

**PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE**  
**News and information bureau**

**INTERVIEW WITH PRESIDENTIAL SPOKESPERSON HARRY ROQUE**  
**BY KAREN DAVILA, HEADSTART-ANC**  
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**DAVILA:** Secretary Roque, good morning to you sir.

**SEC. ROQUE:** Good morning, Karen and good morning to all our tele-viewers.

**DAVILA:** Alright, let's start off with the latest. The Philippines recorded the highest number of COVID cases in a day. I know you have the latest, let's discuss that.

**SEC. ROQUE:** Yes. Well as of yesterday, this was 31,825 total and we have fresh cases of 789. But I would like to call your attention to the fact that of this number of 789, the new cases in NCR is 207 and the new cases in Region VII which includes Cebu City is 288. So, there are more cases in Western Visayas than in Metro Manila. And others accounted for 294 cases.

And of the late cases, of 361, 110 came from NCR and 32 came from Region VII including Cebu City. So it shows you now, that the new fresh cases Region VII, where Cebu City is, has already more cases than Metro Manila.

**DAVILA:** Actually, it quite interesting. Many people have also asked why make a delineation between fresh and late, when it's just... there is a difference of a day?

**SEC. ROQUE:** Well actually it's important because for the purposes of reporting unless you delineate, then you don't get the accurate picture, it's as if the cases really increased tremendously and sharply when actually a lot of those numbers were late recordings only. Again the late recordings are attributed to two things: either the labs sending in the results late or the validation conducted by the DOH itself, the Epidemiological Bureau, is also delayed. And this validation is to ensure that there are no double means record in the same figures being reported by the health department.

**DAVILA:** Okay. Let's discuss essentially the responsibilities expected from Secretary Roy Cimatu based on the IATF Resolution #47 - perhaps you can expound on this - it instructs Cimatu to evaluate ground level responses in Cebu and the Visayas and to be better calibrated during a period of one week, June 22 to 28. What power does Cimatu have exactly; and does this include already all of the Visayas, Secretary?

**SEC. ROQUE:** Well, from what the President said when he appointed Secretary Cimatu, and I was there, is that he will be there to represent the Philippines. He can exercise all powers of the IATF. All he needs to do is to give notification to the IATF of what he is doing and the

mandate really is to do everything that can be done to slower, to avoid a spike in cases in Cebu City and to manage the number of new cases being reported from the City.

**DAVILA:** Okay. But what is interesting is for example, discussing Cebu specifically, I know the quarantine passes in Cebu have been removed. That does mean the whole of Cebu, Secretary?

**SEC. ROQUE:** Well, no, it's just the Cebu City 'no and that is why—well I think it's very good move because Cebu City has a population of 900,000 and if I am not mistaken, there is at least 200,000 quarantine passes. So a good quarter of the city has quarantine passes 'no and—

**DAVILA:** But how will people get their essentials, how will they pay their bills—I mean, how do you expect to do a small solid lockdown like what is done in Tondo for example to city like Cebu?

**SEC. ROQUE:** I suppose they'll have to issue new ones to ensure that only one from every household will get a quarantine pass to get the essentials. I think the point being made is just too many, it's a quarter of the residents of the entire city that is allowed to go out. And that defeats the purpose of course of an ECQ.

**DAVILA:** Okay. The period that was designated, June 22 to 28, that is under the IATF Resolution Number 47. What exactly does that mean, Cimatu decides within one week, what did that mean in the resolution?

**SEC. ROQUE:** Well it means that he will go there, he will find out what the situation on the ground is. He will not just make the recommendations, he will implement what he thinks should be done in a period of one week and all he has to do is to keep for the IATF posted of steps being taken.

**DAVILA:** So, he revamp operations, propose new strategies even if it goes against for example a city ordinance in Cebu, I am just curious how far can this go.

**SEC. ROQUE:** Well, he has to do whatever has to be done. There is now hierarchy of laws that were following here and of course the mandate of General Cimatu comes from the President himself backed up by an executive order. So he can exercise all powers that the President can exercise. He has been the beneficiary of delegated authority from the President and we all know that although we have equality power between equal branches of government that the President because of residual powers is in reality and in theory the most powerful.

So, he gets to exercise all the extraordinary powers of the Office of the President in dealing with the pandemic in Cebu City.

**DAVILA:** I think another thing is can Cimatu actually propose violations for quarantine, because there is no ordinance, unless I'm wrong with this, right now punishing quarantine

violations in Cebu City that is what I read in one of the research materials unless that has been updated. Can Cimatu impose penalties for violations?

