

PRESS BRIEFING BY PRESIDENTIAL SPOKESPERSON HARRY ROQUE JR.

[Malacañang Press Briefing Room, New Executive Building | 21 November 2017]

OPENING STATEMENT:

PRESIDENTIAL SPOKESPERSON ROQUE: Good morning, ladies and gentlemen.

Well, I would like to begin the press briefing by announcing that the Department of Transportation has filed plunder complaints against officials involved in the alleged anomalous MRT-3 maintenance service contract at the Office of the Ombudsman 'no.

We must stress that the great suffering of the riding public as result of the failure to deliver on the responsibilities of public office, such as the case of the current state of the MRT-3 system, carries consequences and that those accountable will be held liable.

In the height of injustice that Filipino taxpayers have to pay P54 million per month, on top of a P1.8 billion fixed fee for other services, to an unworthy contractor incapable of delivering the reliable system.

Named respondents were former Transportation Secretary Joseph Emilio Aguinaldo Abaya, former Department of Interior and Local Government Secretary Mar Roxas, former transportation Undersecretaries Erwin Lopez, Rene Limcaoco, and Catherine Gonzales; former MRT-3 general manager Roman Buenafe, former DOTC Bids and Awards Committee members and executives of Busan Universal Railways Inc. or BURI.

Also included in the charges are former secretaries Florencio Abad, Cesar Purisima, Jericho Petilla, Mario Montejo, Voltaire Gazmin, Rogelio Singson (DPWH), Arsenio Balisacan and Mr. Marlo dela Cruz.

Immediately before this press conference, I had the occasion to confer with Secretary Tugade on the positive steps taken to improve MRT-3.

He assured me number one, that they are going to procure a reliable maintenance contractor; number two, they're building new rails. They're buying new train cars and new signaling system 'no. They are in other words revamping almost completely the MRT.

And meanwhile, there is a safety audit being conducted 'no to ensure the safety of the riding public.

Now before I open the floor to questions. Yesterday, I committed to Rosalie Coz of UNTV that I will provide you the latest figures on the drug war.

So according to PDEA, from July 2016 to November 10, 2017, a total of 117,268 drug personalities were arrested from 78,619 anti-drug operations conducted.

In addition, a total of [2,525.77] kilos of 'shabu' having a [total] value of P18.9 billion have been seized in the same period.

Lastly, 4,295 barangays were declared drug-cleared.

Now, also before I open the floor to your questions. It's curious that CHR Commissioner Cadiz said that lawyers are mocking the law and human rights 'no.

So I'd like to challenge Commissioner Cadiz, name names. Who is the lawyer? Who he alleges to be making a mockery out of the rule of law and human rights? And who are the lawyers assisting this main lawyer whom he says is mocking human rights and the rule of law?

My response to the CHR Commissioner is tomorrow, we are going to conduct our first press briefing in Marawi. And one of our tasks is to gather as many information on the cases that we can file against members of the Maute terrorist group for violations of the international humanitarian law which is the domestic law implementing the second additional protocol to the Geneva Conventions, otherwise known as punishing war crimes committed in non-international armed conflicts.

We will do this knowing that the CHR will not be any help in according victims of the Maute terrorist groups justice.

I now open the floor to your questions.

QUESTIONS AND ANSWERS:

Leila Salaverria (Philippine Daily Inquirer): Good morning. Sir, what makes you say that the CHR won't be any help in going after the Maute?

PRESIDENTIAL SPOKESPERSON ROQUE: Because so far, I've not heard any investigation conducted by the CHR on the atrocities committed by the Mautes.

It is always atrocities allegedly committed by state agents 'no. And their position has been consistent, the role is to document abuses of human rights committed by state agents which is wrong, because international humanitarian law punishes everyone even non-state actors.

If you look at the case law of the international criminal court, majority of the accused are non-state actors.

Someone has to take up the cudgels for the victims of war crimes in domestic armed conflicts.

Ms. Salaverria: Sir, given that, if it's your position that the CHR must look into all atrocities, aren't you going to, you know, coordinate with them or ask them to do their job since they're a government agency?

PRESIDENTIAL SPOKESPERSON ROQUE: We're not waiting for their initiative because clearly they have other priorities.

