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08 November 2018

Thursday



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China firm, Uy group get nod for 3rd telco

By RICHMOND MERCURIO

A consortium of a Davao-based businessman and known supporter of President Duterte and a state-owned telecommunications provider from China has emerged as possible challenger to telecommunications giants PLDT and Globe.

The partnership of Dennis Uy's Udenna Corp. and China Telecommunications Corp. was named yesterday as the provisional new major player, subject to document verification by a selection committee.

The group emerged as the lone qualified bidder, edging out three other groups which had submitted formal offers to the government. There were originally 10 groups aspiring to be the country's third major telecom provider.

"We want to commend the NTC (National Telecommunications Commission) for a fair and transparent selection process. We are honored and humbled to be chosen the provisional new major player and on behalf of Udenna, Chelsea and China Telecom, we promise that we will work very hard to give the Filipino people world class telecommunication services that they deserve," Udenna spokesman Adel Tamano said.

Udenna and subsidiary Chelsea Logistics Holdings Corp. announced yesterday morning that they were teaming up with China Telecom and congressional franchise holder Mindanao Islamic Telephone Co. to form the Mislattel consortium and make

formal its participation in the NTC's selection process for the new major player in the Philippine telecommunications market.

"The consortium is confident that Udenna Corp.'s extensive supply chain and knowledge of local industries will

complement the world-class technology and telecommunications expertise of China Telecommunications Corp., one of the world's largest and most experienced fixed and mobile network operators. Meanwhile, Chelsea Logistics Holdings Corp.'s expertise in logistics

and distribution will enable the speedy development of the network," Mislattel consortium said in a statement.

Should it become the country's new major telco player, the consortium said its immediate priority would be to prepare and consolidate all the required resources so it could provide the best telecommunications services that Filipinos have been clamoring for.

The consortium garnered a total of 456.80 points based on the highest committed level of service selection model consisting of three selection criteria - national population coverage, minimum average broadband speed and capital and operational expenditures.

It has committed network coverage of 84 percent of the population in the entire country after five years, with total investments of P257 billion.

Breaking duopoly

However, the country's third telecommunications player that is expected to break the existing duopoly in the sector is still facing uncertainties as controversies marked the highly anticipated bidding yesterday.

Publicly listed company PT&T and a Chavit Singson-backed LCS Group of Companies and TierOne consortium were the two other groups that submitted bids.

However, after a preliminary evaluation conducted by the new major player selection committee, only Mislattel's bid was given the green light, with the PT&T and LCS-TierOne bids turned down for lacking certain requirements.

LCS-TierOne failed to submit its participation commitment, while PT&T failed to submit a certification of technical capability from the NTC.

Both parties, however, have manifested their intention to file a motion for reconsideration.

The parties have three days to submit their motion for reconsideration and the selection committee has three days to act on it.

"If you look at it, we complied with all the requirements. All the requirements are there, except for a certification from the NTC. Of course we have to go to court to get relief as to why is that the case because if they have given us the certification, we would have complied 100 percent," PT&T president James Velasquez said.

PT&T filed on Tuesday a petition for declaratory relief before the regional trial court of Makati City.

For its part, TierOne said it intends to file a case against Mislattel for breach of contract.

"Our issue is against Mislattel, not Udenna. To stop Mislattel from allowing its franchise to be used by somebody else in the absence of a prior consent by its counter-party, which is DigiPhil," TierOne legal counsel Raoul Creencia said, noting that DigiPhil is a member of the LCS-TierOne consortium.

"There is a limitation in the use of the franchise in the sense that Mislattel cannot allow, as not allowed to have its franchise permits and franchises used by somebody else without a prior official consent of DigiPhil," he said. "DigiPhil, in other words, has the right of first refusal. The prohibition actually is not absolute. For as long as we get the consent of DigiPhil, Mislattel can actually consort and partner with someone else but they did not," he added.

If Mislattel would be adjudged to have breached the contract, Creencia said it would therefore be declared not eligible to partner with the Udenna and China Telecom, leaving the group with no congressional franchise holder.

A total of 10 parties, both foreign and local, had previously purchased the P1-million selection documents from the NTC: AMA Telecommunications Corp., China Telecommunications Corp., PT&T, NOW Telecom Inc., Telenor ASA Group, Udenna Corp., LCS Group of Companies and TierOne, Mobitel Holding GmbH, Converge ICT and an undisclosed bidder. But as it turned out, most of the companies did not participate.

NOW Telecom, which had earlier filed a petition for the issuance of temporary restraining order and a preliminary prohibitory injunction against the government's third telco selection process, opted not to push through with its planned participation.

NTC case

"We are withdrawing from the new major player bidding due to our case with the NTC; our case for the injunction has been denied by the Manila RTC. We are choosing to elevate this to the Court of Appeals. And our potential filing for the new major player bidding will potentially

affect the case and we were advised by our legal counsels not to submit our bidding documents at the moment," NOW Corp. investor relations officer Miguel Lopez said.

Another group that had been expected to bid was the tandem of Converge ICT and KT Corp. of Korea.

In a statement, the Converge-KT tandem said while the market and industry outlook was financially viable, "the conditions imposed for participation render the venture commercially unviable."

"The new major player is required to incur an inordinate amount of funds and carry out commitments at a pace that was not required of the current dominant service providers," it said.

"The terms of reference is skewed to encourage the new major player to compete in territories that are already served by providing services that are costlier to maintain, thereby driving competition at the higher end but smaller range of the consumer market. In contrast, the dominant players are not required to face the severe forfeiture of franchises if minimum speed commitments are not met," it added.

For his part, Department of Information and Communications (DICT) acting chief Eliseo Rio said he was contented with the outcome of the bidding, but expressed surprise at the action of some aspirants.

"We would have been happier if there were more bidders, especially Converge who partnered with KT. We were really expecting that they will come up with a bid. But as a whole it's OK, we started with 10 contenders who bought bid documents that is P1 million, non-refundable," Rio said.

"They are free to come up with their motion for reconsiderations. It's part of due process," Rio added.

Under Memorandum Circular No. 09-09-2018, or the rules and regulations on the selection process for a new major player, bidders should have a congressional franchise, a paid capital of at least P10 billion and with experience in the provision, delivery and operations of telecommunications services for the last 10 years on a national scale.

Globe Telecom, meanwhile, welcomed the entry of a telco challenger, saying it can help foster a healthy competitive environment and ultimately benefit consumers.

LAWYER FOR 9 SLAIN FARMERS SHOT DEAD

The National Union of Peoples' Lawyers says Benjamin Ramos may have been a target for reprisal as early as April when he was put on a list of alleged members of the communist underground.

By the Inquirer Staff
@Team_Inquirer

Lawyers and human rights groups are crying out for justice over the killing of activist-lawyer Benjamin Ramos less than a month after helping families of nine farmers who were

shot dead by unknown attackers in Negros Occidental province.

Ramos, 56, a founding member of the National Union of Peoples' Lawyers (NUPL), had just bought cigarettes and was standing in front a store in his hometown of Kabankalan City,

Negros Occidental, around 10:30 p.m. on Tuesday, when one of two men on a motorcycle shot him three times.

"We decry this latest incident in a quick succession of violent attacks against lawyers, who are now enveloped in fear as they seek to provide access to

justice to their clients," said Abdiel Fajardo, president of the Integrated Bar of the Philippines.

Fajardo said lawyers, prosecutors and judges were "being targeted with surging frequency and impunity."

"Each unsolved and unprosecuted murder of the officers of

our courts of law is an attack against the rule of law," he said.

In a statement, NUPL said 34 legal professionals had been killed since President Duterte took office in 2016. Not counting judges and prosecutors, Ramos was the 24th lawyer killed and the eighth in the

Visayas, it added.

"These beastly attacks by treacherous cowards cannot go on. Not a few of our members have been attacked and killed before while literally practicing their profession and advocacies in the courts, in rallies, in picket lines, in ur-

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FROM A1

ban poor communities, and in fact-finding missions," the NUPL said.

In a statement, former Chief Justice Maria Lourdes Sereno said a government that did not act to stop the "rampant killing of defense lawyers kills not only its citizens and their defenders, but also the rule of law."

Such inaction "extinguishes hopes for a just and humane future," Sereno said.

Pro bono lawyer

Ramos, the NUPL secretary general for Negros Occidental, gained the reputation of a "go-to" pro bono lawyer for farmers, environmentalists, activists, political prisoners and mass organizations in the province, NUPL said in a statement.

Lawyer Ian Sapayan, vice chair of NUPL in the Visayas and Ramos' cocounsel in a case filed against six people who were tagged as communist rebels and arrested by soldiers in Mabinay town, Negros Oriental, believed Ramos was killed by state forces.

At a press conference in Cebu City on Wednesday, Sapayan alleged that the police in Negros Oriental distributed fliers that named Ramos and 60 other individuals as members of the Communist Party of the Philippines, opening the lawyer and the others to reprisals.

The Philippine National Police has denied the allegation.

Ramos left a wife and three children. His family declined to issue a statement.

Death threats

Weeks before the attack, Ramos reportedly received death threats sent by text, according to human rights group Karapatan.

Malacañang and the PNP Western Visayas police director, Chief Supt. John Bulalacao, also condemned Ramos' killing.

Presidential spokesperson Salvador Panelo said authorities were conducting "a speedy and impartial investigation."

"Pertinent agencies will do all they can to ensure that the perpetrators of this detestable atrocity are brought to justice," Panelo said.



SAGAY SURVIVORS Flordeliza Cabahug and Rene Manlangit, who survived the gun attack on farmers in Sagay City nearly two weeks ago, accuse Sagay policemen of harassing and intimidating them to rebut charges of kidnapping filed against the lawmen by a human rights group during a press conference in Quezon City on Wednesday. —GRIG C. MONTEGRANDE



Benjamin Ramos —CONTRIBUTED PHOTO

Justice Secretary Menardo Guevarra said he had ordered the National Bureau of Investigation to determine whether "there is any indication that the incident is related to the previous killings of the farmers" in Sagay City.

Sagay survivors

At a press conference in Quezon City on Wednesday, survivors of the Sagay massacre said they were being harassed by the police by blaming them for the killings.

"How come we who are the victims and survivors are the

ones charged for the murders? We are now asking the help of the Commission on Human Rights because we no longer trust the PNP," said Rene Manlangit, one of the survivors.

The nine victims, including three women and two minors, were farmers at Hacienda Nene who were engaged in the traditional "bungkalan"—planting vegetables and root crops to feed their families on idle sugar land.

At the same press conference, NUPL lawyer Katherine Panguban decried the kidnap-

ping and serious illegal detention charges filed against her by the police after she assisted one of the survivors, a 14-year-old boy.

