES AND APPOINTMENT OF COMMITTEE OFFICERS**

Hon. Commissioners Garcia and Apostol then proposed that the Chairman be given the authority to appoint the four vice-chairmen, and also create committees and appoint their respective chairmen.

The move was seconded but Commissioner Duavit requested clarification on the number of vice-chairmen to be appointed.

The Chairman clarified and reiterated that there is to be one executive vice-chairman and four vice-chairmen.

### **RECESS**

The Chairman then thanked the body for the privilege given him and motioned for a brief recess to conduct consultations on the appointment of the remaining officers and creation of committees.

Hon. Apostol formalized the motion and thus a five-minute recess was declared.

*It was 4.46 p.m.*

### **RESUMPTION OF PROCEEDINGS**

At 4.48 p.m., the session was resumed.

### **NEED FOR RULES**

Hon. Espina pointed out the possible consequences if rules and procedures are not followed. He moved that the Chairman be authorized to create a committee to draft rules. The motion was seconded by Hon. Jose Matula. It was decided that that the rules governing the House and the Senate be adopted. The Chairman however, noted that considering the relatively small size of the body, informal discussions would also be accepted when appropriate.

### **APPOINTMENT OF VICE CHAIRMEN**

The Chairman was allowed to appoint the Vice Chairmen to represent Luzon, Visayas, Mindanao and Metro Manila. He appointed the Hon. Pedro P. Romualdo for Mindanao, Hon. Pablo P. Garcia for Visayas, Hon. Oscar Rodriguez for Luzon, and Hon. Carmen Pedrosa for NCR.

### **APPOINTMENT OF SECRETARY GENERAL**

Since the Chairman was given the authority to appoint the Secretary General, he appointed Hon. Lito Monico Lorenzana to the position.

### **PROPOSED COMMITTEES BY THE CHAIRMAN**

The Chairman proposed the creation of the following committees: Committee on State Principles and Policies;

Committee on Federalism; Committee on Parliamentary Government; Committee on Political Party Reform; Committee on Suffrage and Electoral Reform; Committee on Judicial Reform; Committee on Civil Service Reform; Committee on Audit Reform; Committee on Economic Policy Reform; Committee on Bill of Duties and Obligations; Committee on Style; and the Committee on Ways and Means.

### **SUGGESTION TO CREATE OTHER COMMITTEES**

Hon. Espina suggested the creation of a committee that will deal with proposals not only on the parliamentary form of government but on other forms of government as well. The Chairman stressed the need to follow the parameters of the Executive Order. He also suggested a debate on the Espina proposal.

### **HON. PEDROSA REMINDS OPERATION PARAMETERS THAT MUST BE FOLLOWED**

Hon. Pedrosa pointed out that the Concom is a consultative body, which means that there should be debates and appropriate consultation on important matters before decisions are finalized. She also pointed out that it is the Congress that will review the body's proposal.

### **FURTHER SUGGESTIONS OF HON. ESPINA ON THE CREATION OF COMMITTEES**

Hon. Espina further asserted that there are very specific areas in the allocation of powers that the Commission must give equal attention to.

Relative thereto, he suggested that the Commission create committees on legislative powers, executive powers or

form of government, and local governments which shall discuss the relationship between the national and local governments. Further, he suggested that members should not be permanently placed in committees so as to give them free access to each and every committee tackling issues they have personally committed to uphold and promote.

The Chair replied that the suggestion of Hon. Espina implies an inclination towards the retention of the presidential and unitary system of government, based on the committees he wants created.

Hon. Espina affirmed that he is indeed favorable to the retention of the presidential system. However, he is not forcing other members of the body to embrace his position.

He reiterated, however, that the Chair has practically prejudged the direction that the Commission will take.

Hon. Garcia interjected that EO 453 expressly provides the mandate of the Commission, that is:

*Sec. 1. Creation and Mandate. There is hereby created the Consultative Commission which will conduct consultations and studies, and propose amendments and revisions to the 1987 Constitution, principally, the proposal to shift from the presidential-unitary to a parliamentary-federal system of government.*

Hon. Garcia stressed that the commission cannot go against this expressed mandate. He noted that while it may be true that some of the members of the body are opposed to the parliamentary system, the creation of a committee on the said system should not preclude any member of the commission in opposing the shift to the

same. Therefore, for purposes of complying with the mandate, the body will have to create the said committee.

