

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

COMMITTEE REPORT NO. 28



Submitted by the Committee on Ethics and Privileges on December 1, 2025 ;

RE: Committee Case No. SC-2025-03, entitled: "Rep. Ronaldo V. Puno, et. al. vs. Rep. Francisco "Kiko" A. Barzaga of the Fourth District of Cavite" *for violation of Section 141(a), Rule XX of the Rules of the House of Representatives ("House Rules") on the Code of Conduct, Section 4(c) of Republic Act No. 6713 otherwise known as the "Code of Conduct and Ethical Standards for Public Officials and Employees", Article 142 of the Revised Penal Code, and Conduct Prejudicial to the Best Interest of the Service*

Informing the House of the action taken by the Committee on Ethics and Privileges on the aforesated case, including the Committee's findings, conclusions and recommendations.

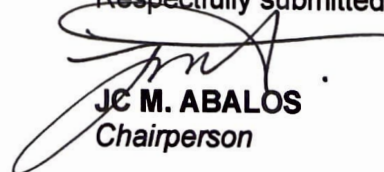
Sponsors: Representatives JC M. Abalos, Felimon M. Espares, Jose C. Alvarez, and Mauricio G. Domogan

Mr. Speaker:

On 29 September 2025, the Committee on Ethics and Privileges, upon a unanimous vote of all Members present, there being a quorum, acquired jurisdiction over the verified complaint docketed as Committee Case No. SC-2025-03, entitled: "Rep. Ronaldo V. Puno, et. al. vs. Rep. Francisco "Kiko" A. Barzaga of the Fourth District of Cavite" *for violation of Section 141(a), Rule XX of the Rules of the House of Representatives ("House Rules") on the Code of Conduct; Section 4(c) of Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees; Article 142 of the Revised Penal Code; and Conduct Prejudicial to the Best Interest of the Service.* It likewise determined the sufficiency in form and content of the sworn complaint. The Committee held the initial review on the complaint and its attachments as well as the Answer of Respondent, finding sufficiency of evidence that alleged misconducts have occurred within the jurisdiction of the Committee, adjudicatory hearing proceeded. After thorough deliberation on the merits of the case, the Committee terminated the hearings and approved the Committee report including its findings and recommendations.

Therefore, the Committee respectfully submits the attached Committee Report for the consideration of the House of Representatives.

Respectfully submitted,



JC M. ABALOS
Chairperson

THE HONORABLE SPEAKER
House of Representatives

I. STATEMENT OF FACTS

The Committee on Ethics and Privileges (the “Committee”) Secretariat received on 17 September 2025 a Verified Complaint dated 16 September 2025 against Representative Francisco “Kiko” A. Barzaga of the Fourth District of Cavite for alleged violation of *Section 141(a) of Rule XX of the Rules of the House of Representatives on the Code of Conduct; Republic Act No. 6713 otherwise known as the “Code of Conduct and Ethical Standards for Public Officials and Employees”; Article 142 of the Revised Penal Code; and Conduct Prejudicial to the Best Interest of the Service*. The Complaint has twenty-five (25) pages including the Verification and a Certification of Non-Forum Shopping. It was signed and filed by twenty-nine (29) complainants, namely: Representatives Ronaldo V. Puno, Jeffrey P. Ferrer, Rolando M. Valeriano, Brian S. Yamsuan, Niko Raul S. Daza, Christopher Sheen P. Gonzales, Augustina Dominique C. Pancho, John Geesnell L. Yap II, Rosalie A. Salvame, Alexandria P. Gonzales, Antonio A. Ferrer, Sun J. Shimura, Alfredo D. Marañon III, Lorenz R. Defensor, Dimszar M. Sali, Miguel Luis R. Villafuerte, Vincenzo Renato Luigi R. Villafuerte, Franz S. Pumaren, Karen Hope Flores-Garcia, Maria Angela S. Garcia, Antolin A. Oreta III, Carlos A. Loria, Crispin Diego D. Remulla, Romeo M. Acop, Alfelito M. Bascug, Jerry Evangelista Perez, Adrian Jay C. Advincula, Eddiebong G. Plaza, and Jennifer “Karen” A. Lagbas. These all 29 complainants are House Members coming from the National Unity Party (NUP), a registered political party in the Philippines (hereinafter “complainants” for brevity).

The Complaint alleged that on 11 and 12 September 2025, respondent violated, and continued to violate, by the means of his official social media platforms, the established standards of conduct for Members of House of Representatives. The respondent posted statements on his verified Facebook pages “*Congressman Kiko Barzaga*” and “*Kiko Barzaga Official*” scurrilous attacks against government institutions and officials, which constitutes conduct unbecoming of a Member of Congress. The complainants alleged that these social media posts in his verified Facebook pages contain language and imagery that: (1) employ derogatory and inflammatory rhetoric against

government institutions; (2) use vulgar and inappropriate language unbecoming a public official; (3) promote divisiveness and undermine public confidence in government; and, (4) violate standards of decorum expected of Members of Congress. The screenshots of the said posts consisting of twenty-four (24) pictures found in the said social media pages were included as annexes by the Complainants in their verified complaint, and which later marked as their exhibits.

Complainants admitted that while some of the posts were posted prior to Rep. Barzaga’s assumption as a House Member, the crude and considerably lewd pictures remain posted and publicly visible despite his election as a district representative, which now bear the congressional title “*Congressman Kiko Barzaga*”. Complainants alleged that by allowing the pictures and what it depicts to remain public on his social media accounts, Rep. Barzaga effectively republished the materials as part of his current conduct as a House Member in the present Congress. The public posts have been reshared multiple times, thus, placing the government and its officials in ridicule and rendered them objects of public mockery.

