Presidential Communications Operations Office
News and Information Bureau

PRESS BRIEFING OF PRESIDENTIAL LEGAL COUNSEL AND PRESIDENTIAL SPOKESPERSON SALVADOR PANELO
February 10, 2020 (12:35 P.M. – 12:58 P.M.)

SEC. PANELO: Good afternoon members of MPC.

USEC. IGNACIO: Questions?

SEC. PANELO: Henry?

HENRY URI/DZRH: Good morning, Secretary. What's the latest, the real score of the government of the United States and the Philippines dito sa VFA na ito? Anong pinaka-latest na?

SEC. PANELO: Actually, iyong sinasabi nilang … iyong sa Manila Times ba iyon? *"President's men clash,"* nakakatawa naman. Alam mo, ang kausap ko na si Ina eh, I was quoting the President. I said, kasi when we talked, I asked him eh, I asked the President. Sabi ko, *"Mr. President, according to Secretary Locsin, you haven't instructed him to file the notice of termination."* His response was… the way I quoted him, *"I will instruct ES to tell Secretary Locsin to send the notice of the termination to the US government."* Noong kausap ko siya, weekend iyon eh. So apparently, eh since wala namang trabaho pa, papaano nga naman siya magbibigay ng instruction. You need to type that, you need to relay that to the Office of the ES, kaya siguro wala pa. And for all you know, he can even call direct Secretary Locsin.

So sa ngayon, hindi ko alam kung nasabihan na niya si ES or nakausap niya si Secretary Locsin. But definitely, I asked him, *"Is your position unchanged?" "Yes."* Iyon ang … I think mas importante iyon, iyong position niya.

HENRY URI/DZRH: His position unchanged as of—

SEC. PANELO: Ibig sabihin, ipapa-terminate niya talaga.

HENRY URI/DZRH: As of?
SEC. PANELO: Kahit si Secretary Lorenzana, nakausap niya before the weekend, iyon din ang sinabi eh. Pareho lang naman ang sinabi sa amin lahat eh.

HENRY URI/DZRH: Sec., hindi naman sa gusto namin kayong pagsabungin ni Secretary Lorenzana ano. Pero kasi sinabi niya na iyong impormasyon na nabanggit po ninyo, precisely galing po sa inyo, is fake news.

SEC. PANELO: Kasi nga—hindi, nagkausap na kami. Nagtatatawanan nga kaming dalawa eh. Ang tanong kasi sa kaniya ay kung mayroon nang instruction, eh kausap niya rin si ES, kinausap ko rin si ES. Kasi sabi ko sa kaniya, *"Oh ES, may instruction si Presidente na tatawagan ka yata."* Sabi niya, *"Hindi ko pa natatanggap eh. Wala pa akong instruction."* Iyon din ang sabi niya kay Secretary Lorenzana. Wala naman siyang sinabing mali doon; totoo namang hindi pa natatanggap iyong instruction.

So all the three of us are saying the same thing. Iyong akin kasi, in the future tense dahil iyong naman ang … I was just quoting him eh, "I will instruct ES." Eh hindi pa nakarating sa kaniya. So noong tinanong kung mayroon ka nang instruction, wala pa. But it doesn't mean na iyong shinare ko sa inyo is false news.

HENRY URI/DZRH: So kumbinsido na ho si Secretary Lorenzana na hindi fake news iyong sinabi ninyo?

SEC. PANELO: Oo, in fact sabi niya nga – ewan ko kung sino ang kausap niya – sabi niya, nag-ano na ako eh, sinabi ko na iyong … in-explain ko na kung bakit ko nasabi iyon. And sinabi niya pa nga sa kaniyang text eh, "I told them na from now on, the sole source of info on VFA is me, Spox."

Tapos noong binasa namin the following day, wala naman, hindi naman lumabas iyong sinabi niya. Kaya ang headline hanggang ngayon ay iyong sinabi niya. But klinarify niya na iyon eh.