EO 453 is the reason for the existence of the Commission and the reason for its continued existence, mindful of the support provided by the Presidential Management Staff (PMS) and the Office of the President (OP).

Hon. Espina then expressed that he is bowing to the decision of the body. However, he reiterated his position and pointed out that in the provision read by Hon. Garcia, the word used was “principally”, which means that it does not preclude the creation of the committee on the presidential form of government.

His strong position on the matter, according to Hon. Espina, is rooted from his belief that as much as possible, the members should be free in debating and in suggesting proposed changes to the Constitution, otherwise, the members should just resign their posts if they feel that they are being guided every inch of the way.

Chairman Abueva responded that no restrictions are being imposed on the freedom of members to deliberate.

Hon. Garcia briefly interjected that there is no need to create a committee on presidential form of government because the present system is already presidential. The commission is mandated to propose changes and it shall be up to the members of the committee on parliamentary form to debate on the matter. If the committee members will be convinced that the presidential form is better, then they shall accept the proposal of Hon. Espina.

Hon. Lim, at this point, suggested that the body move on with the

discussions regardless if the body is for the shifting of the form of government or not, given that the body is a consultative one and that the issues to be raised will still be brought to the people for their decision.

## **INQUIRY ON THE ELECTION OF OFFICERS**

Hon. Rita Jimeno raised a point on the process of electing officers, stating that, in keeping with EO 453, the body should elect the officers and not be appointed by the Chair. Hon. Jimeno submitted that while the body elected the Chair and the Vice Chair, it did not elect the Secretary General.

The Chair replied that the body did elect the Secretary General.

Hon. Jimeno argued that the Secretary General was chosen by the Chair. While she has nothing against the chosen Secretary General, she felt that there should be a proper election of the Secretary General in compliance with the mandate of the EO.

The Chair replied that a motion was made, which was duly seconded and carried, authorizing the Chair to appoint the Vice-Chair and the Secretary General, in consultation with the commissioners, which the Chair did.

Hon. Jimeno, at this point, submitted to the point of the Chair.

Hon. Romela Bengzon raised a point of order that it is but proper for the body to abide by the provisions of the EO on the process of election of officers. She suggested that the body should just go on with the election of Secretary General.

The Chair replied that the advice of Hon. Bengzon was sound.

Hon. Bengzon proceeded to nominate Hon. Lorenzana as Secretary General. There being no other nominees, the Chair declared Hon. Lorenzana as Secretary General.

#### **SUGGESTION OF HON. SERGIO APOSTOL ON COMMITTEE PREFERENCES**

Hon. Apostol suggested that the Chair ask every member to submit their committee preferences.

The Chair responded that the suggestion was great and proceeded to instruct the Secretariat to prepare and distribute forms where the members can indicate two or three committees where they would like to belong, with a caveat that the members shall be free to participate in the meetings of other committees of which they are not members of.

#### **POINT OF HON. RONALD ADAMAT**

Hon. Adamat reminded the body on the need to create Committee on Rules.

Hon. Adamat added that the said committee, to be headed by a floor leader, should already be elected by the body.

The Chair replied that he has already approved the motion to create a Committee on Rules which shall formulate the rules of the body. He then recognized the motion of Hon. Adamat.

Hon. Adamat continued his point, referring to the 1987 Constitution which provides for the position of a floor leader and two assistant floor leaders. He suggested that the body consider electing these officers.

The Chair thanked Hon. Adamat for the reminder.

Hon. Lorenzana moved for a ten-minute recess.

The Chair then approved a brief recess, saying that the members may also use the recess to fill out the committee preference forms.

*It was 5:12pm.*

#### **RESUMPTION OF THE SESSION**

At 5:14 pm, the session resumed.

The Chair stated that most of the Constitutions of the country have the Bill of Rights, with the exception of the 1973 Constitution. He suggested that the body strike a balance between the Bill of Rights and the Bill of Duties and Obligations, if only to remind the citizens and the leaders of their rights, privileges and entitlements as citizens.

