

**PRESIDENTIAL COMMUNICATIONS OPERATIONS OFFICE**  
**News and Information Bureau**

**INTERVIEW WITH PRESIDENTIAL SPOKESPERSON HARRY ROQUE**  
**BY PINKY WEBB – THE SOURCE/CNN PHILIPPINES**  
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**WEBB:** Secretary Roque, welcome to The Source and thank you for your time, sir.

**SEC. ROQUE:** Privilege to be back. Thank you also, Pinky.

**WEBB:** Secretary, the President of course bringing up the arbitral ruling during the United Nations General Assembly. Tell us more why the President talked about the arbitral ruling now, four years since he won.

**SEC. ROQUE:** I would like to correct that ‘no. We have never changed our position on the arbitral ruling. I have said it over and over again that there is nothing that can undermine that decision, it is evidence of customary law. I think, I have said it in your program at least ten times’ no. And the President is just being consistent. The forum where he addressed, where he delivered his line is a multilateral forum, the United Nations, and it does not involve bilateral ties specifically with China. So, the President simply restated the fact that, the arbitral ruling is a part of international law. Under ICJ Statute, it constitutes a subsidiary resource of international law, it is evidence of the customary norm that is applicable to the dispute.

**WEBB:** But was there any compelling reason, Secretary Roque, you think that the President spoke about this now, well, definitely before the UN and affirmed the arbitral award?

**SEC. ROQUE:** Well, it’s the first time that the President spoke in the UN General Assembly ‘no. So, it’s the first time that the President was able to say what has been his consistent position all along. Perhaps if he had delivered his speech in the UN General Assembly earlier, then he would have said the same thing earlier.

**WEBB:** That was exactly what I was going to ask you. Had this happened in the past, had he spoken before the UN, I was wondering if you thought the President would have brought up the arbitral ruling?

**SEC. ROQUE:** You know, the President is a lawyer so he knows exactly the effect of that ruling. And again, nothing, nothing that any other country would do can ever change the fact that the international community has already accepted the fact that there is no legal basis for the historic claims being used by China in its claim for a big part of the South China Sea.

**WEBB:** Does this necessarily mean, Secretary Roque, that the President is telling China to comply with this PCA ruling in validating China’s nine dash-line claim?

**SEC. ROQUE:** Well, I think we don’t have to deviate from the language used by the President – it already forms part of international law. Having said that, I underscore the fact that this was

before the United Nations. As far our bilateral ties with China is concerned, of course we adopt the same policy. If we cannot resolve territorial issues, then we can put it temporarily on hold and we will proceed with matters that we can move forward, specifically trade and investment. It is not the sum total of our bilateral relations with China. But of course, it is important that the President restate a legal fact.

**WEBB:** But truth be told, Secretary Roque, that has been the position of the President to kind of set aside the arbitral ruling?

**SEC. ROQUE:** We are not setting it aside. The thing is, you don't set aside a legal fact. It's there, nothing that any other country will do can ever affect the fact that it is already there, that there is a ruling on the matter already. That forms part of international law. what we are saying is, for bilateral ties purposes, because we cannot resolve this territorial dispute, then we will not pursue the resolution of the territorial dispute, we will proceed with all other aspects of our bilateral relations.

**WEBB:** So, the President actually said the award is now part of international laws. You mentioned a while ago, it's beyond compromise, we reject any attempts to undermine this. What happens now, the President having said that to the continued militarization, Secretary Roque, in the South China Sea and even encroaching in the Philippine part of the Philippine Exclusive Economic Zone?

**SEC. ROQUE:** Well, the President in the same speech said 'no that countries should not hate each other too much. That's the language of the President. He said that tension is escalating between the super powers and it's the grass that is affected - countries like the Philippines. So nothing has changed as far as the Philippine policy is concerned, we will not take part in any intramurals between super powers. We will advance our interests and currently, these are interest to maintain friendly relations with everyone and make no enemies with anyone. So, we consider all countries as friends and we have no enemies.

**WEBB:** But when the President says we reject attempts to undermine it. Isn't the militarization in the South China Sea undermining this win of the Philippines at the Permanent Court of Arbitration?