The Complainants alleged further that the totality of the conduct of Rep. Barzaga constitute four (4) causes of action, namely: (1) violation of Sec. 141(a), Rule XX (Code of Conduct) of the House Rules, (2) violation of Section 4(c) of Republic Act No. 6713 otherwise known as the “Code of Conduct and Ethical Standards for Public Officials and Employees”, (3) violation of Art. 142 of the Revised Penal Code (Inciting to Sedition) and (4) conduct unbecoming of a Member of the House and prejudicial to the best interest of the service. Complainants sought that the Committee find Rep. Barzaga guilty of violating Rule XX (Code of Conduct) of the Rules of the House of Representatives and Republic Act No. 6713 and impose upon him appropriate sanctions as may be provided by law and the House Rules. Complainants likewise sought that the Committee direct the respondent to refrain from similar conduct in the future.

On 07 October 2025, Respondent Rep. Barzaga filed his Answer to the verified complaint. Respondent denied all allegations and sought the dismissal of the complaint. His core defense is that the questioned Facebook posts constitute protected political speech made in good faith as part of legitimate public discourse. He further contended that the posts merely constitute expressions of opinion of matters of public concern that is protected under Art. III, Sec. 4 of the 1987 Constitution and are part of the legitimate exercise of a legislator’s oversight and representative functions. He argued that none of the cited acts rise to the level of ethical misconduct, sedition, or conduct unbecoming of a House member or even prejudicial to the best interest of the service. He further stated that there is no substantial evidence to support the allegations which are mere mischaracterization of the Respondent’s action.

The Committee Deliberations

Determination of Jurisdiction and Substantial Compliance with Form and Content of the Complaint

In an executive session on 29 September 2025, the Committee held its initial deliberation on the sworn complaint and by a unanimous vote of all the Members present, the Committee acquired jurisdiction over the subject matter and determined that the sworn complaint substantially complied with the requirements of Section 24 on form and content of a sworn complaint. Thereafter, the Committee sent a Transmittal Notice, containing the formal charges, to Rep. Francisco A. Barzaga, furnishing him a copy of the sworn complaint and the Committee Rules of Procedure. The Committee directed respondent to file his response thereto within ten (10) calendar days from receipt thereof, furnishing copies to the complainants.

Initial Review and Attempt at Conciliation

During the conduct of the initial review on the case during the Second Regular Meeting of the Committee on 13 October 2025, Complainant Deputy

Speaker Ronaldo V. Puno, and on behalf of the other 29 complainants, presented their case before the Committee citing that the case hinges on four causes of action and that the evidence for the causes presented were already included in the complaint. On the part of the Respondent Rep. Barzaga, his counsel Atty. Reina M. Villa stated the respondent will not be making any more statement other than those mentioned in the respondent’s answer. The respondent came in late during this meeting and was able to arrive only after his case. Thereafter, the Committee decided to create a Subcommittee on Conciliation composed of five members, three (3) members from the majority representation and two (2) members from the minority, namely:

From the Majority:

- (1) Rep. Mauricio G. Domogan – Presiding Officer/Chairperson
- (2) Rep. Emigdio P. Tanjuatco III
- (3) Rep. Jose Arturo S. Garcia

From the Minority:

- (4) Rep. Jose Manuel “Chel” I. Diokno
- (5) Senior Deputy Minority Leader Edgar Erice

In the Special Meeting of the Committee on Ethics and Privileges held on 19 November 2025, Rep. Mauricio G. Domogan, the Presiding Officer of the Subcommittee on Conciliation, reported that only the complainants submitted their manifestation of unwillingness to undergo conciliation. On the other hand, respondent did not submit any written manifestation and instead verbally relayed his unwillingness to enter into conciliation. During the meeting, the respondent did not further comment on the matter. Instead, when approached by the members, respondent signified his unwillingness. Rep. Domogan then considered the conciliation as terminated and closed. Thus, the Committee terminated the conciliation proceeding and decided to continue with the Initial Review of the case. During the deliberation, the pleadings submitted were considered pieces of evidence on record by the parties, as follows:

FOR THE COMPLAINANTS

- 1) Verified Complaint of the complainants dated 16 September 2025, including twenty-four (24) annexes¹
- 2) Complainants' Reply to Respondent's Answer dated 06 October 2025²
- 3) Manifestation dated 06 November 2025³

FOR THE RESPONDENT

- 1) Answer to the Verified Complaint dated 06 October 2025 with one (1) annex⁴

There being no additional submissions from the parties, the Committee terminated the Initial Review on the case and decided to proceed with the formal/adjudicatory hearing on the alleged improper conduct or violation committed by the respondent on the basis of Sec. 31(a)(3), Rule VI of the Committee Rules which provides that *"further committee action is appropriate, because the alleged improper conduct or violation is within the jurisdiction of the Committee and there is reason to believe that the alleged improper conduct or violation may have occurred"*. The Committee set the formal/adjudicatory hearing on 24 November 2025 where the Chairperson directed the parties to submit to the Committee the documents enumerated in Sec. 40(b) of the Committee Rules on or before the scheduled adjudicatory hearing. The parties were notified of the schedule in open hearing.

