

Presidential Communications Operations Office

News and Information Bureau

PRESS BRIEFING OF PRESIDENTIAL SPOKESPERSON HARRY ROQUE

APRIL 20, 2018 (1:35 – 1:55 P.M.)

SEC. ROQUE: [Airing starts]... to the Secretary of Labor and Employment involving the inventories of companies engaged in labor-only contracting. And I quote:

“Department of Labor and Employment Secretary is hereby directed to submit to the Office of the President within 30 days from issuance hereof, a comprehensive report on the implementation of DOLE Department Order Numbers 174 and 183 Year 2017 including violations thereof and the list of companies engaged and are suspected to be engaged in labor-only contracting. Further, the National Labor Relations Commission is directed to coordinate with the DOLE Secretary and submit a list of cases involving respondents found to be engaged in labor-only contracting and have committed violations of abovementioned stated department orders.”

We reiterate that labor-only contracting is already prohibited by the existing Labor Code and among others, one in this is of a labor-only contracting entity or a ‘cabo’ is that is does not have substantial capital; it only exists to circumvent the security of tenure of its workers. Service contractors who have substantial capital and who employ their employees working for a specific companies as regular employees complying with the minimum terms and conditions of employment as provided under the law are not classified as ‘cabo’.

On the resolution of the European Parliament, we of course find it unfortunate that members of the European Parliament once again interfered with the affairs of the Philippine state, rehashing issues and baseless claims that have been explained adequately by the Philippine government in several official statements. We reiterate that the Philippine administration—the government under the administration of President Rodrigo Roa Duterte does not engage in so-called extra-judicial killings.

Ang sabi po nila, twelve thousand na raw po ang namatay. Nasaan po iyong mga bangkay, at nasaan po iyong mga demanda ng mga twelve thousand victims? Kakaunti lang po ang alam naming mga demanda tungkol dito sa mga patayan na ito, and we of course challenge them – saan po iyong mga datos, saan ang ebidensiya na twelve thousand ang namatay na?

Impunity doesn’t have a place in our society and we continue to follow due process and hold officers accountable for their actions. May mga kaso na po tayong nakasampa, hindi lang iyong kaso ni Kian. Marami na pong iba pang kaso. Mayroon pong mga pulis na nasa Payatas na mayroong mga nakabinbin na kaso sa Ombudsman ngayon, at mayroon pong writ of amparo na na-issue ang Supreme Court sa ngalan ng ilang mga diumanong mga biktima. Ibig sabihin po, hindi po natin kinukunsinti ang mga patayan. Ang ating mga institusyon ay gumagalaw po para bigyan ng implementasyon ang ating batas laban sa patayan.

The arrest and detention of Senator Leila De Lima on illegal drug charges which follows strict legal procedures has even been declared legal with finality by the Supreme Court of the Philippines. Ngayong linggo lang po ito, Korte Suprema na ang nagbasura noong Motion for Reconsideration ni Leila De Lima na kinukuwestiyon iyong legalidad ng information laban sa kaniya. Ano pong gagawin natin? Korte Suprema na nagsabi, dalawang beses; hindi lang isang beses na legal 'yan.

Kung ito po'y nangyari sa Europe, eh siguro po hindi nila kukunsintihin kung ang Pilipinas naman magsabi, "Maski nagdesisyon na ang mga hukuman ninyo na tama pagkakakulong, ay ipalabas si Leila De Lima." Hindi po ganoon ang hudikatura namin. Gumagana po ang hudikatura dito sa Pilipinas, hindi po naimpluwensiyahan ng mga pulitiko ang mga lower courts at ang Korte Supreme dito sa Pilipinas dahil ngayon po, memorya pa lang ang naa-appoint na mga justices ng ating Pangulo sa Supreme Court. Sana po, kung ano ang patakaran sa bansa nila sa Europa, ganoon din ang asahan nila dito sa Pilipinas. Hindi po naghihimasok ang ehekutibo sa gawain ng hudikatura.

United Nations Special Rapporteur on the Rights of Indigenous People Victoria Tauli-Corpuz is included in the list of terrorist because of intelligence information; Ms. Corpuz can submit controverting evidence linking her with the terrorist group, the Communist Party of the Philippines-New People's Army.

