

**Presidential Communications Operations Office
News and Information Bureau**

**INTERVIEW WITH PRESIDENTIAL SPOKESPERSON AND CHIEF LEGAL COUNSEL SALVADOR
PANELO BY KAREN DAVILA – HOT COPY, ANC
February 21, 2020**

DAVILA: Alright joining us here in the studio this morning, we have the President's Spokesperson and his Chief Legal Counsel, Secretary Sal Panelo. Secretary, thank you so much for coming to the show. Thank you.

SEC. PANELO: Good morning.

DAVILA: You have asked Congress, you've called on Congress to do its job. You've said, "*Do your job, you know what to do.*" You've also said the President wants Congress to already start hearing the franchise issue. Then, why aren't they doing it?

SEC. PANELO: I don't know. Why don't you ask them?

DAVILA: No. If you're talking about essentially the Speaker would take the cue from Malacañang, why aren't—

SEC. PANELO: Why does the Speaker have to take a cue from Malacañang? Why do members of Congress have to wait for what the President will say about anything? It's about time – if that was the practice before – *tigilan na po natin 'yan, kung ano 'yung trabaho ninyo under the Constitution, gawin ninyo. You're barking at the wrong tree. Palaging parang pinalalabas ninyo si Presidente ang may kagagawan ng... kung hindi ma-renew, oh hindi, certainly not! Walang kaugnayan!*

You know, the President made utterances against ABS-CBN. He made certain statements like, "*I'll shut down.*" But hindi naman literally iyon eh. He wants to shut down the fraudulent practices of your network. What is this? Hindi ba, during the campaign nagbayad siya, hindi in-air. May TRO against Trillanes na ilabas iyong kaniyang paninira, sinunod ninyo ba? Hindi! Iyon ang kinagagalit ni Presidente, iyong mga ganoong klaseng practices, kaya siya nagalit. You cannot deprive this man from expressing his displeasure or disgust or anger when he is a victim of fraud, hindi ba, and injustice. Pero walang kinalaman iyon sa pag-grant o pag-renew, because that is the job of Congress not the President.

DAVILA: I'm not gonna respond to that, the two issues that you've raised because it's gonna be very long. But Congressman Albano himself who sits in the Franchise Committee said, "*We're receiving massive pressure from Malacañang.*" What—

SEC. PANELO: No, I think he corrected himself. Because in fact I was talking to him the other night and he kept on saying, “*I was misquoted.*” Ang sinasabi niya iyong utterance ni Presidente ang dating sa kaniya personally, but sinabi niya na eh, “*The President never called us, we never called the President.*” Talagang kahit na tumawag kay Presidente hindi ka i-entertain noon, ‘yan ang practice niya ever since.

DAVILA: So when you said that the President said he wants Congress to start hearing, can you share with us that he tell you personally? What exactly did he say?

SEC. PANELO: Hindi, kasi ang usapan namin ano bang—“*Iba iyong aking sentimyento diyan, personal iyong akin. Pero iyong pagdating sa grant or renewal, sa Kongreso ‘yan. Ano namang kinalaman ko doon?’*”

DAVILA: He said that to you personally? I mean the exact quote.

SEC. PANELO: Not in so many words, but iyon ang ibig niyang sabihin. Palagi niya na ngang sinasabi iyon eh. Hindi ba, like for instance sinasabi nila, “*Eh paano kung i-veto?*” O eh ano kung i-veto? Assuming na i-veto, eh you can override the veto of the President. You must remember the record of this President – mga ‘appointees’ niya sa Cabinet hindi nakalusot, may narinig ba kayo kay Presidente? Did you even hear any utter of disappointment or disgust or anger against the members of the Commission of Appointments – wala! Wala kang narinig, ‘di ba? Mayroon siyang sini-certify na urgent bills, ginawa naman ng Kongreso. Pagdating sa kaniya, bini-veto niya ang certain provision.

In other words, this President, abogado kasi eh, iyon ang training niya. Kung ano iyong batas, sundin mo na lang. You know during the Cabinet meetings Karen, ‘pag nagkakadebate roon, alam mo palagi niyang sinasabi, “*Let the law takes its course. Kung ano ‘yung batas, gawin ninyo na lang.*”

DAVILA: So Secretary, is the Lower House violating any law at this point? That it is not hearing the congressional franchise of ABS-CBN? Is there a violation at this point?

