

Republic of the Philippines

SENATE

Pasay City

JOURNAL

SENATE SITTING AS AN
IMPEACHMENT COURT
ON THE IMPEACHMENT TRIAL OF
VICE-PRESIDENT
SARA ZIMMERMAN DUTERTE

IMPEACHMENT TRIAL NO. 7
WEDNESDAY, 15 JULY 2026

PREPARED BY THE
LEGISLATIVE JOURNAL SERVICE
SENATE OF THE PHILIPPINES

IMPEACHMENT TRIAL NO. 7
Wednesday, July 15, 2026

CALL TO ORDER

At 2:00 p.m., Wednesday, July 15, 2026, the Senate President, Hon. Win Gatchalian, with the Senate sitting as an Impeachment Court, called the impeachment trial of Vice President Sara Zimmerman Duterte to order.

PROCLAMATION OF THE SERGEANT-AT-ARMS

The Sergeant-at-Arms, PMGen Alfred S. Corpus, commanded all persons, on pain of penalty, to keep silent while the Senate is sitting for the trial of the Articles of Impeachment against Vice President Sara Zimmerman Duterte.

PRAYER

Senate President Win Gatchalian led the prayer, to wit:

Heavenly Father, we come to You seeking the gift of Your grace, as we gather in this august Chamber to fulfill our duties as senator-judges. Grant us the gifts of humility, discernment, and wisdom. Keep our sights set firmly on the truth. Guide our hearts toward the pursuit of justice, and the preservation of the rule of law.

Bigyan Mo kami ng tamang pag-unawa. Gawin Mong gabay at inspirasyon ang Iyong Salita sa lahat ng aming gagawin. Tulungan Mo kaming maalala na ang batayan ng aming tungkulin sa hukumang ito ay ang Saligang Batas at ang tiwala ng bayang Pilipino.

We humbly lift the work of our hands in submission to Your will, for the defense of all that is good, and the service of our nation.

These we pray in Your holy Name.

Amen.

ROLL CALL

Upon direction of the Senate President, the Clerk of Court, Atty. Renato N. Bantug Jr., called the roll, to which the following senator-judges responded:

Aquino, B.	Padilla, R.
Cayetano, A. P. S.	Pangilinan, F. N.
Cayetano, P. S.	Sotto III, V. C.
Ejercito, J. V.	Tulfo, E. T.
Escudero, F. G.	Tulfo, R. T.
Gatchalian, W. T.	Villanueva, J.
Hontiveros, R.	Villar, C. A.
Lacson, P. M.	Villar, M. A.
Lapid, M. M.	Zubiri, J. M. F.
Marcos, I. R.	

With 19 senator-judges present, the Chair declared the presence of a quorum.

Senator-Judges Go and Legarda were also present.

Senator-Judges Estrada and Marcoleta were under detention and unable to attend.

Senator-Judge Dela Rosa was absent.

MANIFESTATION OF SENATOR-JUDGE PADILLA

Senator-Judge Padilla expressed concern over the developments related to the Impeachment Court, questioning whether the same were merely coincidental, citing as examples, the detention of Senator-Judges Estrada and Marcoleta, and the Ombudsman's reported actions involving himself and Senator-Judge Cayetano (A). He noted that reports of an investigation into matters related to the Southeast Asian (SEA) Games surfaced a day after Senator-Judge Cayetano (A) questioned the Bangkok trip of National Bureau of Investigation (NBI) Director Melvin Matibag. He asked whether the senator-judges should be concerned about such developments, emphasizing that the Impeachment Court, as an independent constitutional body, must be allowed to conduct its proceedings free from undue interference.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (A)

Senator-Judge Cayetano (A) averred that the NBI's recently announced investigation on the alleged anomalies involving the 2019 SEA Games appeared to pertain to him as chair of the event's organizing committee. He added that the announcement was made a day after he questioned the NBI Director's trip to Bangkok with his supposed appearance as a witness for the Prosecution

He said that if the intention was to create a chilling effect on the impeachment proceedings, he believed that the Senate already felt such chilling effect since May 11, 2026 when NBI agents pursued Senator-Judge Dela Rosa in the Senate building and May 13, 2026 when there was armed confrontation between NBI agents and personnel of the Senate Office of Sergeant-At-Arms (OSAA) within the Senate premises. He also recalled that Director Matibag had failed to fulfill his commitments to produce the alleged warrant of the International Criminal Court (ICC) for the arrest of Senator Dela Rosa, discipline the agents involved in the assault of an OSAA personnel, and implement the Senate's contempt order.

Senator-Judge Cayetano (A) clarified that his remarks regarding Director Matibag's travel were made in good faith and were not intended as a personal attack, stressing that he would have made the same observation with respect to any government official seeking to postpone attendance at the impeachment proceedings. While expressing concern that the timing of the supposed investigation and the decreasing number of Senator-Judges could affect the Impeachment Court, he stated that he would not be intimidated and would continue to discharge his duties.

He nevertheless welcomed any investigation into the 2019 SEA Games, noting that the matter had previously been investigated by the appropriate authorities and scrutinized during Senate deliberations, where he personally responded to questions. He maintained that the Games were a success and that brought honor to the country.

Senator-Judge Cayetano (A) maintained that the allegations of Director Matibag were misplaced, explaining that the absence of public bidding does not, by itself, indicate an anomaly as the procurement law recognizes alternative modes of procurement. He likewise denied participation in the alleged congressional insertion of funds for the questioned infrastructure projects, stating that he was not a Member of either House of Congress at that time. He added that the projects were implemented by the Bases Conversion and Development Auhtority (BCDA), then headed by close advisers of the incumbent President, and that the contractor under scrutiny was the same contractor undertaking the construction of the Pasig City Hall.

Senator-Judge Cayetano (A) believed that publicly announcing the investigation before conducting it unfairly cast doubt on his integrity and, by extension, on the integrity of the Impeachment Court.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (P)

Senator-Judge Cayetano (P) stated that she had been preoccupied reviewing the lengthy memoranda submitted by both parties in preparation for the proceedings, including conferring with her staff on matters requiring clarification, pointing out that she had no knowledge of the statement reportedly made by Director Matibag and expressed concern upon hearing the matters raised by Senator-Judge Cayetano (A) in his manifestation.

