



**OPENING STATEMENT OF JUSTICE SECRETARY  
VITALIANO N. AGUIRRE II  
ON THE VIOLATION OF HIS RIGHT TO PRIVACY  
DURING THE  
SENATE COMMITTEE ON PUBLIC ORDER AND  
DANGEROUS DRUGS' HEARING ON  
SEPTEMBER 5, 2017**

**OCTOBER 2, 2017  
9:00 a.m.**

**Senate of the Philippines**

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Mr. Chair, distinguished members of the Senate here present, my fellow public servants, to all self-respecting members of the media who are with us today, and to the Filipino people, *isa pong pinagpalang umaga sa ating lahat.*

*Una po ay tanggapin nyo ang aking taos-pusong pasasalamat sa pagbibigay sa akin ng pagkakataong*

*ito na masabi ang aking saloobin sa naganap na paglabag sa aking karapatan sa ilalim ng ating saligang batas.*

I am protesting to the Filipino people, and to all of you who still value their constitutional right to privacy, the malicious violation of my rights by some quarters here in the supposedly hallowed halls of the Senate of the Philippines.

*Itinuturing ko pong isang pagsalaula at pagyurak sa aking Constitutional rights ang akto at mga gawi ng isang kasapi ng Senado noong September 5, 2017 at noong September 11, 2017.*

Mr. Chair, before I proceed, please allow me to state for the records that I have, and I still do, the highest regard and respect for the Senate of the Philippines as an institution.

I still believe, that the good men and women of the Senate, with the exception of some, are truly honorable persons. My being allowed to read this

statement in full is proof of that. And if my words condemn the dastardly acts of one, please never construe it as condemning all.

Mr. Chair, let us call a spade a spade. Unconstitutional, criminal and illegal and a very unbecoming conduct of a public official, *iyang po ang ilan lamang sa mga katagang pumasok agad sa aking isipan nung marinig ko ang privilege speech ni Senator Ana Theresia Navarro Hontiveros o mas kilala sa pangalang Senator Risa Hontiveros sa kaniyang privilege speech sa Senate floor noong September 11, 2017.*

*Mr. Chair, magkahalong galit at takot po ang aking nadama noong malaman ko ang nilalaman ng privilege speech noong Septembe 11, 2017. Kung bakit ako ay nagalit at ako ay natakot, ito po ay ipapaliwanag ko sa ilang saglit.*

*Sa ngayon po ay sapat ng sabihin ko na maling-mali, sa anumang sukatan at sa anumang batayan, ang*

*ginawang violation ni Senator Risa Hontiveros sa aking Constitutional right to privacy of communications.*

*Ano po ba ang basehan ng ating Constitutional right to privacy Mr. Chair? Ito po ay ang ating Saligang Batas o Constitution mismo.*

The right to privacy of communication is a constitutionally guaranteed right under Article III, Section 3, paragraphs 1 and 2 of the 1987 Constitution which states that:

Section 3. (1) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court, or when public safety or order requires otherwise, as prescribed by law.

(2) Any evidence obtained in violation of this or the preceding section shall be inadmissible for any purpose in any proceeding.

Mr. Chair, evidently, text messages are private communications. Any unauthorized intrusion into such exchanges betrays and violates our Constitution.

Moreover, the unauthorized intrusion is not only unconstitutional it is also illegal and partakes of a criminal act under the provisions of Republic Act 4200, *The Anti-Wiretapping Act* which provides:

“Section 1. It shall be unlawful for any person, not being authorized by all the parties to any private communication or spoken word, to tap any wire or cable, or by using any other device or arrangement, to secretly overhear, intercept, or record such communication or spoken word by using a device commonly known as a dictaphone or dictagraph or dictaphone or walkie-talkie or tape recorder, or however otherwise described.

It shall also be unlawful for any person, be he a participant or not in the act or acts penalized in the next preceding sentence, to knowingly possess any tape record, wire record, disc record, or any other such record, or copies thereof, of any communication or spoken word secured either before or after the effective date of this Act in the manner prohibited by this law; or to replay the same for any other person or persons; or to communicate the contents thereof, either verbally or in writing, or to furnish transcriptions thereof, whether complete or partial, to any other person: Provided, That the use of such record or any copies thereof as evidence in any civil, criminal investigation or trial of offenses mentioned in section 3 hereof, shall not be covered by this prohibition.