Sa ulit po, itong kaso ni Special Rapporteur Victoria Tauli- Corpuz ay nasa korte po 'yan. Hindi pa naman siya nababansagang terorista; kinakailangan munang magkaroon ng order sa hukuman. So binibigyan po siya ng due process, bibigyan po siya ng pagkakataon na marinig. Magsumite po siya ng ebidensiya na hindi siya terorista, at pabayaang natin ang hukuman magdesisyon. Pero hindi po para sa mga dayuhang mambabatas na hingin na tanggalin siya, samantalang mayroon po tayong lokal na batas. Ganiyan din po siguro ang patakaran nila sa Europa.

Siguro po, kung ang Pilipinas eh gagawa ng ginawa rin nila; kung ang Kongreso ng Pilipinas ay magsabi na 'tanggalin mo 'yan sa isang list ng terorista,' samantalang may proseso sa kanilang mga batas, eh hindi rin katanggap-tanggap 'yan. Dahil prinsipyo ng non-interference po, 'yan po ay nakasaad sa UN Charter.

We thus call on the members of the European Parliament to exercise prudence in issuing resolutions. We understand a number of whom we have close ties with the local political opposition who tried to distort realities that we have a working democracy, where people now enjoy peace and order. We have existing mechanisms for constructive discussions including the Philippine European partnership in cooperation agreement which entered into force in March 2018.

If I may add, this resolution comes at a time when the European Union itself has given us financial assistance to assist us in the ongoing war against drugs. I find it inconsistent that the European parliament will condemn the war against drugs which is now also being financed partly by the European Union.

So, ang aking imbitasyon po sa kanila ay walang kaduda-duda naman po na banta ang droga sa seguridad ng ating bayan sa kalusugan ng ating mga mamamayan. Pinasalamatan po natin sila noong tumulong sila, ng pinondohan nila ang war on drugs! Siguro po ay tatanggap pa tayo ng mas marami pang tulong diyan sa war on drugs, pero hindi po katanggap-tanggap na pulaan ang war on drugs dahil ito po talaga ay katungkulan ng estado na itaguyod ang karapatang mabuhay ng mga mamamayan at talaga namang napatunayan po na banta sa kalusugan ng mga mamamayan ang pinagbabawal na droga.

And finally, I heard the CBCP say that Sister Fox although she attends rallies has never spoken in rallies. Well I now have a picture and this is taken April 9 in a rally organize by KMU and Gabriela party list: In front of Coca-Cola Davao City Distribution Center at Ulas, Davao City. There you have it po, Sister Fox speaking in the strike at Coca-Cola Davao City, Ulas, Davao City. Can you return it to the photo where she is speaking? Malinaw na malinaw po na kasama po siya, may hawak po siyang mikropono. Puwede ba doon sa mikropono, hindi naman nasa mikropono iyan eh. Please pakilagay doon sa mikropono, iyon ang i-freeze ninyo. Sige po, iyan, iyan, iyan. Okay. So questions please?

LEILA SALAVERRIA/PHILIPPINE DAILY INQUIRER: Good afternoon. Sir, may call din iyong European parliament for the EU to consider calling on the—calling for the removal of the Philippines from the UN Human Rights Council?

SEC. ROQUE: Well that's not a decision to be made by the European parliament. That's a decision to be made by the UN system itself. The members of the UN Human Rights Council are elected by the general assembly, that's a call to be made by the general assembly.

LEILA/PHILIPPINE DAILY INQUIRER: Sir, you mentioned that the EU has been helping the Philippines and the message of the parliamentarian seem to be at odds with the moves of the EU. So what's that status now of the Philippine ties with the EU?

SEC. ROQUE: Well I would say that as far as the EU is concern, we have no problems with the European Union. Perhaps it is the European Union that should communicate with the European parliament. But you know this EU is the very complicated federal system. So I'd rather—that you ask them: what is the impact of this, given that the official position of the European Union is that, you know, they have even given financial support to the ongoing war against drugs?

LEILA/PHILIPPINE DAILY INQUIRER: Thank you.