SEC. PANELO: That’s not for me to decide or to resolve. That’s for the courts kung mayroon silang violation. Kahit na iyong away nila, I will not even join the fray. Nag-aaway sila ngayon eh: Sabi ng Senado puwede sila; sabi naman ng Congress eh gawin ninyo trabaho ninyo. Kami dito sa Executive ginagawa namin ang trabaho namin.

DAVILA: So, you are saying the Lower House isn’t doing its job.

SEC. PANELO: Kasi nga parang pinalalabas ng mga—haven’t you noticed iyong mga lumalabas diyan sa screen ninyo? Parang lumalabas si Presidente may kasalanan eh, nakikiusap—kaya nga sabi iyong... much ado about nothing, pati iyong petition for quo warranto.

Alam mo itong petition for quo warranto? Nag-file, okay; Kailan ba supposed to be mag-e-expire? End of the month of March. O, unang-una ni hindi mo nga alam kung maririnig ng Korte Suprema iyon dahil siyempre maraming filing ng pleadings, by that time nag-expire na. Even assuming na nadinig nila at ito’y sinabi nilang ‘granted’. O ano naman kung granted? Eh ‘di ganoon pa rin, may pending application ka naman ha. Kasi kung mayroon kang violation, doon ka lang mananagot sa violation mo. Pero after that, puwede ka na naman mag-apply – still Congress that will decide whether you are entitled or deserving to be having a renewed franchise or not.

DAVILA: Now, you said in the past in your press briefings in Malacañang that the President did not give the go signal for the Solicitor General to file a quo warranto petition. Now the question is, this is where people are confused because the Office of the Solicitor General essentially reports in a way to the President. It is—it lawyers for the government. So why would it do its own thing without the President’s go signal?

SEC. PANELO: Eh unang-una, under the Constitution may kaniya-kaniya kayong trabaho eh even members of the Cabinet, we have our own functions. The President does not interfere with that, we are giving a freehand, bahala kayo diyan.

DAVILA: So you’re saying Calida is on his own?

SEC. PANELO: Oh yeah, palagi ‘yan. Ever since, Calida is on his own. Ganoon naman ang character din niyan eh. Alam mo tinanong ko siya sabi ko, “Padre...” sabi ko, “Ba’t ka raw nag-file ng quo warranto ngayon lang?” “Eh ngayon ko lang natuklasang may violation eh.” “Eh bakit naman daw mag-e-end na saka ka lang nag-file?” “Aba’y kung hindi ko naman finile, ako naman—they will run after me for dereliction of duty,” which is correct. Moreover as I said, ke ma-grant ‘yan o hindi, it will not affect ABS-CBN. So it’s much ado about nothing, ‘di ba?

DAVILA: But then, what’s confusing in terms of communication—

SEC. PANELO: Ang nakakayamot Karen is pinapasok nila iyong freedom of the press na connected – walang koneksiyon eh. And even mawala nga—

DAVILA: But eventually it leads to that, Secretary. I mean, this one I wanna—

SEC. PANELO: O sige, ipagpalagay natin nawala ang ABS—hindi, teka muna. Ipagpalagay natin nawala ang ABS-CBN, are you telling me na namatay na ang freedom of the press? Of course not! Ang daming networks, ang daming radyo, nandiyan pa rin and ABS-CBN can always... alam mo na, kadali lang naman gawan ng paraan ‘yan eh. Ibenta mo lang pagkatapos ikaw rin pala may hawak. Hindi naman... *[laughs]* ah ewan ko ba, natatawa na lang ako.

DAVILA: Okay, we have to stick to the issue – the freedom the press issue.

SEC. PANELO: Tell me, bakit konektado sa freedom of the press at bakit konektado si Presidente, sige nga?

DAVILA: Okay, no first, the connection of the President, I'm not gonna tell you, I'm going to ask you, that's my job on the show to ask you: If you say that the President doesn't not want to close down ABS-CBN?

SEC. PANELO: Teka muna, not that he doesn't want to close down. Ang sinasabi niya...

DAVILA: Those were your words. Duterte does not want ABS-CBN to close.

SEC. PANELO: No, ang ibig sabihin ng he doesn't want to close, wala siyang pakialam diyan kung magsarado man o hindi, sapagkat hindi ko naman—wala akong control diyan, Kongreso iyan, it's not my turf, iyon ang ibig niyang sabihin.

DAVILA: If you say the President does not wanted to close, why won't then ask the Office of the Solicitor General to let Congress do its job. Why allow the quo warranto petition.

SEC. PANELO: The SolGen is doing his job. Why are you going to prevent him from doing his job, di kasama ka sa conspiracy for dereliction of duty, eh kasa-kasama kayo diyan. You will be violating the law.