Section 2. Any person who willfully or knowingly does or who shall aid, permit, or cause to be done any of the acts declared to be unlawful in the preceding section or who violates the provisions of the following section or of any order issued thereunder, or aids, permits, or causes such violation shall, upon conviction thereof, be punished by imprisonment for not less than six months or more than six years and with the

accessory penalty of perpetual absolute disqualification from public office if the offender be a public official at the time of the commission of the offense, and, if the offender is an alien he shall be subject to deportation proceedings.”

Mr. Chair, *maliban po sa 1987 Constitution at ang R.A. 4200, tahasang binalewala din po ni Senator Risa Hontiveros ang mga ilang relevant provisions ng ating Civil Code tulad po ng Article 32 in relation to Articles 19, 20, 21 and 2219.*

Article 32 is explicit:

“Article 32. Any public officer or employee, or any private individual, who directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs any of the following rights and liberties of another person shall be liable to the latter for damages:

xxx                      xxx                      xxx

(11) The privacy of communication and correspondence;

xxx                      xxx                      xxx”

Mr. Chair, *paano po ba umabot sa ganito?* How were my rights violated? How was a crime committed against me and in total disregard of the Honorable Senate’s sacred grounds? For the benefit of our countrymen who are listening, and to whom I am protesting, allow me to explain. This is the anatomy of the crime.

On September 5, 2017, I attended as a resource person the second hearing of the Senate Committee on Public Order and Dangerous Drugs in connection with the killing of Kian Lloyd de los Santos.

From the available pieces of evidence presented by Senator Risa Hontiveros during her September 11, 2017 Privilege Speech, including her presentation showing me holding my cellular phone and the alleged message therein, it is apparent that the member of the media who allegedly took the said pictures inadvertently did so intentionally, maliciously and unlawfully.

The alleged member of the media referred to by Senator Risa Hontiveros to have taken my picture with inadvertence, deliberately and covertly took, shot, intercepted, and captured photographs of me while I was engaged in private and personal communications, including the composition and sending of private text messages.

Mr. Chair, it is apparent, that during the said committee hearing, while I was engaged in composing and sending private text messages in my cellular phone, without my knowledge and consent, the so called “media member” strategically positioned himself in a location with a complete vantage point to deliberately and covertly take, shoot, intercept, and capture a photograph image of me holding my cellular phone, with the intention of intercepting and capturing my private text messages shown on the phone’s screen;

Verily, it was never an inadvertent act.

Contrary to the claim of Senator Risa Hontiveros in her privilege speech, I was targeted.

I was singled out and it was premeditated.

*Ako po ay pinili, pinagbalakan, pinagplanuhan at pinagtulungtulungang magawan ng masama.*

How so? The precise timing of taking or shooting of the photograph, the accuracy and detail of the image taken, and the strategically chosen vantage point all indicate that the “media person” being referred to intentionally focused his camera and used the same with the intention to intercept and capture my private text messages.

Mr. Chair, not only was I targeted, I was only the subject of a conspiracy between the so-called “media person” and Senator Risa Hontiveros to take and intercept, absent any authority, pictures of the screen of my cellular phone and the message therein.

One cannot fault my humble and average intellect if I conclude that the connivance between the “media person” and Senator Risa Hontiveros is very much present from the former’s act of immediately giving the aforementioned photograph/s to Senator Risa Hontiveros, which the latter used in her speech on 11 September 2017, or just six (6) days from the

time the photograph/s was/were illegally and surreptitiously shot, taken, intercepted, and captured.

For her part, Senator Risa Hontiveros, with intent to maliciously use it, received the abovementioned illegally acquired photograph/s of myself and my phone's screen showing an accurate and detailed image of my private text messages

Senator Risa Hontiveros, a public servant who is accountable to a higher yardstick of proper decorum and of lawful conduct, in evident bad faith, disregarded the patent illegality of the photograph/s and its contents when she accepted and took possession of the same.

Obviously, Mr. Chair, Senator Risa Hontiveros' intent to maliciously use the abovementioned illegally acquired photograph/s of myself and my phone's screen showing an accurate and detailed image of my private text messages is apparent from her acceptance and continued possession of the photograph/s despite its clear illegal nature.

Seemingly not contented with what they have done to me, notwithstanding its criminal nature, Senator Risa Hontiveros, in conspiracy, connivance and community of criminal design the so-called “media person” caused the examination and verification to determine the genuineness and authenticity of the abovementioned photograph/s.