Hon. Victor Ortega then raised that the Bill of Duties and Obligations should be renamed as "Bill of Duties and Obligations of the Citizens".

The Chair countered that the present Bill of Rights does not say that it is the "Bill of Rights of Citizens". It is implied that the bill is intended for the citizens.

Hon. Apostol then suggested that the body instead use the term "Rights and Duties of Citizens".

The Chair accepted the modification.

#### **POINT OF HON. ALFREDO ABUEG**

Hon. Abueg raised that during the 1971 Constitutional Convention, there was a committee called the Committee on Civil and Political Rights which crafted the Bill of Rights of the 1971 Constitution. Therefore, the appropriate name for the committee which shall consider the Bill of Rights

would be the Committee on Civil and Political Rights.

The Chair said that the body is already very familiar with the Bill of Rights. However, since the body has to familiarize themselves with the duties and responsibilities of citizens, there is a need to create a committee on duties and responsibilities.

The Chair added that during the recess, there was a suggestion raised that at least the body should assign a floor leader to put order to the deliberations. The Chair then appointed Hon. Apostol as the floor leader for the duration of the session.

#### **POINT OF HON. JOSE LEVISTE**

Hon. Leviste pointed that before the recess, the Chair mentioned that the commissioners may choose two or three committees where they want to be a member.

Hon. Leviste added that the number of committee memberships should be fixed, in order to determine the exact number of committee votes each member is entitled to.

The Chair then raised to the body the suggestion of Hon. Leviste.

Hon. Commissioners Romualdo and Rodriguez moved that each member be allowed three committee memberships.

The Chair recognized the motion and was duly seconded by Hon. Anthony Acevedo.

The motion was then carried.

The Chair, however, cautioned that it might occur that some committees may be overloaded or underloaded and there might be a need to modify the number of committee memberships.

#### **SUGGESTION OF HON. ANTHONY ACEVEDO**

Hon. Acevedo suggested that the Committee on Accountability of Public Officers be included in the list of committees which shall discuss ways to eliminate graft and corruption. This shall also include the provisions on the Ombudsman.

#### **PROPOSAL TO COMBINE COMMITTEES**

Hon. Paterno, in reminding the body that it has only forty (40) members, inquired as to how many committees are to be created. He stressed that should the number of committees to be formed reach twenty (20), membership would be limited to only two (2). Commissioner Paterno then proposed the combination of Committees. The proposal would result in a 5-8 committee membership and more work for each committee. Commissioner Paterno further asked the Chairman more time in determining the composition of the respective committees.

In response, Chairman Abueva stated that the afternoon's exercise of signifying committee membership would be an early indicator of the delegates interests and preferences. The initial results would show how and what the distribution would be. Modification of the committee system can then be considered.

In support of the proposal to combine committees, Commissioner Lim stated that if the creation of committees is not stopped, the possibility of each member ending up with a Committee Chairmanship is great. This would result in the need to consolidate committees to allow members to contribute to the work of other committees.

Chairman Abueva noted the fact that there were already two (2) suggestions for the combination of committees.

### **TIMEFRAME FOR THE WORK OF THE CONSULTATIVE COMMISSION**

Chairman Abueva stressed one important consideration that should be taken note of by the Commission is the timeframe given for it to accomplish its mandate. In stressing this, the Chairman noted that the Malolos Constitution was drafted within a forty-day period while the 1986 Constitution took four (4) months and seven (7) days.

Chairman Abueva noted that the 15 December 2005 deadline gives the Commission only sixty-five (65) days within which to complete its task. This would necessitate working half-days on Saturdays on top of the regular 5-day work-week. Sundays, would however, be free days.

Chairman Abueva further noted that the Commissions work could be viewed in three (3) phases.

- *Phase 1. This phase would entail the review of the various proposals for change or revision of the Constitution and the preparation of the corresponding working draft. The re-writing is expected to take twenty-nine (29) days.*
- *Phase 2. This would cover the conduct of nationwide regional consultations. This may take about eighteen (18) days.*
- *Phase 3. Re-writing of the drafts after the nationwide consultations and the conduct of plenary sessions on the pre-final whole draft of the constitution.*

Chairman Abueva further stated that there could be a Phase 4 that would involve consultations on delicate provisions of the Constitution specifically the transitory provisions. This would be followed by final editing and printing of the final draft.