DAVILA: But you believed, Secretary, you believed yourself also that there's jurisdiction with the Office of the Solicitor General regarding a franchise renewal? Isn't it clear that the powers rest with both houses?

SEC. PANELO: Teka muna, iyong granting saka renewal sa House, di ba? Pero kung nag-violate ka diyan sa franchise mo, sino ba ang may jurisdiction diyan, oh di magdedemanda sa iyo SolGen, because may violation eh, iyon nga ang trabaho niya. Oh bakit mo sasabihin na hindi pupuwede? Pareho ng Sereno, di ba may ongoing impeachment, pero may pinayl na quo warranto, anong sabi ng Supreme Court, puwede pareho puwede. Eh ganoon din iyan.

DAVILA: The senate will be hearing the franchise renewal in aid of legislation on Monday to see if there were violations. Do you see this as a sub judice in a way, because I've spoken to Senator Drilon, some Senators and they have said the senate is not covered with that, there's a Precedent on several other cases.

SEC. PANELO: Unang-una, it's the Supreme Court that will decide whether that's covered with the sub judice rule. I don't want to pre-empt that. Pero ang pagkakaintindi ko ng sub judice, hindi papasok iyan sa Congress, immune sila diyan eh, saka trabaho nila ang mag-imbetiga diyan – ang problema mo iyong mga resource persons, baka tamaan.

DAVILA: So, you believed that the senate is covered in terms of that.

SEC. PANELO: Oh yeah.

DAVILA: Now, another thing is, you've also said that after March 30, ABS-CBN cannot operate.

SEC. PANELO: Kung nag-expire na ang franchise. Pero sinasabi nila na nag-file ka na raw ng renewal at hindi pa naaksiyunan ng Congress, nai-extend by practice. Tapos, I understand there is now a resolution, this is being introduced in Congress para ma-extend, sabi pa bakit pa resolution, why don't you just pass a law habang mayroong pending application, tuloy pa rin ang operation. Anong ginagawa, di ba, kayo ang mga nandiyan sa Kamara de Representante.

DAVILA: Okay, now going back to as you said this is not an issue of press freedom because in case there is a shut down, you are talking about other media agencies can function. But the curtailing of—

SEC. PANELO: Where is the curtailing, I cannot see the curtailing, where is the curtailing there? If you violate a provision of a law and that will be the result of your violation, how can that be, pareho rin iyon nung kay Ressa.

DAVILA: But you're already assuming that ABS-CBN has a violation at this point, the way you sound.

SEC. PANELO: Hindi, kaya nga sinasabi ko, kung halimbawa may violation at na-grant iyong quo warranto mo.

DAVILA: I wanna ask you, do you believed editorial judgment is a violation of the franchise renewal?

SEC. PANELO: Bakit hindi naman iyon ang ground for quo warranto.

DAVILA: That's one, so it's not.

SEC. PANELO: So, di walang koneksyon. The very grounds of the quo warranto do not even touch your right to criticize, your right to make editorials, di ba, so ano ang koneksyon ng freedom of expression or of the press, di wala.

DAVILA: But then you have also experts – that's the thing – if there is no franchise, you have experts saying it affects editorial independence of any given network, because it is waiting for a franchise.

SEC. PANELO: Sino nga nag nagbibigay ng franchise at nagre-renew, eh Congress. Eh ba't mo sinisisi ang Presidente, wala ngang kinalaman ang Presidente doon eh. Tanungin mo ako kung bakit galit si Presidente. Sagutin kita.

DAVILA: You've already mentioned it.

SEC. PANELO: Hindi mayroong reason and I'm addressing this to the owners of ABS-CBN. Ang problema ho kasi sa inyo, hindi iyong mga bagong executives ngayon, nakakaawa nga, dahil ang gagaling ng mga bata, matitino, now they are suffering because of what their father's did o iyong mga uncle nila. Alam mo alam na nila na mali iyong ginawa nila and yet did they do anything to appease the person na naging biktima ng kanilang injustice and fraud – wala! Lyon ang tinatawag ni Presidente, hubris di ba.

Mabuti nga nakita ko si Carlo Katigbak kanina, meron siyang statement. Parang sabi niya nagkakamali din kami, buti pa itong batang ito, marunong umamin ng pagkakamali and we will right the wrongs, not your uncle or not your father or not those who are running or who were running ABS-CBN, mabuti pa ang mga bata, may pag-asa pa ang ABS-CBN because of them.