Senator Risa Hontiveros claimed in her Privilege Speech that so-called experts, examined and validated the genuineness and authenticity of the photographs of my cellphone’s screen which were feloniously taken without my consent.

Apparently, I was completely unaware that such dastardly act was committed against me until September 11, 2017 when Senator Risa Hontiveros delivered her privilege speech in the Senate Session Hall.

As revealed by subsequent events, Senator Risa Hontiveros centered her privilege speech on the

pictures of my cellphone's screen and the private communications therein which, as already clearly established, were taken illegally and feloniously.

Mr. Chair, from the time that Senator Risa Hontiveros has shown the pictures I am referring to above, she has always claim that their taking as an act of inadvertence, *hindi daw po sinadya*.

I beg to disagree Mr. Chair, *ito po ay sinadya at pinagplanuhan*. And I can prove it.

Mr. Chair, this is the Affidavit of Mr. Christopher B. Malinao which he executed on September 29, 2017.

Based on his affidavit, Mr. Christopher Malinao is a professional photographer and photography instructor at the Federation of Philippine Photograph Foundation (FPPF) a non-profit organization that promotes photography in the Philippines and the umbrella organization of camera clubs in the Philippines.

Federation of Philippine Photograph Foundation (FPPF) offers a year-round workshops in Basic Photography, Advanced Photography, Wedding Photography, Strobist Lighting, Food Photography, Photoshop, Lightroom, and other specialty photography workshops.

Mr. Christopher Malinao expertise is further established by his regular articles for the Manila Bulletin's Picture Perfect section, a resource for photographers that also features the brightest photography talents in the Philippines.

In addition, Mr. Christopher Malinao has published photography book reviews about publications from US-based publishers O'Reilly and Rocky Nook, writes tutorials in post processing, specifically Lightroom tutorials, and has published these not only in the Manila Bulletin but also in the i-MAG Photography magazine.

As an expert in photography, this is what Mr. Christopher Malinao has to say on the claimed inadvertence of Senator Risa Hontiveros, her cohorts and her co-conspirators, allow me Mr. Chair to read his statements into the records of the Honorable Committee:

6. That on September 29, 2017, I was invited by the Sec. Vitaliano Aguirre II, Department of Justice, to give my professional and expert opinion on the photograph of the text message of Sec. Aguirre which was presented by Senator Risa Hontiveros during her privilege speech at the Senate (copy of which is hereto attached as **Annex "A"** ).
7. That according to Sen. Hontiveros, as reflected in the transcript of her privilege speech, the said photographs were inadvertently captured by a photographer at the Senate Committee on Public Order and Dangerous Drugs hearing held last September 05, 2017.
8. That the claim of Senator Hontiveros that the said photograph was inadvertently captured is a "**fantastic claim**", as I am 99% sure that it could not have been captured inadvertently.
9. That from the photograph depicting the text message of Sec. Aguirre presented by Senator Hontiveros, the narrowness of the focused area indicate shallow depth of field which can only be achieved by deliberately setting the camera, and the focus area indicates deliberate focusing on the text message.

10. That the subject photograph was deliberately taken, carefully focused on the text message.

11. Thus, in my professional opinion the good senator is not correct when she stated that the photograph was taken inadvertently.

How do I feel about all of these Mr. Chair? There is no proper words that can capture the level of righteous indignation that I have felt and still feel at the desecration and apparent disregard of my Constitutional right to privacy. And I am sure that the Honorable Chairperson and anyone who treasures his or her privacy can relate and also empathize with my feelings of outrage.

I condemn to the highest degree this shameless violation of a citizen's right to the privacy of communications.

Tunay pong NAKALULUNGKOT,  
NAKAKABAGABAG AT HIGIT SA LAHAT  
NAKAKATAKOT ang naganap na pagbalewala sa aking  
right to privacy of communications, isang karapatang

protektado mismo ng ating Saligang Batas, noong September 5, 2017 at sa kaganapan po noong, September 11, 2017.

Are my statements and conclusions wrong? Was it really an act of inadvertence?

I challenge Senator Risa Hontiveros to prove me wrong. Prove me wrong by presenting to all your “media person”, the camera or other contraption or contrivance he or she or they used in recording and intercepting my private communications.

Prove me wrong by presenting the so-called “experts” who analyzed and opined on the authenticity of my message in my cellphone screen that was captured and intercepted without my consent and knowledge.