Formal/Adjudicatory Hearings

The Committee conducted the adjudicatory hearing on 24 November 2025. Present during the hearing were complainant Reps. Niko Raul Daza, Franz S. Pumaren, Jerry Evangelista Perez, Rolando Valeriano, Crispin Diego Remulla, Jennifer "Karen" A. Lagbas, Jeffrey P. Ferrer, Antolin A. Oreta III, Carlos A. Loria, and counsels Atty. Joter Lobo and Atty. Louise Marshall Lo. However, both the respondent Rep. Barzaga and his counsel were not present and instead filed an

¹ Attached as Annex "A". Later marked as Exhibit "A" for the complainants.

² Attached as Annex "B". Later marked as Exhibit "B" for the complainants.

³ Attached as Annex "C". Later marked as Exhibit "C" for the complainants.

⁴ Attached as Annex "D". Formed part of the evidence for the respondent.

Urgent Motion for Postponement only minutes prior to the hearing. The motion for postponement was denied by the Committee after due deliberations. In addition, the Chairperson, pursuant to Sec. 40(f) of the Committee Rules, ruled to deny the motion of Rep. Barzaga in his Manifestation and Motion dated 20 November 2025 to call Rep. Adrian Jay Advincula, one of the complainants, as his witness, on the ground of irrelevancy to the subject matter of the case.

Upon the commencement of the formal hearing, complainants, through counsel Atty. Joter Lobo, manifested that they will not be submitting additional evidence for the complainants and will adopt the verified Complaint, Reply and Manifestation as their exhibits. The complainants had their exhibits marked accordingly, as follows:

Exhibit “A” – Verified Complaint dated 16 September 2025⁵

Exhibits “A-1” to “A-24” – social media posts of Rep. Francisco A. Barzaga with their respective links as follows:⁶

“A-1” <https://www.facebook.com/share/p/18tN1152su/>
“A-2” - <https://www.facebook.com/share/p/1JGgoX13DC/>
“A-3” - <https://www.facebook.com/share/p/19aAcBcTXo/>
“A-4” - <https://www.facebook.com/share/p/18PYzwDP63/>
“A-5” - <https://www.facebook.com/share/p/16bNRJcuMG/>
“A-6” - <https://www.facebook.com/share/p/17PYzwDP63/>
“A-7” - <https://www.facebook.com/share/p/1173gAqeMHU/>
“A-8” - <https://www.facebook.com/share/p/19stbbmhLT/>
“A-9” - <https://www.facebook.com/share/p/17N1rxqnKb/>
“A-10” - <https://www.facebook.com/share/p/1CcervRKmF/>
“A-11” - <https://www.facebook.com/share/p/19sjiE1mZr/>
“A-12” - <https://www.facebook.com/share/p/19ayJ5xyUN/>
“A-13” - <https://www.facebook.com/share/p/1Apf1FrFv8/>
“A-14” - <https://www.facebook.com/share/p/1VnXyzxpcu/>
“A-15” - <https://www.facebook.com/share/p/17N1rxqnKb/>
“A-16” - <https://www.facebook.com/share/14F44P5RHgN/>
“A-17” - <https://www.facebook.com/share/14F44P5RHgN/>
(same link as above, but different pictures presented)
“A-18” - <https://www.facebook.com/share/1CeaEu5CJD/>
“A-19” - <https://www.facebook.com/share/1AQnJt4HEg/>
“A-20” - <https://www.facebook.com/share/p/17FRFbEX53/>
“A-21” - <https://www.facebook.com/share/17HEmoSoa6/>

⁵ See Annex “A”.

⁶ See sub-markings “A-1” to “A-24” in Annex “A”.

“A-22” - https://www.facebook.com/share/p/17Ggs3JjN8/
“A-23” - https://www.facebook.com/share/p/172eQ1tggv/
“A-24” - https://www.facebook.com/share/p/1FTc32A31N/
Exhibit “B” – Reply to Respondent’s Answer dated 06 October 2025 ⁷
Exhibit “C” – Manifestation dated 06 November 2025 ⁸

The Committee resolved to set the continuation of the adjudicatory hearing on the case on Wednesday, 26 November 2025, with notice to respondent Rep. Barzaga that he should personally appear, with or without counsel, with stern warning that failure to appear will result to a waiver of his right to cross examine the complainants and for the Committee to have its final determination under Sec. 41, Rule VII of the Committee Rules of Procedure.

Thereafter, the Chairperson issued an Order directing both parties and their respective counsels to be present in the continuation of the adjudicatory hearing set on 26 November 2025.

On 26 November 2025, the Committee continued its adjudicatory hearing on the case through a special meeting. Complainant Reps. Rolando M. Valeriano, Niko Raul S. Daza, Antolin A. Oreta III and their counsels Attys. Joter Lobo and Nathan J. Marasigan, and the respondent Rep. Barzaga and his counsel Atty. Reina Villa, were present. The Committee approved the prayer of the Manifestation and Motion of the complainants to limit the number of their witnesses to be presented for cross-examination by the respondent to Reps. Niko Raul Daza and Rolando Valeriano.

The complainants presented each of the 24 subject social media posts alleged in the complaint, and explained to which particular causes of action each post pertain. Respondent Rep. Barzaga and his counsel conducted the cross-examination to witness Rep. Daza. However, since both respondent and his counsel have been conducting the cross-examination alternatively, upon motion by Rep. Diokno, duly seconded, the Committee decided that only the counsel of

⁷ See Annex “B”.

⁸ See Annex “C”.

Rep. Barzaga should conduct the cross-examination of Rep. Valeriano. The complainants waived their right to conduct re-direct examination and instead both parties were given their respective final statements. After which, Reps. Leila De Lima, Rep. Gil “Kabarangay” Acosta, JC M. Abalos, Bienvenido M. Abante Jr. and Janette Garin propounded clarificatory questions directly to respondent Rep. Barzaga. The Committee then terminated the formal/adjudicatory hearing.