DAVILA: But, I can't debate on this, sabi kasi, it will discussed at the senate for sure at one point, but is this a factor? You have said it that it's one of the reasons the President is upset and you don't believed his feelings actually or his statement actually influenced the actions of everyone around him, even Congressmen's?

SEC. PANELO: Why should you be influenced? If you are influenced by the actions of this man o the utterances of this man, then you have no business being members of Congress. You are there precisely because of the oath you have taken to enact laws, to investigate in aid of legislation – nothing more, nothing less – bakit ka maapektuhan? Sinasabi nga ng Presidente, wala akong pakialam sa trabaho ninyo unless lumapit kayo sa akin gaya nung sa speakership. Pero otherwise, wala eh, hindi talaga eh. Lyon ang character ng mamang ito, he will not interfere, unless punta ka sa akin ay may corruption, may abuse of power, that is the time I come in.

DAVILA: All right, we have a lot of other issues to discuss, but on the ABS-CBN on the franchise renewal issue – where does Malacañang or you as the Spokesperson see this going, this whole exercise, frankly?

SEC. PANELO: Nasa Congress nga iyan. Congress ang magde-decide niyan, whether they will extend or not, di ba or the Supreme Court will decide whether may violation or not. Kami nanunuod lang and we will follow whatever the Congress or Supreme Court says.

DAVILA: So is it this like essentially, like Malacañang washing its hands, like Pontius Pilate saying, you're just observers—

SEC. PANELO: No, kaniya-kaniya tayo. The Constitution demarcates your powers and functions and duties. Lyon ang ginagawa ng Presidente, kung ano lang iyong trabaho. Unless, as head of the state, lalapit ka sa kaniya at mayroong abuse of power, mayroong

injustice, eh papasok siya because he cannot countenance any illegality, any violation of any law. And he is outrage by any kind of oppression or injustice, doon pumapasok si Presidente.

DAVILA: Okay. Now, moving on to another issue – okay, just quickly. With the Senate hearing on Monday, what would you like to hear? What would Malacañang like discussed?

SEC. PANELO: Aba’y kung ano ang gusto nilang i-discuss eh di manunood tayo. Alam mo, sabi nga ni Presidente doon sa KBB, kahit anong gawin ninyo basta ang gusto ko lang, katotohanan – murahin ninyo ako, siraan ninyo ako, okay lang. Kung totoo, sige gawin ninyo. Ang ayaw ko kung ang ginagawa ninyo ay puro kasinungalingan eh doon tayo hindi nagkakasundo.

Tandaan mo, Karen, this man has been the subject of so many harassment, many character assassination, he never sued anybody. Mayroon ka bang nabalitaan? Kung papaano siya murahin nila Trillanes, De Lima at kung sinu-sino pa. He has been pictured as a murderer but he never, he ever put anybody.

DAVILA: But there are sedition charges, I mean, that’s also—I’m just trying to say, this is going to go on and on so I don’t want to debate. I’m saying you’re also portraying the President here – is he a victim, is he – you’re saying—

SEC. PANELO: Teka muna, teka muna. Iyong sinasabi mong sedition, tandaan mo, mayroong nagdi-determine whether may probable cause for a particular crime – hindi si Presidente iyon – trabaho ng DOJ iyon, mga imbestigador. Wala, walang pakialam si Presidente roon!

DAVILA: Okay, all right. Moving forward, because we can go on and on with this. Let’s talk about first the biggest story yesterday was the Bureau of Immigration, the whistleblower that came out – Allison Chiong. The President has fired some of the officers. He has mentioned they are involved in the “pastillas modus” that allows Chinese nationals to come in illegally, additional 10,000 pesos for ... and it’s a scheme of pyramid of corruption within BI. The problem is the Commissioner of the Bureau of Immigration, Red Morente, being the head essentially of the agency, the President has said that, “*Mahal ko iyan,*” “*di ba parang, “nagtrabaho sa akin iyan sa Davao noon.”* Will the President spare him? This all happened under his leadership.

SEC. PANELO: You know, that question presupposes that you do not know this President. You know that for a fact that he has fired members of the Cabinet who are friends, allies, and has fired many government officials. So ganoon din iyon. Kung incompetent ka, he will fire you. If you’re corrupt, he will fire you. That is precisely why he said, “We will take up the case of Morente, the Commissioner, and the way he runs his office in the next Cabinet meeting.” Siguro doon siya magdi-decide.

DAVILA: So this means Morente, are you saying, is not safe? He could be fired?