**SEC. ROQUE:** Well, let's just say that—I find it hard to believe, because the DILG asked the local government units to enact ordinances to add teeth to the IATF resolutions, and at least in Metro Manila they have complied; and I find it hard to believe Cebu City actually did not. But in any case, all the actions of General Cimatu are tantamount of being acts of the President and if need be the President will issue Executive Orders 'no to give legal validity to any of the actions taken by General Cimatu.

**DAVILA:** And the President also said that if Cimatu actually needed any more assistance, he is at liberty to ask the military guys to enforce the lockdown. This has sown some fear in Cebu City residents that reeks of something like martial law by saying 'ask support from the military if needed.' Under what grounds can Cimatu order the military to, for example, what can he actually do with the military?

**SEC. ROQUE:** Well, as far as legal basis that is already the case of Sanlakas versus Executive Secretary, where... remember Sanlakas questioned whether or not we can post military uniformed personnel to patrol shopping malls and the Supreme Court said 'yes they can because we've normally done this,' resorted to asking the Armed Forces to perform civilian duties.

So, this is not martial law. This has been decided upon by the Supreme Court and this is as far as enforcing the ECQ in Cebu is concerned. Normally, we have the police enforcing it, but if the police is not enough, then the Armed Forces can also enforce the lockdown.

**DAVILA:** Okay, all right, moving forward. In terms of Metro Manila, there's already been a call to allow jeepneys and UV Express to already ply the roads. I mean last Monday, the government allowed modern public utility vehicles; but you do have a lot of jeepney drivers, UV Express drivers that essentially need to earn as well. Is it possible that jeepneys and UV Express will be allowed soon?

**SEC. ROQUE:** Well, in the hierarchy of transportation, the DOTr said that we will first rely on you know, the buses, the modern PUV then we have UV Express and the jeepneys if it is not enough.

So, the single most important criterion for the DOTr is the convenience of the riding public and if buses and the modernized jeepneys will not be sufficient, yes the DOTr will consider also jeepneys and they have said so. They're looking at it now, they're trying to find out the best way to ensure social distancing and hygiene in jeepneys but they have not precluded it because they want to know if we have sufficient transportation.

**DAVILA:** Okay. But then as 75% of the local economy operations it's up and running and by not including jeepneys and UV Express—I'm sure you've seen this on social media, Secretary,

there's been criticism that the resolutions of the IATF are very pro-rich because you have private vehicles that can ply the streets; number coding is suspended, so as long as you own your own car, technically you can go to work. Paano naman iyong mahirap na sumasakay lang po ng jeepney - that's one; you also announced something recently which you were criticized - golf for example which many consider to be an elite sport is allowed and of course other sports are not. So, how do you balance this situation of this—you know the IATF resolutions are essentially geared to favor the well-off instead of those that need government assistance?

**SEC. ROQUE:** Well, the priority of the IATF is still upholding public health and that is why as far as transportation is concerned, it's not just cars that are being given priority, we have allowed the PNR; we have allowed the MRT; we have allowed the buses; the TN—you know, the Grab, etc.; taxis.

So, it's not true that the favored mode of transportation is still private because I think we know that majority of the people still don't have access to public transportation—to private transportation I would say. So, I don't think that is the case that it is pro-poor.

As far as sports is concerned, the prevailing and single most important criterion is: Is it a contact sports? If it's not a contact sports it's allowed too. So, golf just happen to have been one of those sports that's played - number one, outdoors so less risk really; number two, it is not a contact sport. The contact sport we're talking about is still basketball, where there's physical contact among players and for obvious reasons we can't allow it yet unless the numbers are really reined in.

**DAVILA:** Okay. I know this is—I mean, not a main issue but I'm curious if the IATF has made a stand on swimming? Have you clarified that already?

**SEC. ROQUE:** Swimming is allowed.

**DAVILA:** Swimming is allowed, yes, yes.

**SEC. ROQUE:** Swimming is allowed because—yes, swimming is now allowed, yes.

**DAVILA:** Alright.

**SEC. ROQUE:** There is no evidence indicating that the virus can survive in the chlorine that we put in swimming pools.

**DAVILA:** Alright. Okay, thanks for that. Would jeepneys and UV Express, is there a chance that if Metro Manila goes on MGCQ that it will be allowed?

**SEC. ROQUE:** Yes. As I said it's the convenience of the riding public that is being considered. If what we have is not enough then it will surely be allowed. I think the UV Express stand a

better chance than jeepneys because the sitting arrangement is you're all facing the same direction and there's no passengers facing each other.

But having said that, LTFRB Chair Delgra has already said that they're looking at the possibility of allowing traditional jeepneys again and that there should be a decision within the month.