Senator-Judge Cayetano (P) recalled that she initially ignored a messaged she received from a coach, saying that the 2019 SEA Games was being investigated. She however became concerned after Senator-Judge Cayetano (A) raised the matter over reports that a witness scheduled to testify the following week had allegedly spoken of investigating members of the Impeachment Court.

She stressed that the senator-judges must be allowed to decide cases independently, free from any form of interference. She expressed concern that such statements, if indeed made, could undermine the integrity of the impeachment proceedings. She stated that she would defend every member of the Court, regardless of their position on the case, against any attempt at intimidation.

To determine the accuracy of the reports and avoid speculation, Senator-Judge Cayetano (P) requested that the relevant video be played before the Body so that the Court could ascertain what was actually said and allow her to focus on the proceedings based on verified facts.

SUSPENSION OF TRIAL

With the permission of the Court, the trial was suspended.

It was 2:21 p.m.

RESUMPTION OF TRIAL

At 2:23 p.m., the trial was resumed.

RULING OF THE PRESIDING OFFICER

Presiding Officer Escudero granted Senator-Judge Cayetano (P)'s request and directed the technical staff to play the video in question.

MANIFESTATION OF SENATOR-JUDGE PANGILINAN

Before the video was played, Senator-Judge Pangilinan expressed support for the Presiding Officer's ruling but placed on record his view that the matter could have been taken up when Director Matibag appeared before the Court on Monday. He nevertheless deferred to the Chair's ruling.

At this juncture, the requested video was shown on the screen.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (P)

Senator-Judge Cayetano (P) expressed concern over Director Matibag's public statements, questioning how he could characterize the matter as a "major case" without having actually commenced the investigation. She raised the possibility that the statements were intended to distract or intimidate members of the Court, particularly those expected to question him during his scheduled testimony.

She emphasized that judges must remain free from intimidation or undue influence and warned that allowing witnesses to publicly comment on matters involving the Court could undermine the integrity of the proceedings.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (A)

Senator-Judge Cayetano (A) clarified for the record that the SEA Games cauldron was funded by the private sector and that no public funds were used for its construction. He also disclosed that it was designed by the firm of a National Artist, which continued to be engaged by the Senate.

He then manifested his intention to make a statement regarding the oral arguments at the proper time, upon the Presiding Officer's instruction.

APPROVAL OF THE *JOURNAL*

Upon motion of the Presiding Officer, there being no objection, the Body dispensed with the reading of the July 14, 2026 *Journal* of the Senate Sitting as an Impeachment Court and considered the same as approved.

CALLING OF THE CASE

Upon direction of the Presiding Officer, the Clerk of Court called Case No. 004-2026, entitled *"In the Matter of the Impeachment Trial of Vice President Sara Zimmerman Duterte."*

APPEARANCES

The Presiding Officer directed the parties to enter their appearances.

Representative Gerville R. Luistro entered the appearances previously entered, on behalf of the Prosecution.

Atty. Michael Wesley T. Poa entered the same appearances on behalf of the Respondent.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (A)

Senator-Judge Cayetano (A) observed that the requests for subpoenas relating to bank records, records of the Anti-Money Laundering Council (AMLC), and records of the Bureau of Internal Revenue (BIR), involved distinct legal issues, including separate considerations for peso and dollar accounts and for the accounts of the Vice President, her spouse, and related entities. He cautioned against resolving all issues through a single vote without adequate discussion and suggested allowing additional time, if necessary, for the parties' rebuttals and for the Court's deliberations. He also noted that the motions involved different governing laws and legal standards.

MANIFESTATIONS OF THE PRESIDING OFFICER

Presiding Officer Escudero acknowledged Senator-Judge Cayetano (A)'s observations but noted that the Court was bound by the two motions filed by the Prosecution: 1) the motion for subpoenas covering bank and AMLC records, and 2) the motion for a subpoena covering BIR records. While recognizing that each motion contained sub-issues, he stated that the Court would most likely vote on the motions as filed, subject to any consensus reached during the caucus.

He reiterated the agreed schedule for the oral arguments: 15 minutes each for the Prosecution and the Respondent for their principal arguments, followed by 10 minutes each for rebuttal and surrebuttal.

Prosecutor Luistro informed the Court that Prosecutor Jose Manuel T. Diokno would present the Prosecution's oral arguments on the pending motions. She likewise expressed the Prosecution's intention to make a manifestation regarding its remaining witnesses for Article IV, which Presiding Officer Escudero directed to be taken up before adjournment, as it was not related to the pending incident before the Court.

Attorney Michael Wesley T. Poa informed the Court that he would present the Respondent's oral arguments.

ORAL ARGUMENT OF THE PROSECUTION

Speaking on behalf of the Prosecution, Representative Diokno delivered the following speech:

> To the members of this Honorable Court, may it please the Court, *simple lang po ang isyung kinakaharap natin ngayong hapon na ito, pero napakabigat. Bubuksan ba natin ang pinto ng katotohanan o haharangin ito? Ang hiling ng* Prosecution *ay mailabas ang buong katotohanan,* So that this Court may know the truth, the whole truth, and nothing but the truth, and make its decisions based on that. That is why we have requested the issuance of *subpoena duces tecum* for the bank records, tax records, and Anti-Money Laundering Council reports relating to Vice President Sara Duterte and her husband, Atty. Mans Carpio.
>
> *Sa pamamagitan nito, mailalahad ang buong katotohanan tungkol sa mga alegasyon sa* Article II *ng* Articles of Impeachment. *Una, na pinayaman ni Bise Presidente ang kanyang sarili*

nang labis-labis sa kaniyang legal na sahod, at lehitimong kita bilang isang lingkod-bayan. Pangalawa, na mayroon siyang mga ari-ariang hindi idineklara sa kaniyang Statement of Assets, Liabilities, and Net Worth (SALN). *At pangatlo, na habang siya ay nanunungkulan bilang Bise Presidente, nakibahagi siya sa negosyo*, directly or indirectly, *kahit ipinagbabawal ito ng ating Konstitusyon.*

Sasabihin marahil ng Depensa na walang kapangyarihan ang Hukumang ito na busisiin ang mga bank records, tax records, *at* AMLC reports *ni* VP Sara.

