



**POWER TO THE PEOPLE**  
**POWER TO THE REGIONS**

**BAYANIHAN**

**FEDERALISM**

**DRAFT CONSTITUTION FOR A**  
**PERMANENT,**  
**INDISSOLUBLE**  
**FEDERAL**  
**REPUBLIC**





**4 PICS &  
1WORD:  
*BUDGET  
EDITION***

₱



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M \_ \_ E



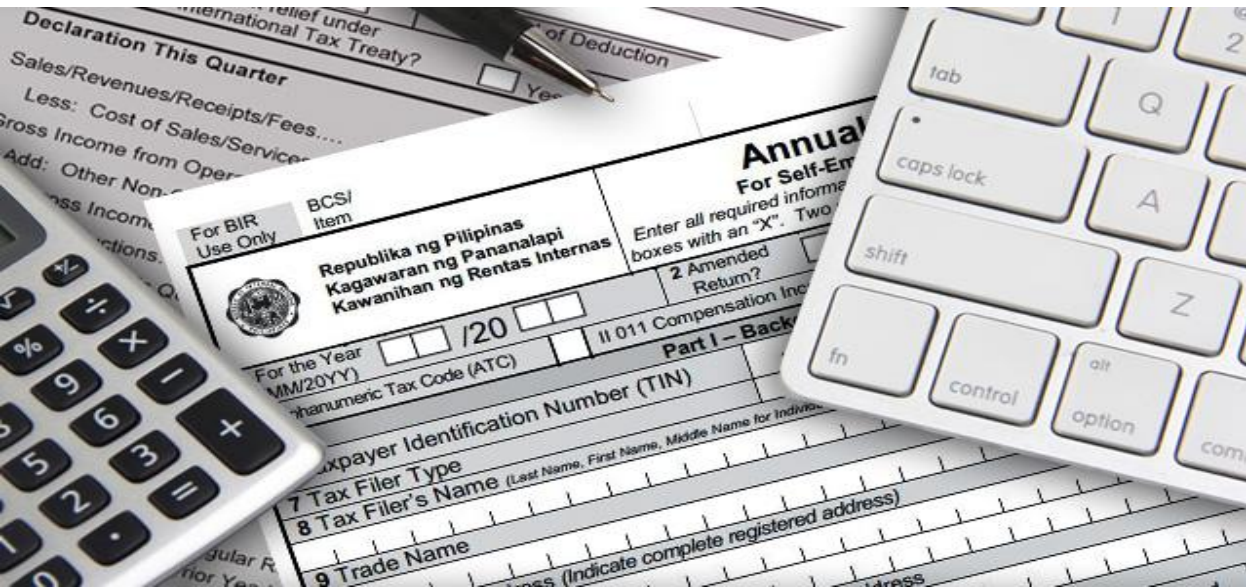
# INLIN

PAGBA 4<sup>th</sup> Quarterly Seminar & Meeting  
November 21-24, 2018, Grand Men Seng Hotel, Davao City



**\_A\_K**

PAGBA 4<sup>th</sup> Quarterly Seminar & Meeting  
November 21-24, 2018, Grand Men Seng Hotel, Davao City





**T\_A\_N\_L\_W**

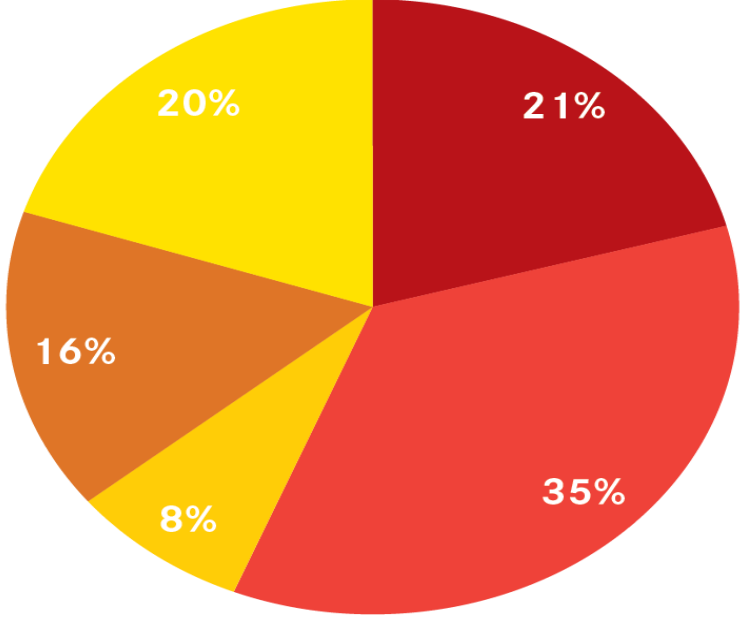


# S \_ B \_ I D

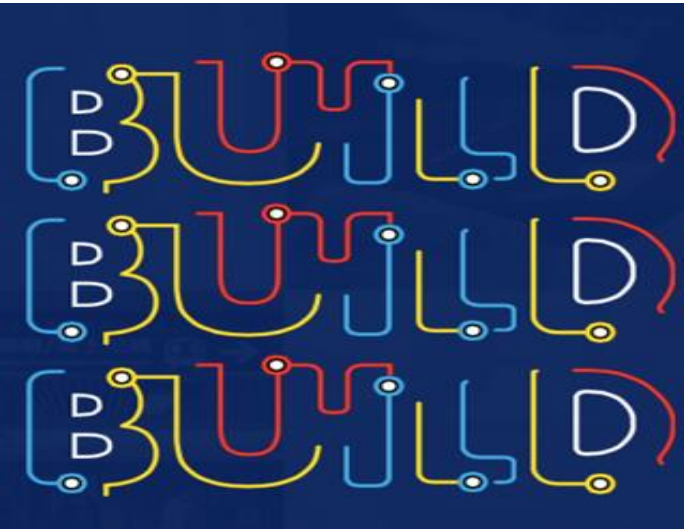




**D \_ B \_**



- National
- Public services
- Infrastructure, economy & environment
- Old age
- Total benefits



# E\_P\_D\_T\_RE



PDAF

..... stands for .....

**Priority Development Assistance Funds**



[Abbreviations.com](http://Abbreviations.com)

**P \_ \_ K B \_ RR \_ L**



# E \_ \_ N \_ \_ Y



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- President Duterte said “the time has come for the Philippines to abandon the unitary type of government that was setup by Spanish conquistadors and remained as the system until the present.”