Chairman Abueva stated that the Commission shall endeavor to finish its task by 15 December 2005. However an extension of two (2) working days would be considered. This would bring to sixty-seven (67) the total number of days for the Commission to deliver its output.

Chairman Abueva also stated that Committees does not necessarily have to meet the whole day. The delegates can alternate committees so that attendance to three (3) committees could be made possible. This would enable optimum participation of every member in the various committees.

In response to the statement of the Chairman, Hon. Azurin noted that the process that will be taken on the revision of the constitution will be crucial. He further noted that the division of the work in the committees implies that different people will look at sections of the Constitution. Hon. Azurin then proposed that all of the proposals, including the one that has been disseminated on the parliamentary federal, be immediately transmitted to all the members via the internet so that these could be immediately reviewed and commented on. Each of the members can immediately react to particular provisions and signify their position. The Secretariat could then consolidate and disseminate all comments via the same medium.

Hon. Azurin also proposed approaching the revisions by coming to the session, putting up a certain proposal, discussing and debating on it

and then agreeing on it or not. He stressed that in this way, everybody gets to participate on the assessment of the constitution as a whole. Hon. Azurin further emphasized the fact that many of the parts of the Constitution are interrelated and that it is difficult to separate certain sections and look at these in isolation from others. In line with this, Hon. Azurin then suggested that proposed revisions be immediately disseminated.

As a rejoinder, Chairman Abueva stated that the Secretariat is already in the process of reproducing existing drafts for the revision of the Constitution. Two (2) or three (3) lengthy comprehensive drafts are in the pipeline. These include the following:

- The draft prepared by the Committee on Constitutional Amendments of the House of Representatives (*drafted by Representative Nachura and was in fact the basis for holding consultations around the country*)
- The draft appended to the Joint Resolution of the House of Representatives
- The comprehensive draft of the Citizens Movement for a Federal Philippines that is already on hand (*now outdated because of recommendations arising from the consultations with the governors*)

One draft has been distributed while the two others will be made available by the Secretariat tomorrow.

Chairman Abueva concurred with Hon. Paterno's observations on the availability of internet facilities, fax and express mail to facilitate rapid circulation and interchange of ideas.

Floor Leader Apostol suggested that all of the proposals be submitted to the

Secretariat and for the Committee on Rules to distribute this to the various committees for study. Results should then be submitted to the floor for plenary and defense by the respective Committee Chairmen.

#### **QUERY ON THE TIMEFRAME FOR THE DRAFTING OF THE RULES**

Floor Leader Apostol then asked the Chair on the timeframe for the drafting of the Rules.

To this query, Chairman Abueva replied that the Rules should have been drafted yesterday. As such, one day is given for those concerned to come up with the Rules. He then instructed the Floor Leader to propose the rules tomorrow stating that it was not difficult as it entailed the adoption of existing rules – maybe two (2) rules.

#### **APPOINTMENT OF ASSISTANT FLOOR LEADERS**

Acting on the mandate given to him to appoint deputy floor leaders – Hon. Apostol appointed Hon. Commissioners Adamat and Ortega.

Chairman Abueva noted that Hon. Ortega has some reservations and is begging off.

Hon. Espina, thereafter, nominated former Congressman Abueg of Palawan. In support of this, Hon. Apostol also expressed his nomination of Hon. Abueg as Deputy Floor Leader.

Chairman Abueva then announced that Hon. Commissioners Abueg and Adamat are the deputy floor leaders.

Hon. Abueg pointed out that normally the members of the Committee on Rules are the floorleaders.

Agreeing with this, Chairman Abueva stated that is why the concerned persons have taken on the task to recommend the rules that would govern the proceedings.

### **EXPLANATION OF HON. ESPINA'S REFUSAL TO ACCEPT NOMINATIONS**

Hon. Espina explained the reasons behind his non-acceptance of the nominations for the positions of either the Executive Vice-Chairman or the Deputy Floor Leader. He stated that his refusal was motivated by his desire to be active in the Committee discussions. He cited that the role of Assistant Floor Leader or Floor Leader for that matter would be to limit participation in discussions and this clearly is not a role he wanted to play. Commissioner Espina emphasized that he wanted the discussions to be open.