**DAVILA:** Okay. Alright. Moving forward with PhilHealth. I know you had a bit of a verbal tiff with CEO Morales and I wanted to ask you, he said that it's still premature to meet with President Duterte just yet. But is the Palace accepting the possibility of delaying the implementation of the Universal Healthcare Act? Has that been discussed?

**SEC. ROQUE:** Absolutely not, not at this time of pandemic. You cannot delay what the President has promised that when you get sick of COVID, then the state will pay through PhilHealth. So, that's not negotiable and this is a view shared also by the legislature specifically Sen. Bong Go. So, I think that's already established. We will proceed with the implementation of Universal Healthcare. When the Bill was being drafted and I was the primary author in the House, we knew that the difference between medical insurance and Universal Healthcare is that when premiums are not enough and government will have to pay up.

**DAVILA:** Okay. You denied having interest of course in the PhilHealth post. Morales has said in our interview that you are not the President, you're the President's spokesperson, he saw it as a warning in effect when you said that if he can't implement it, you will find someone who will. Is that a real possibility coming from the President himself? I mean, this is not just your opinion. Did the President say, did the Cabinet say in the meetings that if he can't implement it, he may be replaced?

**SEC. ROQUE:** Well, Karen, this is a law that has to be implemented. It is not his discretion to implement it or not. If he does then he commits a criminal act in fact. He will not just be removed, it is a criminal act, he can be prosecuted because you cannot violate a law passed by Congress.

So, he does not have discretion. If he needs additional funds, say so because the legislators will consider it and if need be, the President will certify the need further funding as urgent so that Congress can act on it. But this is a matter that even the PhilHealth President cannot decide on his own because it is the law.

**DAVILA:** Would you advise him to already actually speak either with you or—I mean of course, with the President on how to move forward with this?

**SEC. ROQUE:** Well, I think he knows what to do already. He has appeared before the Senate and that should have been the end all and be all of what he can do. Because it's really up to Congress if they ran out of funds to implement the law, then the funds must be authorized by Congress.

**DAVILA:** Okay. Very quickly, just two questions. One on Sec. Duque, you did talk about essentially how close Duterte was to his brother; Duque still has the President's support. But that the end of the day you do have some sectors saying that Duque should first step aside while an investigation is ongoing. It can also appear to be—I mean an advantage to Duque. Some senators say that he is sitting as Health Secretary while there is an ongoing investigation essentially on his actions as Health Secretary. You don't see this as a conflict of any kind?

**SEC. ROQUE:** You know, those calls are addressed to Sec. Duque and he has to answer them. I don't think I have any authority to speak on behalf of Sec. Duque. All I can is Cabinet members of course, serve at the pleasure of the President and until the President says that I have lost trust and confidence in you, they can stay. But all calls for either resignation or going on leave are addressed to Sec. Duque, he should address that.

**DAVILA:** Okay. Another thing is the Bayanihan Act expires tomorrow, June 25. What happens after, Secretary?

**SEC. ROQUE:** Well, as I said in an earlier interview that we've had 'no, the original proposal was simply to expand the emergency powers, and that would have been no problem.

But the pending bills now in both Houses of Congress also incorporated the stimulus package and that's where there's differences with the Executive branch of government 'no. Secretary Dominguez does not want the stimulus package to be something we can't pay for. But I think negotiations are continuing. For now, we have everything that we need. Of course, we would need to have emergency powers again because it takes forever to comply with the procurement act for purposes of emergency medical purchases.

But I'm confident that the time will come that the Executive and both Houses of Congress can agree on something, and we can then ask Congress to hold special session.

**DAVILA:** But then after June 25, tomorrow, there's no extension as of yet, right? What happens essentially with the President's powers in terms of outlining also what's required with COVID responses in the Bayanihan Act?

**SEC. ROQUE:** The most important power that we could no longer exercise is the purchase of COVID medical related materials. And so far, I think we're in good shape. We have PPEs that we have ordered and actually been delivered. We have bidded eight million COVID testing kits – one million of which have already arrived. We have ordered ventilators already that are on standby, and are now being distributed to places like Cebu City.

So I think for the immediate future, we have everything that we need. We can't, of course, say what will happen in the medium term. Look at Cebu City. We never expected this would happen to Cebu City. But the fact that we have sent 50 ventilators already to Cebu City shows how important it is to have a stockpile of all the necessary medical equipment that we need.

And I guess, the problem will be in the medium term when the equipment that we have on storage will be used, Karen.

**DAVILA:** Okay. So just give me an idea, Secretary, of what Malacañang wants considering Congress is adjourned, what kind of—I don't know if it's still an extension or is it a new law, or is it a different one altogether that's a stimulus package. What would it be? Does the Bayanihan already end and you just want something else that's called stimulus?