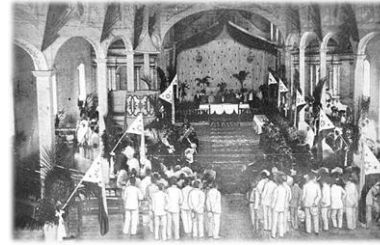




**1893**  
**Maura Law**



**1898**  
**Declaration of Independence**



**1899**  
**Malolos Constitution**



**1900**  
**Start of American Occupation**



**Political History and Autonomy Milestones in PH**

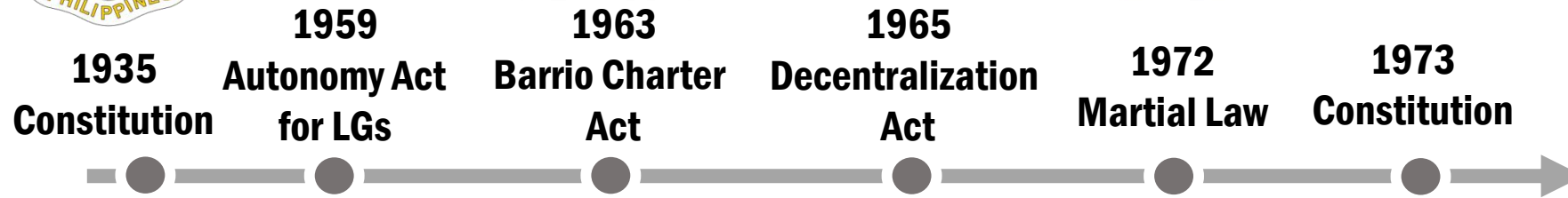
**Federalism Initiatives**



**1898**  
Establishment of Federal State of Visayas & Cantonal Republic of Negros as part of Revolution against Spain

**1899**  
Mabini & Bonifacio propose 3 federal states

**1900**  
Isabelo delos Reyes proposed to Americans a federal Philippines with 7 states



### Political History and Autonomy Milestones in PH

## Federalism Initiatives



### 1971-1972

Salvador Araneta proposed federalism with seven (7) states in Marcos' Constitutional Convention to draft the 1973 Constitution