HENRY URI/DZRH: Oho. Pero in the future, Secretary, papaano maiiwasan ito? Kasi ang dating sa publiko lalo na doon, of course, the critics and the netizens, parang hindi kayo nag-uusap-usap; parang may problema within you and some other Cabinet officials?

SEC. PANELO: Hindi naman. Eh nakausap lang namin si Presidente. We don't have to talk to each other, kaming mga members of the Cabinet kasi iisa lang naman ang sinasabi sa amin ni Presidente.

I think ang naging problema doon ay iyong tense – iyong future tense naging present tense. Kasi iyong iba, ang ni-report, ininstruct na; iyong iba naman, forthcoming pa kaya nalito. But actually, what is more important is that the position of the President has not changed. If that is the position of the President, whether dumating iyong notice of termination today, the day after or next week, it doesn't matter kasi kung iyon ang position niya eh, kung unchanged eh. Nasa sa kaniya iyon kung magbabago siya. But sa ngayon, iyon ang sinabi niya sa amin.

INA ANDOLONG/CNN PHILS: Sir, can you confirm this report from the Philippine STAR that Ambassador Romualdez will be flying in to brief the President about the possible … the impact of terminating the VFA?

SEC. PANELO: Hindi ko alam iyon. I haven't heard of that. But si Ambassador Babes naman, every now and then, he comes eh and make a report.

INA ANDOLONG/CNN PHILS: So you don't know if there is a scheduled meeting between the two?

SEC. PANELO: Nobody told me yet.

INA ANDOLONG/CNN PHILS: Okay. The report says, sir, iyon nga, ibi-brief daw si Presidente on the impact of scrapping the VFA. If you're saying that the President is decided and the President also earlier saying that he will not change his mind, may silbi pa ba iyong effort na iyon?

SEC. PANELO: Bakit naman hindi. Eh di ba tayo when we make a position, iyan ang ating position as of this time. If circumstances changed, we also change our position. So hindi natin alam.

REYMUND TINAZA/BOMBO RADYO: Sir, what could change the President's heart and mind towards the VFA?

SEC. PANELO: That will depend on the President's thinking on the matter. I cannot read his mind at this time. Depende sa kaniya. Kasi 'di ba nagbigay siya ng mga reasons why, he gave four reasons at in-enumerate ko iyon.

REYMUND TINAZA/BOMBO RADYO: So we are expecting that the termination or abrogation of the VFA will actually happen during his term, before his term ends?
SEC. PANELO: Basta iyon ang sinabi niya sa amin. Whether he will change his position will depend on him.

REYMUND TINAZA/BOMBO RADYO And some senators are saying that the Executive cannot just do it without the concurrence of the Senate because it was ratified by them—

SEC. PANELO: That is one theory. But our theory is that, given the fact that the Constitution does not provide such or our feeling is that it does not require the concurrence of Congress with respect to terminating an executive agreement and, for that matter, a treaty.

REYMUND TINAZA/BOMBO RADYO: Sir, hindi ba kayo worried sa possible, well, impact nito sa mga millions na yata na mga Filipinos in the United States of America?

SEC. PANELO: Hindi naman. Bakit naman—bakit, ano bang …

REYMUND TINAZA/BOMBO RADYO: They might be… magiging unkind na sa mga Filipinos natin sa US if—

SEC. PANELO: Hindi naman.

REYMUND TINAZA/BOMBO RADYO: Hindi naman.

SEC. PANELO: Unang-una, iyong mga overseas workers natin kaya nandoon dahil kailangan din nila ang ating mga kababayan.

CHONA YU/RADYO INQUIRER: Sir, did the President ask or kinunsult niya iyong kaniyang Cabinet members before making this decision? Kasi sina Secretary Locsin, Secretary Lorenzana, they are for review, not to abrogate iyong VFA.

SEC. PANELO: Sinabi nila review, pero sinabi niya rin nila na we are, we will fully support the President.

CHONA YU/RADYO INQUIRER: But did he ask the—

SEC. PANELO: The President is the chief architect, hindi siya kailangan mag-consult. Magaling na Presidente, abogado pa. Kung mayroon siyang doubts on certain area, siguro that's the time he consults.

