

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Seventeenth Congress
First Regular Session

HOUSE OF REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND LEGISLATIVE SERVICE	

HOUSE CONCURRENT RESOLUTION NO. 05

Introduced by Hon. J. Mayo Z. Almario

**CONCURRENT RESOLUTION
CALLING CONGRESS TO CONVENE AS A CONSTITUENT
ASSEMBLY FOR ONE (1) MONTH SOLELY TO PROPOSE
SPECIFIC AMENDMENTS TO THE 1987 PHILIPPINE
CONSTITUTION PARTICULARLY ARTICLE XVII THEREOF**

WHEREAS, President Rodrigo R. Duterte, even during his incumbency as the Mayor of Davao City, campaigned and explained nationwide the benefits of changing the form of government to federal system; and in his first State Of the Nation Address as the President, he further emphasized the urgency of shifting to federalism;

WHEREAS, it will take a complete revision of the 1987 Constitution to change the form of government;

WHEREAS, Article XVII of the 1987 Constitution provides for three (3) modes of amending or revising it:

1. Congress upon three-fourths vote of all its Members;
2. Constitutional convention; and
3. People's initiative;

WHEREAS, under the first mode or Congress acting as a Constituent Assembly, Congress simply does not have the needed quality time in revising and crafting a whole new Constitution that will embody the ideals of a federal government as it also needs to focus on priority legislative

measures of the Duterte administration, on top of the general appropriations bill which has to be considered and passed within a very limited time frame;

WHEREAS, under the second mode or the Constitutional Convention, an election for convention delegates will entail an enormous amount to conduct, will be divisive, and will further burden the already election-fatigued constituency and yet it will not guaranty that the most qualified delegates who will be tasked to revise the constitution will participate in the election and/or will be elected;

WHEREAS, under the third mode or People's Initiative, the Supreme Court has ruled with finality that the enabling law passed for this purpose was not sufficient to change the system of government which entails a revision of the constitution;

WHEREAS, another possible option worth considering as the 4th mode in revising the constitution is thru a Constitutional Commission which clearly and unfortunately is not provided for in the 1987 Constitution;

WHEREAS, this proposed Concurrent Resolution will allow the present members of the 17th Congress to constitute themselves as an assembly and, acting as a Constituent Assembly, will spend no longer than one (1) month to amend only Article XVII of the 1987 Constitution by introducing the 4th mode which is the Constitutional Commission mode of amending or revising the constitution;

WHEREAS, the output of the Constituent Assembly will be subjected to a plebiscite, ideally to be synchronized with the barangay elections within the year; and if and when ratified, will effectively be the 2016 Constitution which is actually interim in nature;

WHEREAS, after approval of the amendment to Article XVII of the 1987 Constitution through three-fourths vote of Congress, the Constituent Assembly will automatically become *functus officio*;

WHEREAS, under the 2016 Constitution, the President will appoint 100 members – preferably two (2) from every region and 64 of the most learned and knowledgeable experts coming from bona fide and legitimate

sectors of the society – to the Constitutional Commission which will be tasked to draft from January to May 2017 the proposed constitution embodying the ideal federal system of government for the Filipinos;

WHEREAS, the Commission's output shall be subjected to a plebiscite in September 2017; and if and when ratified, will serve as the country's 2017 Constitution with a federal form of government.

WHEREFORE, BE IT RESOLVED BY HOUSE OF REPRESENTATIVES AND THE SENATE OF THE PHILIPPINES CONCURRING, To convene as a constituent assembly for one (1) month solely to propose specific amendments to the 1987 Philippine Constitution particularly Article XVII thereof.



J. MAYO Z. ALMARIO