

'GMA has right to return JBC nominees' list'

Malacañang reiterated yesterday that there was nothing wrong with the decision of President Arroyo to return the list of nominees submitted by the Judicial and Bar Council (JBC) to fill up the vacancies left by two retired Supreme Court justices.

Secretary Gabriel Claudio, officer-in-charge of the Office of the Executive Secretary, said the President has the prerogative to return the list of nominees of the JBC as this is provided for under the law.

Claudio also noted that this was not totally unusual as he claimed that there were precedents in at least two previous administrations.

He added that a number of senators also saw no problem with the decision of the President to return the list of nominations.

Citing a statement made by Sen. Francis Escudero, Claudio noted that the letter forwarded by Executive Secretary Eduardo Ermita to the JBC for the expansion of the list of nominees was "polite."

Escudero, an ex-officio member of the JBC, said the President did not violate any law, the separation of powers, or inter-departmental courtesies.

Sen. Francis Pangilinan, former member of the JBC,

even cited the precedents.

"It is within the law and it is the President's prerogative to make those appointments," Claudio said.

Ermita previously said that the President returned the list because she wanted to expand the choices for two new associate justices of the SC.

The SC has two vacancies brought about by the retirement of Dante Tinga and Ma. Alicia Austria Martinez.

Ermita denied that the President returned the list because she wanted the JBC to include acting Justice Secretary Agnes Devanadera among the nominees.

- Marvin Sy