CEDRIC CASTILLO/GMA7: Sir, iyong assistance from EU, iyon ba ay may posibilidad pa na—puwede pa bang ibalik iyon?

SEC. ROQUE: Hindi ko po alam, bakit ibabalik?

CEDRIC CASTILLO/GMA7: Hindi puwede ba nating isauli iyon sir iyong assistance na from EU?

SEC. ROQUE: Wala po akong alam na ibabalik iyon kasi iyon naman po ay tulong para sa giyera laban sa droga.

CEDRIC CASTILLO/GMA7: Sir, kasi kung may mga ganitong mga senyales na may strings attached, wala tayong balak—

SEC. ROQUE: Iyong aid pong iyon walang strings attached iyon, kaya nga po hindi ba pinasalamatan ko sila doon. At nagpapakita iyan na ni-recognize din ng EU na talagang obligasyon ng estado. It is an inherent obligation of the state to protect its people against the evil of prohibited drugs. Saang estado ba naman ang hindi talaga iligal ang droga?

DEXTER GANIBE/DZMM: Sec., magandang hapon. Iyong unang ibinigay ng EU na tulong 3 billion pesos noong October 2016, nasundan pa ba ito noong last year?

SEC. ROQUE: Hindi ba mayroon akong inanunsiyo lately lang? May inanunsiyo ako lately lang, hindi ba kasama iyong pondo para sa war on drugs, iyon po iyon.

Q: So, tuloy-tuloy lang?

SEC. ROQUE: Well, hindi. Iyon lang—hindi ko pa alam kung tuloy-tuloy. Ang inanunsiyo ko lang iyong kailan lang na inanunsiyo ko.

CEDRIC/GMA7: Sir, puwede ba tayong mag-ano—may mga legal—may mga diplomatic avenues ba, sir, na puwede nating i-take particularly diyan sa statement ng EU—

SEC. ROQUE: I think the Department of Foreign Affairs will take the necessary steps ‘no, because it’s unfair. They have come up with a finding of fact, 12,000. Nasaan iyan? Sino iyan, saan nila pinagbasehan iyan? Hanggang ako, wala naman akong nakikita, kung saan nanggagaling iyang 12,000 na iyan. Saan? Do we even have 12,000 coffins available at one time? Hindi ko maintindihan saan nanggagaling talaga iyong pigura na iyan. Siyempre maraming namamatay, iba’t-ibang dahilan, baka lahat na lang ng namatay linagay nila doon sa figure na iyon. Pero as a matter of fact, I do not know where they got that figure.

ACE ROMERO/PHIL. STAR: Secretary Roque regarding the photos of Sister Fox. Iyong source po ng photo ay saan po galing?

SEC. ROQUE: Sa gobyerno po.

ACE/PHIL STAR: Government photo, okay. Ano po ang implications nitong photos na ito?

SEC. ROQUE: Pinabubulaan ko lang na—ng gobyerno, iyong sinabi ng CBCP na ni minsan hindi nagsalita sa rally itong si Sister Fox. Eh kailan lang pala nagsasalita oh. This is April 9, this year.

ACE/PHIL STAR: So, puwedeng matuloy iyong procedures against—

SEC. ROQUE: Eh, mukhang—although she is now under the normal procedure of preliminary investigation to determine if she will be subject to deportation proceedings, I am just telling the Bishops, hindi po sinabi ni Sister Fox sa inyo ang buong katotohanan. Ito po ang larawan. Palagi po iyang nagsasalita sa rally, kaya nga rin po hinuli iyan noong panahon ng 2013, iyong protesta sa Hacienda Luisita. Hindi naman siya nag-a-attend lang, nagsasalita siyempre iyan, style naman iyan ng KMU at Gabriela. Kung kayo ay naka-attend na ng rally nila, hindi naman pupuwedeng a-attend lang iyan, siyempre nun iyan eh, madre pasasalitain nila iyan, kasi kumbaga personality iyan na pakikinggan. So palaging pinagsasalita iyang mga madre, mga padre; dati-dati naman pati ako nagsasalita eh.

CEDRIC/GMA7: Sir, CHR daw po paiimbestigahan itong insidente kay Sister Fox, titingnan nila kung may paglabag daw sa karapatan.