**SEC. ROQUE:** Well, you know, it will be important to have that flexibility of having emergency purchases without having to comply with the procurement law. It is still important to have the power somehow to take over some private hospitals. What's happening in Cebu, we have to hire nurses and make them work in private hospitals. And there is also a possibility because what happened in Cebu is that the private hospitals only allotted X number of beds for COVID patients, and we've asked them to increase. I don't know if they've actually complied because we need critical care capacity in Cebu City.

Now, the emergency power is important in this case because if they don't comply and if they don't allot additional beds for COVID patients, then we may have to take over some of these hospitals and hire our own nurses and doctors to man them. So that's the importance of emergency powers. That's why I have always said that Cebu City now actually is the entire Philippines. It may have just been physically in Cebu City but the challenge posed by the situation in Cebu City is the challenge posed to the entire country if and when we have uncontrolled growth of the disease, spread of the disease.

**DAVILA:** My last question is on the Anti-Terror Bill. You did say it's being reviewed by his legal staff and you earlier said he is inclined to sign the bill. But I want to know first is where is it now in terms of the stage of the review? And has the President made an opinion already? He's made a decision?

**SEC. ROQUE:** Let's just say that a trial fiscal, there's one issue that he has no problems with and that is pre-trial detention. Because as you know, even under the existing Revised Penal Code, there is a period of up to 36 hours that suspects who were arrested pursuant to warrantless arrest can be detained and that is for the purpose of preventing evasion or destruction of evidence.

So he does not feel that the 14-day period is actually a violation of the constitutional provision that a warrant of arrest can only be issued by a judge because the law does not change that constitutional rule. After the pre-trial detention of 14 days, extended for another ten days, and notice has to be given to the nearest judge, it is still the court that will issue a warrant of arrest for purposes of actually arresting him or for the purpose of the court acquiring jurisdiction over the person of the accused. But he has a very clear distinction. He knows the distinction between the pre-trial detention and warrant of arrest for purposes of court jurisdiction.

**DAVILA:** All right. But then, so you're saying President Duterte doesn't feel that the 14-day period detention is not a violation but it extends to ten more days under the Anti-Terror Bill. He's also ... he agrees to that?

**SEC. ROQUE:** Yes, because the warrant of arrest is actually required to acquire jurisdiction over the person as far as the court is concerned; and we did not amend that law. It is still only a judge that can issue a warrant of arrest for purposes of jurisdiction.

**DAVILA:** Okay. What about the issue on the ATC making a decision designating someone to be a suspected terrorist, which usually it would have to be a judge or a court to appreciate that and determine probable cause? No less than Justice Carpio said, that's a constitutional infirmity.

**SEC. ROQUE:** Well, we beg to disagree because it is still the courts that will designate a person as a terrorist organization. In fact, you have to file a petition with the Court of Appeals not just with the regional trial court. And this is different from the practice of the United States 'no because in the United States, only the Secretary of State 'no, without judicial intervention, can list an organization as a terrorist organization.

So I think, the proposed law in fact carries over what already is found in the Human Security Act that only a special division of the Court of Appeals can designate terrorist organizations upon notice to the parties concerned.

Now, I stand corrected, because under the Human Security Act, the RTCs can do that; under the proposed Anti-Terror Law of Senator Lacson, it's the Court of Appeals.

**DAVILA:** Okay. But just to clarify, that Section 29, and I'll read, "It authorizes the arrest of a suspected terrorist and order his detention of up to 24 days." It is the ATC that can actually, without a warrant just order the arrest, authorize the arrest. This is what many find questionable or contentious in the Anti-Terror Bill. You don't interpret it in the same way?

**SEC. ROQUE:** No, because I think the provisions of the rules of court on warrantless arrest will continue to be applicable. They must have personal knowledge to the crime, was committed or was committed in their presence. Because if you deviate from that, then you will have serious legal problems.

**DAVILA:** Okay. My last question then, is it right to say the President will sign the bill into law?

**SEC. ROQUE:** Well, I said he is inclined to, because it was of course certified urgent. But he has insisted and he has declared publicly that his legal office is looking into it and that he will look into it himself and will take one to two days upon receipt of the recommendations from the Office of the Executive Secretary, and will then decide whether to sign or not to sign.

**DAVILA:** But so far, in your talks with President Duterte, he does not ... has he showed concern over any aspect of the Anti-Terror Bill? Because you've said, he is inclined so is it fair to say that we should expect him to sign?

**SEC. ROQUE:** I think barring constitutional infirmities, he is inclined to sign it. But he wants to see the bill. He wants to make a personal determination first.

**DAVILA:** All right, okay. Well, on that note, Secretary Harry Roque, I want to thank you so much for your time this morning. And your signal is going also in a bit. But I want to thank you so much for joining us on Headstart.

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