Until such things are done, I stand by my claim that I was maliciously targeted.

*Nakalulungkot po, at nakakagalit, na ang taong ito, o ang mga taong ito, ay hindi lamang lumabag sa aking mga karapatan at privacy, higit pa po roon, sa kanilang ginawa, hindi na nya o nila iginalang ang komite na ito at ang kaniyang mga panuntunan.*

Lantaran po ang paglabag na ito.

Mr. Chair, your honors, kung nagawang minsan, magagawa at gagawing muli.

At higit sa nakakalungkot, ang posibilidad ng pag-ulit laban sa sinuman sa mga resource persons or maging sa mga mambabatas natin, kayo na ating mga Senador, ang **TOTOONG NAKAKABAGABAG at TUNAY NA NAKAKATAKOT.**

Lahat na po ay pwedeng maging biktima. Lahat na po ay pwedeng biktimahin.

Any text or sms exchanges in our mobile phones, which are part of our private communications, apparently are no longer private.

If it could be done to me, it could be done to anybody.

The claim of inadvertence notwithstanding, any resource person invited by the Senate is now a potential victim.

No one can feel safe because no one is safe not even you Mr. Chair.

I caution everyone, be on your guard at all times. If in driving, we do not drink and drive, in attending inquiries of this nature, the lesson learned is we do not talk and text.

Why? How?

All that any person, with an axe to grind against anyone, has to do is to claim that a member of the media inadvertently took a picture of the text messages in the screen of a targeted person's mobile phone and precipitate its unauthorized release to the public.

As I have said everybody can be targeted. If unpunished and not nipped at the bud, we will all be contributing to the creation of a monster which may become too big to slay later.

To the supposed member of the media who evidently disregarded the privacy of my communications, if you do truly exist, I say shame on you!

Nakakahiya ka kung tunay na member ka ng media at kung tunay ka nga.

For the sake of a news item for which you cannot and will not claim authorship and responsibility, you prostituted yourself.

Any self respecting member of the media here present should condemn this dastardly act of a supposed brethren in the profession.

The media should not let the unscrupulous act of a tainted few destroy the nobility and the purity that is still present in the majority of its ranks.

While the media should be a sentinel of the truth, it should not be a perpetrator of a wrong or a violator of a person's rights.

Mr. Chair, beyond the issue of legality is the issue of decency. Anybody who uses the fruits of an unconstitutional or an illegal act is bereft of decency.

I condemn such an act for being unethical and for being unbecoming of a public servant. That a public

servant will conveniently resort to the protective mantle of a privilege speech makes it more despicable and diabolical.

It is beyond doubt that like everyone here, I have a reasonable expectation of privacy with regards my private communications.

The case of *Spouses Hing v. Choachuy, et al.*,<sup>1</sup> instructs that “the reasonableness of a person’s expectation of privacy depends on a two-part test: (1) whether, by his conduct, the individual has exhibited an expectation of privacy; and (2) this expectation is one that society recognizes as reasonable.”

Certainly, even before proceedings in the August Halls of the Senate, I do not expect that my private messages be photographed by anyone nor have I allowed anyone to intercept the same. The right to the inviolability of one’s privacy as guaranteed by the Bill of Rights of the Constitution does not make any distinction whether one is in private or in public places. “*Ubi lex*

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<sup>1</sup> G.R. No. 179736, June 26, 2013.

*non distinguit, nec nos distinguere debemus,*” - - where the law does not distinguish, we should not distinguish.

Where do we go from here Mr. Chair?

I have categorically and consistently maintained that I will not take this obvious criminal act and malicious affront to my person sitting down.

Those responsible must be held accountable fully and totally under our existing laws.

Earlier today, I have filed a criminal complaint for violation of Republic Act No. 4200 or the *Anti-Wire Tapping Act* against Senator Risa Hontiveros, John Doe and Peter Does before the Office of the City Prosecutor of Pasay City.