To this, Chairman Abueva replied that while the Commission might adopt the House or Senate rules, it can also adopt and formulate the academic rules of universities.

Hon. Azurin, prior to his main comment, stated that if possible, the materials to be distributed would be in the form of CDs.

On the rules, Hon. Azurin suggested the non-adoption of the Rules of the Congress and Senate for the reason that the kind of debates and delaying tactics engaged in by both the Congressmen and Senators leave the watchers feeling exasperated and frustrated. Hon. Azurin then expressed his agreement with simply adopting the rules of the classroom as this would allow freer and more open discussions considering that the group is small enough to constitute a class.

Hon. Espina reacted strongly to this comment stating that he has been a member of Congress for nine (9) years – a member of government where parliamentary was the model – a member of Congress in a Presidential form. He then entreated the Commission to be positive. He inquired how, in the absence of formal rules, would the Chairman handle a motion for reconsideration, how the Chairman would handle a majority seat - the number of regular members or the majority of those present. He stressed that these need to be clarified otherwise there would be confusion.

Chairman Abueva reminded Hon. Espina that there was already an agreement for the Committee on Rules to propose rules. He stressed that he was not suggesting one, to the exclusion of another style of deliberation. A combination of the parliamentary and the academic free-wheeling style is to be considered so that the Commission will get the most from each member.

### **RECOMMENDATION OF HON. DIZON**

Hon. Dizon suggested that the schedule of the plenary sessions be finalized first before they break up into committees. He enjoined the members to decide on how many plenary and committee sessions they want every week.

### **RECOMMENDATION OF HON. DEE**

Hon. Dee recommended that the Commission constitute themselves as a committee of the whole first before making a decision on the Hon. Dizon's recommendation. The Commission could then decide on what articles of the Constitution to discuss on a particular day. He cautioned that the formation of many committees would make the body miss out on many discussions.

## **RECOMMENDATION OF HON. GARCIA**

Hon. Garcia recounted that the Chairman proposed working on Saturdays. He asked him to reconsider since some of the members come from the provinces. He mentioned that Congress works only until Thursday. He suggested that they set priorities to save time since they are already behind schedule. Priorities may be set according to their mandate, which includes the shift from presidential to parliamentary form of government and economic reforms. Hon. Garcia opined that the provisions of the current Constitution on state principles and policies and civil and human rights do not need much amendments. He therefore recommended that the body immediately proceed to the discussions on the shift in the form of government. Thus, he enjoined the body to focus on the parliamentary, federalism and political party reforms.

Hon. Abueva observed that the three discussions seemed to be interrelated. He added that suffrage and electoral reforms is also related to the first three topics.

At this point, Hon. Garcia reminded the body that Executive Order No. 453 mandated the Commission to commence their work not later than September 10. He noted, however, that they have just opened their sessions. Therefore, they cannot be faulted should their complete report come out later than the designated deadline.

Hon. Abueva took account of Hon. Garcia's reminder but said that they should stick to the deadline as a way of disciplining themselves. He said that it would, however, be reasonable should they need more time in the end.

Hon. Garcia stressed that they shall surely finish before December 15 if they prioritize their discussions.

Hon. Abueva then said that they appreciated Hon. Garcia's wisdom and directed the body to concentrate on the major issues of constitutional amendments: parliamentary government, federalism, political party and suffrage and electoral reform. He emphasized that these are interrelated and cannot be discussed independently. He then suggested that the body discuss the overview of the Commission's tasks in the next two or three days. He informed that two members of the 1986 Constitutional Convention advised him not to start with many committees to avoid being pigeonholed at that level. It would be wise to start as a body and tackle interrelated and broad issues to see things as a whole.

## **RECOMMENDATION OF HON. APOSTOL**

Hon. Apostol suggested that Hon. Abueva appoint the chairmen of the four committees so they could start defending their specific provisions tomorrow.

## **SUSPENSION OF SESSION**

Hon. Apostol then moved for a 10-minute recess. Session was thereby suspended.

*It was 5:45 p.m.*

## **RESUMPTION OF SESSION**

At 5:56 pm, the session was resumed.