CHONA YU/RADYO INQUIRER: So it was just his own decision to abrogate?

SEC. PANELO: Hindi ba sinabi niya? 'Pinag-aralan ko iyan, matagal na. Nag-uumpisa pa lang sila, pinag-aaralan ko na iyong gagawin ko.' Hindi ba sinabi niya sa kaniyang speech, 'When they started demanding the release of Senator De Lima, nagri-react na ako doon. Nag-iisip na ako kung ano ang gagawin ko kung itutuloy nila iyon,' tapos sunud-sunod pa iyong mga ginawa nila na ang feeling niya ay you're assaulting our sovereignty, oh kaya.

CHONA YU/RADYO INQUIRER: So it was just the President, sir?

SEC. PANELO: Yeah, it is. And we support him, fully.

CHONA YU/RADYO INQUIRER: And you, sir, being the Chief Presidential Legal Counsel, did he ask you?

SEC. PANELO: I agree with him! He doesn't even have to consult; I agree with him. Ever since iyon na nga ang reaction ko rin 'di ba?

JINKY BATICADOS/IBC13: Hi, sir. Sir, would you know po kung kailan magaganap iyong usapan nila sa telepono ni Presidente at ni President Trump?

SEC. PANELO: Hindi, alam mo iyong usapan na rin na iyan, hindi rin ano iyan eh, parang ang sabi ko nga noon, they're expected to talk. Pero when I was asked by Ina kung who initiated it, I didn't even know who initiated it kasi wala rin siyang sinabi. Madali't sabi, we can only

speculate na since we are determined or there is a notice to cause the termination, siyempre the other party will, “Bakit?” Baka sila ang nag-initiate, hindi ko alam. Eh ang President will never call.

JINKY BATICADOS/IBC13: Sir, sa palagay mo kapag tumawag si President Trump sa Presidente, sa pagkakakilala mo lang, sir, ha kay President—

SEC. PANELO: Ay magkaibigan iyong dalawa, definitely will take the call. Baka sabihin niya, “Congratulations!”

JINKY BATICADOS/IBC13: Do you think, sir, mapapabago ni President Trump, in case lang mapag-usapan nila iyong VFA?

SEC. PANELO: Iyon ang hindi ko alam. Nasa kanilang dalawa na iyon.
ACE ROMERO/PHIL STAR: Secretary, just a clarification on the President’s earlier statement. Kasi sabi ninyo hindi ninyo masabi kung ano ang magpapabago nung isip ng Presidente. Pero may sinabi siya, “I’m giving you one month to correct iyong cancellation ng visa ni Senator Dela Rosa.” What does that mean? Tuloy ba iyong condition na iyon, iyong demand na iyon?

SEC. PANELO: Hindi ko alam. Hindi ko alam. I didn’t ask him about it. I’ll ask him mamaya. Magkikita kami mamaya eh.

ACE ROMERO/PHIL STAR: If they correct that iyong pag-cancel, will that change the President—

SEC. PANELO: Hindi, kasi pinaliwanag niya na iyan na hindi lamang iyon ang reason. Remember? It’s not the only reason why he is or he wants to cause the termination. The other reasons I have already mentioned, iyon.

ACE ROMERO/PHIL STAR: So what’s the purpose of giving the US one month to correct iyong pag-cancel ng visa kung maka-cancel din naman—

SEC. PANELO: Siguro he feels na mali iyong ginawa nila.

ACE ROMERO/PHIL STAR:—mai-scrap din naman iyong VFA?

SEC. PANELO: Baka he feels na mali iyong ginawa nila.

MARICEL HALILI/TV5: Sir, other issue. Sir, may we have your comment about the petition filed by or quo warranto filed by SolGen earlier today before the Supreme Court to disenfranchise ABS-CBN?

SEC. PANELO: Well, as I have said, the SolGen is constitutionally bound to institute any action against any transgressors of law. And if a franchise holder is violating its franchise, then it is his duty to file a petition of quo warranto.