**SEC. ROQUE:** Again, you would have to appreciate how international law works 'no. You know in international law, even hostile military acts, such as military occupation will not change fact that has already been recognized by international law. and that is why even in instances of military occupation, that will never have the effect of occupation which is an element for acquisition of territory. It simply will not be recognized by international law.

So, even if they resort to use of force, which is illegal under international law, even if they forcibly occupy all the disputed territories that will have no effect as far as international law is concerned because military activities and even military occupation will never have any legal effect as far as title is concerned.

**WEBB:** So how can the country rather move forward so that this win is not undermined, what else can the Philippines do?

**SEC. ROQUE:** Well, the President has spoken in the UN General Assembly, that's a perfect example of what we can do, have the international community recognized the validity of that arbitral ruling as having formed part already of international law. But, we can only rely on multilateralism right now, I don't think we can even rely on unilateral use of force, not only it's prohibited under international law, but we also have limited means by way of that option and that has been stated by the President time and again.

**WEBB:** But, Spox, moving forward though now that the President, well, brought it up in the UNGA, should the country, should the President now actively campaign to gain support from other countries with regards to this ruling.

**SEC. ROQUE:** We don't have to do anything, that's the thing, Pinky. It is a legal fact that forms part of international law. So the President only, as I said, restated an established legal fact already, that rulings of the UN Tribunal of the Law of the Sea, and rulings coming from the most qualified publicist under international law are subsidiary means of international law and evidence of customary norms. That is what we are saying. Nothing else has to be done because precisely nothing that any other country that would like to undermine that award will ever have legal effect. They simply cannot erase that ruling.

**WEBB:** Because of the President's statement on the arbitral ruling, do you think this would have any possible impact on PH-China relations?

**SEC. ROQUE:** The President continues with his foreign policy initiative, the territorial dispute is that... sum total bilateral relations with China. As I said, we will proceed on all other aspects of our relationship and we would probably accept the fact that there will be no resolution in the near future as far as the territorial dispute is concerned but let's proceed on matters that we could move forward with such as investment and trade.

**WEBB:** We'll be taking a very short break. The Source will be right back.

[COMMERCIAL BREAK]

**WEBB:** You're watching The Source on CNN Philippines, I'm Pinky Webb; our guest today, Presidential Spokesperson Harry Roque.

Secretary Roque, let's talk about human rights in the country; the President also spoke about this during the UNGA. He says open dialogue and constructive engagement. He also said, continue to protect human rights. I guess what I want to find out is, how should the country possibly move forward considering there are concerns on alleged human rights violations in the country?

**SEC. ROQUE:** Well, you know the President said it all 'no. He said, and I quote, "The Philippines will continue to protect the human rights of its people especially from the scourge of illegal drugs, criminality and terrorism."

Despite criticisms that the war on drugs has received mostly from the opposition and some human rights groups internationally, the President's resolve to deal with threat to the right to life brought about by the scourge of illegal drugs will continue 'no.

Now, there is absolutely no legal principle under international law that prohibits states from acting on the scourge of drugs, illegal drugs and terrorism. It is a valid sovereign act; it is in fact an act which forms part of the international program of the international community even in the UN system. We have UN Anti-Drugs Office based in Vienna, Austria which shows that it is in fact an obligation of the state to protect its people from the scourge of illegal drugs and the President therefore will continue with even more passion in the last two years this war on drugs criticisms notwithstanding.

Of course, there may be violations—isolated violations of human rights but what is important is under human rights law, we have to give victims adequate domestic remedy which we have in the form of the Department of Justice National Prosecution Service, the local courts and Commission on Human Rights; and we have even recently created an inter-agency committee to look into alleged cases of illegal killings.

**WEBB:** To follow up on that, I know you answered this already during your last or the previous press briefing. Of course, sir, you have that resolution to revoke tariff perks—rather to revoke tariff perks on Philippine goods rather because of these human—what they call human rights abuses in the country. Is there going to be another strategy, possibly a recalibration of how the war on drugs is being implemented here in the country?