"The truth is, what we have found out is that it was the police and the local authorities of Sagay City who did not take extra care to protect the rights of the minor witness. They took him into custody and did a lot of interviews with him despite the absence of a counsel or his parent," she said.

Flordeliza Cabahug, the boy's mother, denied police allegations that her son was forcibly taken. She presented a document showing the proper turnover of the boy to social workers.

In a statement, the CHR said Ramos' killing was "another addition to growing incidents ... [of] the continuing violence against human rights defenders in the country."

New York-based Human Rights Watch said Ramos' killing was "a further indictment of the impunity that has worsened" under the Duterte administration. —WITH REPORTS FROM DONA Z. PAZZIBUGAN, ADOR VINCENT S. MAYOL, MOREXETTE MARIE ERRAM, MELVIN GASCON, JHESSET O. ENANO, JAYMEE T. GAMIL, AIE BALAGTAS SEE, CHRISTINE O. AVENDAÑO, BENJIE TALISIC AND CHRYSSEE GERONA SAMILIANO INQ

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News

DISPUTED WATERS

CHINESE LEADERS 'RECOGNIZE WPS IS OURS'

By DJ Yap
@deejayapINQ

In a startling claim, Senate President Vicente Sotto III on Wednesday said China's leaders intimated during top-level talks recently that "they do agree that those areas" in the West Philippine Sea (WPS) "are ours."

Without elaborating as he had no authority to speak for the President, Sotto said there were looming positive developments in confidential talks between Manila and Beijing on easing tensions in the disputed waters.

"I'm not too sure if I'm at liberty to inform you, guys, but perhaps as a general statement... I am privy to dialogue and talks within the executive department and leaders [of China], and slowly we are realizing the fact that they do agree that those areas are ours," he said.

'Presidents' level'

"And if there are any exploratory expeditions, it should be with the concurrence of the Senate, of the Philippine government... it would be a 60-40 [split]. That's all I can say," Sotto told the

Kapihan sa Manila Bay forum.

Asked how high the level of discussions were, he said: "Presidents' level."

Weather stations

"All I can say is there are developments indicating positive output from China," he said.

Sotto made the claim as he played down reports that China had built weather stations on three Philippine-claimed reefs, where it had constructed artificial islands.

The South China Morning Post, quoting Chinese foreign

ministry spokesperson Lu Kang, reported the installation of weather stations on Kagitingan, Zamora and Panganiban (international name Fiery Cross, Subi and Mischief, respectively) reefs.

All three reefs are in the West Philippine Sea, the region in the South China Sea within the country's 370-kilometer exclusive economic zone.

Sotto said he was confident there had been coordination between Manila and Beijing about China's buildup in the disputed sea. "I am sure there is coordination there," he said. INQ

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SOTTO CONVINCED

China honors PH's right

By Mario J. Mallari

The Philippines-China talks for joint exploration projects in the West Philippine Sea (WPS) gave Filipino leaders the realization that China recognizes Philippine ownership of some of the disputed islands.

In fact, Senate President Vicente Sotto III yesterday said he is keeping a "positive outlook" on the projects, being one of the top government officials with knowledge about the dialogues.

Sotto said high-level discussions between Manila and Beijing appear to be favoring the Philippines.

"I am privy to dialogue and talks within the Executive Department and slowly we are realizing the fact that it (China) agrees that those areas are ours," Sotto said.

"And if there will be exploratory expeditions, we should know it. And we will be part of it. The discussion is 60-40 (sharing in favor of the Philippines)," he added.

Slowly we are realizing the fact that it (China) agrees that those areas are ours.

Asked about the level of discussion happening between the two countries, Sotto replied: "President's level."

According to Sotto, the joint exploration was among the issues tackled during a meeting with President Duterte last 29 October. Sotto said he was with Senators Panfilo Lacson and Gregorio Honasan.

"I don't want to elaborate. But there will be things that are coming out with good outcome," Sotto said.

The planned Philippines-China joint exploration in the disputed West Philippine Sea was designed to work in the Philippines' favor as it openly declared that it will not agree to any deal less than the Malampaya project. Government takes 60 percent from that agreement.

This development is coming ahead of China President Xi Jinping's visit to the Philippines next month.

Xi's visit is expected to open talks between the two countries about concerns on the reported structure built by China in the contested Spratly Islands and other artificial land masses recently.

Presidential spokesman Salvador Panelo confirmed the talks amid reports about China's installation of anti-ship cruise and surface-to-air missiles at the Spratly Islands grew louder last week.

China is also said to be operating a weather station on artificial islands built in the disputed sea territories which the Philippines is also staking claims.

Xi is expected to make an official visit to the country next month and will pay the Philippine leader a courtesy call to discuss their still warm relations despite the two countries remaining at loggerheads over sea territories and islands also being claimed by their other neighboring countries, including Japan and Vietnam.

Top Chinese officials described Mr. Duterte as Xi's "most respected friend" and this relationship between the two leaders could play a

Xi's meeting with Mr. Duterte could serve as the right opportunity to call out China on its movements in the WPS, according to Panelo.

Former spokesman Harry Roque earlier had claimed the government was acquiring equipment to verify the deployment of missiles in the area. No update has been made since.

Panelo vowed to convene the Department of National Defense and National Security Adviser Hermogenes Esperon Jr. to discuss the matter before releasing an official report.

He said the security cluster will leave it to the judgment of the President who has repeatedly said there is a "right time" to bring up the Philippines' concerns on its territories with China.

Xi's meeting with Mr. Duterte could serve as the right opportunity to call out China on its movements in the WPS, according to Panelo.

big factor in resolving the issues at hand.

But Malacañang is not backing off the issue of the reported military structures and weather stations built by the Chinese on the Spratly Islands, with Panelo saying government is not discounting the filing of a diplomatic protest if China had indeed placed weather stations and anti-ship cruise and surface-to-air missiles on the long-disputed islands.

"We may file a diplomatic protest if the report is correct,"

Panelo said,

adding

validation

is being made

to ensure accurate

talking points are

made when Mr.

Duterte discusses

the matter with Xi.

In the end, Panelo said, it is the President who is the lone authority to decide on whether to raise before the Court of Permanent Arbitral Tribunal the concerns about China's militarization of the islands.

China earlier had vowed it would not militarize the disputed territories.

The reported presence of anti-ship cruise missiles and surface-to-air missile systems on three of its outposts in the contested Spratly Islands, however, is a serious concern for the Philippines.

Last May, China was said to have stationed missiles on Reef (Fiery Cross Reef), Subi Reef (Zamora Reef) and Fanganiban Reef (Mischief Reef) — parts of the disputed territories which lie between Vietnam and the Philippines.

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ENCLOSURE

AFP chief Galvez made an honorary Navy SEAL

Armed Forces of the Philippines chief Gen. Carlito Galvez Jr. was made an honorary Navy SEAL on Tuesday when he graced the 62nd founding anniversary of the Philippine Navy's special operations group. "To be welcomed as a member of such a vaunted force is indeed an honor, and I am privileged to join the ranks of honorary members of much distinction such as former Defense Secretary Gilbert Teodoro and former AFP chiefs of staff Generals Alexander Yano, Ricardo David Jr, Emmanuel Bautista and Rey Leonardo Guerrero." Galvez said in his speech at Naval Base Cavite in Cavite City. "Whether in the sea, air and land (SEAL), the nation ... can very much depend on the mighty Navy SEALs in protecting the people and securing the state." —JEANNETTE I. ANDRADE

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Gov't to mobilize all assets in campaign vs drugs

By CHRISTINA MENDEZ

Drug money might influence the outcome of the coming midterm elections, President Duterte told Cabinet officials as he directed them to mobilize government resources to the fullest to eliminate the drug menace.

Duterte issued the warning on Tuesday evening as he lectured his

Cabinet on the impact of illegal drugs on national security.

"Drug menace is the number one threat to national security, linking drugs not only to its significant influence in the rise of heinous crimes, but also as it negatively affects the economy, even in our law enforcement agencies," the President told his officials.

He said some politicians and corrupt policemen were profiting from the proliferation of drugs.

"Tingnan mo ngayong eleksyon, makita ninyo yan (Watch out this coming elections) Drug money will play *dito*," he said.

He again disputed the report of the Philippine Drug Enforcement Agency (PDEA) that some P11 bil-

lion worth of shabu hidden inside magnetic lifters may have slipped past the Bureau of Customs.

To emphasize the seriousness of the drug problem, Duterte said the relatives of slain Ozamiz mayor Reynaldo Parojinog even had the judge handling their drug case killed. He was referring to judge Edmund

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Gov't From Page 1

Pintac who was handling the drugs and firearms cases of Nova Princess and Reynaldo Parojinog Jr.

Pintac was gunned down by unidentified men last Oct. 8. Ozamiz mayor Parojinog was killed along with 14 others during a raid on July 30, 2017.

The President had originally planned to address the nation about his latest sentiments on national issues but the Presidential Communications Operations Office limited media coverage only to visuals – meaning only TV cameramen and photographers were allowed inside the Aguinaldo State Dining Room. He would later gather his officials for a closed-door meeting.

The Chief Executive said he is set to issue a memorandum circular "directing the entire government machinery to mobilize its assets and to take an active role in government's anti-illegal drug campaign nationwide."

He also bared the activation of a national anti-illegal drug task force to be composed of personnel from the Philippine National Police (PNP), Armed Forces of the Philippines, Bureau of Customs (BOC), Philippine Coast Guard and other government agencies.

"Do not wait just like America. It's almost pandemic, it's not epidemic. But you know we are no match with America if we have to set a standard about human dignity, about human rights," Duterte said.

He stressed the country has no sophisticated equipment and the budget to sustain the drug campaign. He was referring to state-of-the-art machines that could detect illegal drugs or contraband.

"They can have a sense of

what's inside. But it's a new invention, I think it's expensive but they are using it now," he said.

President Duterte also said there is no need for nationwide martial law to address the drug problem.

Just like what he did when he was mayor of progressive Davao City, Duterte said all it takes is political will to handle the drug menace, including killing drug personalities.

Duterte maintained that the problem with illegal drugs has become a national security issue. This, he said, prompted him to turn to the military for help in dealing with the problem.

"It's not a matter of designation or appointment. This is a national security issue. I have every right to call on the Armed Forces to assist the police," he said, as he lambasted erring policemen.

Meanwhile, the PNP welcomed President Duterte's offer to reward police officers who kill their superiors found involved in illegal drugs.

"We truly appreciate the extraordinary encouragement of President Duterte to do our utmost best in performing our job as law enforcers," PNP spokesman Chief Supt. Benigno Durana Jr. said in an interview with reporters.