**1983**

**Local Government Code**



**1986**

**People Power  
Revolution**

**1987**

**Constitution**



**1991**

**RA 7160**

**Local Government Code**



**Political History and Autonomy Milestones in PH**

## **Federalism Initiatives**



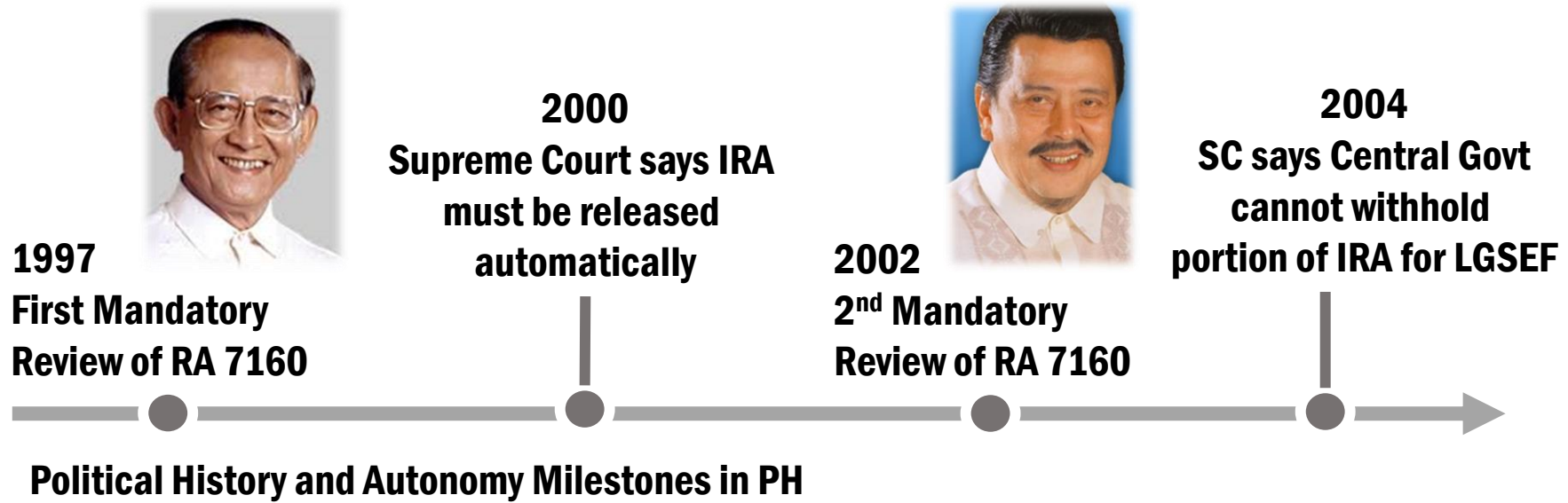
**1982**

Establishment of PDP-Laban with federalism as a main part of its platform

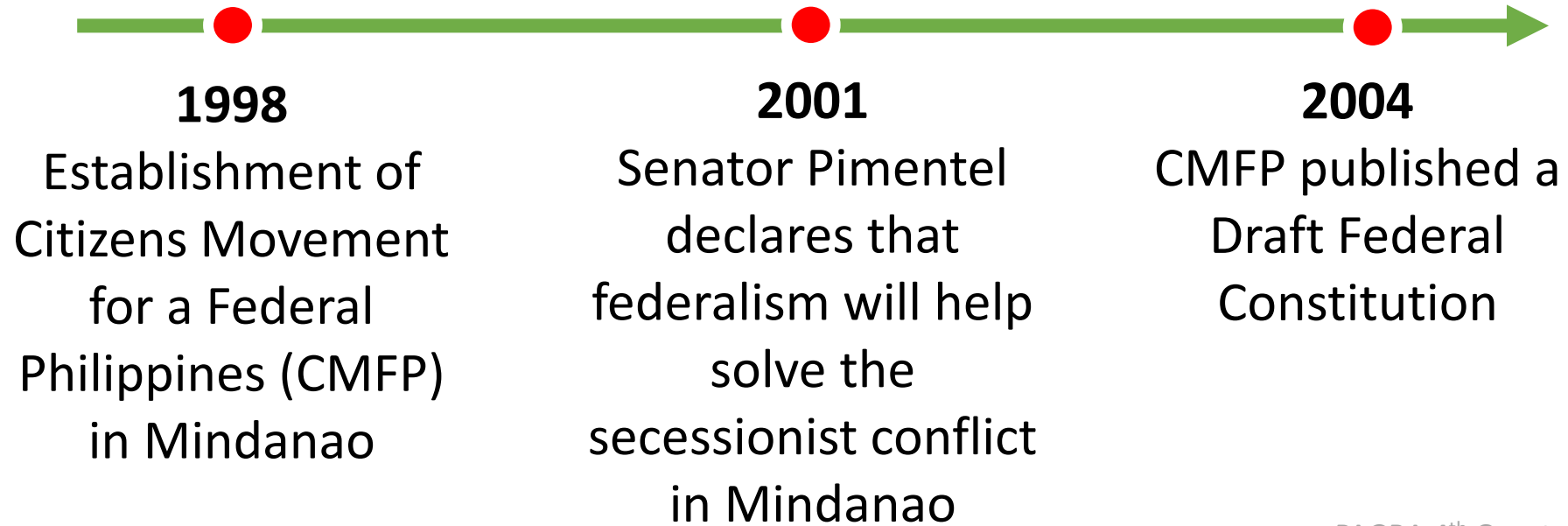


**1987 - 1991**

Senator Nene Pimentel pushes for enactment of Local Government Code with 'federal elements'



## Federalism Initiatives





**2007**  
**3rd Mandatory**  
**Review of RA 7160**



**Political History and Autonomy Milestones in PH**

## **Federalism Initiatives**



**2005**

Pres. Arroyo convenes Consultative Commission to draft a federal constitution

**2007**

Arroyo issues EO 669 forming Inter-agency Committee to draft a Roadmap to Federalism by 2012

**2008**

Senator Pimentel files Senate Joint Resolution No. 10 – a draft Federal Constitution

**2012**  
**4th Mandatory**  
**Review of RA 7160**

**2016**  
**Mayor Duterte was**  
**elected President**



**Political History and Autonomy Milestones in PH**

## **Federalism Initiatives**

**2016**  
Senator Pimentel reiterates  
need to shift to federalism;  
Candidate Duterte includes  
federalism as main part of  
his campaign platform

**2017**  
PDP-Laban  
publishes draft  
federal constitution  
crafted by the  
Federalism Study  
Group

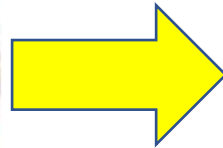
# The 1987 Constitution

- ❖ Better than previous constitutions
- ❖ It has lofty features that must be retained
- ❖ But the times have changed after one generation

# Why change the Constitution?

The unitary system has failed to address most of the nation's problems due to overconcentration of powers in the national government.

## NATIONAL GOVERNMENT



## REGIONS

- Lack of development
- Threats of secession in Mindanao
- Concentration of development in Metro Manila, CALABARZON and Central Luzon
- Political Dynasties
- Business Oligarchs
- Graft and Corruption
- Undemocratic election and political party system
- Slow system of justice
- People's sovereignty only on paper
- Non-representation and under-representation in the political bodies, especially in the Senate

Region	Poverty Rate	GDP Share
Metro Manila	<b>4.5</b>	<b>37.02</b>
Cordillera	22.6	1.82
Ilocos	17.2	3.09
Cagayan Valley	16.5	1.85
Central Luzon	<b>13.0</b>	<b>9.08</b>
CALABARZON	<b>10.4</b>	<b>15.94</b>
MIMAROPA	22.0	1.68
Bicol	<b>30.9</b>	<b>2.09</b>
W. Visayas	24.2	3.98
Central Visayas	27.0	6.58
Eastern Visayas	<b>39.3</b>	<b>2.05</b>

Region	Poverty	GDP
Zamboanga Peninsula	<b>30.9</b>	<b>2.03</b>
N. Mindanao	34.9	3.84
Davao Region	20.5	4.11
SOCCSKSARGEN	<b>37.4</b>	<b>2.78</b>
CARAGA	<b>35.3</b>	<b>1.23</b>
ARMM	<b>53.4</b>	<b>0.84</b>

**NCR, CALABARZON AND  
CENTRAL LUZON  
62.04% OF GDP  
REGIONS WITH LOW GDP  
SHARE HAVE HIGHER  
POVERTY RATES**

- ❖ The essence of Federalism is **NON-CENTRALIZATION** of powers
- ❖ Governmental powers, resources, determination of policies, programs, projects are properly distributed between the Federal Government and the Federated Regions in the Constitution itself



# Duterte creates Interagency Task Force on Federalism: Memorandum Circular No. 52

- Secretary DILG - Chair the Interagency Task Force on Federalism (IATF)
- Secretary of Justice - Vice Chairperson

## Members:

- Office of the Cabinet Secretary
- Presidential Management Staff
- Presidential Communications Operations Office
- Office of the Presidential Spokesperson
- Presidential Legislative Liaison Office
- Office of the Political Adviser
- Commission on Higher Education
- Development Academy of the Philippines, and
- University of the Philippines Law Center.

# Interagency Task Force on Federalism

## Functions:

- Primary duty of “harmonizing and coordinating ongoing efforts towards Federalism and constitutional reform.”
- Develop and implement activities to promote federalism campaign;
- Prepare an information dissemination and communication plan;
- Undertake consultations with former members of the Consultive Committee, government agencies, private sector, and public; liaise with Congress to initiate the process and address roadblocks to constitutional reform.