In the complaint-affidavit I filed earlier today, I made the following assertions which I now read into the records of the Honorable Committee:

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4. It is indubitably clear that there is conspiracy, connivance and community of criminal design in the foregoing acts of respondents Senator Hontiveros, John Doe, and Peter Does, in violation of my right to privacy of communication and correspondence as protected under Section 3 of Article III of the Constitution and the same acts are defined and penalized as a crime under the 1<sup>st</sup> and 2<sup>nd</sup> paragraphs of Section 1 in relation to Section 2 of R.A. No. 4200. Further, respondent Senator Hontiveros, in evident bad faith, until this time, refuses to provide the respective identities of her co-conspirators, as well as the camera used to commit such reprehensible violations of my Constitutional and legal rights;

5. It is beyond cavil that all the elements of the offense defined under 1<sup>st</sup> paragraph of Section 1 of R.A. No. 4200 are present in the case at bar:

5.1. First, I was engaged in a **private communication** with another person.

The Section 3 of Article III of the Constitution protects the Right to Privacy of Communications and Correspondence. The intention is apparent during the deliberation of the Constitutional Commission that the term “communication and correspondence” includes letters and messages and is used in a general sense.<sup>2</sup>

Accordingly, text messages, being private communications, are subject to the protection of the Bill of Rights, particularly Section 3 of Article III of the Constitution.

Further, under Section 1(k) of Rule 2 of A.M. No.01-7-01-SC, otherwise known as the Rules on Electronic Evidence, text

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<sup>2</sup> as per reply of Delegate Laurel during the interpellation.

messages fall under the definition of ephemeral electronic communications and therefore are considered private communications. Indeed, given recent advances in technology and the way people communicate, text messages have been recognized as private communications and as such are entitled to legal protection.<sup>3</sup>

**5.2. Second, respondents used a device or arrangement, to intercept, or record such communication.**

Respondent John Doe intentionally, though surreptitiously photographed the screen contents of my cellular phone by means of a camera with telephoto lens, intercepted and recorded my private text messages shown therein.

In the case of *Gaanan v. Intermediate Appellate Court*<sup>4</sup> the Honorable Supreme Court held that the act penalized by R.A. No. 4200 is the act of recording private communications. The pertinent portions of the decision read:

“Furthermore, it is a general rule that penal statutes must be construed strictly in favor of the accused. Thus, in case of doubt as in the case at bar, on whether or not an extension telephone is included in the phrase "device or arrangement", the penal statute must be construed as not including an extension telephone. In the case of *People v. Purisima*, 86 SCRA 542, 562, we explained the rationale behind the rule:

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<sup>3</sup> R. v. TELUS Communications Co., 2013 SCC 16, [2013], <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/12936/index.do> <accessed September 28, 2017>

<sup>4</sup> G.R. No. L-69809, October 16, 1986.

xxx                      xxx                      xxx

In the same case of Purisima, we also ruled that on the construction or interpretation of a legislative measure, the primary rule is to search for and determine the intent and spirit of the law. A perusal of the Senate Congressional Records will show that not only did our lawmakers not contemplate the inclusion of an extension telephone as a prohibited device or arrangement" but of greater importance, **they were more concerned with penalizing the act of recording than the act of merely listening to a telephone conversation.**

xxx                      xxx                      xxx"  
(underscoring ours)

Attached herewith is an affidavit of an expert witness on photography stating that the abovementioned photograph was intentionally taken and focused on the screen of my cellular phone in order to intercept and capture my private text messages shown in its screen, belying respondent Hontiveros' claim on her speech that the taking and shooting of the same were inadvertently done.<sup>5</sup>

As above-discussed, the conspiracy, connivance, and community of criminal design among respondents Senator Hontiveros, John Doe, and Peter Does make such an act, the act of all co-conspirators;

5.3. Third, respondents were not authorized by all the parties to the private communication to do so.

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<sup>5</sup> Annex "D" – Affidavit of Mr. Christopher B. Malinao dated September 29, 2017.

The unauthorized interception or recording of the subject text messages were deliberately and intentionally done with a view to obtain the contents thereof, without my permission or any court order to do so, and therefore constitutes an impermissible intrusion in my protected zone of privacy.

The intent to intrude into the content of the text messages is indicated by the fact that the camera shot was deliberately taken from a vantage point in order to capture the text messages on the screen of my cellular phone, instead of a frontal shot that will focus on my person. More so, the photographer used a professional camera and purposely focused its powerful telephoto lens in order to get a clear shot on the exact contents of my cellular phone and thus constitutes an impermissible intrusion into my privacy in violation of my constitutional right to privacy of communication;

6. Further, it is beyond cavil that two (2) offenses defined under the 2<sup>nd</sup> paragraph of Section 1 of R.A. No. 4200 were committed by respondents Senator Hontiveros, John Doe, and Peter Does:

6.1. In addition to the abovementioned elements of the offense under the first paragraph of Section 1 of R.A. No. 4200, the 2<sup>nd</sup> paragraph of the same section likewise penalizes the following acts:

**6.1.1. to knowingly possess any tape record, wire record, disc record, or any other such record, or copies thereof, of any communication, or**

6.1.2. **to replay the same** for any other person or persons, or **to communicate the contents thereof**, either verbally or in writing, or

6.1.3. **to furnish transcriptions thereof**, whether complete or partial, to any other person.