The President on Tuesday lauded police officers who killed a police official said to be a protector of drug traffickers, Supt. Santiago Rapiz, in an alleged shootout in Dipolog City on Monday. He promised to give cash rewards and a trip to Hong Kong to police officers who would do the same.

PNP chief Director General Oscar Albayalde earlier said they were monitoring the activities of

around 1,700 police officers suspected of involvement in narcotics and other illegal activities.

However, Durana assured the public Duterte's reward offer does not mean policemen will go on a killing spree with rogue police officials as targets.

"We will always follow what is written in our police operational procedures and what is prescribed in the law," he said.

Durana also took note of Duterte's past statements telling policemen to only shoot drug suspects and other criminals in self-defense.

"The earlier pronouncements and directives of the President are more than enough guidance for us to do our jobs within the bounds of the law," he said.

Durana also clarified that even without incentives from the President, they remain zealous in performing their duties.

In a related development, the Philippine Drug Enforcement Agency (PDEA) and BOC vowed to strengthen their partnership against illegal drugs.

PDEA director general Aaron Aquino made the statement yesterday following a meeting with Customs chief Rey Leonardo Guerrero on Tuesday.

"PDEA, as the lead agency in the national anti-drug campaign, continues to strengthen its relationship with its partners and counterparts for a more resolute, wide and all-encompassing effort to address the drug problem which is one of the most serious problems facing our country today," said Aquino.

During their meeting, Aquino and Guerrero agreed to sign an amended memorandum of agreement to strengthen the cooperation between the two agencies in addressing drug trafficking and smuggling.

- With Emmanuel Tupas

Drug menace is No. 1 nat'l security threat – Duterte

By GENALYN D. KABILING

With the drug menace considered the "number one" national security threat, President Duterte is preparing to mobilize government assets, including the military, to block the flow of illegal drugs in the country.

The President said he was ready to

"go to the extremes" to stop the drug problem as he bared plans to activate a national task force to combat the illegal drug trade.

"I will issue a memorandum circular directing the entire government machinery to mobilize its assets and to take an active role in the government's anti-illegal drug cam- ▶4

Drug menace is No. 1...

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paigned nationwide," Duterte said during a Cabinet meeting in Malacañang.

"What we have is the moving forward to eradicate illegal drug trade, activate a National Anti-illegal Drug Task Force," he added.

He said the task force would be composed of the personnel assets from the Philippine National Police, Armed Forces of the Philippines, Bureau of Customs, Coast Guard, and the other agencies of the government. "It can provide a necessary personnel complement to carry out the directive of the President to the Bureau of Customs to block the flow of illegal drugs in this country," he added.

The President acknowledged that illegal drugs have created an "aberration" in the country, as he threatened anew to kill those who destroy the country.

"Drug menace is the number one threat to national security," he said, admitting that shabu has entered the country "almost everyday."

Linking drugs not only to its significant influence in the rise of heinous crimes but also it negatively affects the economy and the role it plays in the corruption of our collections even in our law enforcement agencies," he added.

Duterte said the government must not wait to act on the drug problem "just like America" where the drug menace has become "almost pandemic."

"But you know we are no match with America if we have to set a standard about human dignity about human rights. Alam mo bakit? Wala tayong pera. We don't have that sophisticated mga machines," he added.

The President issued the remarks after defending his decision to allow military presence in the Bureau of Customs (BOC) to help combat corruption and smuggling of drugs and other contraband.

He said only "a few technical men of the Armed Forces of the Philippines" would be tapped to assist the customs

bureau "just see to it that everything is done properly."

Several lawmakers and concerned sectors earlier criticized the planned military takeover of the BOC, saying such move was unconstitutional.

"It will be a government military takeover. Because ang ilagay ko in the meantime, yung chief, is a - would be another military man. Until I am satisfied that law and order are established in that area, the presence of the Armed Forces of the Philippines will be there," he said.

Duterte also clarified that he has not ordered any appointment or designation of military personnel to occupy the posts of BOC employees.

"Sabi nila na it violates the Constitution and the operative words there are the prohibition of appointment or designation. When I called in the Army to help the Bureau of Customs, there was no designation, there was no appointment and there was never an instruction for them to take over the functions of the employee," he said.

He explained that he merely placed "chiefs of offices and section chiefs" on floating status while their assistants would do the job instead.

"Anong militarization? Takot naman... Bakit matakot? Since when did the military commit an abuse here in this country during my term? Since when did I condone any wrongdoing of any military man? Tell me," he said.

Duterte had earlier appointed former military general Rey Guerrero as new Customs chief, replacing Isidro Lapeña after a huge shipment of shabu was allegedly smuggled into the country. He later ordered a military takeover of the customs to help clean up the corruption-ridden agency.

The President, meantime, renewed his resolve to protect and preserve the nation from the drug threat, saying he would rather resign than let the country

go to the dogs.

"I'm determined. I'm ready to do anything at all. Anything basta mahinto lang ito. I will go to the extremes," he said.

BOC reshuffle

The government is mulling the replacement of 650 personnel of the BOC amid the intensified campaign to fight corruption and smuggling.

Finance Secretary Carlos Dominguez III informed the President Duterte about the estimated number of personnel affected by the BOC reorganization during a Cabinet meeting in Malacañang last Tuesday.

"That is the plan, to do it system-wide and actually we were doing the rough numbers the last day of working day last week and we came up with the number of 650 people will have to be replaced," Dominguez said during the Cabinet assembly.

The finance chief recently met with new Customs chief Rey Guerrero to discuss the latest BOC reorganization following President Duterte's order to the military to assist the agency.

"We met yesterday and also the right before the holidays. He is basically making a list of all the personnel that we will require and he is also reviewing all the procedures that he will implement," Dominguez said.

He noted that the technical personnel who would be assigned to the customs bureau must undergo "an extensive training program."

"I just want to inform you that all those people that we will be seconding or detailing will have to undergo an extensive training program because this is quite a technical job. And I'm assured by (Defense) Secretary (Delfin) Lorenzana that they have the technical personnel who can speed up that training program," he said.

Dominguez welcomed the President's decision to detail new personnel in the BOC since it would "reduce familiarity." "By law that system of secondment and detailing can be done legally and I think it is - it's going to work," he added.

DU30 warns vs drug money in 2019 polls

By **EFREN MONTANO**

PRESIDENT Rodrigo Duterte has warned that drug money might influence the May 2019 mid-term elections as he vowed to issue an order for the entire government machinery to mobilize its assets for the anti-illegal drug campaign.

"Tignan mo ngayong eleksyon, makita ninyo 'yan. Drug money will play dito," Duterte said during his lecture on illegal drugs to the Cabinet in Malacañang on Tuesday.

Duterte did not expound on his point but in supporting the postponement of the

barangay elections in 2016, he had argued that drug syndicates would likely support politicians who will protect them and their illicit activity.

The Department of the Interior and Local Government meanwhile, wants the Commission on Elections to disqualify candidates said to be involved in illegal drugs and corruption.

The President then slammed the Parojinog family of Ozamiz City whom he has linked to the illegal drug trade.

"Kita mo hanggang ngayon itong naiwan na mga kapatid, mga relatives ni Parojinog, pinapatay pa pati judge. Talagang taratado ang p... ana," he said.

Duterte had linked the family to the illegal drug trade, especially the late Ozamiz Mayor Reynaldo Parojinog Sr. who was among those killed in the series of drug raids in their homes on July 30 last year.

Ozamiz Vice Mayor Nova Princess Parojinog and her brother, Reynaldo Parojinog Jr., were arrested and are currently detained on cases for illegal possession of firearms and ammunition, and illegal possession of explosives and dangerous drugs.

The judge handling their cases was killed on October 8. The Parojinogs immediately denied involvement and called on authorities to investigate and ar-

rest the perpetrators.

In the same lecture, Duterte said he would issue a memorandum circular directing the activation of a national anti-illegal drug task force.

The task force will be composed of the personnel from the Philippine National Police, Armed Forces of the Philippines, Bureau of Customs, Philippine Coast Guard, and other government agencies.

"It can provide a necessary personal complement to carry out the directive of the President to the Bureau of Customs to block the flow of illegal drugs in this country," he said, adding the drug menace "is the number one threat to na-



President Duterte national security."

Duterte in March last year issued Executive Order 15 that created the Inter-agency Committee on Anti-Illegal Drugs (ICAD).

Its functions included ensuring the effective conduct of anti-illegal drug operations and arrest of high-value drug personalities down to the street-level peddlers and users, intensive advocacy campaign initiatives, and cleansing the bureaucracy of unscrupulous personnel involved in illegal drug activities, among others.

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ENCLOSURE

MB

CORRUPTION-RIDDEN AGENCY

MILITARY WON'T TAKE OVER BOC CIVILIAN POSTS—DUTERTE

By **Julie M. Aurelio**
@JMAurelioINQ

President Duterte on Tuesday defended his decision to put the Bureau of Customs (BOC) temporarily under military control, saying there was "no law and order" in the corruption-plagued agency.

Speaking about illegal drugs and the national security situation in Malacañang, Mr. Duterte said he did not order the military to take over the functions of BOC employees and that he did not appoint soldiers to civilian posts, as this is prohibited by the 1987 Constitution.

"When I called in the Army to help the BOC, there was no designation, there was no appointment and there was never instruction for them to take over the functions of the employees," he said.

'Floating status'

Mr. Duterte said the only ones he placed on "floating status" were the chiefs of offices and section chiefs.

The employees in those offices and sections would continue working, he said.

Mr. Duterte ordered a temporary military takeover of the BOC last month amid a scandal involving the smuggling into the country of "shabu" (crystal meth) worth P11 billion through Manila International Container Terminal (MICT).

The President reassigned Customs Commissioner Isidro Lapeña to the Technical Education and Skills Development Authority, a Cabinet post, and replaced him

with Rey Leonardo Guerrero, a former chief of staff of the Armed Forces of the Philippines.

Lapeña was removed from the BOC after denying for weeks that shabu had been smuggled through MICT.

But results of a reexamination by the Philippine Drug Enforcement Agency (PDEA) of four magnetic lifters believed to have been used to conceal the shabu proved undeniable, forcing Lapeña to acknowledge the possibility of the drug smuggling.

Last year, shabu worth P6.4 billion also slipped past the BOC at the Port of Manila, setting off a congressional investigation that pressured Lapeña's predecessor in the agency, former Marine Capt. Nicanor Faeldon, to resign.

In his speech on Tuesday, Mr. Duterte said the smuggling of illegal drugs into the country had been raised to the level of national security threat.