After exhaustive deliberation on the matter and with the adjudicatory hearing having been terminated, upon a unanimous vote of all the members present, there being a quorum, the Committee has concluded that a violation of law, rule or regulation of the House relating to the conduct of the House Member within the jurisdiction of the Committee has occurred. The Committee found that there is substantial evidence and that the violation has been proven warranting imposition of one of the disciplinary actions listed in paragraph (b) of Sec. 52 pursuant to Sec. 41, VII of the Committee Rules.

On 1 December 2025, the Committee, in executive session, unanimously approved the draft Committee Report containing its exhaustive report on the deliberations conducted, its findings and conclusions on the arguments raised by both parties and its recommendations to the House of Representatives, with amendments, subject to form and style.

II. ISSUE

The sole issue to be resolved is whether or not Rep. Francisco “Kiko” A. Barzaga committed any acts of misconduct that constitutes disorderly behavior which may reflect upon the House of Representatives when he posted, retained and failed to remove, the subject social media posts in his Facebook accounts.

III. DISCUSSION ON FINDINGS

The Committee is bereft of jurisdiction to determine criminal culpability under Art. 142 of the Revised Penal Code (Inciting to Sedition)

“Art. 142. Inciting to sedition. – The penalty of prison correctional in its maximum period and a fine not exceeding 2,000 pesos shall be imposed upon any person who, without taking any direct part in the crime of sedition, should incite others to the accomplishment of any of the acts which constitute sedition, by means of speeches, proclamations, writings, emblems, cartoons, banners, or other representations tending to the same end.”

In their complaint, complainants admitted that while they are not filing a criminal complaint, the sedition-like character of subject social media posts invites dissatisfaction and arguably stokes violence and uprising, weakens the confidence of the public in lawful authorities, and aggravates the misconduct complained of. Such posts contain scurrilous libels against the government and may incite disaffection of the public and erode loyalty to lawful authorities. Additionally, the language used equates the government to authoritarianism or dictatorship, which can undermine public confidence.

For his part, the respondent argued that Art. 142 do not constitute seditious behavior, nor do they evince any intent to undermine lawful authority. On the contrary, respondent stated that the posts were made in good faith and in the legitimate exercise of his duty as a public official being a legislator to promote transparency, accountability, and civic awareness. He added that far from inciting discontent, the posts actually encouraged informed discourse and responsible citizenship.

The Committee resolves not to belabor discussion on this matter since the Committee, being an administrative body, is bereft of jurisdiction to determine possible criminal culpability, if any, of the respondent on the statements posted in his social media accounts. Allegations of inciting to sedition should be proven beyond reasonable doubt in an appropriate judicial proceeding. Nonetheless, this Committee is firm that while the acts alleged may be denominated as criminal offenses, the Committee is not divested of its duty under the Constitution and the Rules of the House of Representatives to recommend disciplinary action if the acts likewise constitute misconduct, disorderly behavior, or violation of the House

Rules. This is especially true if the misconduct reflects upon the dignity, integrity and reputation of the House of Representatives.

The House of Representatives has the Power to Discipline its Members

The Constitution provides the power of the House of Representatives to punish its Members for disorderly behavior, and other contempts of its authority, as well as the power to suspend or expel a Member for any cause which renders a Member unfit to continue to occupy one of its seats. Section 16 (3) Article VI of the 1987 Constitution provides:

“(3) Each House may determine the rules of proceedings, punish its Members for disorderly behavior, and with the concurrence of two-thirds of all its Members, suspend or expel a Member. A penalty of suspension, when imposed, shall not exceed sixty days.”

The power to discipline is a power of protection and the legislative house is given the power to protect itself by the punishment of Member who “may be physically, mentally, or morally wholly unfit; he may be affected with a contagious disease, or insane, or noisy, violent and disorderly, or in the habit of using profane, obscene, and abusive language.”⁹

Sections 141 and 142 of Rule XX (Code of Conduct) of the Rules of the House of Representatives in the 20th Congress implement this legislative power of discipline. While there are express constitutional limitations on the power to discipline, namely: (1) the only ground under which the House may discipline a member is “for disorderly behavior”; (2) the House may impose the penalty of suspension or expulsion only with the concurrence of two-thirds of all its members; and (3) the penalty of suspension, when imposed, shall not exceed the period of sixty (60) days, these limitations refer to the manner of exercise of the

⁹ Cooley’s, A Treatise on Constitutional Limitations, page 271, cited in Hector De Leon, Philippine Constitutional Law, 1991 ed., p.53; Isagani Cruz, Philippine Political Law, 1994 ed., p. 197).

power to discipline. There is no qualification in the constitutional legislative power to discipline that disorderly behavior must be related to official conduct or must be committed within the halls of Congress or in pursuance of legislative functions or in the course of legislative proceedings or activities.

The House of Representatives is the Sole Judge of What Constitutes Disorderly Behavior

It is settled that the House of Representatives is the sole judge of what constitutes disorderly behavior, not only because the Constitution has conferred jurisdiction upon it, but also because the matter depends mainly on factual circumstances of which the House is in better position to determine and for which cannot be depicted in black and white for presentation to, and adjudication by the Courts.¹⁰ What constitute disorderly behavior as a ground for disciplinary action is concededly beyond the reach of courts.¹¹

While the Constitution is not explicit as to what constitutes “disorderly behavior”, jurisprudence dictates that the same is left at the sound discretion of the legislative body. In the case of *Osmena v. Pendatun*,¹² the High Court ruled that while parliamentary immunity “guarantees the legislator complete freedom of expression without fear of being made responsible in criminal or civil actions before the courts or any other forum outside the Congressional Hall, however it does not protect him from responsibility before the legislative body itself whenever his words and conduct are considered by the latter disorderly or unbecoming a member thereof.”