- ❖ Design is Bayanihan Federalism where the Federal Government is strong to hold the nation together and where the Regions are viable and sustainable
  - Adopts a Federal-Presidential system
  - Adopts a more representative legislature
  - Adopts four High Courts
  - Strengthens constitutional commissions
  - Establishes 16 Federated Regions, and the Bangsamoro and Cordillera Regions, and their governments
  - Gives exclusive powers, including power to tax
  - Makes a more effective exercise of people's initiative to enact, amend or repeal laws, and to amend or revise the Constitution
  - Ensures a permanent, indissoluble nation

## Structure of Federal Government

### ❖ Composed of

- Executive headed by the President (Article VIII)
- Bicameral Legislature (Article VII)
- Judiciary with Four High Courts (Article IX)
- Strong, independent constitutional commissions (Article X)

## Structure of the Federal Government

### ❖ President (Article VIII)

- Directly elected by the people in tandem with the Vice President; Vice President to be appointed to Cabinet (Sec. 4a, 4c, 3)
- Four-year term with one reelection (Sec. 4a)
- Additional qualification: College degree or its equivalent (Sec. 2)
- Exercises basically the same powers of the President, including checking powers, under the 1987 Constitution
- Vested with “step in” powers to prevent violations by the Regions of their obligations under the Constitution, as well as prevent secession by any Region (Sec. 4, Article XX)

## Structure of the Federal Government

### ❖ Legislature (Article VII)

- Bicameral Congress (**Sec. 1**)
- Senators elected by Region (two per Region) (**Sec. 2**)
- House of Representatives: 60 percent elected by congressional district, 40 percent elected nationwide by proportional party representation (**Sec. 5**)
- Additional Qualifications: college degree or its equivalent (**Sec. 3**)
- Exercises basically the same powers to legislate and to check other branches of government under the 1987 Constitution

## FOUR NEW HIGH COURTS



### FEDERAL SUPREME COURT

- TO SETTLE ACTUAL CONTROVERSIES INVOLVING RIGHTS WHICH ARE LEGALLY DEMANDABLE AND ENFORCEABLE.
- TO DECIDE CONFLICTS BETWEEN BRANCHES AND AGENCIES OF THE FEDERAL GOVERNMENT: BETWEEN FEDERAL GOVERNMENT AND FEDERATED REGIONS: AND BETWEEN AND AMONGST REGIONS



### FEDERAL CONSTITUTIONAL COURT

- TO DECIDE DISUTES INVOLVING CONSTITUTIONALITY OF LAWS AND ACTS OF THE EXECUTIVE, INCLUDING THOSE OF THE FEDERATED REGIONS.
- TO HEAR AND DECIDE IMPEACHMENT CASES



### FEDERAL ADMINISTRATIVE COURT

- TO DECIDE WITH FINALITY CASES RESOLVED BY ALL CONSTITUTIONAL COMMISSIONS, ADMINISTRATIVE AND QUASI-JUDICIAL BODIES.



### FEDERAL ELECTORAL COURT

- TO DECIDE ELECTORAL CONTESTS INVOLVING THE PRESIDENT, VICE-PRESIDENT, AND MEMBERS OF CONGRESS.

## Structure of Federal Government

### ❖ Judiciary (Article IX)

- Imposes deadlines for the speedy resolution of cases (**Sec. 26**)
  - Two years from filing of the petition on the part of the High Courts
  - One year from filing of the petition on the part of collegiate courts
  - Three months from submission of the case for decision on the part of trial courts
  
- Strengthens the institutional independence of the judiciary (**Sec. 3, 4, 5**)



## NEW CONSTITUTIONAL COMMISSIONS



FEDERAL  
CIVIL SERVICE  
COMMISSION



FEDERAL  
COMMISSION ON  
ELECTIONS



FEDERAL  
COMMISSION ON  
AUDIT



FEDERAL  
COMMISSION ON  
HUMAN RIGHTS



FEDERAL  
OMBUDSMAN  
COMMISSION



FEDERAL  
COMPETITION  
COMMISSION

## ❖ Distribution of Powers

Government Powers classified into:

### EXCLUSIVE POWERS

POWERS WHICH ARE GIVEN TO THE EXCLUSION OF OTHER POLITICAL AUTHORITIES  
(SEC. 3, ART. XII)

### SHARED POWERS

POWERS NOT EXCLUSIVELY GIVEN TO EITHER THE FEDERAL GOVERNMENT OR TO THE FEDERATED REGIONS  
(SEC. 4 , ART. XII)

### RESERVED POWERS

POWERS WHICH ARE NOT EXCLUSIVELY GIVEN NOR SHARED TO THE FEDERAL GOVERNMENT OR TO THE FEDERAL REGIONS ARE RESERVED POWERS. RESERVED POWERS SHALL BE VESTED IN THE FEDERAL GOVERNMENT.  
(SEC. 5, ART. XII)



## EXCLUSIVE POWERS OF THE FEDERAL GOVERNMENT

(SEC. 1, ART. XII)

- DEFENSE, SECURITY OF LAND, SEA, AND AIR TERRITORY;
- FOREIGN AFFAIRS;
- INTERNATIONAL TRADE;
- CUSTOMS AND TARIFFS;
- CITIZENSHIP, IMMIGRATION AND NATURALIZATION;
- NATIONAL SOCIO-ECONOMIC PLANNING;
- MONETARY POLICY & FEDERAL FISCAL POLICY, BANKING, CURRENCY;
- COMPETITION AND COMPETITION REGULATION BODIES;
- INTER-REGIONAL INFRASTRUCTURE AND PUBLIC UTILITIES, INCLUDING TELECOMMUNICATIONS AND BROADBAND NETWORKS;
- POSTAL SERVICE;
- TIME REGULATION, STANDARDS OF WEIGHTS AND MEASURES;
- PROMOTION AND PROTECTION OF HUMAN RIGHTS;
- BASIC EDUCATION;
- SCIENCE AND TECHNOLOGY;
- REGULATION AND LICENSING OF PROFESSIONS;
- SOCIAL SECURITY BENEFITS;
- FEDERAL CRIMES AND JUSTICE SYSTEM;
- LAW AND ORDER;
- CIVIL, FAMILY, PROPERTY, AND COMMERCIAL LAWS, EXCEPT AS MAY BE OTHERWISE PROVIDED FOR IN THE CONSTITUTION;
- PROSECUTION OF GRAFT AND CORRUPTION CASES;
- INTELLECTUAL PROPERTY; AND
- ELECTIONS