**SEC. ROQUE:** Well, Pinky, we have domestic processes that ensure that the war on drugs should take place within the rule of law. So in case anyone feels that they have been aggrieved, they can resort to these procedures 'no. Aside from the courts, we have an abundance of administrative remedies where the perpetrators are state agents such as the police. You can go to PLEB, you can go to the National Police Commission, you can go to the Ombudsman for the military and the police 'no, you can go to the Civil Service Commission 'no.

So there's not a dearth of lack—there's not a lack of remedies for those who feel that they are victims of human rights violations 'no.

You know in this world, we don't have a perfect world. There will always be individuals whose rights may be violated but under human rights law, the true test of whether or not a state is in compliance with its obligations under human rights law is if our—they are able to give the victims adequate domestic remedies which we have.

**WEBB:** And what about the suggestion to have a UN probe into the country's human rights situation, sir?

**SEC. ROQUE:** No need because under the UN system, the state's consent is required and believe me 'no, there's no need to allow into the country so-called experts with very fixed biases against the Philippines already. The fact that we are not allowing them in is a sovereign

prerogative recognized by the UN system. There's nothing that the UN can do if we do not allow rapporteurs into our country.

**WEBB:** And what if matuloy po iyong pag-revoke ng tariff perks dito po sa bansa? What happens then, sir?

**SEC. ROQUE:** Well, unang-una, that's a far shot kasi iyong European Parliament naman wala silang ganiyang kapangyarihan. It's like really a barangay council, one asking the Department of Foreign Affairs through a resolution recommending the doing of something 'no. It's not within the functions of the European Parliament; but even if it were and even if they were to push through with this decision, wala naman tayong magagawa eh. Because if that's really their decision, if they want to impose additional hardships on our people at the time of pandemic, go ahead if that will make them happy.

As I said, this is history repeating itself 'no. We have suffered in the hands of European colonials for 400 years, history repeats itself but we will be uncowed, we will fight and we will uphold our independence.

**WEBB:** In fact, because of this, you have Congressman Dan Fernandez who had previously asked Secretary Locsin I believe during the budget deliberations to declare as persona non grata EU officials specifically the German lawmaker Hannah Neumann to show that the government is protesting against this particular resolution. Do you think government should take this direction?

**SEC. ROQUE:** Well, I don't think we need to bring it to that extent but the message is clear – we are no longer slaves of European countries. We are no longer slaves of any foreign country for that matter. No one can dictate the manner by which we uphold the rule of law in the Philippines. No one can question our resolve to protect our people from the scourge of illegal drugs and terrorism.

**WEBB:** Still a lot to talk about, the House Speakership and of course the Ombudsman's decision rather to stop lifestyle checks. We'll be taking another short break. The Source will be right back.

[COMMERCIAL BREAK]

**WEBB:** You're watching The Source in CNN Philippines. Our guest today, Presidential Spokesperson Harry Roque.

Secretary, I know you answered this also, about this House Speakership issue. Ang sabi ninyo po, nakausap ninyo ang Pangulo during, I believe, the last time he addressed the nation. And you said, and I think you said, this was verbatim na he was hoping na tutupad sa usapan ang mga partido pero kapag walang numero, wala siyang magagawa.

Secretary, bakit ho nagkaroon pa ng brokering ang Pangulo? Why did he broker this 15-21 term sharing at the House if it all boils down in the end to numbers?

**SEC. ROQUE:** Well, it's always a number's game. Kaya lang you must remember, when the President brokered, the House was not yet organized – it was a new Congress; it was the beginning of the 18th Congress. And that is when the President, I suppose, holds a sway on the membership of the House because most of them, in fact, this is a Congress that is dominated by first termers 'no, for the first time. Majority of them, the plurality of them are first termers. So in that sense, President can be very influential or persuasive as far as members of Congress are concerned.