Now, as to the plaint of a few members of Congress that such petition deprives the authority of Congress to grant franchise, I think it's very misplaced because Congress has the constitutional authority to grant a franchise. But when you file a petition for a franchise to be withdrawn, which has already been granted, it is not the depriving Congress kasi sila ang nagbibigay eh. Kaya lang siya nag-file ng petition dahil may mga violation na sinasabi siya.

MARICEL HALILI/TV5: But, sir, we all know how the President feels towards ABS-CBN. So was there a communication between the President and SolGen prior to the filing of a quo warranto petition?

SEC. PANELO: None that I know of. What I know of the President's style is, if you want to do something in relation to your job, do it. Let the law takes its course. Palagi iyan ang sinasabi niya sa lahat eh.

Now, with respect to the … as you said, the President's feelings about ABS-CBN, you must remember that there is a basis for his expression of displeasure. What? He was a victim of fraud. And when he expresses that, that expression falls within the freedom of expression which we cannot deprive a President of given that all citizens are entitled to that. But it doesn't mean nor has it anything to do with the petition filed by the Solicitor General because that is the job of the SolGen. And if he does not do that, then he would be charged with dereliction of duty.

MARICEL HALILI/TV5: So you're saying, sir, that the President has nothing to do with this?

SEC. PANELO: Oh nothing, definitely nothing to do. Moreover, let me just stress this: It's Congress that has the authority to grant or to renew, not the President. Hindi ang President; Kongreso ang magbibigay niyan. And as you know, the practice of the President, he does not interfere with the function of Congress.

MARICEL HALILI/TV5: But, sir, some of the media organizations are crying of, well, this is a clear violation of press freedom. What do you say to this?

SEC. PANELO: Eh wala ngang koneksyon iyong press freedom eh. Kasi unang-una, ang Congress nga ang magga-grant o magri-renew eh. Iyon namang isa, nag-file ng petition kasi trabaho naman niya iyon. So wala.

Parang ano iyan eh, let me recall the incident involving the late—oh not the late, the former Chief Justice Sereno. Remember that when a petition for quo warranto was filed and there was an impeachment proceedings, they were also arguing that, that you're depriving us

because we're trying to have this impeachment process. And that was brought to the Supreme Court, and the Supreme Court said, "No, iba naman iyong impeachment ninyo. Removal iyon because ito iyong mga grounds.' Ito naman, iba namang ang sinasabi rito. May authority naman ang SolGen na mag-file ng petition for quo warranto.
HENRY URI/DZRH: Secretary, on ABS-CBN pa rin. May mga artista, of course, ang isyu naman nila is their livelihood, their contracts. Kayo ho ay mga kaibigan ding artista, ano ho. Ano ang masasabi ninyo doon sa mga artista naman na nakikiusap sa Pangulo, sa Malacañang na huwag nang ituloy iyong pagpapahinto ng operasyon ng kanilang network?

SEC. PANELO: Mali iyong kanilang ano, mali iyong kanilang pinapakiusapan. Dapat makiusap sila sa Congress na i-renew iyong lisensya. Kasi kay Presidente, wala naman siyang ano doon, wala siyang pakialam doon. Pangalawa, ang hukuman naman ang magdi-decide noon, hindi rin siya. So palaging outside de kulambo siya doon eh; wala siya doon eh. But I can understand the feelings of people in ABS – natural lamang iyon.

HENRY URI/DZRH: Oho. Pero, Secretary, may mga pronouncement din ang Pangulo mismo na siya ang nagsasabi na talagang hindi niya na palulusutin—

SEC. PANELO: Eh displeasure nga iyon eh. He was expressing displeasure. Hindi ba ganoon naman si Presidente, when he says, "I will kill the rich billionaires." What he means is I will kill the desire of these rich billionaires to steal money from the people. Ganoon ang style ni Presidente eh dapat we should be used to that.

Like for instance, when he says, "I will instruct Executive Secretary Salvador Medialdea to send the notice," eh sinabi niya iyon noong Biyernes, weekend na, eh papaano niya nga naman ipapadala iyon, wala nang opisina. Oh ngayong Monday siguro, eh di maghintay tayo kung either ipadala niya or he calls himself the Secretary of Foreign Affairs. Depende kay Presidente iyon.