We will be coordinating with the Department of Justice. Even before I was designated Presidential Spokesperson and when I was still a member of Congress, I know there is already a special committee of public prosecutors formed by Secretary Vit Aguirre to prosecute individuals for violations of the IHL law in connection with Marawi.

So we will be coordinating with those public prosecutors.

Ms. Salaverria: Sir, your fact-finding, will it be concentrated on the Maute not on any possible violations by the state forces?

PRESIDENTIAL SPOKESPERSON ROQUE: Well, as far as the Armed Forces are concerned, the Armed Forces has said that they will investigate complaints filed against their soldiers.

And it is always a treaty obligation under the Geneva Conventions that the state must ensure that its troops are in full compliance with the law and that there is a duty to investigate, punish and prosecute. So I leave that to the Armed Forces.

I'm taking up the cudgels for those who unfortunately --- whose rights unfortunately are not being espoused by the CHR.

Ms. Salaverria: Thank you.

PRESIDENTIAL SPOKESPERSON ROQUE: And that is why I take offense with that statement that some lawyers, according to the CHR, are --- to quote again, he said, "mocking the law and human rights."

I take it Commissioner Cadiz has claimed the monopoly for upholding the rule of law and human rights.

Ms. Salaverria: Did you feel alluded to, sir?

PRESIDENTIAL SPOKESPERSON ROQUE: Let him specify who he's referring to.

Ms. Salaverria: Thank you.

Joseph Morong (GMA-7): Sir, on the MRT 'no just a little parang brief description of the plunder complaint. Why plunder? And why all of these people I guess the highest would be Secretary Gazmin? All Cabinets... Pati... Why do the... For example, Voltaire Gazmin?

PRESIDENTIAL SPOKESPERSON ROQUE: Well, this is a maintenance contract awarded to BURI 'no. I would suppose that included are members of the Bids and Awards Committee.

And I would suppose that all those who consented to the award of this contract must have been impeached by the DOTC. DOTr, na pala, hindi na pala DOTC, DOTr.

Henry Uri (DZRH): Good morning, Secretary. Kahapon binanggit o nung --- I think yeah, yesterday. Binanggit ninyo na hindi pa dapat mag-resign si Secretary Art Tugade at ine-enjoy pa niya ‘yung trust and confidence ng ating Pangulo. Pero malala na ho ‘yung problema ng MRT. Ano ‘yung talagang utos ng ating Pangulo kay Secretary Tugade para once and for all ay maayos naman itong problema natin sa MRT?

PRESIDENTIAL SPOKESPERSON ROQUE: Eh utos naman po ‘yan ng Presidente sa lahat ng miyembro ng Gabinete: Gawin niyo ang tama para sa taumbayan at gawin niyo ‘yan sa lalong mabilis na panahon.

Ang hinihingi ko po sa ating taumbayan at humingi na nga ng paumanhin ang ating Presidente dito sa mga pangyayari sa MRT ay talaga namang nagkaroon tayo ng mga systemic problems diyan dahil inaward noong nakaraang administrasyon ‘yung maintenance contract sa isang kumpanyang walang kakayahan.

‘Yang mga breakdown pong ‘yan hindi nangyayari kung tinutupad nung BURI ‘yung kanyang contractual undertakings.

Hindi nga po pala niya kaya gampanan ‘yan at ang tanong, bakit tinanggal doon sa isang service provider na malaki, may reputasyon at napakatagal naman ng track record sa DOTC dati at pinalitan ng hindi kakilalang kumpanya na nag-resulta ngayon sa napakasamang serbisyo ng MRT?

Mr. Uri: Pero ‘yun hong... Well, narinig na siguro ninyo ‘yung ilang mga pananaw na hindi na panahon ng sisihan, dapat eh you provide us concrete solution dito sa problemang ito. Ano naman ang inyong ---

PRESIDENTIAL SPOKESPERSON ROQUE: Kaya nga po sinabi ko sa inyo na bago ako nagpunta rito ‘no, talagang kinausap ko na muna si Secretary Tugade dahil hindi naman tama nga na sasabihin ko nagdemanda lang tayo at humihingi tayo ng katarungan laban doon sa mga nagkamali ‘no.