## **SCHEDULE OF THE SESSIONS**

Hon. Abueva informed that in the first three weeks, the Commission would

meet in committees or joint committees on Mondays, Tuesdays and Wednesdays and in plenary on Thursdays at 3 p.m. to 8 p.m. There would be no sessions on Fridays, Saturdays and Sundays. He said that they would play it by ear and would add more work days as needed. He informed that there would be combined meetings to discuss revisions on parliamentary government, federalism, political parties and suffrage and elections. He further noted that there were only three comprehensive drafts on constitutional reforms which can be used as working drafts for the committees.

### **SCHEDULE OF MEETINGS**

After the coffee break, Chairman Abueva reviewed the suggestions made earlier by the body to play it by ear in the first three weeks. One suggestion was for the Commission to meet only on Mondays, Tuesdays and Wednesdays in committees or joint committees and then on Thursdays in plenary. Fridays to Sundays will be non-working days. Working schedule will be from 3 p.m. to 8 p.m. on said days.

Another suggestion made earlier by Chairman Abueva is to combine meetings of the four committees of parliamentary government, federalism, political reform, and suffrage and electoral reform.

### **USE OF WORKING DRAFTS**

Previously existing comprehensive drafts were suggested to be used as working drafts for the commission:

- draft prepared by the House committee on constitutional amendments;
- draft prepared by the Citizens' Movement for a Federal Philippines;

- proposal contained in Abueva publication
- resolution by the De Venecia group (Coalition for Charter Change Now) and Citizens Movement for a Federal Philippines

The Chairman added that discussion on constitutional amendments pertaining to economic reform will be postponed as there have been advance studies before as regards such by a preparatory commission during the time of former Pres. Estrada.

### **ISSUE OF MEDIA COVERAGE**

Hon. Romualdo suggested that media coverage be disallowed during plenary deliberations so the body can work and discuss exhaustively the possible amendments.

Chairman Abueva referred to the committee on rules the matter of which sessions will be made public and which will be restricted to the media. However, he commented that some plenary meetings should be open to the media as the commission has the obligation to make the public/media realize that their work is not a secretive process but likewise stressed the need for some measure of confidentiality.

Hon. Leviste expressed concern over the impact of restricting media access on public perception of their work, especially since they are tackling what he referred to as quantum leaps in the country's political system. He said that it should be up to the chairman, vice chairman and the floor leader to control the deliberations. He suggested that the committee on rules take his concern into account.

On behalf of the committee on rules, Hon. Apostol said they will consider it

and perhaps submit a draft to the body by tomorrow.

### **ORDER OF BUSINESS FOR NEXT SESSION DAY**

Chairman Abueva reminded the body to report tomorrow by three o'clock in the afternoon and that the first order of business shall be to divide the members into three basic committees. He also said that the idea is for the four committees (parliamentary government, federalism, political party reform, and suffrage and electoral reform) to meet together initially since their topics are interrelated, even as he pointed out that there is still some degree of specialization needed in the discussion of the four topics.

### **SPACE REQUIREMENTS**

Hon. Apostol informed the body about the availability of spaces to be utilized for committee meetings, plenary sessions and as office of the Commission Chairman.

### **FOUR INTERCONNECTED COMMITTEES**

Stressing the need to see how the four previously mentioned topics are interrelated, Chairman Abueva said the four committees should meet together in the next three days, and play it by ear.

Hon. Leviste inquired after the composition of the four committees.

Chairman Abueva then ordered the Commission Secretariat to distribute to the body the list of the members of each committee.

Hon. Leviste suggested that the committee members choose their respective committee's chairperson. Chairman Abueva deferred the body's

decision on the matter for the next session day.

Hon. Espina reiterated his suggestion for the four committees to be merged into one committee on political and electoral reforms as he believes that the body cannot discuss, for example, federalism without touching on legislative power and political party.

Chairman Abueva responded by pointing out the advantage of having four separate committees tackle individually the said interrelated topics. He said it is good to have some degree of specialization while working together at the same time.

Hon. Espina assured Chairman Abueva of specialization in the debates in the one big committee that he is proposing.

Hon. Ortega then pointed out the wisdom in having four separate committees as he said that it will be easier for them to explain to the people the four topics if they are discussed individually and not lumped together. Though there may be four different committees, he said these committees may meet together later on to reconcile the provisions they approved in their respective committees.