Respondent violated Sec. 141(a), Rule XX (Code of Conduct) of the Rules of the House of Representatives

¹⁰ *Osmeña Jr. v. Pendatun*, 109 Philippine Reports 863

¹¹ Bernas, *The Constitution of the Philippines: A Commentary*, Vol. II, 1998 ed., p. 116; Isagani Cruz, *Philippine Political Law*, 1994 ed., p., 197; Hector Del eon, *Phil. Constitutional Law*, 1991 ed., p.56

¹² *Supra* at 11.

Complainants alleged that respondent’s act of posting disparaging content against the government and its institutions in a public sphere brings disrepute not only upon respondent himself but also to the entire institution. Complainants alleged the offensive posts constitute public misconduct, not private speech, because these were made through his official social media Facebook pages and that the subject posts drag the House in disrepute, tarnish the institution’s reputation, and undermine public trust. His continued publication of lewd and inflammatory content under the social media Facebook account “Congressman Kiko Barzaga” is a continuing ethical breach.

Respondent, on the other hand, alleged that Section 141, Rule XX of the House Rules provides a general ethical guideline, and is inherently subjective and must be interpreted in light of the constitutional guarantee of free speech under the Article II, Section 4 of the 1987 Constitution. He argued that the posts are part of legitimate exercise of a legislator’s oversight and representative functions. He added that there is no indication that the statements made online were made with malice, nor is there evidence that they were false or made with reckless disregard for the truth. Mere criticism of government, or its institutions, even if harsh, does not automatically equate to conduct that “reflects discredit” on the House, absent clear proof of bad faith or intent to undermine the institution.

Respondent repeatedly raised that the subject social media posts are made in the exercise of his right to free speech and constitute expressions of opinion on matters of public concern. Freedom of speech and expression is not absolute and cannot be invoked in a proceeding before the Committee on Ethics and Privileges whose jurisdiction is to scrutinize a member’s conduct especially so that the tool being used is by the nature of cyber communications like social media post in Facebook which has particularity on its speedy and wide-scale character. It is not a license to harm or defame others or to violate other rights. If every Member would invoke their right to free speech in every instance where an improper conduct is being investigated, there would be no instance when a Member can ever be held accountable or liable. Although Members of the House

of Representatives are given a wide latitude in expressing their views on matters of public concern, they remain responsible to the House whenever they go beyond the threshold of conduct that is befitting for a congressman. Intemperate, distasteful and incendiary language or conduct, even those uttered or committed outside the halls of the Congress that tend to reflect discredit on the House and undermine its integrity are subject to the disciplinary authority of the Committee and the House of Representatives.

Sec. 141 (a), Rule XX of the Rules of the House of Representatives provides:

“Section 141. Code of Conduct. – There is hereby established in the House the following Code of Conduct:

(a) A Member shall act at all times in a manner that shall reflect creditably on the House.”

x x x”

Sec. 141 (a), Rule XX of the Rules of the House of Representatives obliges each Member of the House of Representatives to act in a certain manner that conveys the honor and the dignity of the institution. This ethical guideline directs Members to conduct themselves with due regard to the respect and authority given to the House of Representatives as a body of esteemed representatives of the people. The inclusion of the phrase “at all times” signify that the conduct should not only pertain to a Member’s public life but also to his private life.

At the outset, it should be noted that the respondent in his Answer¹³ did not deny ownership of the subject social media posts. In his testimony, while he denied having exclusive control over the Facebook accounts “Congressman Kiko Barzaga” and “Kiko Barzaga”, he disclosed and affirmed that the subject social

¹³ See Annex “D”.

media content were posted and published by his Page Editor under his instruction and approval.¹⁴

REP. DE LIMA. That, Mr. Respondent, you maintain these social media accounts under your name.

REP. BARZAGA. Yeah.

REP. DE LIMA. You're not disputing any of these? Under your name?

REP. BARZAGA. Yes, these are all mine.

REP. DE LIMA. These are all your posts?

REP. BARZAGA. Yup.

REP. DE LIMA. Some of your posts, Mr. Respondent, is under the name “Congressman Kiko Barzaga” and some under “Kiko Barzaga” only. Is that correct?

REP. BARZAGA. The one under “Congressman Kiko Barzaga” is a personal profile, while the one under Kiko Bar...under “Kiko Barzaga” without the “Congressman”...

REP. DE LIMA. Just answer the question. Some of your posts are under the name “Congressman Kiko Barzaga.” Is that correct? Yes or no?

REP. BARZAGA. Yes.

REP. DE LIMA. And some are under the name “Kiko Barzaga.” Is that correct?

REP. BARZAGA. Yes.

REP. DE LIMA. And as owner of these accounts, Mr. Respondent, do you confirm that you have exclusive or primary control over these accounts? Correct?

REP. BARZAGA. No.

REP. DE LIMA. Because these are your accounts.

REP. BARZAGA. No.

REP. DE LIMA. What do you mean?