With all due respect, that argument is not only legally flawed; it is an affront to the authority of this Honorable Court. *Kung tatanggapin po natin ang argumentong ito, hahayaan natin maliitin at insultuhin ang Hukumang ito.*

The Constitution, Your Honors, please, vests this Impeachment Court with extraordinary powers. *Tanging ang hukumang ito lamang ang may kapangyarihang magpasiya kung ang mga pinakamataas na pinuno ng ating bansa ay karapat-dapat pa ring manungkulan.* Because this power comes directly from the Constitution, no one, no person, no law, no administrative rule can limit or supersede it. I repeat, nothing and no one can handcuff this Court's power to try and decide this impeachment case.

Kahit ang Bank Secrecy Law *po ay sumusunod at tumatalima sa* Impeachment Court. The law explicitly states, and I quote its pertinent portions, "All deposits are hereby considered as of an absolutely confidential nature except in cases of impeachment." *Walang kaduda-duda, may karapatan at kapangyarihan ang* Impeachment Court *na busisiin ang mga* bank records *ni VP Sara.*

Hindi rin po hadlang ang Data Privacy Act. The law itself affirms that confidentiality shall not apply and, I quote, "should the personal information be needed pursuant to a subpoena duly issued." *Muli, walang kaduda-duda, may karapatan at kapangyarihan ang* Impeachment Court *na ipa-*subpoena *ang mga dokumento ni VP Sara Duterte. Pero sabi po ng kampo ni* Vice President, irrelevant *daw ang mga* bank records, AMLC reports, *at* BIR records, *lalo na daw iyong mga* transaction *na nangyari bago siya umupo bilang Pangalawang Pangulo dahil wala raw itong kinalaman sa kasong ito.* The Prosecution respectfully but vehemently disagrees.

Ayon sa report *ng* Anti-Money Laundering Council *na isinumite sa* Committee on Justice *ng* House of Representatives, the financial activity of Vice President Sara Z. Duterte increased significantly starting 2007 when transaction value surged to P208.15 million. According to this report, which is marked as Exhibit P-II-7-8, I quote, "Financial movements intensified between 2009 and 2013, with consistently high totals exceeding P400 million, including notable peaks in 2009 (P704.93 million), 2010 (P648.58 million), and 2011 (P597.15 million)." *Si VP Sara po ay nanungkulan bilang* Vice Mayor *ng Davao City mula 2007 hanggang 2010. Naglingkod naman siya bilang* Mayor *ng Davao City mula 2010 hanggang 2013.* From 2007 to 2013, *ayon sa* records *ng* AMLC, *lumampas sa* P3 billion *ang kaniyang* financial activity.

May kinalaman ba ito? Ito ba ay relevant *sa* Article II *ng* Articles of Impeachment, which alleges, among others, that VP Sara betrayed the public trust and culpably violated the Constitution when she amassed unexplained wealth manifestly disproportionate to her lawful income?

Para sa Prosecution, *malinaw ang sagot.* The Vice President's financial activity as Vice Mayor and Mayor of Davao City relates directly to the main fact in issue in this case—her fitness or unfitness to serve as Vice President. Let me explain. The framers of the 1987 Constitution added betrayal of public trust as a ground for impeachment, and I quote, "to include all acts which render the officer unfit to continue in office." For this Honorable Court to determine whether VP Sara Duterte is unfit to continue in office, it must have a clear picture of the respondent as a public servant. *Kailangang makita ng publiko at ng mga* Senator-Judge *ang tunay na kulay ng Bise Presidente at larawan ng kaniyang buong pagkatao bilang isang lingkod-bayan.*

If she amassed staggering amounts of unexplained wealth while she was a Vice Mayor and Mayor, doesn't that say a lot about her unfitness to serve as a Vice President? Isn't that relevant to the question this Court must resolve at the end of this trial, of whether or not the Vice President betrayed the trust given to her by the people?

From what I have gathered and read, Your Honors, please, this is not the first time this Court has been confronted with this issue. *Sa* impeachment *ni dating Chief Justice Renato Corona, tinanggap ng Hukumang ito ang mga ebidensiyang nakalap bago pa man siya naupo bilang Punong Hukom.* I believe it was then-Senator-Judge, now Presiding Officer, Francis Escudero, who raised the question: "Will the Impeachment Court consider only Corona's acts as Chief Justice?" This, after observing that some exhibits predated his appointment as Chief Justice. This matter was taken up in caucus, after which this Court decided to allow such evidence.

When Philippine Savings Bank President Pascual Garcia III testified before this Court in the same Corona trial, he refused to answer the question of then- Senator-Judge Franklin Drilon on the starting balance of Corona's two-peso-denominated accounts. But if I'm not mistaken, it was Senator-Judge Alan Peter Cayetano who said that records of initial deposits are among the "opening documents" that should have been brought to the Impeachment Court. After reading the subpoena, Presiding Officer Senator Juan Ponce Enrile held that Senator-Judge Cayetano's observation was correct. During the same hearing, the Presiding Officer ordered the issuance of a subpoena to PSBank Katipunan Branch Manager Anabelle Tiongson to bring all the bank records of the Chief Justice. A few days later, the Impeachment Court denied the Defense's motion to quash the subpoena for the peso bank accounts of CJ Corona. The Presiding Officer explained that the purpose of the subpoena is to find out if Corona has not included the deposits in his SALN. This Court also denied the Defense's motion to suppress evidence on Corona's bank accounts.

Sa huli, binusisi ng Hukumang ito ang bank records ni Chief Justice Corona *mula sa kaniyang unang balanse bago pa man siya naging Punong Mahistrado.*

The Panel of Prosecutors respectfully submits that the subpoenas for the production of the bank records, AMLA documents, and BIR documents of the Vice President and her husband are proper and should be issued by this Honorable Court.