Hiningi ko rin kay Secretary Tugade ano ‘yung mga hakbang na ginagawa at gaya ng sinabi ko kanina eh talagang halos complete rehabilitation na ng MRT ang gagawin --- bagong riles, bagong mga train cars, bagong signaling system at ‘yung ongoing safety audit na ginagawa nila dito sa MRT.

Mr. Uri: May pag-amin ba si Secretary Tugade na nahihirapan sila sa iniwang problema?

PRESIDENTIAL SPOKESPERSON ROQUE: Nahirapan po sila kasi nga siguradong magdedemanda rin itong BURI.

Bagama't nakansela na po itong BURI, magdedemanda po 'yan at hihingi 'yan siguro ng kung ano-anong TRO para walang bagong maintenance provider na pumasok.

Kaya nga po sabi ko kahapon, meanwhile, gobyerno na ang nagme-maintain 'no kasi nga 'pag nagpapasok pa sila nang bago, mahabaang usaping legal na naman 'yan.

Mr. Uri: All right. Thank you, sir.

Deo de Guzman (RMN-DZXL): Good morning, sir. Sir, ngayon pong nasa Ombudsman na 'yung bola sa kaso doon sa former officials ng DOTC before, umaasa po ba kayo na magiging mabilis ang pag-andar ng kasong ito dahil... knowing po ang Ombudsman ay medyo hindi po --- hindi po aligned ang administration and the Ombudsman?

PRESIDENTIAL SPOKESPERSON ROQUE: Well, inaasahan ko naman na dahil meron nang pormal na reklamo eh mapapabilis na 'yung proseso.

Naintindihan ko siguro na ang Ombudsman has the duty to investigate even on its own and even on the basis of anonymous complaints kaya napakadami niyang iniimbestigahan.

Pero ngayon naman po siguro dahil nakikita na ng Ombudsman 'yung aberya na nangyayari sa ating taumbayan dahil dito sa palpak na MRT natin eh baka naman mabigyan na nang kaukulang prayoridad ang imbestigasyon ng bagay na ito.

Mr. de Guzman: Thank you, sir.

Pia Ranada (Rappler): Sir, yesterday you presented us a letter that was sent to the OP that was used as the basis for --- one of the reasons for why the President fired former DDB chair Dionisio Santiago. And yesterday also, the President of the DDB Employees' Union denied that the letter came from them. So parang the implication is that the letter may have been faked. Could you --- or it could have come from someone else, not necessarily that Union. Could you -- - maybe an initial reaction, do you dispute this?

PRESIDENTIAL SPOKESPERSON ROQUE: Well, thank you for that question 'no. Unang-una po, tinanggap po ang resignation ni General Santiago dahil doon sa kanyang mga sinasabi na nagkamali 'yung Mega Rehab.

Hindi po siya tinanggal dahil doon sa letter complaint. Inilabas po ang letter complaint upang ipakita lamang na bagama't ang dahilan ay dahil doon sa mga sinabi sa Mega Rehab facility, eh meron na ring complaint laban kay General Santiago.

Hindi po namin sinabi na katotohanan ang lahat ng sinabi ng complaint.

Ang punto ko po and I think ang word na ginamit natin was "even a whiff of corruption is enough for the President to be at least suspicious of the conduct even of his closest allies." 'Yun lang po 'yung kontekstong 'yun.

So even if this letter were anonymous, the President would still consider it and would still take steps to verify the truth of allegations.

In fact, under the Ombudsman law, the Ombudsman itself is mandated to investigate even anonymous complaints.

So ganyan po ang nature ng zero tolerance to corruption.

I'm sorry if there's been any misunderstanding but I've reviewed the transcripts. I was very clear, if there are allegations in a complaint, we did not say they are the truth.

And that is why I understand General Santiago was somehow hurt. But I emphasize, we have never alleged that they are gospel truth, they are allegations, which I'm sure, he can easily dispute.

Pero ang mensahe po sa mga taong gobyerno, naku po, mag-ingat po tayo dahil ang Presidente po talaga dahil sa kanyang zero tolerance for corruption, ay talaga pong mere --- sometimes po mere talk of corruption is enough for the President to lose his trust and confidence.

I emphasize po kasi itong mga matataas na opisyaes, hindi naman kinakailangan mapatunayan na nagkakasala kasi ang mga matataas na opisyaes po, they serve at the pleasure of the President unless there is a tenure.