¹⁴ Pages 46-47, 51 -52 Transcript of Meeting of the Committee on Ethics and Privileges, November 26, 2025

*REP. BARZAGA. While the accounts may be mine, the...all forms
of...all social media under Meta is still under the control of Meta itself.*

*REP. DE LIMA. No. I mean, when you post something, that is under
your own control, correct? Because that is your post under your name,
either as Congressman Kiko Barzaga or Kiko Barzaga. Yes or no?*

REP. BARZAGA. Each post requires verification by Meta itself.

THE CHAIRPERSON. Respondent...

REP. BARZAGA. ...in order to...

*THE CHAIRPERSON. ...please answer the query of Representative
De Lima. It's a “yes” or “no” question, Mr. Respondent.*

REP. BARZAGA. No.

*REP. DE LIMA. Not under your control? Your own posts? When you
just confirmed your posts by trying to explain them earlier when you
were the ones being questioned under cross examination, when you
were questioning, actually, cross examining the complainant. And
based on your questioning of the complainants, you are, in effect,
confirming your own posts. Is that correct? So, that means those posts
were under your own control because these are precisely your posts.*

THE CHAIRPERSON. Representative Barzaga, you're recognized.

*REP. BARZAGA. May I explain how the...Okay. So, firstly, once
I...once an individual makes a post, it also goes through the system of
Meta, which is the owner of the...of Facebook, the social media in
which the posts are made. Facebook has things such as content
verification, and it has scanning for copyrights. So, while those posts
may be mine, complete control is still ultimately under the company of
the social me...of the owner of the social media site, Facebook, which
is Meta.*

REP. DE LIMA. But these were posts under your accounts, yes or no?

REP. BARZAGA. Yes.

*REP. ACOSTA. Just a quick questions, Mr. Chair, relative to the line
of question of the Honorable De Lima.*

*Based on the complaint, there was an allegation of the 28, 26 posts,
Mr. Chair. But in your answer, there was no denial on whether or not
you were the one who posted these posts, Mr. Chairman.*

So, my question would be to the respondent or through counsel on whether or not, do you confirm and affirm that the posts that were presented as Exhibits 1 to 24 were made personally by my distinguished colleague?

THE CHAIRPERSON. Respondent.

REP. BARZAGA. No, I deny that.

REP. ACOSTA. So, Mr. Chair, there is a denial, na hindi ikaw iyong nag-post noong mga binabanggit noong complainant?

THE CHAIRPERSON. Respondent.

REP. BARZAGA. Yes, I'm not the one who personally posted those.

REP. ACOSTA. So, sino po kung hindi kayo? Sino ang nag-post?

REP. BARZAGA. It was my page editor under my instructions.

REP. ACOSTA. Under your instructions, Honorable Barzaga to 26, 24? That's all, Mr. Chair.

THE CHAIRPERSON. Thank you very much, Representative Acosta.

Respondent likewise confirmed that save in instances of miscommunication between him and his staff, all of the social media content he posts is with his consent.¹⁵

THE CHAIRPERSON. Is it a yes or a no, respondent? Is it a yes or a no? Do you have exclusive control over the aforementioned Facebook accounts? Just a yes or a no, respondent?

REP. BARZAGA. No.

THE CHAIRPERSON. You do not.

Counsel, do you share the same opinion? You made an oath. You are under oath to tell the truth, the whole truth, and nothing but the truth. Would you like to...

MS. VILLA-GURO. Just like what he said earlier, it's still under META. While he owns the page and the account, but still the posts are subject to...

¹⁵ Pages 53-54, Transcript of Meeting of the Committee on Ethics and Privileges, November 26, 2025

THE CHAIRPERSON. The creation of the contents of those posts, are they under the control, exclusive control...

MS. VILLA-GURO. I think he already answered that when he was questioned by Honorable Acosta.

THE CHAIRPERSON. So, you maintain that the answer is in the negative. You do not have control over the contents and materials published in the aforementioned Facebook accounts.

MS. VILLA-GURO. He already answered that the posts are made under his instruction.

THE CHAIRPERSON. Under his instruction.

MS. VILLA-GURO. Yes.

THE CHAIRPERSON. For the record, yes.

All the posts are made under the instruction and with the consent of the respondent. Is that correct?

REP. BARZAGA. Could you repeat the question?

THE CHAIRPERSON. Are all contents in Facebook pages Kiko Barzaga and Congressman Kiko Barzaga made under the instruction and approval of you? Under your instruction and approval. All of those contents.

REP. BARZAGA. Are all... explicitly all contents?

THE CHAIRPERSON. Yes. All activities of those aforementioned Facebook pages are done with your approval and your consent.

REP. BARZAGA. Well, outside of instances where there is miscommunication between me and my staff on what posting is, they generally are under my consent.

THE CHAIRPERSON. Okay. Thank you.

With these, the Committee considered the respondent to have a direct involvement and participation in posting and publishing these photos and content. Consequently, the Committee had to look each of the subject social media post alleged in the complaint to determine whether or not, in posting these content, respondent Rep. Barzaga committed any acts of misconduct or unparliamentary conduct which may reflect upon the House of Representatives or to the discredit of the same.

We find basis in the allegations of the complainants.

