

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



Senate
Office of the Secretary

'17 SEP 25 P 4 :20

SENATE

P. S. RES. NO. 514

RECEIVED BY: J

Introduced by Senator Antonio "Sonny" F. Trillanes IV

RESOLUTION

DIRECTING THE SENATE COMMITTEE ON CIVIL SERVICE, GOVERNMENT REORGANIZATION AND PROFESSIONAL REGULATION, AND OTHER APPROPRIATE COMMITTEES, TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE RELEASE OF REDACTED STATEMENT OF ASSETS, LIABILITIES, AND NET WORTH (SALN) ONLY OF SOME CABINET MEMBERS OF THE DUTERTE ADMINISTRATION AND INQUIRE INTO THE POSSIBLE VIOLATIONS UNDER REPUBLIC ACT NO. 6713 OR THE CODE OF CONDUCT AND ETHICAL STANDARDS FOR GOVERNMENT OFFICIALS AND EMPLOYEES, AND THE 1987 PHILIPPINE CONSTITUTION

WHEREAS, Article XI, Section 17 of the 1987 Philippine Constitution states that:

*"A public officer or employee shall, upon assumption of office and as often thereafter as may be required by law, submit a declaration under oath of his assets, liabilities, and net worth. In the case of the President, the Vice-President, the Members of the Cabinet, the Congress, the Supreme Court, the Constitutional Commissions and other constitutional offices, and officers of the armed forces with general or flag rank, the declaration shall be disclosed to the public in the manner provided by law."*¹

WHEREAS, Section 8 of Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees states that:

*"Statements and Disclosure. - Public officials and employees have an obligation to accomplish and submit declarations under oath of, and the public has the right to know, their assets, liabilities, net worth and financial and business interests including those of their spouses and of unmarried children under eighteen (18) years of age living in their households."*²

WHEREAS, the same provision further states that any and all statements filed in compliance of said law should be made available and accessible to the public as part of fulfilling the principles of transparency and accountability of public service;³

¹ Retrieved from <http://www.officialgazette.gov.ph/constitutions/1987-constitution/>

² Retrieved from http://www.lawphil.net/statutes/repacts/ra1989/ra_6713_1989.html

³ Ibid.

WHEREAS, last 23 July 2016, President Rodrigo Duterte signed Executive Order No. 2 or the Freedom of Information Act which calls for the full public disclosure of all government transactions involving public interest in recognition of the democratic exchange of information, and in order to enhance transparency and accountability in government official acts, transactions and/or decisions;⁴

WHEREAS, despite the presence of several legislations calling for the full public disclosure of the SALN, public officials have found a way to circumvent through it;

WHEREAS, last 16 August 2017, upon the request of the data by journalists from Entrepreneur Philippines, the Malacañang Records Office (MRO) released copies of the SALNs of the 28 Cabinet Members appointed by President Duterte which were invariably outstanding due to apparent redactions;⁵

WHEREAS, in an article dated 22 September 2017, Malou Mangahas of the Philippine Center for Investigative Journalism (PCIJ) raised concerns over said redactions in the SALN. She compared the SALNs filed last 30 June 2016 to those filed last 31 December 2016, noting that the recent version of SALN included shaded or blacked-out items that revealed the sums of assets, liabilities, and net worth, contradicting the guidelines set by the Civil Service Commission;⁶

WHEREAS, said redactions were made to supposedly protect the right to security and privacy of the Cabinet members and their families, citing Republic Act No. 10173 or the Data Privacy Act as basis;⁷

WHEREAS, according to the Civil Service Commission, Republic Act No. 6713 must prevail over Republic Act No. 10173 in releasing a public official's document;⁸

WHEREAS, it should be remembered that in 2012, no less than former Chief Justice Renato Corona was impeached from his post for failure to disclose detailed information about the condominium units and other assets he owned, and the amount of pesos and dollars he held in his bank accounts;⁹

WHEREAS, there is an imperative necessity to investigate this matter, in aid of legislation, in order to determine whether or not certain public officials violated the Code of Conduct and Ethical Standards for Public Officials and Government Employees and/or the Philippine

⁴ Retrieved from <http://www.officialgazette.gov.ph/2016/07/23/executive-order-no-02-s-2016/>

⁵ Mangahas, M. (22 September 2017). *Palace redacts important info in SALNs of Duterte Cabinet*. Retrieved from <http://www.gmanetwork.com/news/news/specialreports/626838/palace-redacts-important-info-in-salns-of-duterte-cabinet/story/>

⁶ Mangahas, M. (22 September 2017). *Unexplained wealth, redacted?* Retrieved from <http://pcij.org/stories/unexplained-wealth-redacted/>

⁷ Mangahas, M. (22 September 2017). *Palace redacts important info in SALNs of Duterte Cabinet*. Retrieved from <http://www.gmanetwork.com/news/news/specialreports/626838/palace-redacts-important-info-in-salns-of-duterte-cabinet/story/>

⁸ Layug, M. (23 September 2017). *'Epidemic' of SALN redactions in Duterte Cabinet mocks FOI —advocates*. Retrieved from <http://www.gmanetwork.com/news/news/nation/626901/epidemic-of-saln-redactions-in-duterte-cabinet-mocks-foi-advocates/story/>

⁹ Mangahas, M. (22 September 2017). *Palace redacts important info in SALNs of Duterte Cabinet*. Retrieved from <http://www.gmanetwork.com/news/news/specialreports/626838/palace-redacts-important-info-in-salns-of-duterte-cabinet/story/>

Constitution, and to look into the possibility of coming up with remedial legislation in this regard;

NOW THEREFORE, BE IT HEREBY RESOLVED, as it is hereby resolved by the Philippine Senate, to direct the Senate Committee on Civil Service, Government Reorganization and Professional Regulation, and other appropriate committees, to conduct an inquiry, in aid of legislation, on the apparent redaction of the Statement of Assets, Liabilities, and Net Worth (SALN) of some cabinet members of the Duterte administration which were released to journalists, and to inquire into the possible violations of the law, particularly Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Government Officials and Employees and/or the 1987 Philippine Constitution and to look into the possibility of coming up with remedial legislation in this regard.

Adopted,


ANTONIO "SONNY" F. TRILLANES IV
Senator