So ang warning po doon sa mga napakatataas na opisyaes na subject to complete trust and confidence ng Presidente, mag-[ingat] po tayo.

We have to be [ano ba 'yung sinasabi nila? 'Yung kay Caesar's wife?] We have to be more pure --- purer than Caesar's wife in government service. At napatunayan na po 'yan ni Presidente.

Ms. Ranada: So, sir, did the Office of the President take steps to verify the allegations in the letter?

PRESIDENTIAL SPOKESPERSON ROQUE: It's been overtaken by events because the resignation came about.

Ms. Ranada: And, sir, just to go on the "one whiff, you're out" policy, isn't this policy also susceptible to being used against the administration? Because for example, if an enemy of the administration or of that particular official who is doing his job were to send a letter with baseless accusations to get that person out because that official is stepping on their interests, how then would the administration make sure that that doesn't happen given this policy?

PRESIDENTIAL SPOKESPERSON ROQUE: You know, you're addressing a matter that only the President can address because he orders the firing of presidential appointees who --- in whom he no longer has trust and confidence.

So ultimately, it is the President who decides, who continues to have his trust and confidence.

Ms. Ranada: ‘Yun nga, sir. But it could also be used against him, against people who don’t necessarily --- are actually doing their job but people are being stepped on and these people, who are the enemies of the administration, could be planting such thoughts.

PRESIDENTIAL SPOKESPERSON ROQUE: That’s a possibility. The President is not an ordinary person. He is a lawyer, he is a criminal lawyer and he knows the rules of evidence ‘no.

And as I said, the issue is whether or not the President continues to have trust and confidence in a presidential appointee.

The case is different if it were a career employee. In which case, there must be good reasons ‘no, lawful causes for termination. But not those serving at the pleasure of the President.

Elijah Rosales (Business Mirror): Good morning, Spox. Of course, we cannot just keep on telling the riding public to simply trust the Duterte administration in addressing the MRT fiasco. Do we have a deadline or a timeline on when do we expect transportation officials to resolve the problem before heads of officials roll?

PRESIDENTIAL SPOKESPERSON ROQUE: Well, I wish I could give you a deadline. All that I can offer you is I can offer once a week to take MRT coming to work so that I will know the... I have always taken MRT, especially because I always run late ‘no.

But I can do that so that I can complain personally to the MRT people ‘no. Maybe I’ll do that once a week. I’ll do that.

Q: Every Wednesday?

PRESIDENTIAL SPOKESPERSON ROQUE: No. I prefer every Mondays or every Tuesday ‘no.

But it’s very difficult to set a deadline other than... I think Secretary Tugade knows that we’re looking up to him for a solution.

We’re crying for a solution and we’re crying for a quick solution and I’m sure that Secretary Tugade and Usec. Chavez are really taking all the necessary steps.

You have to understand, this is also a legal quicksand with signed contracts.

You see, the rule in Obligations and Contracts is although you can unilaterally rescind, you do so at the risk of being overruled by the courts.

Mr. Rosales: Sir, follow-up lang. Doon sa usapin naman, sir, nitong traffic gridlock dito sa Metro, sir, do we expect the President to push for the emergency powers?

PRESIDENTIAL SPOKESPERSON ROQUE: I think Congress has already heard in both the Committee and in Plenary and I forget the status in the House ‘no, but I think the proposed

legislation crafted to address the traffic problem is moving in the legislative branch of government 'no.

And unfortunately, it's a matter of policy. We want to vest the President with additional powers that requires legislation.

Mr. Rosales: And last question on this, sir. Given 'yung... Given that ang usapin po dito ay hindi whiff of corruption katulad nung mga --- katulad nung mga tinanggal nung naunang --- nung mga nauna ni President Duterte. Kung halimbawa, sir, mapatunayan na incompetent 'yung mga Transportation official, given 'yung closeness ni Pangulo with the Transportation Secretary, may chances ba na i-fire niya rin 'to kung sakaling hindi maresolba 'yun?

PRESIDENTIAL SPOKESPERSON ROQUE: I will not speculate po 'no. But I think the track record of the President speaks for itself. It does not matter if you're closest to him. If he thinks you should go, you will go.