"Every administration, there's always a shipment of drugs. But these ex-military men, because I trust them, the problem is the shipment slipped past them," Mr. Duterte said, referring to Faeldon and Lapeña, a former police official.

He said the uncontrolled smuggling of drugs through the ports was a law and order problem.

"That is part of the law and order situation. It has nothing to do with designation or appointment of any person. I'm just trying to control crime," Mr. Duterte said. INQ

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Duterte downplays BoC 'militarization'

PRESIDENT Rodrigo Duterte has clarified that he had only ordered placing officers of the Bureau of Customs (BoC) on floating status, not for members of the military to "take over" the bureau.

"Now, [the critics] said it [appointing Armed Forces personnel] violates the Constitution and the operative words there are the prohibition of appointment or designation. When I called in the Army to help the Bureau of Customs, there was no designation, there was no appointment and there was never an instruction for them to take over the functions of the employees [there]," Duterte said in Malacañang on Tuesday evening.

"What I did was to... Since I cannot investigate one per day even to determine the guilt or the innocence of everybody there, day by day, that would take me almost 10 years to do that. So what I did was just really to order them on floating status," he added.

Duterte said it was an order covering chiefs of offices and sections and their assistants.

He later added there is no reason why he would not put the officials on floating status because they are the ones who sign the necessary documents before these documents go to the desk of the Customs commissioner.

"For after all the final, initial or signature of the section chiefs or departmental thing there, there is a signature. And that is I said the operative for the papers can run and finally get approval from the highest and then the release," the President said.

He added that military men and civilians will be deployed to the BoC.

"Why will I not put [members of the Philippine] Army there? What I said was... this cannot be headed by simpletons. I did not say Army. I said, it will be a government military takeover... Until I am satisfied that law and order is established in that area, the presence of the Armed Forces of the Philippines will be there," the President said.

"But what I put there are civilians. What is your problem? Civilian supremacy over the military.

Are we talking of numbers here? That when you say that the civilian authority is supreme so that everyone of them must be civilian. Or if you put one military man there and a few technical men of the Armed Forces of the Philippines, just see to it that everything is done properly," he added.

The President slammed those who are "scared" of militarization.

"What militarization? You're scared. Why are you scared? Since when did the military commit an abuse here in this country during my term? Since when did I condone any wrongdoing of any military man? Tell me," he said.

Meanwhile, according to the President, contraband enters the country's ports but there is no one properly regulating the goods that come in.

"Not only am I worried about drugs but it is really so big as to accommodate all dangerous things, chemicals and all. [Smugglers] could ship a bomb there, a TNT, and for all you know, nobody really cares or because he does not know or because there is somebody bribing him to have the cargo just slipped by. We'd never know how much corruption and to what extent would be the dimension of the danger of this country," he noted.

In remarks during the birthday celebration of former Foreign Affairs Secretary Alan Peter Cayetano two Sundays ago in Davao City, Duterte said the military takeover would be in effect until the government found ways of dealing with rampant corruption.

"We cannot just move on because we want to be lawfully correct so we have to take things slowly. But with this [games] that they are playing dirty games, I am forced now to ask the Armed Forces to take over," he added.

"They will be replaced, all of them, by military men. It will be a takeover of the Armed Forces in the matter of operating in the meantime while we are sorting out how to effectively meet the challenges of corruption in this country," the President said.

R2 RALPH U. VILLANUEVA

Military entry to BOC to displace 650 workers

BY JOCELYN MONTEMAYOR

FINANCE Secretary Carlos Dominguez III on Tuesday night said government is looking to temporarily replace some 650 personnel of the Bureau of Customs with military men as part of efforts

to rid the agency of corruption.

Dominguez, during a Cabinet meeting at Malacanang, said new Customs chief Rey Guerrero has started reviewing the current set-up at the BOC, including the number of people that he may need as well as the procedures

currently being implemented and those that would be implemented in the future.

He said in a talk with Guerrero, they discussed the BOC's reorganization, including President

See MILITARY > Page B6

MILITARY

Duterte's order to tap members of the Armed Forces to assist while reorganization and cleaning up of the agency of suspected corrupt personnel is ongoing.

The President said he wants the changes implemented even at provincial levels of the agency.

"That is the plan, to do it system-wide and actually we were doing the rough numbers the last day of working day last week and we came up with the number of 650 people will have to be replaced," Dominguez said.

He added that he had also coordinated with Defense Secretary Delfin Lorenzana about the deployment of the AFP members

because the soldiers would have to undergo "an extensive training program" because of the technical aspects involved in the operations of the BOC.

"All those people that we will be seconding or detailing will have to undergo an extensive training program because this is quite a technical job and I'm assured by Secretary Lorenzana that they have the technical personnel who can speed up that training program," Dominguez said.

He added that the deployment of military personnel in the BOC would help because the introduction of new people in the agency would "reduce familiarity."

Duterte ordered the AFP to help in the BOC because there is a "no

law and order" in the Bureau but a state of lawlessness.

Duterte also clarified that when he placed the "chiefs of offices and section chiefs" of the BOC on floating status, he meant that their assistants would be performing their jobs, not the soldiers.

"When I called in the Army to help the Bureau of Customs, there was no designation, there was no appointment and there was never an instruction for them to take over the functions of the employee(s)," he said.

He added the military presence aims to help restore law and order in the BOC.

The President, reiterating his commitment to address the illegal drugs problem, also said

that he is concerned about the failure of Customs personnel to stop the entry of illegal drugs, adding it could mean that other contrabands and even explosives could slip through.

"There is trouble outside the pantalan (port) because ang pantalan mismo nagpapapasok (the port allowed the entry). And that is part of the law and order situation. It has nothing to do with designation or appointment of any person. I'm just trying to control crime. I have not designated any sergeant to take over the evaluation or assessment of the value," he said.

The President said the AFP presence in the BOC would remain until he was satisfied that law and order have been restored.

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PH, Japan sign 2 devt assistance pacts

THE Philippines and Japan on Wednesday signed exchange of notes on two official development assistance (ODA) projects aimed at enhancing Manila's defense and transport capabilities.

The two ODA projects involve the helicopter maintenance equipment and the rehabilitation of the Metro Rail Transit Line 3 (MRT3).

Foreign Affairs Secretary Teodoro Locsin Jr. and Japanese Ambassador to the Philippines Koji Haneda signed the Exchange

of Notes on Japan Ground Self-Defense Force (JGSDF) UH-1H Parts and Maintenance Equipment to the Philippine Air Force (PAF) and on the MRT-3 rehabilitation.

"Throughout the years, Japan has vigorously and unfailingly supported the priorities of the Philippine government for the well-being of the Filipino people — and in particular through economic and development assistance as well as in enhancing our defense and security capabilities," Locsin said.

Haneda reflected on the successes of Philippine-Japan partnership. Manila, and Tokyo celebrated the 60th anniversary of the normalization of their diplomatic relations in 2016.

"With the signing of these two projects, let me assure you that we do not only mark our commitments on paper, we also pledge our all-out efforts in bringing these projects into successful completion," Haneda said.

The Grant Aid on UH-1H parts and maintenance equipment to

the PAF, involves Japan's grant of some ¥10.68 billion or about P5 billion worth of spare parts and maintenance equipment of UH-1H helicopters by the Japan Self-Defense Forces.

Meanwhile, the MRT-3 rehabilitation project involves the complete rehabilitation of MRT-3 to restore its design capacity and reliability, the general overhaul of MRT-3's entire fleet of 72 Light Rail Vehicles (LRVs), and day-to-day maintenance.

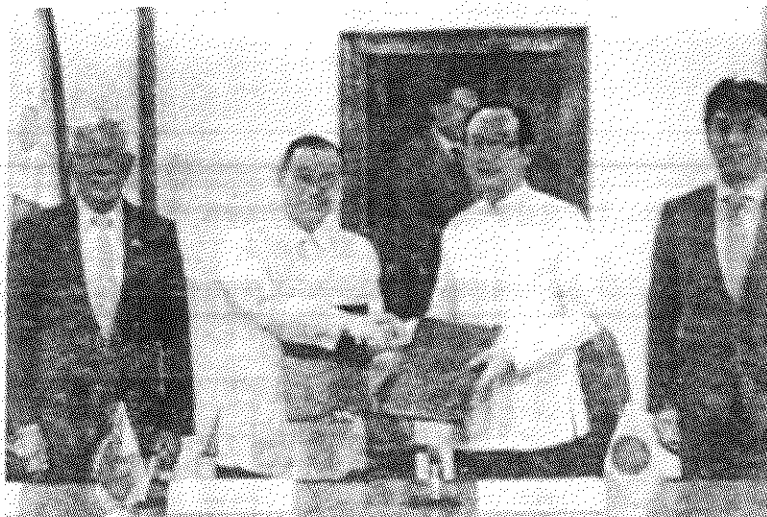
BERNADETTE E. TAMAYO

UH-1H parts to be turned over to PAF

FOREIGN Secretary Teodoro L. Loocin Jr. and Ambassador of Japan to the Philippines Koji Haneda exchanged notes last November 7 at the Department of Foreign Affairs on the turnover of UH-1H parts and maintenance equipment from the Japan Ground Self Defense Force to the Philippine Air Force (PAF).

The Philippines is expected to find these parts and equipment most useful as the PAF deploys UH-1H helicopters to conduct activities relating to humanitarian assistance and disaster relief, transport, and intelligence, surveillance and reconnaissance.

After the exchange note ceremony, Japan's



Ministry of Defense and the Philippines's Department of National De-

fense will coordinate the details of the transfer procedure and the sched-

ule for the turnover. The government of Japan hopes that the defense equipment transfer will contribute to further cooperation between Japan and the Philippines in such areas as humanitarian assistance and disaster relief as well as maritime security.

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P3.6-M smuggled rice from Sabah intercepted

SMUGGLED rice worth some P3.6 million was intercepted over the weekend in Zamboanga City by joint elements from the Philippine Coast Guard, Philippine National Police and Task Force Zamboanga.

In a report received by the Bureau of Customs (BoC) from Coast Guard spokesman Lt. Cmdr. Arnan Balilo, the contraband came from Sabah, Malaysia, and was already for delivery on board two closed wing van trucks when intercepted by authorities along RT Lim Boulevard in Zamboanga City.

The operation, Balilo said, was

conducted after the Coast Guard received an information from the 11th Infantry Battalion, Task Force Zamboanga, that there was loading of smuggled rice onto van trucks.

The team immediately conducted a maritime patrol at Taha Wharf, Baliwasan Seaside in Zamboanga but left empty-handed.

It later spotted the two trucks near the Zamboanga City State Polytechnic College.