Now, allow me, Your Honors, to return to my first point. There is a deeper reason why this Court must resist the attempts of the Respondent to exclude evidence that is obviously relevant—it has to do with curtailing the power of this Court. The Constitution gives this Honorable Court, and I quote, "the sole power to try and decide impeachment cases." *Kayo lang po,* Your Honors, *ang may kapangyarihang magpasiya kung ano ang* impeachable offense *at kung anong ebidensiya ang maaaring tanggapin para patunayan ito. Kinilala ito mismo ng Korte Suprema.*

In the case of *Francisco v. House of Representatives*, the Supreme Court declared, and I quote, "a determination of what constitutes an impeachable offense x x x is a purely political question which the Constitution has left to the sound discretion of the legislation. Such an intent is clear from the deliberations of the Constitutional Commission." *Inulit po ito ng* Supreme Court *sa kasong Gutierrez v. House of Representatives*, where the Supreme Court declared, and I quote, "*Francisco* instructs that this issue would 'require the Court to make a determination of what constitutes an impeachable offense. Such a determination is purely a political question which this Constitution has left to the sound discretion of the legislature. x x x Clearly, the issue calls upon this court to decide a non-justiciable political question which is beyond the scope of its judicial power.'"

Since this Impeachment Court has the sole power to determine what constitutes an impeachable offense, no one—not the Supreme Court, much less the Defense—can impose limitations on that power. No one can dictate to this Court how to exercise the exclusive power to decide what constitutes an impeachable offense.

In closing, Your Honors, I go back to the most fundamental provision in our Constitution on the accountability of public officers. Article XI, Section 1, which provides, and I quote: "Public office is a public trust. Public officers and employees must at all times be accountable to the people."

Ibig sabihin po, sa proseso ng impeachment, *ang pananagutan sa taong bayan ang pinakamahalaga sa lahat. Kaya naman po, ang hiling namin sa Korte, gamitin ang inyong natatanging kapangyarihan at karapatan na busisiin ang* bank records, tax records, *at* AMLC reports *kaugnay ni VP Sara at ng kanyang asawa. Sa ganitong paraan,* Your Honors, *madedesisyonan ninyo ang kaso base sa buong katotohanan*—the truth, the whole truth, and nothing but the truth—*para sa interes at kapakanan ng sambayanang Pilipino.*

REQUEST OF PROSECUTOR DIOKNO

Before concluding his argument, Prosecutor Diokno requested that any unused portion of his remaining time from his allotted period be carried over to his rebuttal. In response, Presiding Officer Escudero stated that the Chair would endeavor to accommodate the request and informed him that he had one minute and 39 seconds remaining. He added that any additional time granted for the rebuttal would likewise be extended to the Counsel for the Respondent for the surrebuttal, if necessary.

ORAL ARGUMENT OF THE COUNSEL FOR THE RESPONDENT

Speaking on behalf of the Defense, Attorney Poa delivered the following speech:

The issue before the Impeachment Court today is not whether you possess the power to issue a subpoena. The real issue is whether such power may be exercised in a manner that disregards due process and compels the production of documents and information beyond what is allowed by law.

Your Honors, jurisprudence provides that for a subpoena to be valid, it must comply with twin requirements of: One, definiteness; and two, relevance. *Ibig sabihin po noon, dapat* particularly described *po ang nasasaklaw ng* subpoena, *at dapat may direktang kaugnayan sa ginagawang paglilitis.*

Your Honors, when a subpoena becomes oppressive, when it is unreasonable, and when it is merely issued for the very purpose that there is a hope that somewhere, somehow, something incriminating will come out, it ceases to be an instrument of justice; it becomes a weapon of a fishing expedition. And that is exactly what confronts this very Court today. And that is why the Defense has taken the position that the Prosecution's requests must be denied.

Allow me to explain and let me begin with constitutional points.

Our first point, Your Honors: Due process.

Impeachment is primarily a legal and constitutional procedure with political characteristics. It is *sui generis,* but it is not a purely political proceeding. *Ibig sabihin po noon,* the Bill of Rights, especially the due process clause, applies in all stages of the impeachment process. Your Honors, those are not my words—those are the words of the Supreme Court in *Duterte v. House of Representatives*, and that is the law of the land. When we speak of due process, we offer a simple proposition that evidence must be present to support each and every accusation. *Pero hindi po iyon iyong nangyari dito. Balikan po natin kung saan tayo, kung saan nagsimula itong* proceeding *na ito.*

I have here with me, Your Honors, copies of the *Saballa* and *Cabrera* complaints, both filed before the House of Representatives. Both accused the Vice President of allegedly amassing unexplained wealth, both with voluminous attachments, yet not one attach a document to support that accusation—not a single financial transaction record, not even a single SALN. In fact, it was only after these complaints were filed, and more significantly only after the Respondent had filed her answer before the Committee on Justice, that the Committee started searching for evidence to somehow support these accusations through, again, the issuance of subpoenas.

Your Honors, we objected then, and we are still objecting now, because with all due respect, the position of the Defense is that is the very definition of a fishing expedition.

Your Honors, in our legal system, it is not permitted to accuse now and then just look for proof later on. That is now, that is not how due process works. *Hindi po dapat natin pinapayagan iyan.*

Moving on to my second point, Your Honors, let's talk about relevance.

It is our position that the requests of the Prosecution are, in fact, fatally overbroad. *Bakit po* fatally overbroad? An impeachable offense is an act or omission committed while the public official is occupying an impeachable office, not before being elected or appointed to such a position.

Again, Your Honors, those are not my words—those are the words of the Supreme Court in *Duterte v. the House of Representatives.* That is controlling and that is the law of the land.

Yet here, Your Honor, today, the Prosecution is requesting for documents spanning almost two decades—almost 20 years—dating as far back as 2007. Your Honors, it is a fact *na noong 2007, ang* respondent *ay* vice mayor *pa lamang.* Definitely, not an impeachable office, Your Honors.

How is that relevant? It is the position of the Defense that it is not. In fact, what that is, is unlimited search throughout a person's financial history. That should not be allowed. Your Honors, if a subpoena is not narrowly tailored, it is oppressive. For these reasons alone, we are of the position that the request should already be dismissed. Nonetheless, if the Impeachment Court were to extend its utmost liberality, which the Prosecution have asked for in their memorandum, we'd like to point out, Your Honors, that Congress itself—the Senate and the House of Representatives —enacted laws that specifically prohibit the disclosure of this information that the Prosecution is asking for now.

Let us go through them one by one. Let's start with R.A. 9160, as amended by R.A. 11521, which is the Anti-Money Laundering Act.