SEC. PANELO: Anybody is not safe. Everybody is at the pleasure of the President. You do something illegal, you do something incompetent, and the President fires you. Ganoon lang iyon.

DAVILA: Okay. But why would he say that, “Si Morente mahal ko iyan. Limited lang ang powers ko.”?

SEC. PANELO: In the same way na mahal niya iyong mga tinanggal niya sa Gabinete. Eh wala ngang koneksyon iyong pagkakaibigan natin at pagmamahal ko sa’yong personal doon sa trabaho mo. Iba iyong trabaho, iyon ang palaging sinasabi ni Presidente.

DAVILA: Are there recommendations already to replace Morente at this point?

SEC. PANELO: Wala akong alam, but sigurado si Presidente palaging naghahanap iyan. ‘Hindi ba maraming bakante sa gobyerno, kasi mahirap humanap ng honest person ngayon.

DAVILA: The others have been fired, what does the government intend to do in terms of cases against them?

SEC. PANELO: What do you mean? Kapag dinemanda ka?

DAVILA: No, no, no. I meant, the President already fired the other officials of the Bureau of Immigration. What actions other than firing them? Does the government intend to—

SEC. PANELO: Siyempre, charges will be filed against them for corruption. Iyon ang mangyayari doon, and you’ll have to prove that in court.

DAVILA: Okay. So with that, you’ve said clearly, Morente is not safe. Moving on to another issue is Jovie Espenido, one time was seen to be one of the President’s stars when it came to the drug war and now he ended up in the watch list. Who does that drug watch list? Who does that?

SEC. PANELO: ‘Di ba nga maraming nagbibigay ng listahan niyan, lahat ng mga police forces agencies, sila ang nagbibigay. But you know, like for instance iyong original drug list, 120 ang tinanggal nila doon. Kasi noong bina-validate nila, hindi naman pala totoo; iyong iba naman, namatay na; iyong iba naman double entries kaya natanggal doon ay 120 of the original list.

DAVILA: Okay. You’ve seen Espenido’s name on the list?

SEC. PANELO: No.

DAVILA: Because the PNP Chief refuses to divulge exactly who’s in the list. But there are leakages that said that he is in the list?

SEC. PANELO: Hindi, parang sinasabi ni Col. Espenido, kung nilagay man ako doon, iyong mga naninira sa akin ang naglagay doon. Kaya parang masama nga ang loob niya, dapat daw iyong PNP Chief, dapat ... hindi ba, inimestigahan mo na hindi naman totoo iyan. Kaya masama ang loob niya eh, paano nagsalita siya nang ganoon!

DAVILA: What happens to Espenido now?

SEC. PANELO: Espenido is there. Alam mo, tinanong ko si Presidente, sabi ko, “Mr. President, bakit nga pala tinanggal iyon?” “Hindi naman siya tinanggal,” sabi niya, “kasama iyon sa reshuffle.” Alam mo kapag ang isang police officer, naka-stuck ka sa isang posisyon, hindi ka mapu-promote. Talagang dapat talagang ililipat-lipat ka.

DAVILA: So he still has the trust of the President?

SEC. PANELO: Oh definitely, yes.

DAVILA: Okay. Has the President seen him, I’m curious?

SEC. PANELO: Hindi ko alam kung nagkausap na sila – wala siyang sinasabi.

DAVILA: You’ve also reacted to Espenido saying that he fears for his life after now being included in the drug list.

SEC. PANELO: Then there must be some reasons for him saying that. And I said, like any ordinary citizen, he can ask the government to protect him from any attempt against his life.

DAVILA: I’m curious, since this is the President’s drug list, are you also saying – if he still has the President’s trust that if he is in the drug list – his name should be removed from the list?

SEC. PANELO: No. Even if the President trusts you personally, but you submit proof to him otherwise, ibang usapan iyan, ipu-prosecute ka ni Presidente.

DAVILA: Has evidence been submitted to the President regarding Espenido?

SEC. PANELO: Eh di sana nagsalita na si Presidente. Ang huling salita ni Presidente, black propaganda iyan sa kaniya.

DAVILA: All right. Everybody else on the list, you said you’ve removed, I think, a hundred plus?

SEC. PANELO: Hundred twenty ang alam ko.

DAVILA: Hundred twenty already removed been removed. How many lists does the President have?

SEC. PANELO: Hindi ko alam. Hindi ko alam. Basta ang alam ko lang, 300 something. Pero may nabasa ako na 120 ang tinanggal.

DAVILA: On that note, I want to thank you, Secretary Sal Panelo.

SEC. PANELO: Thank you.

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