Balilo said the trucks and their cargos were turned over to the bureau of Customs in Zamboanga for proper disposition.

Last month, 23,015 sacks of smuggled rice were also intercepted on board three vessels in Zamboanga City by joint elements of the Philippine Coast Guard, Philippine Drug Enforcement Agency and Intelligence Service of the Armed Forces of the Philippines on intelligence information that the vessels carry illegal drugs.

The contrabands were turned over to BoC-Zamboanga, which cargos later mysteriously went missing while under its custody.

The disappearance of the smuggled rice prompted then-Commis-

sioner (sidro Lapena to order the preventive suspension and administratively charged Zamboanga District Collector Lyceo Martinez, Lt. Filomeno Salazar, district commander of the customs police, Customs Operations officer and acting chief of the Port Operations Division Vicente Eduardo Torres, and Special Agent I Oscar Farin from the Enforcement and Security Service-Customs Police District for gross neglect of duty, grave misconduct and conduct prejudicial to the best interest of the service. **W**

WILLIAM B. DEPASUPIL

Family of slain botanist wants murder filed vs soldiers

BY ASHZEL HACHERO

THE widow of botanist Leonard Co yesterday asked the Department of Justice to upgrade to murder the criminal complaint filed against soldiers for the killing of her husband on Nov. 15, 2010 in Kananga, Leyte.

Arraignment is set for November 14 of the case of reckless imprudence resulting in homicide filed against soldiers of the 19th Infantry Battalion.

Glenda Co, along with her husband's colleagues and friends, staged a brief protest action outside the DOJ main building in Manila to press their call for the upgrading of the case to the non-bailable offense of murder.

Carrying placards with the message "Justice for Kananga Killing, Defend People's Scientists and Justice for Leonard Co," the group said it has been nearly eight years since Co was killed but his family has yet to get justice.

Feny Cosico, secretary general of AGHAM-Advocates of Science and Technology for the People, echoed Mrs. Co's appeal and said a decision issued on July 16 by the Kananga Municipal Trial Court, which junked the obstruction of justice charges against 27 military personnel in connection with the crime, added insult to injury.

The DOJ charged nine soldiers with homicide while 27 others were charged with obstruction of justice.

A panel of prosecutors, in a resolution issued in December 2012, junked the murder charges against the nine soldiers led by 1st Lt. Ronald Odchimar.

The resolution said there was no probable cause to indict Odchimar as well as Cpl. Marlon Mores and Privates First Class Albert Belonte, Michael Babon, Elemer Forteza, Roger Fabillar, Gil Guimerey, Alex Apostol and William Bulic.

The panel argued that a key element of murder, which is motive to kill or intentional felony, was not present in the case.

Co's family has filed a petition for review to elevate case to a murder case. It is still pending at the DOJ.

Co, a specialist in ethnobotany and plant taxonomy, was gathering speci-

men seedlings of endangered trees with five others in Upper Mahiao, Lim-ao, Kananga town on Nov. 15, 2010 when soldiers led by Odchimar fired at them.

At the time of the incident, Co was serving as a bio-diversity consultant of the Lopez-owned Energy Development Corporation.

Also killed were Julius Borromeo of the Tongonan Farmers Association and Sofronio Cortez who was a forest guard of the EDC's Environment Management Division. B2

The Army personnel involved in the incident said they were not aware of the presence of Co's team in the area which they were scouring due to the alleged presence of New People's Army members.

Senate, AFP dispute lead in UNTV Cup

Games Today

(JCSGO gym, Cubao)

2 p.m. – Ombudsman vs NHA

3:30p.m. – Malacañang-PSC vs
Agriculture

5p.m. – Senate vs AFP

The top seeds in both Groups A and B of the 7th UNTV Cup will be determined today at the close of the first round elims of the country's public servants-only tournament at the JCSGO gym in Cubao.

Disputing Group A's No.1 seed are defending champion Senate and Armed Forces of the Philippines with the latter going for a perfect 5-0 record in their 5 p.m. showdown.

Three teams – National Housing Authority, Malacañang-Philippine Sports Commission and Department of Agriculture – are still in the running for Group B topnotcher but one will

Standings:

Group A: AFP (4-0), Senate (3-1), PNP (3-2), PITC (2-3), DOJ (1-4), GSIS (1-4).

Group B: NHA (3-1), DA (3-1), Malacañang-PSC (3-1), PhilHealth (2-3), Judiciary (2-3), Ombudsman (0-4).

slide down to No. 3 at the end of the day.

That's because the Malacañang-PSC Kamao of Bong Go and Sec. Manny Piñol's Food Masters clash at 3:30 p.m. with both teams having good chances of securing the top spot.

Same thing for the NHA Builders who will face the Ombudsman Graft Busters at 2 p.m. in the event offering P4 million to the chosen charity of the champion team.

If both Malacañang and NHA prevail, the former will clinch the top seed with the loser sliding to No. 2 due to the winner over the other rule.

But if both NHA and DA emerge triumphant, the Builders will secure the No. 1 for the same rule.

Customs reorganization to affect 650 personnel

By GENALYN D. KABILING

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Finance Secretary Carlos Dominguez III informed President Duterte about the estimated number of personnel affected by the BoC reorganization during a Cabinet meeting in Malacañang last Tuesday.

"That is the plan, to do it system-wide and actually we were doing the rough numbers the last day of working day last week and we came up with the number of 650 people will have to be replaced," Dominguez

said during the Cabinet assembly.

The Finance chief recently met new Customs chief Rey Guerrero to discuss the latest BoC reorganization following Duterte's order to the military to assist the agency.

"We met yesterday and also the right before the holidays. He is basically making a list of all the personnel that we will require and he is also reviewing all the procedures that he will implement," Dominguez said.

He noted that the technical personnel who would be assigned to the Customs bureau must undergo "an extensive training program."

"I just want to inform you that all those people that we will be seconding or detailing will have

to undergo an extensive training program because this is quite a technical job. And I'm assured by Defense Secretary Delfin Lorenzana that they have the technical personnel who can speed up that training program," he said.

Dominguez welcomed the President's decision to detail new personnel in the BoC since it would reduce familiarity. "By law that system of secondment and detailing can be done legally and I think it is, it's going to work," he added.

Duterte recently authorized the military to help restore law and order in the BoC after a suspected drug shipment slipped in the country's ports.

'Narco' cop busters to get reward — Rody

President Duterte has promised to reward police personnel involved in the drug bust that neutralized Col. Santiago Rapiz, logistics officer of the Zamboanga del Norte police, in Dipolog on Monday.

"Any policeman who will kill his superior because the superior is into drugs, I will give you a prize and a trip to Hong Kong," Duterte said at a Cabinet meeting on Tuesday night, during which he gave a refresher on the administration's war on drugs.

"Drugs is the problem... it has been raised to the level of a national security threat," the President said.

Rapiz, who was in Duterte's narco list, reportedly shot it out with an undercover agent who bought shabu worth P50,000 in front of the Andres Bonifacio College in Barangay Miputak.

Senior Superintendent Romeo Caramat Jr. of the

Philippine National Police-Counter Intelligence Task Force said Rapiz was a protector of drug traffickers in Western Visayas and received P700,000 weekly from drug dealers in the region.

Rapiz was a former police chief of EB Magalona town and the cities of Escalante and Victorias in Negros Occidental. He was commander of the 2nd Provincial Mobile Group before he was transferred to Mindanao due to his alleged involvement in the illegal drug trade.

The Leonardo Panaligan Command of the New People's Army (NPA) called for a thorough probe into the incident, claiming that Rapiz was not involved in illegal drugs.

The NPA said Rapiz was made a "sacrificial lamb" by officials of the PNP.

— Christina Mendez,
Gilbert Bayoran

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DECLASSIFIED

HARASSMENT

AFP: NO ROLE IN ABDUCTION OF 'LUMAD' TEACHER'S MOTHER

DAVAO CITY—An Army official here has denied any link of the Armed Forces of the Philippines to the reported abduction of the mother of a volunteer teacher of a "lumad" (indigenous peoples) school in Compostela Valley, saying such an act is prohibited in the military service.

"Abduction is a criminal offense more so that the abductors are asking for ransom [money] for the release of the abducted person," Maj. Ezra Balagtey, Eastern Mindanao Command spokesperson, said on Tuesday.

Soldiers found to be guilty of such practice would be subjected both to the military justice and criminal justice system, Balagtey said in reaction to a statement from the lumad school Salugpongan Ta' Tanu Igkanogon Community Learning Center (STTICLC) on the abduction of Imelda Hayahay, mother of lumad volunteer teacher Jeany Rose Hayahay.

Meggie Nolasco, executive director of STTICLC, earlier said they had reasons to suspect the military could be behind the disappearance of Hayahay because of the presence of soldiers in the neighborhood on the night of the abduction on Oct. 16.

'Malicious'

She also said that when the family asked about Hayahay, a ranking military official had assured them that the teacher was well. But until now, her family knew nothing about Hayahay's whereabouts since she was taken from their house at Barangay Pindasan in Mabini town, Compostela Valley, on Oct. 16.

Balagtey dismissed Nolas-

co's allegation as "malicious, illogical and a cheap gimmick" meant to malign the military's peace and development projects in the province.

Lt. Col. Esteveyn Ducusin, commander of the Army's 71st Infantry Battalion, denied his troops were involved in the abduction.

Instead, Ducusin accused communist rebels of carrying out Hayahay's abduction "in retribution for her misdeeds."

'Unseen hand'

Nolasco also named the Army's 56th Infantry Battalion as the "unseen hand in the latest string of harassment" of volunteer teachers and threats to close the lumad schools in Talaingod town, Davao del Norte province.

In Davao region, 21 STTICLCs were allowed to operate by the Department of Education, she said. Of the 21 lumad schools, only 18 are operating because of constant threats that hampered school operation, she said.

She said the military had been using tribal leaders to evict lumad schools and threaten school children and volunteer teachers.

"The military has used this tactic of dividing the lumad to force them to close down our schools. They use Red baiting, intimidation and disinformation in this counterinsurgency campaign but this is far from the truth," she said.

Balagtey belied Nolasco's claim that they were behind the campaign to shut down the lumad schools in Davao region.

—WITH REPORTS FROM MART SAMBALUD AND JEANNETTE ANDRADE INQ

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3 NPAs yield in Surigao del Sur

By MIKE U. CRISMUNDO

CAMP DATU LIPUS MAKAPANDONG, Awa, New Leyte, Prosperidad, Agusan del Sur - Three heavily armed Communist New People's Army (NPA) fighters in Surigao del Sur surrendered to government security forces under Lt. Col. Jaime Datuin of the 75th Infantry Battalion (75th IB).