SEC. ROQUE: Bahala sila, gawin nila ang gusto nila.

LIELA SALAVERRIA/PDI: Sir, what prompted the President's directive to come up with an inventory of the companies engaging in labor only contract?

SEC. ROQUE: Because as I said, the decision is to now leave the matter of endo to Congress, because there was no tripartite to consensus on an executive order on endo. And we realized that if we are going to have a re-definition - prohibit even service contractors with substantial capitalization - that would require an act of Congress. Because the Labor Code allows service contracting provided hindi 'cabo.' Ang cabo na ipinagbabawal ay iyong mga walang capital at saka ang ipinagbabawal iyong 555, iyong talagang pagkatapos ng limang buwan sinisisante iyong mga empleyado.

Pero iyong mga empleyado ng mga service contractors na empleyado naman ng service contractors at hindi naman sinisisante after 5 months, allowed po iyan ng Labor Code. So, iyon po hindi pinagkakasunduan. Pero kung iyong ganiyang system na service contractors talaga na legitimate, substantial capital, eh gusto nilang gawing cabo, kinakailangan amyendahan ang Labor Code, tanging Kongreso lang po ang puwedeng gumawa niyan at hindi po ang Presidente. Tagapagpatupad lang po tayo ng batas, hindi po tayo taga-ukit ng batas.

LIELA/PDI: So, sir, itong inventory, you asked for this to parang—

SEC. ROQUE: To crackdown on them! Because the promise was to end 555 - 'end.' Ang promise ng Pangulo, habang ganiyan ang depinisyon ng contractualization na hindi lahat ay bawal, kung hindi iyong mga cabo lamang, sisiguraduhin ni Presidente wala talagang 555 at wala talagang cabo - 30 days. Wag n'yo pong subukan ang Presidente, dahil alam n'yo naman ang resolve ng Presidente.

LIELA/PDI: Sir, was this due to the backlash over the fact that he won't sign an EO anymore?

SEC. ROQUE: Where is the back lash, wala namang backlash?

LIELA/PDI: From labor groups, sir?

SEC. ROQUE: ‘Asan? Wala namang backlash.

LIELA/PDI: The labor groups are saying parang he is renegeing—

SEC. ROQUE: Nasaan ang backlash? Wala po kaming nakikitang backlash. Kasi ang pangako po niya walang 555. Kaya nga po sisiguraduhin ni Presidente, wala talagang 555. Okay.

DEXTER GANIBE/DZMM: Sec., anong status ng panukala ng Department of Labor na i-sign as urgent iyong bill para sa security of tenure?

SEC. ROQUE: Ganoon pa rin iyon, ganoon pa rin iyon.

DEXTER GANIBE/DZMM: Ihahabol kaya bago mag-May 1?

SEC. ROQUE: I don’t think so kasi—well, siguro iyong certification kakayanin. Pero Congress will not come back until after May 1. They’re adjourned.

DEXTER GANIBE/DZMM: So aasahan po ba ng mga manggagawa—

SEC. ROQUE: They’re on recess, I’m sorry. They’re on recess.

DEXTER GANIBE/DZMM: So aasahan po ba ng mga manggagawa na may sertipikasyon ang Pangulo before May 1 doon sa bill?

SEC. ROQUE: Well, I cannot say with certainty but we will see what happens. Okay?

DEXTER GANIBE/DZMM: Last point. Doon sa 555, ibig sabihin, karamihan po kasi doon sa mga pumapasok sa 555, iyong mga agencies, so ibig sabihin ay magkakaroon ng crackdown?

SEC. ROQUE: Iyon iyong mga agencies na cabo talaga.

DEXTER GANIBE/DZMM: Na cabo, oo.

SEC. ROQUE: Oo. Kasi kung ikaw ay legitimate, ang hindi pinagbabawal na service contracting ay kung tatratuhin mong regular employee iyon iyong manggagawa: Hindi mo sisisantehin iyan ng after five months. Bibigyan mo ng lahat ng ... minimum wage, bibigyan ng lahat ng benefits na nakasaad sa labor code. Iyon ang hindi ipinagbabawal ng labor code.