Your Honors, the Prosecution is asking for covered transaction reports, suspicious transaction reports, financial intelligence reports, again spanning almost two decades. However, it is clear under Section 8, 8A, which we are flashing on the screen right now, *na bawal po iyon.* Disclosure is prohibited under this provision, Your Honors. It is in black and white. *Meron po bang* exception? *Wala po.* Impeachment is not an exception. Had Congress wanted to make impeachment as an exception, *madali lang naman pong ilagay iyon sa batas. Pero hindi iyon nagawa.*

Now, in fact, I also have here copies of the Financial Intelligence Report and another report from the AMLC, the Information Management Analysis Group, which were already marked as exhibits, Your Honors, and it's in the records of the Court.

Exhibit D-II-8—sorry, P-1, where it says specifically that the information should not be used as evidence in formal proceedings, Your Honors.

Clearly, Your Honors, to compel AMLC officials to disclose such information would be to compel them to violate the law.

Let's move on now to the tax records, Your Honors. Prosecution is asking for tax records, so let's look at the Tax Code, Section 270, which criminalizes disclosure of taxpayers' information. *Meron po bang* exception *sa batas na ito? Meron po.* But it is limited. *Kasama po ba ang* impeachment? *Hindi po.* That is very clear. Again, Congress wanted to put an exception for impeachment. It could have easily done so but they did not.

Now, Your Honors, let's go to the Bank Secrecy Law, RA 1405. The State policy has always been to favor the secrecy of bank deposits, Your Honors. *Dito,* while we recognize that impeachment is, in fact, an exception, Your Honors, we submit that this exception is not automatic. Meaning, *hindi porket may* exception for impeachment, *puwede na kaagad natin buksan ang lahat ng* bank records *na hinihingi ng* Prosecution. Why? Because, Your Honors, this exception, does not dispense with constitutional safeguards. It does not abolish the right to due process. So *dapat po, meron pa rin tayong basehan.* If you look at the Articles of Impeachment, *wala naman po doon na nagsasabing—'yung sinasabing* unexplained wealth coming from—even if it was an illegal activity *ay pinasok sa isang* specific account. In fact, Your Honors, this exception does not automatically mean that we should permit a fishing expedition. *Iyon nga pong mga* bank account numbers *na naka*-specify *sa* request for the issuance of a subpoena, *ang aming posisyon po diyan, iyan po ay nakalap doon sa* illegal disclosure, with all due respect, *na ginawa ng* AMLC before the Committee on Justice.

And then, Your Honors, they are also asking for the bank records of the spouse. Your Honor, the spouse is not an impeachable officer. And therefore, the spouse is not covered by this exception. Again, Your Honors, we should not allow this.

In closing, Your Honors, the Prosecution has repeatedly invoked accountability. Your Honors, we agree with them. No one is above the law. But in the same manner, no one must fall below or be outside the protection of the law. Impeachment is indeed a powerful constitutional tool.

But, Your Honors, impeachment is not a magic word or a magic wand that one can just wave to transform an illegal act into a legal act, to transform unlawful access to lawful access. That is not what the Constitution contemplates; that is not what the laws enacted by Congress contemplate, and that is not something that the Honorable Impeachment Court should allow.

We submit, Your Honors.

REMARKS OF THE PRESIDING OFFICER

Presiding Officer Escudero informed the Court that counsel for the Respondent still had two minutes and 48 seconds, adding that it would likewise be credited to the surrebuttal if desired, as was done for the Prosecution.

Thereafter, he recognized Attorney Diokno, stating that he has 12 minutes for the rebuttal.

REBUTTAL OF THE PROSECUTION

Following is the full text of Attorney Diokno's rebuttal:

Let me address each of the points that the defense has raised in their oral argument. *Sabi po nila, una ay* due process *daw ang isang paulit-ulit na dinidiin ng* defense. But there is no debate that due process applies in this proceeding, just like in any other proceeding. The real issue before this Honorable Court is, "will the subpoenas that we are asking be issued by this Court actually deprive the Respondent of any form of due process?" *Ang aming paniwala po ay hindi.* And I'll—allow me to explain why.

First of all, we are not yet at the stage where any evidence is being put in the trial or offered to the Honorable Court. *Nandito pa lang po tayo sa punto na kung maaari bang ipa*-produce *natin itong mga dokumentong ito.* The defense will have every opportunity to make objections if and when particular exhibits or documents are identified by a witness and offered in evidence. Therefore, *wala pong* due process violation *ang pag*-issue *ng* subpoena. Second, the defense repeatedly cites the case of *Duterte v. House of Representatives* as I quote, "the law of the land," as I quote, "controlling *daw 'yang* decision *na 'yan."* But I must remind the defense of that particular case and why the pronouncements quoted are mere *obiter dicta, o kung sa simpleng salita po ay* side comment *lang.*

The entire *Duterte v. House of Representatives* case revolved around a different mode of impeachment. *Kung maalala po natin, iyan 'yung* at least one-third *ng* members of the House *ang nagsampa ng kaso.* And the entire decision discussed how due process should apply to that mode of impeachment.

Totoo, may sinabi ang Supreme Court *tungkol sa* mode *na ginamit po ng* Saballa and Cabrera complaints. *Pero hindi po iyon ang* issue *sa kaso ni* Duterte. That issue is just a side bypass or incidental declarations of the court that are not controlling and are not the law of the land. And if you look *mismo* at the decision of the court, they expressly said, "we are speaking of due process in relation to how these proceedings reached the Senate as an impeachment court," not this kind of procedure.

Second, *ang paulit-ulit din po nilang sinasabi na ang ginagawa po ng* Prosecution ay fishing expedition. Actually *po, meron ng desisyon ang* Supreme Court that addresses squarely this point. This case involved a case of unexplained wealth, the case of *Republic v. Rabusa*, G.R. 208183 decided August 31, 2022. Just like here, the prosecution in that case requested subpoenas for the production of bank records. Just like here, the argument was raised that this is a mere fishing expedition. In fact, *hanggang sa* Court of Appeals, *ang sabi po ng* Court of Appeals *ay* fishing expedition *lang po iyan.* But please allow me to read just a portion of what the Supreme Court held here. I quote, "The Court of Appeals resolved that the bank accounts of Rabusa, *et al.* were protected under Republic Act 1405." That is the Bank Secrecy Law. "Given the arbitrary demand to disclose the contents thereof, the Court of Appeals considered the inquiry as a fishing expedition to utilize evidence against Rabusa, *et al.* In the instant case, given that the court orders