This as bared by the 401st Infantry (Unity) Brigade based here on Wednesday, November 7.

The NPA fighters turned themselves in on Saturday, November 3, to the Alpha Company of the 75th IB in Barangay Dona Carmen in Tagbina, Surigao del Sur.

The names of the three NPA fighters have been temporarily

withheld for their safety and security, but officials disclosed that they belonged to Guerrilla Front Committee 14 of the CPP-NPA Northeastern Mindanao Regional Committee.

They also turned in an M653 baby armalite rifle, a cal-.30 M2 Carbine rifle, assorted live ammunition, an improvised anti-personnel landmine, an improvised explosive device, and other bomb-making materials.

Officials said the three rebel returnees will be enrolled in the Enhanced Comprehensive Local Integration Program (E-CLIP) of the national government, and will receive legal and livelihood assistance and other social benefits, including immediate cash support in exchange of their surrendered firearms.

Lawyer assisting Sagay 9 massacre victims shot dead

By MARTIN A. SAGONDONG

A human rights lawyer who was helping the victims of a massacre that killed nine farmers last month was shot dead by two motorcycle-riding gunmen in Kabankalan, Negros Occidental Tuesday night.

A police report reaching Camp Crame, Quezon City identified the victim as Benjamin Ramos, 56, secretary general of the National Union of People's Lawyer (NUPL)-Negros Occidental Chapter.

Initial investigation revealed that Ramos was smoking in front of a store along Rojas Street, Barangay 5, Kabankalan, Negros Occidental, around 10:20 p.m. when the suspects arrived and shot him at the back. ▶7

Lawyer assisting Sagay... ◀1

According to Ramos' wife, Clarissa, the victim had just finished working on a legal paper for one of his pro-bono clients when he decided to take a break.

The assailants fled to an unknown direction while Ramos was rushed to Holy Mary Mother of Mercy Hospital in Kabankalan City where he was declared dead on arrival due to four gunshot wounds -- three at the back and right side of the body and one in the chest.

A follow-up investigation was conducted to identify and arrest the suspects, and determine the motive behind the grim killing.

Public lawyer

According to the NUPL, Ramos was part of a Quick Reaction Team (QRT) which conducted a fact-finding mission to solve the massacre at a sugar plantation in Sagay, Negros Occidental last October 20. Nine sugar workers were killed in the mass shooting.

In a statement, the NUPL mourned the killing of "passionate, dedicated and articulate yet amiable and jolly" Ramos.

"We are shocked, devastated and enraged at the pre-meditated cold-blooded murder of our colleague and fellow people's lawyer, Atty. Benjamin Tarug Ramos, our secretary general for the NUPL-Negros Occidental Chapter," said lawyer Edre Olalia, NUPL President.

"Despite limitations, he was for the longest time the go-to pro-bono lawyer of peasants, environmentalists, activists, political prisoners and mass organizations in Negros," he added.

In April 2018, Olalia said Ramos was "maliciously and irresponsibly" tagged in a public poster allegedly disseminated by the police as among the key personalities allied with the Communist Party of the Philippines-New People's Army (CPP-NPA).

Ramos also served as the lawyer for

Mabinay 6, the six youth activists -- led by University of the Philippines (UP)-Cebu alumna Myles Albasin, who were arrested in Mabinay, Negros Oriental in March 2018 after an alleged encounter with state security forces. The group later tested negative for gun powder residues.

34th lawyer killed

Olalia said Ramos is the 34th lawyer killed under the two-year administration of President Duterte, and eight in the Visayas region.

However, the NUPL said Ramos' death only fueled their desire to serve the most vulnerable sectors of the society.

"We, the lawyers of the people, will not be cowed, will not blink, will not retreat, we will not look the other way, and we will stand our ground. Yet we will close our ranks," Olalia said.

"We will be there in the trenches in defense of the defenseless. There is no other choice. It is a painful price we have to pay sometimes in the service of the people and as a pledge to the next generations we will leave behind," he concluded.

Lawyer of Sagay farmers killed

By **MARTIN SADONGDONG**

A human rights lawyer who was helping the victims of a massacre that killed nine farmers last month was shot dead by two motorcycle-riding gunmen in Kabankalan, Negros Occidental Tuesday night.

A police report reaching Camp Crame, Quezon City identified the victim as Benjamin Ramos, 56, secretary general of the National Union of People's Lawyer (NUPL)-Negros Occidental Chapter.

Initial investigation revealed that Ramos was smoking in front of a store along Rojas Street, Barangay 5, Kabankalan, Negros Occidental around 10:20 p.m. when the suspects arrived and shot him from behind.

According to Ramos' wife Clarissa, the victim had just finished working on a legal paper for one of his pro-bono clients when he decided to take a break.

The assailants fled to an unknown direction while Ramos was rushed to Holy Mary Mother of Mercy Hospital in Kabankalan City where he was declared dead on arrival due to four gunshot wounds – three at the back and right side of the body and one at the chest.

According to the NUPL, Ramos was part of a quick reaction team (QRT) who conducted a fact-finding mission to solve the massacre at a sugar plantation in Sagay, Negros Occidental last Oct. 20. Nine sugar workers were killed in the mass shooting.

In a statement, the NUPL mourned the killing of "passionate, dedicated and articulate yet amiable and jolly" Ramos.

"We are shocked, devastated and

enraged at the pre-meditated cold-blooded murder of our colleague and fellow people's lawyer, Atty. Benjamin Tarug Ramos, our secretary general for the NUPL-Negros Occidental Chapter," said lawyer Edre Olalia, NUPL President.

In April 2018, Olalia said Ramos was "maliciously and irresponsibly" tagged in a public poster allegedly disseminated by the police as among the key personalities allied with the Communist Party of the Philippines-New People's Army (CPP-NPA).

Ramos also served as the lawyer for Mabinay 6, the six youth activists led by University of the Philippines (UP)-Cebu alumna Myies Albasin, who were arrested in Mabinay, Negros Oriental in March 2018 after an alleged encounter with state security forces. The group later tested negative for gunpowder residues.

Olalia said Ramos is the 34th lawyer killed under the two-year administration of President Duterte and the eighth in the Visayas region.

However, the NUPL said Ramos' death only fueled their desire to serve the most vulnerable sectors of society.

"[We], the lawyers of the people, will not be cowed, will not blink, will not retreat, we will not look the other way, and we will stand our ground. Yet we will close our ranks," Olalia said.

"We will be there in the trenches in defense of the defenseless. There is no other choice. It is a painful price we have to pay sometimes in the service of the people and as a pledge to the next generations we will leave behind," he concluded.

NPA: Probe Zamboanga police officer's killing

BACOLOD CITY: The Leonardo Panaligan Command (LPC) of the New People's Army (NPA) has called for an inquiry into the killing of Supt. Santiago Rapiz by members of the Philippine National Police Counter-Intelligence Task Force (PNP-CITF) on Monday night in Dipolog City, Zamboanga del Norte.

IB Regalado, LPC spokesman, said in a statement on Tuesday that Rapiz, who used to head the Drug Enforcement Unit of the Bacolod City Police Office, prior to his transfer to Mindanao, "has no criminal record, nor any involvement in illegal drugs."

Regalado described Rapiz as "a good athlete, a basketball player and a competent police officer, who was actively involved in the anti-illegal drugs campaign, wherever he was assigned."

A police report said Rapiz, who was assigned as logistics officer of the Zamboanga Del Norte Police Provincial Office, was the subject of a buy-bust by the CITF operatives, in coordination with the Philippine Drug Enforcement Agency (PDEA) and Chief Supt. Emmanuel Licup, Region 9 police director, at Andres Bonifacio College compound in Dipolog City.

The buy-bust led to an encounter after Rapiz, who was cornered, instead of giving up to authorities, took his gun and fired at the arresting CITF operatives, according to police reports.

Regalado said the NPA does not believe that Rapiz was among the "narco-cops" in Negros, contrary to allegations of PDEA and President Rodrigo Duterte, allegations that led to his reassignment to Dipolog City.

The transfer of Rapiz to Mindanao was part of maneuvering by ranking police officials in the Philippine National Police (PNP) who

have alleged linkages to drug syndicates and politicians involved in illegal activities, he added.

Rapiz was among the 50 police personnel from Negros Occidental and Bacolod City reassigned to Mindanao and the Cordillera Administrative Region, by the defunct Negros Island Regional Police Office, after they were linked to illegal drug activities by a self-proclaimed member of a local drug group, who is now under the custody of a politician.

Rapiz had repeatedly denied the accusations against him.

Many of his colleagues in the police service in Negros Occidental were shocked by the incident, as some of them described Rapiz as a dedicated police officer, who rose from the ranks to become a police superintendent.

Rapiz used to serve as police chief of EB Magalona, the cities of Escalante and Victorias and commander of the 2nd Provincial Mobile Group of Negros Occidental, before he was reassigned to Mindanao two years ago.

Because of his crusade against illegal drugs, whose campaign did not spare anyone who are behind it, Regalado said, Rapiz was made a "sacrificial lamb" by the ranking officials of the PNP, using the CITF and the PDEA. AF

Rapiz was among the more than 13,000 victims of Oplan Tokhang of the Duterte administration, Regalado said, adding that Rapiz was known among Negrenses as a "good soldier," as he cannot afford to fight against arresting police officers, who are CITF members.

At the same time, Regalado also raised the possibility that the P50,000 worth of illegal drugs allegedly taken from Rapiz was "planted," in order to justify the police claims that he resisted arrest. **EUGENE Y. ADIONG**

Human rights lawyer shot dead

A human rights lawyer and founding member of the National Union of Peoples' Lawyers (NUPL) was gunned down on Tuesday night in Kabankalan, Negros Occidental, by unidentified assailants.

A police report said Benjamin Ramos Jr., 56, was shot dead around 10:30 p.m. by two motorcycle-riding men on Rojas Street, Barangay 5.

He sustained three gunshot wounds on the chest and was declared dead at the Holy Mother of Mercy Kabankalan City Hospital.

Ramos was secretary of the NUPL-Negros Occidental chapter before his death.

He also assisted the National Federation of Sugar Workers after nine of its members were killed by unidentified assailants at Hacienda Nene in Sagay last October.

Ramos was killed a day before families and lawyers of the nine slain sugarcane workers went to the Commission on Human Rights to demand justice.

Opposition lawmakers raised an alarm on Wednesday over Ramos'

killing as they called for an end to the "worsening culture of impunity" under the Duterte administration.

"These attacks on human rights and human rights defenders must stop. We demand an impartial investigation into Ramos' murder," Kabataan party-list Rep. Sarah Ilago said.