But after a year and a half, the members of Congress have organized, they know the qualifications of anyone and everyone who wants to lead the chamber. And they would have a more resonant voice in the choice of their leaders, and that is why the President said, 'Of course, I admit that I brokered the deal between them but the issue of whether or not the congressmen can be made to vote for Congressman Lord Allan Velasco is a decision that the individual members of Congress should make for themselves.' He is not dictating on members of Congress and he knows that by now, after a year and a half, the members of the House would be in a better position to choose whoever they want to.

**WEBB:** Yeah, but while he is not dictating, I understand what you're saying, Secretary Roque, it's a gentleman's agreement, isn't it not? Hindi ho ba kaya nga nagkaroon pa dito ng mga agam-agam na suwerte iyong mauuna, iyong 15, kasi anything can happen; posibleng hindi matuloy iyong papalit sa kaniya na 21 months.

But doesn't a gentleman's agreement brokered by the President should that not stay? Should not that be—

**SEC. ROQUE:** That's what he said 'no, oo. That's what he said. But a gentleman's agreement is binding only on those who agreed to the agreement 'no. Ang issue is, will that gentleman's agreement bind every single member of Congress? And that's why the President recognized that whereas the agreement is valid on the two congressmen, Speaker Cayetano and Congressman Velasco, it does not necessarily bind the 300 or so members of Congress.

Kaya nga po, you know, Congressman Lord Allan, I suppose, by way of advice from the President, better have the numbers too 'no. And after a year and a half, as I said, the members of Congress should know better on who is best to lead them.

**WEBB:** Palagay ninyo [garbled] sakaling hindi po matuloy itong 15-21 agreement?

**SEC. ROQUE:** Well, kung magkagulo naman po sana ay after the budget 'no. Kasi sa original agreement naman, si Speaker Cayetano should be there until October 'no. But the President also in that same occasion told me na naiintindihan niya kung kinakailangang hanggang Disyembre siguro 'no dahil nga doon sa issue ng budget. Kasi iyang budget na iyan, maski matapos po iyan na mapasa ng Mababang Kapulungan at napunta sa Kongreso, pagdating sa bicam diyan, puwedeng baguhin iyan ng mga bagong miyembro ng bicam representing the House which could further delay the budget.

So I suppose the bottom line is this, the President leaves to the members of the House to choose their leaders, acknowledging that there was a gentleman's agreement between Congressmen Cayetano and Velasco which should be binding on both of them. But whatever the decision of the members of the House would be, non-negotiable po na kinakailangang mapasa iyong budget on time because the budget contains 2.5 trillion of stimulus package which we badly 'no at the time of the COVID-19 pandemic. So now more than ever, the President is not willing to negotiate on the fact that the budget should be passed on time by December.

**WEBB:** Yeah, I understand that. In fact, that was the controversy there, sinasabi na naantala daw iyong budget by some of the stuff that were brought up. However, ang sinabi ninyo po, posibleng Speaker Alan Peter Cayetano can stay, according the President, till December basta ang importante ang budget. That's what I understood from you, Secretary.

Also, very quickly, I want to get your thoughts on this: The Ombudsman has ordered a stop on lifestyle check of government officials and also employees as he finds no logic to this. Mahaba pa iyong usapan niya during the budget hearing also at the House of Representatives. Tell us, how important is it to conduct lifestyle checks among officials and even government employees? Dapat po bang ipinatigil ito?

**SEC. ROQUE:** Well, ako po, as a lawyer 'no, mukhang tama po si Ombudsman kasi napakadali pong magtago ng ill-gotten wealth. Siguro may mga panahon na the corrupt ones will flaunt it. Pero times have changed, ngayon they could live modest lives, even they could use dummies for their bank deposits and can pretend to have modest lives even if they have trillions and billions of ill-gotten wealth.

Pero at the same time po, may mga pagkakataon din, may mga kurakot talaga, walang kahihyan and that's where the lifestyle check could become effective 'no. But we, of course, respect the decision of the Ombudsman; he is a constitutional body. And I think what he considers as more important would be enforcement of the anti-money laundering law because that's really the best way to determine if one's income as a government employee can justify his assets that are hidden.

**WEBB:** Thank you, Presidential Spokesperson Harry Roque.

**SEC. ROQUE:** Thank you very much, Pinky, and good morning to everyone.

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