in the form of various subpoena *duces tecum* and *ad testificandum* all involved the forfeiture of unexplained wealth, the RTC was in error for not allowing petitioner to examine, inquire, and look into the subject accounts." I continue, "As the present proceedings on unexplained wealth are now encompassed within the exceptions of Republic Act 1405, the court orders subject of this case clearly fall within the orders that would enable the examination of the respondent's bank accounts as contemplated in the first exception. Thus, it comes clear that this court cannot sustain the RTC's and Court of Appeals' theory that there was no court order authorizing the examination of the bank accounts. On the contrary, records prove that the RTC issued several subpoena *duces tecum* and *ad testificandum*, which required certain persons to testify in open court and present documents which pertain to the existence and identity of the subject accounts, and also to the accounts—the contents found therein." I just move forward, "Given the existence and propriety of the subpoenas, the evidence procured through the same should have been duly considered by the lower courts. This court cannot agree with the Court of Appeals' supposition that the examination of the respondent's bank accounts was but a mere fishing expedition to pin liability on them."

Next, the defense repeatedly cites a number of laws to claim that the requested information and documents that we are asking from this Court, for the issuance of subpoena, are confidential. *Sabi po nila,* confidential *daw ito sa ilalim ng* Republic Act 1405. *Sabi po nila,* confidential *daw ito sa ilalim ng* Anti-Money Laundering Act, *pati ang* National Internal Revenue Code, *pati ang* Data Privacy Act *ay* confidential *din. Pero kung titingnan po natin, klaro po at malinaw po sa amin ang batas at ang utos ng Saligang Batas sa* Impeachment Court *na ito.* You have the sole, exclusive power to determine an impeachable offense, and that includes the power to find out, ferret the entire truth and make your decision on that basis. I will not dwell on the exception to Republic Act 1405; that's very clear, there is an exception for impeachment.

Pero paano naman po 'yung sinasabi nilang Section 8(a) *ng* Anti-Money Laundering Law? If you read that law, particularly that provision, it clearly refers to prohibiting leaks by members of the Anti-Money Laundering Council. It was never intended to short-circuit the impeachment process or limit the powers of this Honorable Court to find out the truth. *Ganoon din po ang nakalagay sa ating* National Internal Revenue Code. *Sabi po ng defense,* "There's nothing that allows these documents to be made public." I cite Section 71 NIRC: "After the assessment shall have been made—" I'll just move forward—"the returns, together with any corrections... shall be filed in the Office of the Commissioner." And I quote: "—and shall constitute public records and be opened to inspection as such, upon the order of the President." And in fact, during the Corona Impeachment Trial, the President at that time did order, and that is why this Court admitted the BIR documents.

Your Honors, *madaling sabihin na* confidential *ang ilang impormasyon at dokumento, madaling magturo ng batas. Pero ang hinahanap po ng* Impeachment Court *ngayon at sa mga susunod na araw, linggo, at buwan, ay ang katotohanan, at ang layunin ay makamit ang pananagutan.* Confidentiality, Your Honor, should not be the prevailing principle in this proceeding. *Hindi po* confidential *ang katotohanan.*

REMARKS OF THE PRESIDING OFFICER

Presiding Officer Escudero recognized Attorney Poa, stating that he had 13 minutes for the surrebuttal.

SURREBUTTAL OF THE COUNSEL FOR THE RESPONDENT

Following is the full text of Attorney Poa's surrebuttal:

I will not take up the entire time to expedite matters.

Your Honors, I respect, of course, the arguments put forth by the distinguished opposing Counsel. But when it comes to due process, Your Honors, I think, it's beyond debate that due process must be observed in every stage of the proceedings. And aside from that, due process requires, Your Honor, that we also respect the protections afforded by law on the Respondent.

Your Honors, *ang sabi po ng ating* distinguished opposing Counsel, "obiter *lang daw po 'yung sinabi ng* Supreme Court." But Your Honors, *noong sinabi ng* Supreme Court *sa Duterte v. House of Representatives, na ang* impeachable offense is an act or omission that is committed by a public officer while occupying an impeachable office, *hindi naman po siguro puwede doon lang sa—'yung* one-third mode *gamitin 'yung ganoong* definition, *pero pagdating po sa ibang* mode *ay hindi na po* applicable *iyong ganoong* definition. Your Honors, in fact, in that decision—which I failed to mention earlier—*sinabi rin po* that the acts or omissions must be done in relation to the office, *kasi iyon nga po ang* purpose *ng* impeachment.

Next, Your Honors, *'yung sinasabi na dapat kahit na may mga* prohibitions *sa batas, puwede pa rin nating ma-*subpoena *para ma-*examine. Your Honors, it is the wisdom of Congress *kaya po may ganoong mga* prohibitions against disclosure under the law. *Kung papayagan po natin* that a court process, even an Impeachment Court, can issue a subpoena to thwart those provisions, it's as if, Your Honor, we are doing judicial legislation here, because a judicial issuance can easily repeal, for the time being, that provision, or at least suspend, Your Honor—maybe not repeal; the proper word might be suspend that provision of law. I've never heard about that, Your Honors.

And then lastly, Your Honors, *parati nating sinasabi rin, 'no*—sorry, two points—*'yung nabanggit na* Section 71. I agree *po,* under the tax code, that Section 71 provides that if the President orders, then *nawawala na po 'yung* confidentiality. However, Your Honors, even—given that there is an order from the President, I think we should still think about relevance. *Para saan ba ine-*examine *'yung mga dokumento? Hindi ba para sa* impeachment proceeding? *Hindi po namin sinasabi na kung sakaling nagkamali man ang Bise Presidente, kung sakaling may paglabag man sa batas ang Bise Presidente noon, ay hindi na puwedeng maparusahan. Marami naman pong paraan.* You can file cases against the Vice President for those infractions—preterm infractions. *Pero pag* impeachment *po ang pinag-uusapan,* we are limited to what impeachable offenses are. And again, the Supreme Court is clear about that.