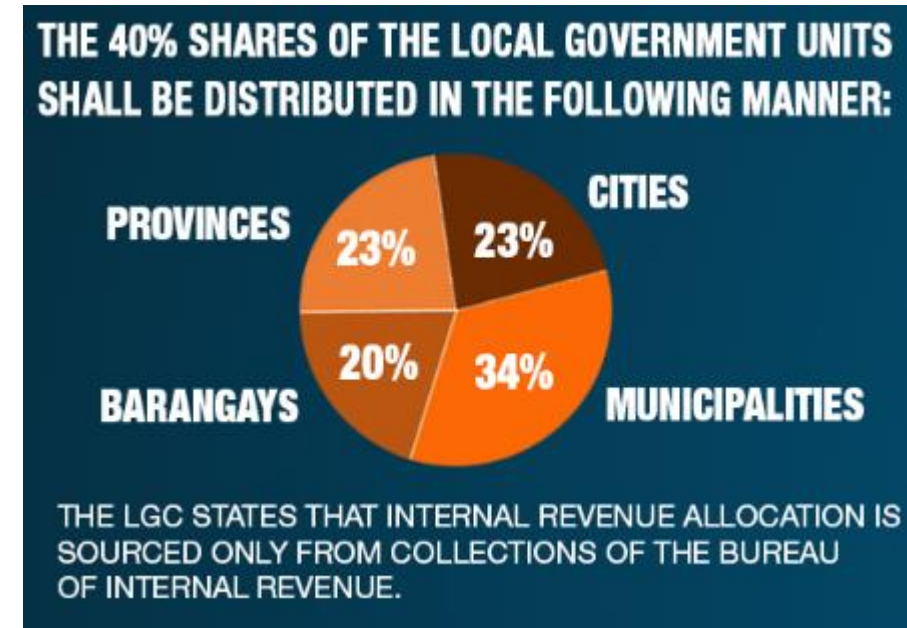
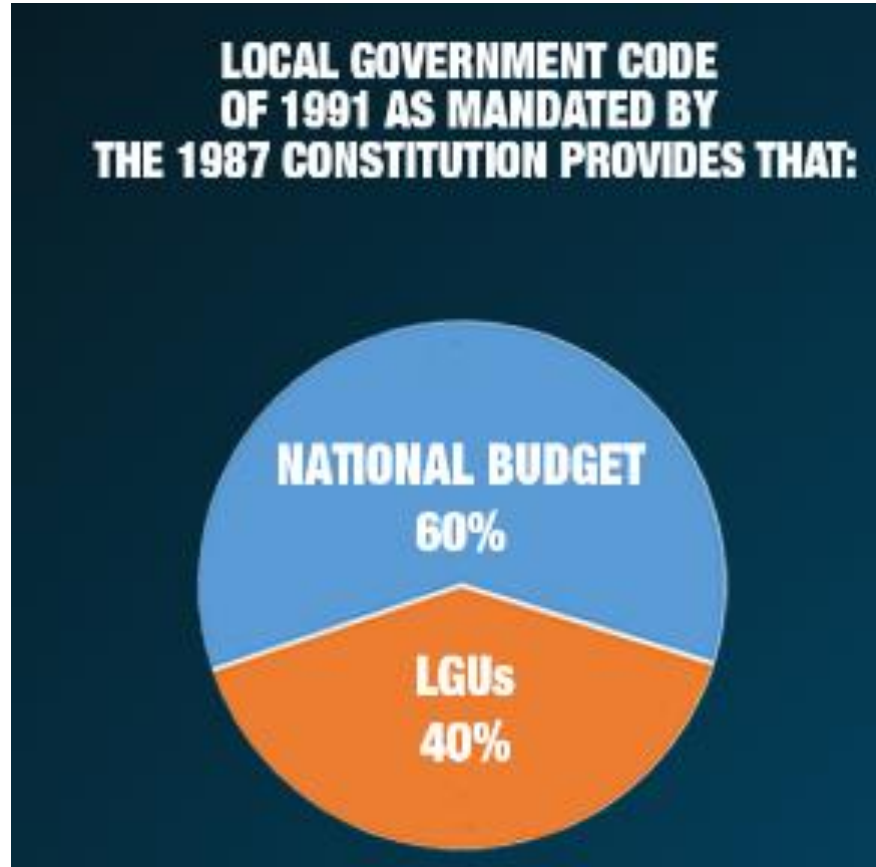
## EXCLUSIVE POWERS OF THE FEDERATED REGION

(SEC. 2, ART. XII)

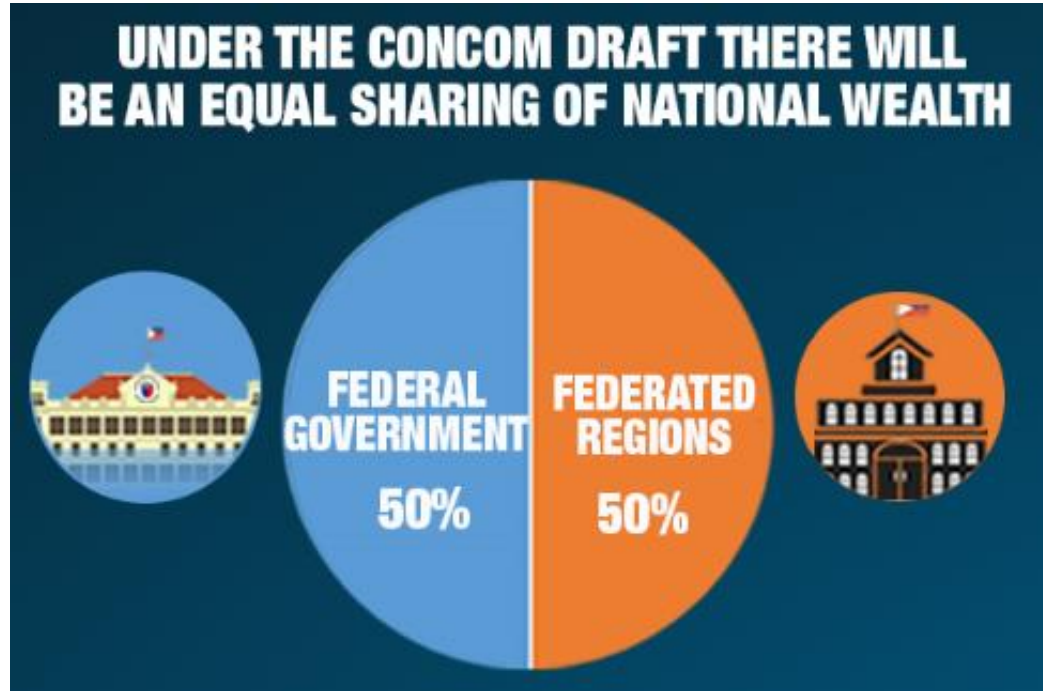
- SOCIO-ECONOMIC DEVELOPMENT PLANNING;
- CREATION OF SOURCES OF REVENUE;
- FINANCIAL ADMINISTRATION AND MANAGEMENT;
- TOURISM, INVESTMENT, AND TRADE DEVELOPMENT;
- INFRASTRUCTURE, PUBLIC UTILITIES AND PUBLIC WORKS;
- ECONOMIC ZONES;
- LAND USE AND HOUSING;
- JUSTICE SYSTEM;
- LOCAL GOVERNMENT UNITS;
- BUSINESS PERMITS AND LICENSES;
- MUNICIPAL WATERS;
- INDIGENOUS PEOPLES' RIGHTS AND WELFARE;
- CULTURE AND LANGUAGE DEVELOPMENT;
- SPORTS DEVELOPMENT; AND
- PARKS AND RECREATION.