Chairman Abueva then reiterated the need for both specialization and synthesis as he suggested to discuss in the next three days what he referred to as the broad contours of the four topics.

### **SETTING UP OF ELECTRONIC FORUM**

Hon. Azurin suggested that the Secretariat set up an electronic forum wherein the drafts for constitutional amendments can be viewed and people can interact and comment on the said drafts.

Chairman Abueva said they have agreed in principle to use both soft and hard copies for the commission's communication requirements. He also said the commission will optimize its access to information.

#### **TENTATIVE WORKING TIMETABLE**

Upon reminder of Hon. Apostol, Chairman Abueva announced that the session tomorrow will start with the submission by the rules committee of its report at 3:00 p.m. The Chairman proceeded to remind the body that tomorrow, Thursday, shall be their last working day for the week.

Hon. Romualdo suggested that meetings be held from Thursdays to Saturdays instead of Mondays to Thursdays since his workload as governor is heavy during those days.

Chairman Abueva said that the idea of meeting during Fridays and Saturdays for the first three weeks has already been ruled out to allow members to go back to their respective provinces.

Chairman Abueva reiterated the suggestion that the body shall not meet during Fridays to allow other delegates to go back to their provinces to consult with their constituencies.

#### **COMMENT OF HON. ROMUALDO**

Hon. Romualdo, however, dissented. He informed the body that he is not in the province during weekends. He can be in Manila during Fridays, Saturdays, even Sundays. He can be with the body from Thursday to Saturday.

#### **COMMENT OF CHAIRMAN ABUEVA**

Chairman Abueva, however, noted that the suggestion of Hon. Romualdo may change the timetable of the body.

#### **COMMENT OF HON. TENDERO**

Hon. Tendaro was amenable to the suggestion that the work schedule of the body be from Monday to Thursday. The members may go back to the provinces thereafter and come back to Manila Monday morning.

#### **SUGGESTION OF HON. ORTEGA**

Hon. Ortega suggested that the body work the whole day, instead of half day, on Saturdays. The body may also work half day on Sundays.

Chairman Abueva asked the secretariat to follow the discussion and project on the board the two alternative options.

#### **SUGGESTION OF HON. TENDERO**

Hon. Tendaro agreed that the Commission should work from Monday to Thursday. He suggested further that the committee meetings be held Mondays and Wednesdays. The body shall use Tuesdays and Thursdays for plenary sessions. This would enable the committees to present their work during the plenary to be held the following day.

#### **REMINDER OF CHAIRMAN ABUEVA**

Chairman Abueva reminded that the committees shall be combined to work together during the first three weeks. They can also meet separately on their own time. However, the body should consider the views of Hon. Commissioners Romualdo and Ortega who are local government leaders. Chairman Abueva asked the body to

reconcile the different suggestions of the members.

#### **COMMENT OF HON. ROMUALDO**

Hon. Romualdo told the body that his regular workload is done during Mondays, Tuesdays and Wednesdays. Thursday will be spent with the Cabinet.

#### **COMMENT OF HON. GARCIA**

Hon. Garcia said that the first option, which was to work from Monday to Thursday, is ideal. He told the body that to work on Saturdays will be imposing on the PMS, the secretariat. He reminded the body that Saturday is a non-working day in government. The Congress also works from Monday to Thursday. As such, the body could leave for the province on Fridays, be with their families on Saturdays, consult with their constituents on Saturdays and Sundays, and head to Manila Monday morning to return to work in the afternoon. This option is a more workable schedule.

#### **COMMENT OF HON. ROMUALDO**

Hon. Romualdo, however, rebutted that Hon. Garcia is referring to the work schedule of offices in Manila. Hon. Romualdo and other local government leaders have different work schedules in the provinces.

#### **COMMENT OF HON. GARCIA**

Even then, Hon. Garcia commented, the work of the local chief executives with their constituents is done during weekends, not on working days, which local chief executives spend to work in the Capitol. He said that based on his experience they will not be able to consult with their constituents.

#### **SUGGESTION OF HON. APOSTOL**

Chairman Abueva reiterated that the body has three local government leaders with different views. He then asked the body how these suggestions can be reconciled.