The Committee finds the subject social media posts of respondent to be inflammatory and with a tendency to unjustifiably incite public distrust with the government and the House of Representatives. Specifically, the Committee finds the following social media posts to be violative of Sec. 141(a), Rule XX of the Rules of the House of Representatives:

Exhibit “A-2” – *“I don’t have the numbers in Congress sabi ni Sandro Marcos, we will show you the numbers on September 21, 2025! #PhilippinesVsRomualdez”*

Exhibit “A-3” – *“Naiintindihan kong galit kayo, pero kung susunugin niyo ang Kongreso bigyan mo sana kami ng oras para ievacuate yung mga workers at important documents doon”*

Exhibit “A-4” – *“Laki ng sunog sa Maynila kagabi, baka pag inimestigahan natin yan malalaman nating ninakawan rin ng mga Kongressman ang ating mga Bumbero”*

Exhibit “A-5” – *“Please lang wag niyo na awayin si BBM [cat emoticons]. Hindi niya kasalanan yun sumusunod lang naman sya sa utos ni Romualdez [cat emoticons]”*

Exhibit “A-6” – *“Oo BBMSARA Uniteam ako dati, malay ko ba na si Martin Romualdez ang uupong Presidente #PhilippinesVsRomualdez”*

Exhibit “A-9” – *“Wag niyo sunugin ang House of Representatives bukas may privilege speech pa ko sa Lunes [emoticons]”*

Exhibit “A-11” – *Quoted statement of Vince Dizon, DPWH Secretary: Kilala ko si Speaker Romualdez, matagal na. Pero hindi ko masasabi na close friend ko sya.”
Statement of respondent “Oo nga pala bago ka palang sa DPWH. Lakihan ko kickback naming mga Congressman para maging close kayo ni Romualdez nyahahaha”*

Exhibit “A-14” – *“Hindi ako yung Congressman na nanonood ng online sabong sa SONA”*

The subject posts are not mere criticisms of the government but reckless, unsubstantiated, offensive, general insinuations against public institutions and public officials that undermine people’s confidence in the government. The respondent argued that elected officials should be given wide latitude in expressing their views, even if critical of government policies. Political criticism, if made without basis, is simply heckling. In this case, respondent’s conduct and remarks in his posts are not harsh criticisms against the government but were made with malice, tending to insult and tarnish the image of the House of Representatives as an institution. We do not find respondent’s blatant use of language suggestive of violence, public disorder and turmoil to be the sensible and intelligent political expressions one would expect from an elected legislator. The subject social media Facebook posts do not only suggest expressions of dissatisfaction to the government but allusions promoting discord and tension among government institutions and leaders. This Committee shall not tolerate conduct that unjustifiably seeks to damage the reputation of the institution and undermine public confidence to government authorities in the guise of “political expression”. Expressions that include demeaning, derogatory and denigrating language are not the kind of robust public discourse the House of Representatives should encourage among its ranks. Hence, the Committee finds that the respondent had acted in a manner that tarnishes and damages the integrity of the House of Representatives and reflects negatively on the House members themselves contrary to Sec. 141 (a) of the Rules of the House of Representatives. A Member of the House should always adhere to the Code of Conduct in the House of Representatives since this was adopted by the House Members themselves.

When a representative assumes upon his office, the representatives swore to faithfully discharge to the best abilities the duties of an elected representative and of all others that the representative may hereafter hold. A significant part of these duties is to uphold the Rules of the House of Representatives. The

Committee finds that the respondent failed to discharge this sworn duty not only to the institution but also the constituency that elected him to office.

Respondent violated Section 4(c) of RA No. 6713 and committed acts unbecoming of a Member of the House of Representatives

Complainants alleged that some of the subject social media posts exhibit obscene and inappropriate language, undermining public trust. Likewise, complainants alleged that respondent violated norms of behavior for public officials by acting contrary to good morals, public order, and public interest. During the adjudicatory hearing, complainants likewise pointed to the statement issued by the Philippine Commission on Women condemning the actions of the respondent, which constitute a direct affront to the honor and dignity of women and a gross violation of Filipino people’s trust.

Section 4 of RA No. 6713 mandates every public official to observe professionalism, justness and sincerity, nationalism and patriotism and commitment to democracy.

Section 4 (c) of RA No. 6713 provides:

“Sec. 4. Norms of Conduct of Public Officials and Employees. (A) Every public official and employee shall observe the following as **standards of personal conduct in the discharge and execution of official duties:**

(a) xxx

(b) xxx

(c) **Justness and sincerity. — Public officials and employees shall remain true to the people at all times.** They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. **They shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest.** xxx
(emphasis supplied)

xxx”

We have held that each Member of the House of Representatives must not only be guided by the Code of Conduct of the House of Representatives but also by the norms of conduct enunciated under Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees. Members of Congress are, after all, public officials and should be held to the same standards of conduct as any public servant. In fact, Members of Congress should be even held to a higher standard of conduct because they are elected and represent a constituency.

The respondent, as a public official and an elected representative, should be more circumspect in the use of social media posts especially so when the account carries or bears his congressional title. In communicating and socializing through social media networks, respondent should bear in mind that what he communicates – regardless of whether it is a personal matter or part of his legislative duties – it creates and contributes to the people’s opinion not just for himself but of the entire House of Representatives. This is especially true when the posts are viewable not only by his family and close friends, but by acquaintances and the general public. When the respondent made, and continue to make, inflammatory posts in social media using his congressional title, he is not only representing his name and reputation, but also the name and reputation of the institution he is connected or associated with. Thus, when respondent showed these posts for public consumption, respondent placed himself in a situation where he and the status he holds as a House Member, may be the object of the public’s criticism, ridicule and mockery.

As a Representative, he is expected to purport himself as a leader and a role model. A Representative should carry himself or herself with the authority and the dignity of the position he assumed. A Representative’s language and conduct within and without the halls of Congress should carry the weight and significance of one who has been selected, among many, to represent the best interests of the constituency. The Constitution could not have made it more explicit when it states in Section 1, Article XI, that “**public office is a public trust. Public officers and employees must, at all times, be accountable to the**

people, serve them with utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and justice, and lead modest lives.” We have stated that an elected official is burdened with these considerable obligations because the position carries the distinction in society. Public service requires no less.