Mr. Rosales: Sir, on another topic. Last na, sir. Socioeconomic Planning Secretary Ernesto Pernia last Thursday said they have already submitted 'yung Foreign Investment Negative List to President Duterte. May update na po ba tayo dito, sir?

PRESIDENTIAL SPOKESPERSON ROQUE: Well, I've not gotten any information on this but I promise on Thursday, I will address this issue. The latest Negative List 'no for the year 2018? Yes, I will get back to you on that.

Mr. Rosales: Thank you.

Ina Andolong (CNN Philippines): Good morning, sir. Going back to Mr. Santiago, although you --- you've stressed that you never said, yesterday, that all the information you said were verified. Don't you still see anything wrong with the fact that you came out here and announced to the public all these allegations based on a complaint which may be false or based on a fake complaint considering that you accuse this person of having a mistress and being on the --- receiving a house from a drug lord, don't you see anything wrong with that, sir?

PRESIDENTIAL SPOKESPERSON ROQUE: Well, let me correct you. I did not make the allegation it was the complaint.

And I stand by the fact that the letter complaint exists and I stand by the fact that even under our Anti-Graft Law, the executive is duty bound to act even on anonymous complaints.

That's the nature of the drive against graft and corruption.

Ms. Andolong: And even without verifying it, it's okay with Malacañang to be announcing all this with the possibility that it---?

PRESIDENTIAL SPOKESPERSON ROQUE: I never said that there was no verification. Those were your words.

What I said is it's been mooted because the resignation has been accepted.

Ms. Andolong: Okay.

PRESIDENTIAL SPOKESPERSON ROQUE: Okay?

Ms. Andolong: Sir, don't you --- aren't you worried that this might set an example for people who, let's say, might think that, "I wanna file. I want this government official out, I'll file an anonymous complaint and come up with all these false accusations and then it may be considered?"

PRESIDENTIAL SPOKESPERSON ROQUE: Well, this is different because, remember the reason why the resignation was accepted was for different reason.

If at all, maybe what we are stressing is that perhaps there was additional displeasure because of the pendency of the complaint and I'm not saying it was not acted upon. That's your conclusion. Okay?

Mr. Morong: Sir, 'yung provenance nung complaint, how did it reach you, how did it reach the Palace?

PRESIDENTIAL SPOKESPERSON ROQUE: It's in the Palace. The letter exists full stop. Okay?

Mr. Morong: It was submitted by whom?

PRESIDENTIAL SPOKESPERSON ROQUE: The letter exists. It was received. It has a tag of the Presidential Receiving Office. I do not know who received it. That's your question, it was received by whom? I do not know.

Mr. Morong: No. Who submitted it and who received it?

PRESIDENTIAL SPOKESPERSON ROQUE: It was submitted because it's officially on file with the Office of the President. I do not know who submitted it.

Mr. Morong: Is there also complaint na iba 'yung letterhead and all that stuff?

PRESIDENTIAL SPOKESPERSON ROQUE: Nothing. It's an official letter, which exists in our files.

He was fired because of the reasons stated by the President. These are probably additional grounds by which the President lost his trust and confidence. So please, let's be very clear on that. Okay?

And the message is: zero tolerance for corruption. Okay? Siguro naman nagre-reverberate na ‘yan sa lahat ‘no? ‘Pag hindi pa naman nakuha ng taong gobyerno ‘yan, ewan ko na. Okay, next one please.

Philip Tubeza (Philippine Daily Inquirer): Sir, good morning. ‘Yung sa joint statement last week dun sa meeting ni Presidente and Chinese Premier Li Keqiang.

PRESIDENTIAL SPOKESPERSON ROQUE: Okay.

Mr. Tubeza: Na-mention ‘yung possible cooperation on oil and gas explorations sa West Philippine Sea. Does this mean po na ili-lift na ‘yung moratorium on oil and gas exploration in that area?

PRESIDENTIAL SPOKESPERSON ROQUE: I do not know but I will go by the literal wordings of the joint statement.

Mr. Tubeza: Ah so, can you --- ?

PRESIDENTIAL SPOKESPERSON ROQUE: Let’s just say that they --- both countries are committed to exploring the possibility of joint exploration, that’s what the statement says.

Mr. Tubeza: Okay, thank you, sir.

PRESIDENTIAL SPOKESPERSON ROQUE: Okay?