## Sources of Revenue of the Federated Regions



# Bayanihan Federalism



**THE FEDERAL GOVERNMENT** SHALL HAVE THE POWER TO LEVY AND COLLECT ALL TAXES, DUTIES, FEES, CHARGES, AND OTHER IMPOSITIONS EXCEPT THE POWER TO TAX GRANTED TO THE FEDERATED REGIONS. (SEC.1, ART. XIII)

## EQUALIZATION FUND

**3%** OF THE ANNUAL GENERAL APPROPRIATIONS ACT THE FUND SHALL BE DISTRIBUTED BASED ON THE NEEDS OF EACH REGION, WITH PRIORITY TO THOSE THAT REQUIRE SUPPORT TO ACHIEVE FINANCIAL VIABILITY AND ECONOMIC SUSTAINABILITY AS DETERMINED BY THE FEDERAL INTERGOVERNMENTAL COMMISSION. (SEC. 5, ART. XIII)

**THE FEDERATED REGIONS** SHALL HAVE THE POWER TO LEVY AND COLLECT THE FOLLOWING TAXES, LICENSES AND FEES:

- (A) REAL PROPERTY TAX;
- (B) ESTATE TAX;
- (C) DONOR'S TAX;
- (D) DOCUMENTARY STAMP TAX;
- (E) PROFESSIONAL TAX;
- (F) FRANCHISE TAX;
- (G) GAMES AND AMUSEMENT TAX;
- (H) ENVIRONMENTAL TAX, POLLUTION TAX, AND SIMILAR TAXES;
- (I) ROAD USERS TAX;
- (J) VEHICLE REGISTRATION FEES;
- (K) TRANSPORT FRANCHISE FEES; AND
- (L) LOCAL TAXES AND OTHER TAXES WHICH MAY BE GRANTED BY FEDERAL LAW. (SEC.2, ART. XIII)

**50%** ENTITLEMENT FOR ALL THE FEDERATED REGIONS OF ALL THE REVENUES DERIVED FROM THE EXPLORATION DEVELOPMENT, AND UTILIZATION OF ALL THE NATIONAL RESOURCES WITHIN THEIR TERRITORY. (SEC. 7, ART. XIII)

**EXISTING LGU SET-UP IS RETAINED**

## Structure of Federated Regions

### Composed of

- ❖ Regional Executive
- ❖ Regional Assembly
- ❖ Regional Judiciary

## Structure of Federated Regions

- ❖ Regional Executive  
(Sec. 16-17, Art. XI-B)
  - To be headed by Regional Governor and Deputy Governor elected in tandem by the legislative assembly from among its members
  - College degree or equivalent required
  - To serve for four years with one reelection
  - Deputy Governor to serve as presiding officer of the Regional Assembly

## Structure of Federated Regions

- ❖ **Regional Assembly (Sec. 4-8, Art. XI-A)**
  - Half to be elected (one each) per province and per highly urbanized city / independent chartered city
  - Half to be elected region-wide by proportional party representation
  - College degree or equivalent required
  
- ❖ **Regional Judiciary (Sec. 22, Art. XI-B)**
  - The Regional Assembly shall provide for a Regional Judiciary composed of a Regional Supreme Court, and such Regional Appellate Courts, trial courts and special courts as may be necessary