Former Bayan Muna party-list lawmaker and NUPL chairman Nen Colmenares blamed Duterte for "Red-tagging or branding of his administration's critics as communists."

Anakpawis party-list Rep. Ariel Casilao also blamed the President, saying Ramos was included in "malicious posters" tagging him as a member of the New People's Army for defending political activists in Negros Occidental.

Ramos was one of the lawyers of the Mabinay, the six activists who were arrested in Mabinay, Negros



SAGAY SURVIVORS Survivors of the Sagay Massacre in Negros Occidental hold a news conference at the Commission on Human Rights (CHR) office on Wednesday. They and their families refuted allegations of kidnapping against human rights group. Also shown is CHR Chairman Chito Gascon (extreme right). PHOTO BY RUY L. MARTINEZ

Oriental, last March after a clash with government troops

NUPI President Edre Olaria said, "Despite limitations, he [Ramos] was for the longest time the go-to pro-bono lawyer of peasants

environmentalists, activists, political prisoners and mass organizations in Negros."

The NUPI said Ramos was the 54th lawyer killed under the Duterte administration and the

8th in the Visayas.

But Chief Supt. John Bulalacao, Western Visayas police regional director, identified Ramos as a lawyer of suspected rebels and drug users. Bulalacao ordered a thorough

investigation of Ramos' killing to "ensure the immediate arrest of the perpetrators so that justice will be served to the victim and his family."

BY FROY NARRA, GLEE JALEA AND DIVINA JOY DELA CRUZ

Petitions for inclusion in Bangsamoro plebiscite filed

The Commission on Elections (Comelec) has received at least 62 petitions from various barangays and registered voters to participate in the plebiscite on the Bangsamoro Organic Law (BOL).

"That's the reason why we have not started printing (the ballots). These petitions came

in... at the last minute... We allowed the petitions to continue to ensure we get the most representation in the plebiscite," Jimenez said.

However, he said not all those who filed their petitions would be allowed to participate in the plebiscite.

Jimenez noted that un-

der the BOL, only the areas contiguous to the proposed Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) could submit petitions for voluntary inclusion.

Aside from Maguindanao, Basilan, Lanao del Sur, Tawi-Tawi, which compose the ARMM, six towns in Lanao

del Norte and 39 barangays in six North Cotabato towns will comprise the proposed BARMM.

Despite the delay in the printing of ballots, Jimenez gave assurance that the plebiscite would push through as scheduled on Jan. 21.

12 - Mayen Jaymalin

BOL case goes to Leonen

SUPREME Court Associate Justice Mario Victor "Marvic" Leonen will be the *ponente* in the petition assailing the legality and constitutionality of the Bangsamoro Organic Law (BOL), but is expected to inhibit himself from the case.

Leonen was the chairman of the Government Negotiating Panel that sealed the Framework Agreement for the Bangsamoro (FAB) with the Moro Islamic Liberation Front (MILF) in 2012 under the leadership of then-President Benigno Aquino 3rd.

As *ponente*, Leonen will study the case and submit his recommendations.

Leonen, however, is likely to inhibit himself from the case as he had done previously.

In 2015, the high court released a statement that Leonen would voluntarily inhibit himself from all pending and future cases related to the Framework and Comprehensive Agreements on the Bangsamoro and the BOL.

The Province of Sulu, duly represented by its governor Abdusakur Tan 2nd, filed a petition for certiorari and prohibition on Oct. 11, 2018 questioning the legality of Republic Act 11054 or

the Bangsamoro Organic Law (BOL).

BOL provides for the establishment of the Bangsamoro Autonomous Region (BAR) to replace the Autonomous Region in Muslim Mindanao (ARMM).

Named respondents to the case were Executive Secretary Salvador Medialdea, Interior and Local Government Secretary Eduardo Año, members of the Senate and the House of Representatives, Presidential Adviser on the Peace Process Jesus Dureza, members of the Bangsamoro Transition Commission, and the MILF.

Tan, represented by former Commission on Elections chairman Sixto Brillantes, argued that Congress committed grave abuse of discretion amounting to lack or excess of jurisdiction in passing the BOL.

The governor pointed out that BBL violates Sections 18 and 19 of Article X of the 1987 Constitution, which authorize the enactment of only one Organic Act to establish ARMM.

The petition also urged the high court to stop the Comelec from conducting the plebiscite scheduled on Jan. 21, 2019 to ratify BOL.

JOMAR CANLAS

4 soldiers wounded in clash with ASG in Sulu

By NONOY E. LACSON

ZAMBOANGA CITY – Four soldiers, including an officer, were wounded in an encounter with about 50 members of the Abu Sayyaf Group (ASG) in the forested areas of Barangay Panglayahan in Patikul, Sulu.

Armed Forces of the Philippines, Western Mindanao Command (AFP-WestMinCom) Spokesman Army Lt Col Gerry M Besana said the government forces chanced upon the bandits in Sitio Kan Apo Aluk, Patikul at about 1:40 p.m.

last Monday, November 5.

Besana declined to reveal the identity of the wounded soldiers until their families are properly apprised of their condition.

According to Besana, heavy skirmishes transpired between the soldiers and the followers of ASG leader Radullan Sahiron, resulting in the wounding of an Army officer and three soldiers. Heavy casualties were likewise reported on the enemy's side based on intelligence reports.

All the wounded soldiers were promptly evacuated to the Kuta Heneral Teodulfo Bautista Hospital, and were immediately given medical attention.

While scouring the encounter site, troops also recovered 50 kilos of rice, personal belongings with blood stains, and assorted pieces of medicine.

AFP-WestMinCom Lt Gen Arnel B. Dela Vega said: "Joint Task Force Sulu continues to intensify the conduct of offensives against the Abu Sayyaf to neutralize the remaining bandits."

"We extend our gratitude to the local government unit and the populace for helping the government troops in fighting terrorism by means of giving information, thus, making it easier for us to neutralize the outlaws," Dela Vega added.

4 soldiers wounded in clash with Abu Sayyaf

ZAMBOANGA CITY. Four soldiers including Philippine Army officer were wounded in a fierce battle with Abu Sayyaf terrorists in Sulu province in southern Philippines, officials said on Wednesday.

Lt. Col. Gerry Besana, a spokesman for the Western Mindanao Command, said the fighting erupted in the village of Panglayahan in Patikul town.

He added that troops from the 32nd Infantry Battalion clashed on

Monday afternoon with about 50 gunmen under Abu Sayyaf leader Radulan Sahiron.

"Heavy skirmishes ensued which resulted in the wounding of an Army officer and three soldiers, while heavy casualties were reported on the enemy's side," Besana said.

He added that the wounded soldiers were evacuated to a military hospital in the capital town of Jolo.

The identities and ranks of the casualties were not made public by Besana.

Soldiers recovered 50 kilos of rice, personal belongings with blood stains and assorted medicines from the Abu Sayyaf encampment.

Lt. Gen. Arnel de la Vega, chief of the Western Mindanao Command, said operations against the Abu Sayyaf will not stop until the bandits have been neutralized.

"The Joint Task Force Sulu continues to intensify the conduct of offensives against the Abu Sayyaf to neutralize the remaining ban-

dits," he said.

De la Vega thanked the local government and civilians for providing intelligence to the military.

"We extend our gratitude to the local government and the populace for helping troops in fighting terrorism by means of giving information, thus making it easier for us to neutralize the outlaws," he said.

The Abu Sayyaf is fighting for a caliphate in the troubled Mindanao region. **AF ALJACINTO**

Maute scourge assured of support

Armed Forces chief of staff Gen. Carlito Galvez Jr. has vowed to extend all possible support to the Naval Special Operation Group (NAVSOG), which has proven its worth during the five-month long battle against the Maute terrorist group in Marawi City.

"Rest assured that the AFP leadership will continue to support the NAVSOG and all units of the AFP as we work together to win the peace, preserve our way of life and secure our country's future," Galvez said in his speech Tuesday during the 62nd founding anniversary of NAVSOG.

The event took place at NAVSOG headquarters at Sangley Point, Cavite City.

NAVSOG is one of the elite fighting forces of the AFP. It specializes in Sea, Air, Land (SEAL) operations ranging from direct action missions, demolition raids, target assault, maritime sniper operations, gas and oil platform recovery and high risk visit board search and seizure operations.

The group is known for its highly-demanding physical training program based on the United States Navy SEAL program.

"Whether in the sea, air, and land (SEAL), the nation and our countrymen can very much depend on the mighty Navy SEAL in protecting the people and securing the State."

Galvez added.

Prior to the anniversary rites, arrival honors were accorded to the AFP chief followed by rites recognizing him as Honorary SEAL.

"To be welcomed as a member of such a vaunted force is indeed an honor and I am privileged to join the ranks of honorary members of much distinction such as former Defense Secretary Gilberto Teodoro and former AFP Chiefs of Staff Generals Alexander Yano, Ricardo David Jr., Emmanuel Bautista and Rey Leonardo Guerrero," Galvez said.

The nation and our countrymen can very much depend on the mighty Navy SEAL in protecting the people and securing the State.

Historically the NAVSOG traces its origin from the former Philippine Underwater Operations Team first established on 5 November 1956.

The team was composed of one officer and six enlisted personnel. The pioneer members of the team were called "frogmen" as they can operate in both land and water. **CRP**

Contradicting the President

THOSE who support President Duterte have reason to be worried. In three consecutive instances, he has been contradicted by his own spokesman. And this is not good.

After the President declared that he would order the military to take over the operations of the Bureau of Customs (BoC), and that he would put on floating status all of the bureau's officials who will be required to report directly to him, presidential spokesman Salvador Panelo, who also happens to be the presidential legal adviser said that was not the case. No military personnel will be appointed or designated



ON THE CONTRARY
ANTONIO CONTRERAS

to perform official functions in the BoC, they will just assist regular personnel. This was affirmed by the newly appointed Customs chief Rey Leonardo Guerrero. Certainly, there is an ocean of difference between taking over and mere assisting. Panelo and Guerrero scrambled to correct the President's declared intention simply because it was patently unconstitutional if pursued.

Several weeks ago, on October 9, President Duterte denied that he had appointed Michael Yang as his economic adviser. The President was even quoted as saying that Yang could not be appointed because he was a Chinese national. However, on November 5, Rappler revealed — based on a copy of two contracts which it said it had in its possession — that Yang, who used his Chinese name Yang Hong Ming, held an appointment as "Economic Adviser to the President" from Jan. 1 to June 30, 2018, but the contract had not been renewed for the period July 1 to Dec. 31, 2018.

It was easy enough for Duterte

supporters to dismiss this last revelation as another attempt by Rappler to smear the President, except that Panelo came out the next day, November 6, and admitted that Yang indeed held such an appointment.