DEXTER GANIBE/DZMM: So magkakaroon po ba, sir, ng ano within 30 days, kailan mag-i-start iyong 30-day period? At magkakaroon ba ng parang Tokhang, pupuntahan iyong mga ano—

SEC. ROQUE: Oo, ngayon po ito na-isyu. This is just a directive, so kailangan po ma-implement ito. Tawagin na lang natin ito bilang Tokhang Laban sa Cabo.

DEXTER GANIBE/DZMM: So magkakaroon ng, I mean, iyong mga opisyal natin sa Department of Labor ay pupuntahan iyong mga agencies na involved dito at sasabihan, “You stop your operation.”

SEC. ROQUE: Yes. In other words, itong 30 days na ito, it’s not just for the lease. It’s to tell them comply, otherwise isasara kayo ni Presidente.

At talagang magkakaroon ng Tokhang sa mga kumpanya, iisa-isahin sila. Tokhang laban sa ‘cabo’ ito. Let me call it now, Tokhang Laban sa Cabo.

MARICEL HALILI/TV5: Sir, one lang. Your statement lang po on the Pulse Asia Survey on the senatorial line up?

SEC. ROQUE: I have no statement on that.

MARICEL HALILI/TV5: Kasi, sir, you’re, I think, rank 27. May we have your reaction?

SEC. ROQUE: I have no reaction on that, because as I said, I leave my political future to fate.

CEDRIC CASTILLO/GMA7: Sir, iyong sa—

SEC. ROQUE: Is that good or bad? [Laughs] I don’t even know. Yes?

CEDRIC CASTILLO/GMA7: Iyong sa PDP slate naman, sir. Ito po ba ay nakita na ni Pangulo? May reaksiyon po ba siya doon sa senatorial slate din po?

SEC. ROQUE: Sa ngayon po ay hindi pinanghihimasukan ni Presidente iyong final slot, although he has endorsed some names.

DEXTER GANIBE/DZMM: Other issue, sir. May inanunsiyo si Presidential Anti-Corruption Commission Spokesperson and Commissioner Belgica na apat daw na presidential appointees ang sinibak na o sisibakin ng Pangulo? Would you know that?

SEC. ROQUE: Let me be very clear: He doesn’t speak for the Office of the President. What he has is a list of names that they apparently submitted to the President to be acted upon. But it doesn’t mean the President will adopt their findings. I just want to clarify, nakakagulo kasi eh. Tinatanong ako, sino iyong apat na iyon? Eh wala naman decision pa ang Presidente.

He is a spokesperson of the Presidential Anti-Graft Commission, what he should be announcing is they provided the President with the list of officials whom they feel should be sacked. But even before they were created, the President already has a list.

Let me be clear on that: Iyong sinasabi niyang apat na Gabinete, I have no information on that. That is their recommendation. That is not a decision already of the President.

DEXTER GANIBE/DZMM: Would you know, sir, kung natanggap na ng Pangulo iyong listahan—

SEC. ROQUE: Hindi ko nga po alam eh kasi they haven't even communicated with me. Mayroon po kaming established procedure sa Ehekutibo na centralized ang news releasing. So I'm calling on—sino ito? Si ... my client, Greco Belgica, please coordinate with my office. We have established information procedures in the Palace. So para hindi po nakakagulo, kasi may sinasabi si Presidente which, of course, people will listen to but maging malinaw lang kung ano ang mga pronouncements niya. Kung sinasabi niya may recommendation sila laban sa apat na Cabinet officials make it clear, it's their recommendation; it's not a presidential decision yet.

ROSALIE COZ/UNTV: Sir, pa-react lang po. Naglabas ng permanent injunction ang CA sa suspension order na pinatupad ng Ombudsman versus ERC officials, at nangangamba iyong mga consumer groups na mabalik sa puwesto itong mga sinuspinde na po dahil sa corruption.

SEC. ROQUE: In our scheme of government, how can we interfere with a court decision? We will have to respect the court decision. And I await instructions from the OSG on what they will do because the government is represented in that case by the Office of the Solicitor General. Okay?

MODERATOR: Thank you, Presidential Spokesperson Harry Roque. Thank you, Malacañang Press Corps.

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Source: PCOO-NIB (News and Information Bureau-Data Processing Center)