6.2. Despite knowing that the intrusion and interception of the subject text messages were done without the consent of the parties to the communication, and that the same were done in violation of R.A. No. 4200, respondent Senator Hontiveros, in connivance with respondents Peter Does whom she referred to as her experts, took **possession** of a copy of such illegally obtained communications from respondent John Doe;

6.3. Further, respondent Senator Hontiveros, in connivance with respondents John Doe and Peter Does, had the photograph/s and the close up images of the text messages examined by her alleged experts, Peter Does, and thereafter **replayed** and **communicated the contents** thereof in her speech before the Senate, the media, and the general public, in clear violation of my Constitutional right to privacy and the provisions of R.A. No. 4200;

7. The unlawful acts of respondents Senator Hontiveros, John Doe, and Peter Does, as abovementioned, constitute grave violations of my inviolable Constitutional right to privacy of communications, of R.A. No. 4200, and of Article 32 in relation to Articles 19,20, 21 and 2219 of the Civil Code;

8. Respondent Senator Hontiveros cannot hide under the blanket of parliamentary immunity under the “Speech and Debate Clause” of the Constitution because her acts of violating Republic Act No. 4200 are criminal acts and grave violations of my Constitutional right, which are beyond the intended mantle of parliamentary immunity for her speech, voting, and other legislative acts;

**9. The acts of intercepting and capturing my private text messages, of possessing the illegally obtained messages and referring the same to the alleged expert witnesses for authentication, are outside the scope of the performance of respondent Senator Hontiveros’ official functions as a legislator;**

10. I have executed this Complaint-Affidavit in order to charge respondents Senator Hontiveros, John Doe, and Peter Does for gross violation of my Constitutional right to privacy of communications and of three (3) counts of violation of R.A. No. 4200, committed as follows:

10.1. First count of violation of R.A. No. 4200

On September 5, 2017, respondents Senator Hontiveros and John Doe, mutually aiding each other, in conspiracy and community of criminal design, illegally, surreptitiously, and without my consent, took, shot, intercepted, and captured photograph/s of my private text messages as shown in the screen of my cellular phone, in violation of the 1<sup>st</sup> paragraph of Section 1 of R.A. No. 4200;

10.2. Second count of violation of R.A. No. 4200

On or about September 5 to 11, 2017, respondents Senator Hontiveros, John Doe, and Peter Does, mutually aiding each other, in conspiracy and community of criminal design, illegally kept in possession, and in fact, continue to have in their

possession, photographs depicting an image of myself holding my cellular phone with its screen, clearly showing my private text messages, in violation of the 2<sup>nd</sup> paragraph of Section 1 of R.A. No. 4200;

### 10.3. Third count of violation of R.A. No. 4200

On September 11, 2017, respondents Senator Hontiveros, John Doe, and Peter Does, mutually aiding each other, in conspiracy and community of criminal design, illegally replayed and communicated to the general public at large and thereby divulging the contents of my private text messages to malign me and to besmirch my reputation and the office I hold in front of the public, and thereafter shamelessly called for my resignation as Secretary of Justice, in violation of the 2<sup>nd</sup> paragraph of Section 1 of R.A. No. 4200;

xxx

Likewise, I view the act of Senator Hontiveros as unethical and very unbecoming of a public servant. Resultantly, I have filed a case against her before the Senate's Ethics Committee.

As I have said, what can be done to me and can be done to anyone else. It must be nipped at the bud, condemned and punished.

In closing, please allow me to state that I do not waive my right to raise, as I am now raising, the

illegality and the inadmissibility of my admission of the subject text exchanges, in this honored halls of the Senate or in any other venue or forum.

Nobody but nobody, should be allowed to profit from committing an unconstitutional and an illegal act, not even a Senator of the Republic.

Any act or series of acts that will emanate from such an unconstitutional and an illegal act do not even deserve a scant regard and should be treated as non-existent, and if invoked or raised by anybody, should be slain at sight.

Thank you Mr. Chair for affording me the time to read this statement.