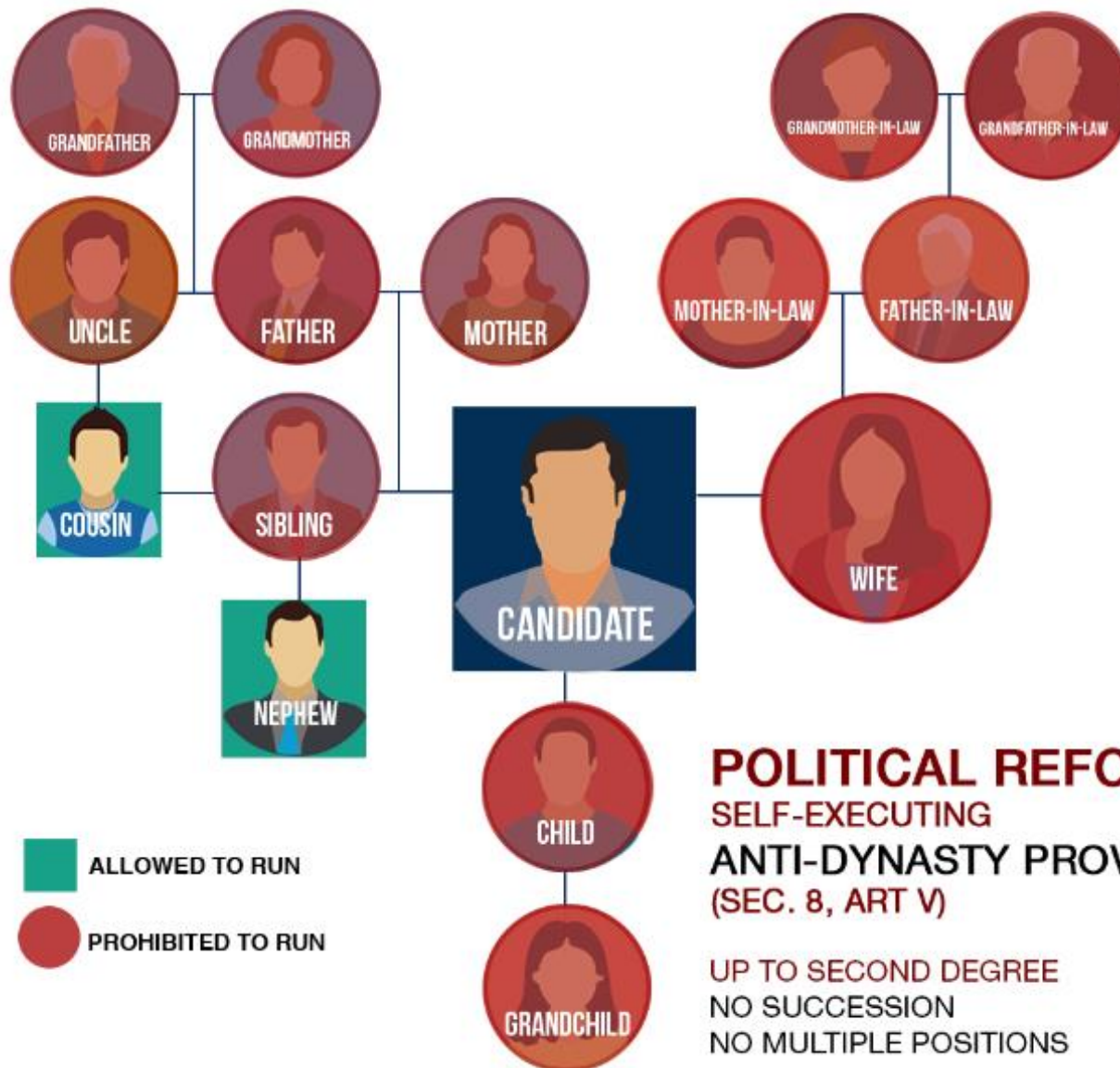
## Special Features

- ❖ To address undemocratic election caused by:
  - Proliferation of political dynasties
  - Narcopolitics
  - Foreign intervention
  - Bossism nature of political parties
  - Expensive system of election
  - Campaign financing by unscrupulous and corrupt businessmen
  - Perversion of election due to 3G

## Special Features

- ❖ Political Reforms: Levelling the Political Field
  - Self-executing anti-dynasty provisions (Sec. 8, Art. V)
    - Up to second degree
    - No succession
    - No multiple positions
  - Self-executing anti-party-switching provisions (Sec. 7, Art. V)
    - No switching parties during term
    - No switching parties two years before, two years after an election
    - Penalties: removal from office, prohibition from appointment and running in next election

# ANTI-DYNASTY



**Nililimitahan ang monopolya ng mga pamilya sa mga elected positions.**

**Pero di naman pinagbabawalan lahat ng mga magkamag-anak na maglingkod**

**POLITICAL REFORMS:**  
SELF-EXECUTING  
ANTI-DYNASTY PROVISION  
(SEC. 8, ART V)

UP TO SECOND DEGREE  
NO SUCCESSION  
NO MULTIPLE POSITIONS

## Special Features

- ❖ Political Reforms: Levelling the Political Field
  - Strengthening the political party system  
(Sec. 4-6, Art. V)
    - Requires party ideology, principles, platform and program of government to be accredited by Comelec
    - Requires parties to exercise of fair, honest, and democratic procedures in selection of party officials and nomination of candidates for elective positions
    - Prohibits contributions from religious organizations, foreigners, foreign governments and illegal sources
    - Establishes the Democracy Fund for citizens and corporations to contribute funds legitimately to political parties and candidates, and financially empower small political parties and women candidates

## Special Features

- ❖ To address overconcentration of wealth in a small elite caused by:
  - Monopolies and Oligopolies
  - Cartels
  - Capture of regulatory bodies
  - Undue influence in government

These are aggravated by the lack of effective representation of the poor in governance.

○

## Special Features

- ❖ Economic Reforms: Levelling the Business Field
  - Prohibits monopolies and cartels (Sec. 11, Art.X V)
  - Guarantees free and fair competition and prevents market manipulation
  - Establishes the independent Competition Commission with broad and strong powers (Sec. 1-5, Art. X: G)
    - Investigate and prosecute violations of competition laws
    - Prevent and break up monopolies, oligopolies, cartels, and mergers that distort market structures
    - To impose such orders as injunctions and sanctions as divestment, disgorgement of profits, and corporate reorganization
  - Empowers the poor through assured representation in the Congress and Regional Assemblies

## Special Features

❖ To address lack of foreign investments especially in the regions which contribute to their underdevelopment and poverty

○

## Special Features

- ❖ Allows Congress to liberalize economic restrictions in the following areas: **(Article XV)**
  - Lease of agricultural and reclaimed lands of the public domain **(Sec. 3d)**
  - Exploration, development and utilization of natural resources **(Sec. 4d)**
  - Operation of public utilities, subject to management control by Filipinos **(Sec. 13)**
  - Mass media and advertising, subject to management control by Filipinos **(Sec. 12)**
  - Educational institutions, subject to management control by Filipinos **(Sec. 15)**
  - Practice of professions, subject to reciprocity **(Sec. 14)**
- ❖ Ownership of land, however, remains exclusive to Filipino citizens



### Special Features

- ❖ To address poverty of the marginalized caused by:
  - lack of access to basic services
  - lack of access to political power and economic opportunities

## Special Features

- ❖ Giving the poor demandable socioeconomic rights to: **(Sec. 26-27, Art. III)**
  - Adequate Food
  - Complete Education
  - Decent Housing
  - Universal and comprehensive Healthcare
  - Livelihood and Employment opportunities
  
- ❖ Giving demandable environmental rights to: **(Sec. 28, Art. III)**
  - healthful environment and balanced ecology
  - clean air, water, soil, surroundings
  - seek compensation for damage to the environment
  - seek court relief (writ of kalikasan) to stop activities that damage the environment

## Special Features

- ❖ Guaranteeing representation in the Congress and Regional Assemblies through the proportional party representation (reformed party-list system) **(Sec. 5, Art. VII)**
- ❖ Protecting them against employment discrimination **(Sec. 3, Art. XV)**
- ❖ Protecting overseas Filipino workers **(Sec. 5, Art. XV)**
- ❖ Giving them employment preference in all enterprises, industries and work opportunities
- ❖ Providing opportunities for gainful employment for persons with disabilities **(Sec. 3, Art. XV)**