Ms. Salaverria: Sir, good morning. If corruption is such a priority for the administration, what does happen to the Anti-Corruption Commission that the President formed last month? Has he appointed officials to this and when can we expect this commission to get moving?

PRESIDENTIAL SPOKESPERSON ROQUE: I’ll tell you the truth ha, I have supposedly somewhere a list of newly appointed officials and people are following up with me.

I do not know where it is. I’m supposed to make it public ‘no, but I’ve not received it. But I have gotten confirmation that it was sent.

That’s why today I have everyone, all my staff, in the backstage, because that’s one thing I need to find ‘no.

Because I have had at least 15 inquiries already on recent appointments particularly to the judiciary and other branches. Ha?

[Off-mic]

PRESIDENTIAL SPOKESPERSON ROQUE: Well, that’s the problem, I haven’t even seen it, okay? So I’m sorry to say that.

So let me verify first if there are still no appointees because when I asked through channels, they said it is in my office.

So I called everyone now, they're backstage and I'm asking where are the list of appointees so we can make them public. Okay?

So let me find out. I do not know, in other words, because I'm still awaiting the list that is supposed to be in my desk. Okay?

Mr. Morong: Sir, SWS lang 60 percent showed that they are willing to help the rehab in Marawi?

PRESIDENTIAL SPOKESPERSON ROQUE: That's an affirmation of the bayanihan spirit of the Filipino, 60 percent is an overwhelming majority.

We thank the people for the support that they have shown to the victims of Marawi atrocities.

Mr. Morong: Okay, sir. Thank you.

PRESIDENTIAL SPOKESPERSON ROQUE: Totoo nang last.

Trisha Macas (GMA Online): Hi, sir, good morning. Chief Justice Sereno, yesterday warned that an attempt by the allies of President Rodrigo Duterte to impeach her could threaten the country's democracy. She said, may I just quote her, "This is getting to be larger than myself. This is no longer just about me, it is about democracy." Palace comment, please? Thank you.

PRESIDENTIAL SPOKESPERSON ROQUE: Quick response is, the impeachment process is a constitutional process.

I do not see how a constitutional process ratified by the Filipinos when they ratified the '87 Constitution, constitute a threat to democracy. She's mistaken there.

Having said that, we let the process continue, the legislature is a separate branch of government, they have exclusive and original jurisdiction to determine probable cause on impeachment complaints.

We trust Congress will do its job.

Thank you and see you in Marawi if you're going to Marawi ---

[MRT]

Or MRT on Thursday. Oh, let's do it on Thursday. Okay? I live in Quezon City so I will take the Katipunan. I will take Katipunan.

[Sir, dapat rush hour.]

Oh, anong oras tayo?

[6 a.m.]

Ang aga namang six o'clock 'yan. Oo, hindi naman rush hour 'yan.

Ms. Ignacio: Friendly reminder, naka-live pa tayo. Naka-live pa tayo.

PRESIDENTIAL SPOKESPERSON ROQUE: Oo. Okay. We'll see you at 9 o'clock Katipunan Station, okay? On Thursday.

[LRT 'yun.]

PRESIDENTIAL SPOKESPERSON ROQUE: LRT-2 ba 'yun? MRT.

[Inaudible]

PRESIDENTIAL SPOKESPERSON ROQUE: Eh saan naman tayo pupunta sa MRT? Wala naman tayong pupuntahan sa MRT papuntang Malacañang.

[Point-to-point]

PRESIDENTIAL SPOKESPERSON ROQUE: Paano tayo makakarating sa press briefing natin kung tayo 'yung mage-end-to-end? Ha? Oh my gosh.

Ms. Ignacio: Naka-live pa tayo ha, Joseph.

PRESIDENTIAL SPOKESPERSON ROQUE: Baka mataranta.

Ms. Ignacio: Sir, naka-live pa tayo.

PRESIDENTIAL SPOKESPERSON ROQUE: Can we just agree on the... Uy, naka-live pa pala tayo, ladies and gentlemen. Kayo talaga. Hoy, pero wala na, hindi na tayo live.

Ms. Ignacio: Live pa tayo. Live pa tayo, sir.

PRESIDENTIAL SPOKESPERSON ROQUE: Live pa. Patay kang bata ka. Kayo talaga.

[laughter]

[Off-mic]

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