Your Honors, there is also a repeated citation of the Corona case, but we would just like to point out that the Corona case was tried and decided upon, way before *Duterte v. HOR.* And Your Honors, since it was decided before *Duterte v. HOR*, the Supreme Court was fully cognizant of what happened in the Corona trial, and yet, Your Honors, they imposed these guidelines. In fact, the line itself in the *Duterte v. HOR* is, we clarify, I quote: "We clarify the constitutional requirements of impeachment." *At kasama doon 'yung nabanggit namin kanina* on what constitutes an impeachable offense, and that is very clear. *Marahil sinasabi natin na iyon ay isang obiter, pero,* Your Honors, *papaano po magiging* obiter *iyon kung iyon mismo ang itinakbo ng desisyon?* The fact that the one-year bar was triggered was only the effect of not abiding by the due process, laws of the Constitution.

And lastly, again, Your Honors, we do not disagree with the Prosecution in terms of accountability. Again, no one is above the law, but no one should also be deprived of the protection given by law, Your Honors.

REMARKS OF THE PRESIDING OFFICER

Presiding Officer Escudero commended counsels from both parties for conducting a calm, courteous, and respectful discourse on the controversial issue before the Court. He likewise expressed hope that the same decorum would prevail during the caucus and upon the resumption of the proceedings.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (A)

Senator-Judge Cayetano (A) proposed that, if no witnesses would be presented the following Monday, the senator-judges should first go into caucus after the oral arguments and defer their clarificatory questions to the next hearing. He reiterated that the requests for subpoena involved several distinct legal issues which, in his view, required careful consideration before a vote is taken. He also stressed the importance of clearly stating the Court's reasons for its ruling to guide any subsequent motion for reconsideration or judicial review.

Presiding Officer Escudero reiterated his preference to resolve the requests for subpoena that day, noting that no witnesses were scheduled to be presented. Citing the impeachment trial of Chief Justice Corona, he recalled a precedent involving Senator Cayetano (A) where the latter disagreed in part with a ruling made by then Senate President Enrile on the request for subpoena to the Chief Justice and members of his family. Before the Presiding Officer could complete his recollection, Senator Cayetano (A) responded that his objection, insofar as it pertained to the in-laws of Chief Justice Corona, was indeed overruled by then Senate President Enrile.

MANIFESTATION OF SENATOR-JUDGE PANGILINAN

Senator-Judge Pangilinan urged the Body to adhere to its earlier agreement to convene a caucus immediately after the parties' oral arguments.

Presiding Officer Escudero expressed hope that the caucus would proceed calmly and informed the parties that they would be notified of the time for the resumption of the proceedings after the caucus.

SUSPENSION OF TRIAL

With the permission of the Body, the trial was suspended.

It was 3:25 p.m.

RESUMPTION OF TRIAL

At 4:59 p.m., the Impeachment Trial was resumed.

RULING OF THE PRESIDING OFFICER

The Presiding Officer stated that the senator-judges, in caucus, agreed to defer action on the Prosecution's request for the issuance of subpoenas *duces tecum* covering the BIR, AMLC, and bank records of Vice President Duterte and her husband until Monday, July 20, 2026, to afford senator-judges more time to study the memoranda submitted by the Counsel for the Prosecution and the Counsel for Respondent, together with the points raised therein. He added that the senator-judges wishing to propound questions to either party would be allotted 10 minutes each, subject to an aggregate limit of one hour per side during the plenary debate.

MANIFESTATION OF REPRESENTATIVE LUISTRO

Representative Luistro reiterated that the Prosecution would no longer be presenting Atty. Zuleika Lopez, chief of staff of the Office of the Vice President (OVP), and Capt. Belinda Bello, head of the Legislative Security Bureau of the HOR, as witnesses for Article IV of the Articles of Impeachment.

Citing redundancy, surplusage, and lack of necessity, Representative Luistro likewise manifested that the Prosecution would no longer be presenting the following witnesses for Article IV for the reasons stated below:

1. *Representative of the Philippine National Police Firearms and Explosives Office.* The witness was supposed to testify that the respondent owns firearms, including high-powered ones, to demonstrate the respondent's capacity and capability to carry out the alleged threat. The Prosecution withdrew the witness since it was established that the government took the threat seriously, as demonstrated by the conduct of a full-scale investigation and the recommendation to file a criminal complaint.

2. *Mikhail Flores and Bonz Magsambol.* The witnesses were among the members of the press who attended the November 23 video conference and were supposed to testify that they heard Vice President Duterte utter the threat against the President, the First Lady, and the former Speaker of the House. The Prosecution withdrew the said witnesses since NBI Senior Agent John Mark Calilung already established the authenticity of the video in his testimony, which the Counsel for the Respondent similarly admitted.

3. *Sheriff Abe Andres.* The witness was intended to testify regarding the 2011 demolition incident in Davao City involving the alleged violence committed by the respondent on the sheriff. The Prosecution withdrew the said witness since both parties had already acknowledged the occurrence of the 2011 incident.

4. *Family member of a victim of the alleged threats.* The witness was intended to testify on the effect, gravity, and the seriousness of the threats allegedly committed by the respondent. The Prosecution withdrew the witness since Atty. Jeremy Lotoc, NBI Regional Director for the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), already testified that grave threats is a public crime that does not require a private complainant and its prosecution does not depend on the complaint, participation, or subjective feelings of the victim or the victim's family.

5. *Psychiatrist.* The witness was intended to testify on the respondent's state of mind, the nature of the alleged violent statement, and the respondent's capacity and capability to carry out the alleged threat. The Prosecution withdrew the witness since both parties have already sufficiently established the circumstances surrounding the respondent's statements in the authenticated video, as well as the respondent's subsequent confirmation of such statements and the matters covered by the testimonies already presented.

Representative Luistro then informed the Court that NBI Director Matibag, scheduled witness for Tuesday, July 21, 2026, would be the Prosecution's last witness for Article IV.

REQUEST OF REPRESENTATIVE LUISTRO

Representative Luistro, Counsel for the Prosecution, requested the issuance of subpoena *duces tecum* and subpoena *ad testificandum* for the first set of witnesses to be presented in connection with Article I of the Articles of Impeachment on Wednesday, July 22, 2026, namely: Marivic Pareja of the Legislative Archives Museum Management Service of the HOR; Violeta Constantino, former branch manager of Shaw Boulevard branch of the Land Bank of the Philippines (LANDBANK); and Nenita Camposano, former branch manager of the LANDBANK-Department of Education (DepEd) Ed branch.