Hon. Apostol suggested that the body decide on the issue tomorrow. He also reminded the body to select the chairmen of the four committees and the other sub-committees. The draft rules shall also be submitted tomorrow.

#### **HON. MATULA'S QUERY**

Hon. Matula reminded that the rules will be given out to the body at 3 o'clock tomorrow. He asked that the draft rules be submitted to the members earlier than 3 o'clock through electronic mail. The members shall leave their email addresses to the Secretariat.

Chairman Abueva clarified if Hon. Matula was asking about the report of the Committee on Rules.

Hon. Matula affirmed that he was talking about the rules that would be discussed the next day. He reiterated that the said rules should be given to the members before 3 p.m. so that they will be more familiar with it.

#### **RESPONSE OF HON. APOSTOL**

Chairman Abueva asked Hon. Apostol if the request of Hon. Matula is feasible.

Hon. Apostol responded that the group will finalize the rules at 2 pm and they will give the rules to the body at 3 p.m.

### **HON. NAVAL'S QUERY**

Hon. Naval asked how much the members are entitled to receive for their transportation.

Chairman Abueva commented that this is a very legitimate query and asked the secretariat, particularly Sec. Tiglao, to answer Hon. Naval's question.

### **RESPONSE OF PMS USEC. ELEGIR AND SEC. TIGLAO**

Usec. Elegir informed the body that the provincial delegates will be accommodated in the SEAMEO-INNOTECH Hotel.

Chairman Abueva said that they shall consult with the secretariat on this matter. The body shall be informed on the matter tomorrow.

Sec. Tiglao reported that arrangements were made for the delegates who came from the provinces to be booked in the hotel. Regarding the per diem of the delegates, he suggested that the chairman take it up with the delegates. He estimates that the government may afford to provide P2000 to P2500 per day for each delegate, which is within the budget.

### **COMMENT OF HON. APOSTOL**

Hon. Apostol commented that the matter is the work of the Committee On Ways And Means and that the committee may go over the problem. He also said that the Committee should include Secretary Tiglao in their discussions for the Committee to know what the government can afford.

### **CLARIFICATION OF HON. NAVAL**

Hon. Naval then requested clarification if the transportation and accommodation shall be shouldered by

the government and if the per diems shall be discussed tomorrow.

Sec. Tiglao answered in the affirmative.

### **COMMENT OF HON. MAGNO**

Chairman Abueva recognized Hon. Magno.

Hon. Magno observed that much of the Commission's work is spent consulting with each other rather than consulting with local groups and sectors. He believes that the mandate of the group is to market constitutional amendments considering the adverse public opinion regarding constitutional changes. Given the limited time schedule, the body should design the body's work in terms of identifying key issues, and going out and marketing these concerns to the constituency.

### **COMMENTS OF DR. ABUEVA**

Hon. Abueva thanked Hon. Magno for the reminder. He said that this is the reason the body shall have concentrated work during the first month to be followed by regional consultations. It would be more useful to conduct consultations with various groups and sectors if the body has a working guide to consult them on. The body cannot conduct consultations if the body has not made up their mind on a working draft. There will be sustained consultations during the next two months after the first four or five weeks of meetings.

On the need of the people to know, through the media, what the Commission is doing, Chairman Abueva suggested that at the start of the session, the body may meet with the people individually. Further, at the end of the session, the Commission may have a press conference to answer the

public's questions. However, these activities should be scheduled so that the media will not be with the body the whole time during sessions while the members are deliberating. If the commission shall allow a period for answering questions from the media, the Commission may get in touch with the public and with the concerned constituencies early on before the conduct of extensive consultations. As such, the Commission shall not be seen as an opaque body. The Commission

shall be open and transparent in its work.

#### **ADJOURNMENT OF THE SESSION**

Chairman Abueva then asked if there was any motion from the body to adjourn the session.

Hon. Apostol moved that the session be adjourned.

The opening session was adjourned at 6:34 p.m.

**Certified correct:**

*Hon. Lito Monico C. Lorenzana*  
Secretary-General

*Hon. Ma. Romela M. Bengzon*  
Deputy Secretary-General

**Attested by:**

*Hon. Jose V. Abueva*  
Chairman

05 October 2005