While the President is free to appoint any consultant of his choice, the issue of the legality of formally appointing a foreigner as his presidential economic adviser is pregnant with legal and national security implications. And what makes it even harder is the fact that the President initially denied that he had appointed Yang, only to be contradicted

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■ CONTRERAS FROM A4

Contradicting the President

later by an admission from Panelo. But what has added to the problem of Malacañang is that it would seem that Panelo had no idea about the real nature of Yang's appointment. The spokesman initially stated that Yang was only a personal consultant of the President, and did not hold the title of presidential economic adviser.

On November 5, during the formal opening of the Parañaque Integrated Terminal Exchange, President Duterte raised the right hand of and urged voters to support senatorial candidate Freddie Aguilar. The event was clearly caught on tape and aired in mainstream media and livestreamed in social media. But the day after, November 6, in a press conference, Panelo once again contradicted the President and denied that the latter had endorsed the folk singer. He said the President "was only expressing his opinion on the qualification of the person."

However, Panelo appears to have backtracked later, this time contradicting not the President but himself. He said that "... contrary to news reports, the Palace did not retract the President's expression of support for Mr. Freddie Aguilar."

An expression of support for a can-

didate, more so when done with the raising of hands and the articulation of a plea for votes, amounts to an endorsement, whether it is done before or during the campaign period. After all, it doesn't matter anymore because the Supreme Court already ruled and has excised premature campaigning out of the possible list of election violations.

But what is certainly disturbing here is the flip-flopping of Panelo. This has painted a very bad optics for the President and his spokesman who is also his legal counsel.

Supporters of the President welcomed as a blessing the advent of real-time livestreaming as something that would enable them to check the reportage of mainstream media. For a long time, TV networks had virtual monopoly of the story as told by their reporters and approved by their news desks. The transition from raw tapes to final cut was a decision made beyond the scrutiny of the public. Hence, it was easy for the real narrative to be truncated by reportorial and editorial bias. But with mobile technology and livestreaming, and as enabled by different social media platforms, ordinary citizens can now see not only raw tapes, but also live broadcasts of

the event using handheld devices. Networks had no choice but to also now cover the President and his officials using their own live streams and upload these in their own social media platforms in real time.

But this technology also now makes it possible for the public to see for themselves the actual utterances made by political figures in their raw, unedited versions. Thus, the Filipino people saw and heard the President refer to a takeover by the military of the BoC, saw and heard him deny the appointment of Michael Yang as a presidential economic adviser, and saw him raise the right hand of, and heard him ask voters to vote for, Freddie Aguilar. The people also saw and heard how presidential spokesman Salvador Panelo contradicted what the President said, and worse, saw and heard him display his cluelessness about what is happening in the Palace.

The President is known for his spontaneity. He thrives on a communication style that sustained him when he was mayor of Davao — informal, conversational, personal. In these organic communication platforms, authenticity is not solely dictated by truth and factuality of

claims but more by sincerity and camaraderie. It is almost like a drinking spree in a sari-sari store on a street corner with friends, where what matters is the company, even if people are simply pulling each other's legs by telling tall tales and green jokes.

But the President is now running an entire country, where the field is much wider, more complex, and more contentious. In Davao, he commanded near monopoly over the conversation. But in Malacañang his audience is now more divided, there are just so many people who are just waiting in the wings for him to make a mistake, and the moment he does they are ready to pounce on him. Every bit of inconsistency, and every untruth that he tells, will be used against him.

There are times that we can blame media bias for distorting the President's message. But it is harder when the President is caught making raw, unvetted and legally infirm statements, or when he appears clueless, or worse, lying. And it is definitely hardest when such is validated not by the malice of a biased media, but by his own people telling the truth and correcting the mistake, or are caught spinning the lie.

Think of it as a 'second service' by proven military veterans

First word

IN the US
midterm
elections yes-
terday, John
Warner, a



OBSERVER

**YEN
MAKABENTA**

former US senator and military veteran, made a strong appeal to American voters to "pay special attention to the large number of qualified veterans running for office" and cast a vote for them.

► Makabenta **A4**

Think of it as a 'second service' by proven military veterans

He essayed an argument on the wisdom of tapping military veterans for lawmaking in Congress, an argument that can also be used to justify the recruitment of military retirees into the government bureaucracy or the Cabinet.

Second service for military veterans

Warner called a veteran's stint in public office "a second service."

I quote at length the heart of his argument:

"Every year the need increases for experienced and dedicated citizens to step up and volunteer for public service, hopefully as members of Congress. As a fellow veteran of both WW2 and Korea, and former Secretary of the Navy, I believe the nation benefits when former members of the armed services rise to the challenge of running for office.

While the first obligation of a member of Congress is to care for the needs of the folks back home, the rapidly changing world beyond our shores is an ever-evolving challenge. Most veterans are fully capable of assessing the needs of the people at home, but they also bring the added knowledge of the world that comes from having been deployed overseas. With this combination of experience, vets in general are often ready to hit the ground running once they take office.

With the world market increasingly impacting Main Street America, and the ever-shifting national security challenges which demand a constant, reliable US military presence, we need leaders to enter Congress with little need for on-the-job training.

From the moment military recruits first put on their uniforms, the creed of 'duty, honor, country' is tattooed on their heart. As you begin your training, you begin to exercise leadership - then you perform your missions, hoping you and all under your command will survive. To achieve these goals, you must learn to respect and trust your fellow service persons regardless of where

they are from, the color of their skin, or any other label besides American. This is essential! For many veterans, this tolerance and ability to work together follows them into civilian life.

Many times I've seen how this military order and discipline enables politicians to resolve differences and deadlocks, and cross the aisle to create legislative goals. The time-honored military spirit embodied in the phrase 'we can do, we must do' lives on in veterans.

I'm heartened to see that in the current elections, there has been a significant increase in the number of veterans stepping up once again to volunteer to serve our nation. The specific request I ask of you citizens as you prepare to vote, is to check your ballots to see if it includes a military veteran - soldier, sailor, airman, or Marine. If so, pause for a moment to give him or her a second thoughtful review before you vote.

From the end of WW2 to the 1990s, 70-80 percent of Congress were veterans of WW2, Korea or Vietnam. When I left Congress in 2007, the percentage had begun to dwindle, to where today the number is below 20 percent. Records show Congress fulfilled its constitutional responsibilities better in post-WW2 America, and clearly the military training and discipline of many members was important to this outcome.

Based on my several decades of public service, particularly as a US senator, I strongly believe that having a significant number of veterans in Congress is a common sense means to help ease our current political paralysis and excessive partisanship. Veterans can help us have a less polarized government.

It's not that we veterans consider ourselves smarter, or more skilled at politics than others. Rather, it's that service in the Armed Forces instills certain behaviors and disciplines, the most important of which is mutual respect for our fellow veterans. That often takes the form of civility, dedication and a can-do spirit.

Washington now is seized with

contentious behavior and rude remarks, rather than the kind of respectful cooperation that allowed our generation to get things done! More veterans in public office would have a significant, positive effect and enable Congress to be more productive, giving the members a greater sense of achievement and satisfaction.

For many of the nearly 40 veterans who have signed the pledge to serve with integrity, civility, and courage, I'm optimistic that their second service will begin this Tuesday."

Election not appointments

Something similar undoubtedly underlies President Duterte's practice and inclination to appoint former military men to his Cabinet and to leading positions in the bureaucracy.

John Warner was talking about the election of military veterans to public office. President Duterte's acts concern the appointment of veterans to commanding positions in the bureaucracy, as when he made the decision to appoint former AFP chief Rey Leonardo Guerrero as the new commissioner of Customs. DU30 made it dramatic when he announced that he asked the military to take over the Customs in order to stop corruption in the bureau. Then he compounded the confusion by musing publicly that he wanted more military men in his administration and in the government.

When the decision was portrayed by the media as a "military takeover," a huge controversy followed. Citizens, pundits and politicians uniformly questioned the constitutionality of the presidential order.

And they had an unequivocal constitutional provision to lean on: Article XVI, Section 4, which reads: "No member of the armed forces in the active service shall, at any time, be appointed or designated in any capacity to a civilian position in the government, including government-owned or -controlled corporations or any of their subsidiaries."

The constitutional language is so clear, there is absolutely no way DU30 can win against a legal challenge should he insist on appointing active men in uniform.

Duterte in retreat

Consequently, the president has retreated from his previous statements.

On Tuesday, Duterte clarified his earlier statement and said the military will not be taking over the functions of BoC employees.

Addressing his Cabinet in Malacanang, Duterte said he "called in the Army to help" but "there was no designation, there was no appointment and there [was] never an instruction for them to take over the functions of the employed."

On October 28, Duterte said he would order the military to "take over" the operations at the BoC in a bid to address issues on corruption and drug smuggling allegations at the agency.

What civilian supremacy means

While on the subject of clarifying words and meanings, it is also best to clarify the meaning of "civilian supremacy over the military," which misleads so many. We should not repeat the comedy that transpired when former senator Orlando Mercado served for a time as the Secretary of National Defense during the presidency of Joseph Estrada, as he tried his level best to look as the equal or superior of the many high-ranked generals of the armed forces. Rev. Joaquin Bernas, S.J. caustically commented that civilian supremacy during that time looked more like "civilian inferiority."

The proper approach, if we adopt the practice of the historian Barbara Tuchman, is to view supremacy as "civilian control of the military."

It is always the civilian who makes policy, even when the decision is to wage war.

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ONLINE NEWS
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2 NPA members surrender in Occidental Mindoro

By: Madonna T. Virola

CITY OF CALAPAN — Two members of the New People's Army (NPA) surrendered to the Philippine Army in Sablayan, Occidental Mindoro on Wednesday.

Maj. Roderick Depolonia, civil-military operations officer of the Army's 203rd Brigade, 2nd Infantry Division, said in a statement that the NPA members "voluntarily surrendered with their M16 rifles."

The surrender also led to the recovery of four more high powered firearms at Barangay (village) Batongbuhay in the same town.

Lt. Col. Mario Lito Retirva, commanding officer of the 76th Infantry Battalion, confirmed that the surrenderers were members of Platoon Falcon operating in the northern areas of Occidental Mindoro, but he refused to divulge the names for security reasons.

The two surrenderers claimed they have been active in the NPA in the last three years.

On October 28, an NPA leader from the same group also surrendered to the 76th IB with his M14 rifle. Five M16 rifles were also recovered.

The two surrenderers have already applied for Enhanced-Comprehensive Local Integration Program, which gives financial and livelihood assistance to former communist rebels who returned to the fold of the law. /je