RULING OF THE PRESIDING OFFICER

The Presiding Officer granted the Prosecution's request for the issuance of subpoena *ad testificandum* to Marivic Pareja, Violeta Constantino, and Nenita Camposano, directing them to appear before the Impeachment Court on July 21 and 22, 2026. He likewise granted the request for the issuance of subpoena *duces tecum* to Lynette Ortiz of the LANDBANK for the same dates. He then directed the Clerk of Court to prepare the corresponding subpoenas and the Sergeant-at-Arms to serve the same.

INQUIRY OF SENATOR-JUDGE AQUINO

Senator-Judge Aquino sought clarification on the sequence of presentation of evidence, asking whether the Prosecution would first present its evidence for all articles before the Respondent presents its evidence for all articles, or whether the parties would proceed on a per-article basis.

The Presiding Officer clarified that the Prosecution would first complete the presentation of its evidence for all articles, after which the Respondent would present its evidence in chief for all articles. He further stated that the Impeachment Court would thereafter decide on each article after the parties have formally offered their evidence and presented their final arguments.

MANIFESTATION OF ATTORNEY SISON

Atty. Sheila Sison, Counsel for the Respondent, noted that Representative Luistro mentioned the withdrawal of six witnesses; and during the previous day, Attorney Kapunan made a lengthy manifestation on the withdrawal of Prosecution witnesses Attorney Lopez and Capt. Bello, in connection with the presentation of evidence for Article IV.

Attorney Sison asked for guidance regarding the manner of presenting such manifestations which were accompanied by lengthy discussions containing factual assertions and legal conclusions that are matters for the determination of the Impeachment Court. She believed that counsels should limit their manifestations to the procedural matters such as the withdrawal of witnesses, and refrain from including factual conclusions or legal interpretations that should be left for the Court's determination.

The Presiding Officer stated that he characterized the statements as akin to a tender offer of excluded evidence, although he noted that the proceedings had not yet reached that stage and that no evidence has been excluded. He however said that the Counsel for the Respondent would be afforded the same opportunity to explain in case it similary decides to no longer present witnesses originally included in its list.

Attorney Sison clarified that she was not seeking special treatment or the same amount of time afforded to the Prosecution, reiterating that her request was only for both parties to refrain from making factual or legal conclusions that may be perceived as advocacy for their respective positions, as the determination of such matters rests with the Impeachment Court.

Attorney Sison emphasized that the Prosecution and the Defense represent opposing positions and that, in the interest of a fair and balanced proceeding and the public's understanding of the trial, manifestations intended to facilitate the speedy disposition of the case should be limited to the procedural matters such as the withdrawal of witnesses, without making conclusions that are for the Court to determine.

The Presiding Officer noted the manifestation of Attorney Sison and reminded both parties to limit their manifestations to the changes in their respective witness lists.

MANIFESTATION OF REPRESENTATIVE LUISTRO

Representative Luistro underscored that, as the impeachment trial is a constitutional process of paramount importance, the prosecution should communicate to the public the reasons for withdrawing certain witnesses for Article IV (Grave Threats). The Presiding Officer noted the manifestation and stated that the Court had already ruled on the matter.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (A)

Agreeing with the defense, Senator-Judge Cayetano (A) stated that explaining the reasons for withdrawing witnesses during the proceedings could improperly introduce matters that the witnesses have not testified to and to which the defense would have no opportunity to object. As to Attorney Kapunan's manifestation during the previous day's trial, he said it could be perceived as a summation affirming the truth of the prosecution's first and second witnesses'

statements. To preserve the integrity of the proceedings while keeping the public informed, he suggested that such explanations instead be made through press conferences or other forums.

The Presiding Officer assured that such statements would no longer be allowed in the Court moving forward.

MANIFESTATION OF SENATOR-JUDGE PANGILINAN

Senator-Judge Pangilinan expressed the view that a better approach would have been to allow the defense the same opportunity to explain if faced with a similar circumstance, noting that the Impeachment Court is not strictly bound by the technical rules of evidence applicable in regular courts. He also stressed the importance of ensuring that the proceedings remain understandable to the public. The Presiding Officer responded that the Counsel for the Respondent had not sought the same opportunity.

Agreeing with Senator-Judge Cayetano (A), the Presiding Officer said that both parties could instead explain matters through their respective spokespersons outside the courtroom, to save the Court's time.

MANIFESTATION OF ATTORNEY SISON

Attorney Sison asserted that as impeachment is a constitutional process, the proceedings must remain fair and balanced. She argued that manifestations containing assertions laden with conclusions or one-sided advocacy by either party would not aid the Court in determining the respondent's guilt or innocence under the Articles of Impeachment. She further clarified that her position was based on substantive constitutional principles, rather than technical rules of evidence. The Presiding Officer took note of Attorney Sison's manifestation.

MANIFESTATION OF SENATOR-JUDGE CAYETANO (P)

In support of the Presiding Officer's ruling, Senator-Judge Cayetano (P) reminded counsel for both parties to refrain from lengthy explanations or personal observations when withdrawing witnesses, as these may convey conclusions or factual assertions that should be borne out witness examination. She pointed out that the rule is not intended to impose unnecessary technical rules, but to ensure that counsel confine themselves to asking questions while witnesses provide the testimony.

The Presiding Officer assured the Court and the parties that he would be more mindful in enforcing the rule governing such manifestations and urged both parties to call the Court's attention should similar situations arise in the future.

MANIFESTATION OF REPRESENTATIVE LUISTRO

Representative Luistro expressed the view that the Impeachment Court had acted fairly, noting that the Presiding Officer had likewise afforded the defense the same opportunity to explain the withdrawal of its witnesses should it choose to do so. She clarified that the prosecution's manifestations were never intended to prolong the proceedings or influence either the senator-judges or the public, but solely to place on record the prosecution's reasons for withdrawing certain witnesses.

Attorney Sison reiterated that the defense was not seeking any advantage, but was merely asking that the proceedings be conducted fairly.

ADJOURNMENT OF THE IMPEACHMENT TRIAL

The Presiding Officer declared the impeachment trial adjourned until two o'clock in the afternoon of Monday, July 20, 2026.

It was 5:34 p.m.

I hereby certify to the correctness of the foregoing.

Atty. RENATO N. BANTUG JR.
Clerk of Court

Approved on July 20, 2026