ACE ROMERO/PHIL STAR: Okay, Sec., if that's the case, sabi ninyo walang kinalaman iyong President doon sa quo warranto, how would you translate iyong quote na, "I'll make sure you are out."?

SEC. PANELO: Sino?

ACE ROMERO/PHIL STAR: Iyong ABS-CBN daw po. How would you translate that quote of the President, "I'll make sure you are out."?

SEC. PANELO: Hindi ko alam kung ano iyong … out when?

ACE ROMERO/PHIL STAR: Iyon iyong sinabi ni Presidente.

SEC. PANELO: Hindi niya tinapos eh kung ano iyong out. Out when?

ACE ROMERO/PHIL STAR: He was talking about the franchise and then he stated that, iyong, "I'll make sure you're out."

SEC. PANELO: Baka out of my grace?

ACE ROMERO/PHIL STAR: Out of?

SEC. PANELO: Out of my grace. Kumbaga, bad shot ka na sa akin ngayon. Dati good shot.

ACE ROMERO/PHIL STAR: Dati naman nang bad shot iyong ABS-CBN kay Presidente.

SEC. PANELO: Hindi, hindi naman. Marami naman sa ABS-CBN na ano eh objective.

ACE ROMERO/PHIL STAR: So ano ang ibig sabihin noong 'out of my grace'?

SEC. PANELO: Hindi, alam mo iyong ano … iyon na nga eh, kaya siya nagsasalita ngayon, hindi niya nakakalimutan iyong ginawa sa kaniya. He was really very displeased.

ACE ROMERO/PHIL STAR: Yeah, yeah, we got that. We got that. Pero ano iyong out?

SEC. PANELO: Hindi ko alam kung ano iyong out. Hindi naman niya tinapos kung ano iyong out eh.

ACE ROMERO/PHIL STAR: Kasi franchise iyong sinasabi niya noon ha, noong sinabi niya iyong statement na iyon.

SEC. PANELO: Wala iyon. Basta sa akin, ano lang iyon, expression of displeasure. Basta Congress pa rin ang may authority to grant or a renewal.

ACE ROMERO/PHIL STAR: Pero, Sec., kung Congress po iyong … sabi ninyo, 'di ba sila ang may power mag-grant nung franchise. Kung magdi-declare na null and void iyong franchise, anong iga-grant nila?

SEC. PANELO: Ang alin?

ACE ROMERO/PHIL STAR: Halimbawa, i-declare na null and void iyong franchise, ano pa ang iga-grant ng Congress?

SEC. PANELO: Bakit naman hindi. They can file a new franchise. Halimbawa, nag-rule ang Supreme Court ngayon, 'Oh null and void ang franchise ninyo,' eh di hindi muna kayo mag-o-operate. Then, they can—kasi may violation ka, eh di ayusin mo iyong violation mo. Kung anong violation, eh di you have to correct that.

SANDRA AGUINALDO/GMA7: Sir, one police colonel was quoted by the New York Times as saying na nag-fail iyong—Colonel Caramat of the PNP, saying na nag-fail ang shock and awe approach of the PNP against drugs. Ano po iyong reaction—

SEC. PANELO: I understand that Colonel made already a denial, a disclaimer of that statement. He never said that. Binago daw nila iyong sinasabi niya. 'Di ba tama? He issued a statement on that already.

VANZ FERNANDEZ/POLICE FILES: Sir, good afternoon. Sir, pipilitin ba ng Pangulong Rodrigo Duterte na pagbayarin itong dalawang concessionaires ng water kasi sa utos po ng ating Supreme Court, because they violated the Clean Water Act? Kasi that's worth two billion pesos.

SEC. PANELO: Eh kung may utang talaga sila sa gobyerno, dapat lang naman magbayad.

USEC. IGNACIO: Okay. Questions, MPC? No more na? Wala na tayong tanong. Okay, thank you, Secretary Panelo.

SEC. PANELO: Thank you.

###

--
News and Information Bureau-Data Processing Center