## Special Features

- ❖ Providing access to free legal assistance (**Sec. 15, Art. III**)
- ❖ Allowing release on recognizance of indigents accused of probationable crimes when the risk of flight is low (**Sec. 17, Art. III**)
- ❖ Providing compensation to persons unjustly and wrongfully accused, convicted and imprisoned but subsequently acquitted (**Sec. 22, Art. III**)

## Special Features

❖ To address unbridled graft and corruption

## Special Features

- ❖ Converts the Office of the Ombudsman into a Commission (**Sec. 1 Art. X: F**)
  - Chief Ombudsman and four Associate Ombudsmen representing Luzon, Visayas, Mindanao and Metropolitan Manila
  - One Deputy Ombudsman for each Federated Region
  - Independence strengthened
  - Given a deadline of 120 days from filing to decide all cases
  - Prohibits courts from unduly interfering in the investigation by the Ombudsman

## Special Features

- ❖ Strengthens the independence of and gives more powers to the Commission on Audit: **(Art. X: D)**
  - To conduct performance audit **(Sec 2a)**
  - To conduct pre-audit of projects of paramount importance to economic development upon request of the head of agency **(Sec 5)**
  - To conduct audit not only of the Federal Government but also of the Regional Governments **(Sec 2)**

## Special Features

❖ Strengthens the independence of and mandates the Civil Service Commission to:

**(Art. X: B)**

- Discipline not only officers and employees of the Federal Government but also the Regional Governments
- Decide cases within one year from date of filing



## Special Features

- ❖ To address the ineffective sovereignty of the people through initiative to legislate and to amend or revise the constitution

## Special Features

- ❖ Relaxed the signature requirement in people's initiative to enact, amend or repeal laws. **(Sec. 3c, Art. VI)**
  - To at least ten percent of the votes cast in the last election
  - With at least three percent for every Federated Region instead of every congressional district
- ❖ Relaxed the signature requirement in people's initiative to amend the Constitution. **(Sec 3b, Art. VI)**
  - To at least 12 percent of the votes cast in the last election
  - With at least three percent for every Federated Region instead of every congressional district
- ❖ Relaxed the signature requirement in people's initiative to revise the Constitution. **(Sec 3a, Art. VI)**
  - To at least 30 percent of the votes cast in the last election
  - With at least ten percent for every Federated Region instead of every congressional district

## Special Features

- ❖ To address gridlocks in the following areas:
  - Constitutionality of laws enacted by Congress
  - Constitutionality of any people's initiative on legislation, including amendment or revision of the Constitution
  - Legal compliance by the Comelec with all requirements for the holding of elections

## Special Features

- ❖ The President, Senate President, or Speaker of the House may, with leave, seek the advisory opinion of the Constitutional Court on the constitutionality of an enrolled bill of paramount national importance (**Sec. 12, Art. IX**)
- ❖ The chairperson of the Comelec may, with leave, seek the advisory opinion of the Constitutional Court on the constitutionality of a proposal to amend or revise the Constitution or enact, amend or repeal a federal law through people's initiative (**Sec. 12, Art. IX**)
- ❖ Any citizen may, with leave, seek the advisory opinion of the Federal Administrative Court on whether or not the Comelec complied with all the procedures provided by law for the conduct of elections (**Sec. 15, Art. IX**)

## Special Features

- ❖ To ensure the permanence and indissolubility of the Federal Republic

## Permanent, indissoluble Federal Republic

- ❖ Expresses in the Preamble  
**a permanent and indissoluble nation**
- ❖ Expresses in the Declaration of Principles and State Policies that  
The Republic shall at all times uphold federalism,  
**national unity, and territorial integrity.**
- ❖ Prohibits in Section 2, Article XI for anyone to  
advocate, demand for, or support the secession of  
any Region from the Federal Republic.

## Permanent, indissoluble Federal Republic

- ❖ Grants the Executive “step in” powers to prevent secession (Sec. 4, Art. XX)
- ❖ Provides in Section 4, Article XXI that the permanence and indissolubility of the Federal Republic shall not be subject to Constitutional amendment or revision.

## Smooth, orderly transition

- ❖ To address concerns over term extension of incumbent elected officials and ensure that the transition leaders shall have the mandate of the people



## Smooth, orderly transition

- ❖ The incumbent President is prohibited from running for President in 2022 elections
- ❖ A transition President and Vice President shall be elected in tandem to lead the transition
- ❖ They shall be assisted by a Transition Commission composed of experts in the fields of economics, fiscal management, governance, development or law.

- ❖ The transition Vice President, Senate President, Speaker of the House, and all living past Presidents shall be ex-officio members of the Transition Commission
- ❖ The first regular elections for all officials under the Constitution shall be held on the second Monday of May 2022.
- ❖ The Transition Commission shall complete its mandate and cease to exist by June 30, 2022.

- ❖ Distinguishes sovereignty over sovereign rights
- ❖ Sovereignty over:
  - territory, consisting of the islands and waters encompassed by its archipelagic baselines, its territorial sea, the seabed, the subsoil, and its airspace;
  - islands and features outside its archipelagic baselines pursuant to the laws of the Federal Republic, the law of nations and the judgments of competent international courts or tribunals
  - other territories belonging to the Philippines by historic right or legal title

- ❖ Sovereignty rights over:

maritime expanse beyond its territorial sea to the extent reserved to it by international law, as well as over its extended continental shelf.

❖ Sovereignty rights over:

- maritime expanse beyond its territorial sea to the extent reserved to it by international law
- extended continental shelf, including the Philippine Rise

❖ Its citizens shall enjoy the right to all resource within these areas.

## More defined territory

**SECTION 1.** The Philippines has sovereignty over its territory, consisting of the islands and waters encompassed by its archipelagic baselines, its territorial sea, the seabed, the subsoil, and its airspace. It has sovereignty over islands and features outside its archipelagic baselines pursuant to the laws of the Federal Republic, the law of nations and the judgments of competent international courts or tribunals. It likewise has sovereignty over other territories belonging to the Philippines by historic right or legal title.

**SECTION 2.** The Philippines has sovereign rights over that maritime expanse beyond its territorial sea to the extent reserved to it by international law, as well as over its extended continental shelf, including the Philippine Rise. Its citizens shall enjoy the right to all resource within these areas.



**Thank You**