The Committee finds the respondent to have breached the standards of propriety, professionalism and decency when he permitted to retain posts showing lewd content, degrading views towards women and ostentatious display of wealth in his Facebook page. Specifically, the Committee finds respondent to have violated the tenets of justness, sincerity, good morals and good customs enunciated in Section 4(c) of RA No. 6713 by posting the following in his social media accounts:

Exhibit “A-7” – *“Protests planned all over Luzon, Visayas, and
Mindanao! We will bring an end to this corrupt government!”*

Exhibit “A-8” – *“Pwede ba ako magdala ng mga airsoft sa protesta
bukas o makukulong kami? Kasi may mga baril, batuta, at riot
shield sila edi kawawa naman tayo”*

Exhibit “A-10” – *Quoted statement of Jonvic Remulla, DILG
Secretary: If there’s something (Pres. Marcos) is serious
about, it is ending this cycle of corruption in the government.
Tatapusin nya talaga”. Statement of respondent: “Tatlong taon
na ang binigay namin sa kanya, lumala lang ang korapsyon.
Pero sige go lang, malay mo late game hero si Marcos”*

Exhibit “A-12” – *“Inosente raw si DOJ Remulla... Teka lang, bat pa
ba tayo may Department of Justice, eh wala naming hustisya
dito!”*

Exhibit “A-13” – *“Why only Romualdez? Because he is the most
powerful man in our country. If we can bring justice upon him,
then any politician is fair game.”*

Exhibit “A-15” – *“DPWH, di niyo na ko kailangang bigyan ng
kickback sa mga government projects, catfood at eabab lang
masaya na ko [cat emoticons]”*

Exhibit “A-16” to “A-24” – photos of scantily clad women,
respondent holding wads of cash, and some inappropriate
comments about women

We agree with complainants that these are not the conduct expected of a legislator. In addition, the Committee finds respondent’s act of retaining the inappropriate posts, which admittedly were posted prior to his assumption to office in Congress, evinces deliberate and willful disregard of the institution’s high standards of decorum and professionalism. As a legislator, he accepted the standards of conduct when he took oath of his office as Member of the House of Representatives.

The respondent cannot invoke his right to privacy as the social media posts are made public, and are publicly accessible. The posts were made “shareable” and had been, in fact, shared multiple times. Following the principle in *Vivares and Spouses Suzara vs. St. Theresa’s College, et. al.*¹⁶ the respondent does not have a reasonable expectation of privacy for the subject social media posts because he has not manifested his intention to keep the posts private or limited in visibility, through the utilization of the social media platform’s privacy tools. The fact that the subject social media posts were viewable by the public at the time the complaint was filed with the Committee shows respondent’s intent not to limit the subject social media posts’ visibility and accessibility. Hence, respondent Rep. Barzaga cannot invoke his right to informational privacy.

In communicating and socializing through social media, legislators particularly House Members must bear in mind that what they communicate – regardless of whether it is a personal matter or part of his or her legislative duties – creates and contributes to the people’s opinion not just of the House Member but of the entire House of Representatives of which he or she is a part. This is especially true when the posts of a House Member are viewable not only by his or her family and close acquaintances, but also of the general public.

¹⁶ G.R. No. 202666, September 29, 2014

In determining whether the social media posts made by Rep. Barzaga constitute disorderly behavior, this Committee had to look into whether (1) these social media posts reflect positively on the image of the House of Representatives and its Members, (2) the statements reflect the dignity of his office as a representative of the people and his constituents in Cavite and, (3) the statements and social media posts reflect the values of the House of Representatives as an institution. This Committee likewise took note of the position of the Philippine Commission on Women condemning the scandalous behavior of the respondent and his disrespect of women’s dignity. Unfortunately, based on these standards of conduct, the Committee finds the social media posts in Facebook made by Rep. Barzaga to be inappropriate and unbecoming of a House Member. Respondent’s reckless, offensive and irresponsible use of his social media platform tarnishes the name, the integrity and the reputation of the House of Representatives. His deliberate choice to retain certain lewd, unprofessional and inappropriate photos clearly shows bad faith. Respondent’s conduct simply does not reflect the kind of principles and ideals the public expects of a public official particularly a member of the House of Representatives.

IV. CONCLUSION

After a thorough deliberation on the case, the Committee finds that the actions of Rep. Barzaga (1) in posting incendiary social media content through his Facebook accounts, and (2) in retaining, and failing to remove, publicly viewable inappropriate and indecent photos, to be unparliamentary and unbecoming of a House Member. Taken in their entirety, the actions of Rep. Barzaga bring contempt, discredit and disrepute to the name of the House of Representatives. His actions reflected negatively upon the dignity, integrity, and reputation of the House of Representatives as an institution and of the Members of the House, individually and collectively.

V. RECOMMENDATIONS

Consequently, the Committee finds respondent Representative Francisco “Kiko” A. Barzaga of the 4th District of Cavite guilty of disorderly behavior by violating Section 141 (a), Rule XX of the Rules of the House of Representatives, Section 4(c) of RA No. 6713 or the “Code of Conduct and Ethical Standards for Public Officials and Employees” and by engaging in conduct unbecoming of a Member of the House, and recommends the imposition of the penalty of sixty (60) days suspension from office without the benefit of salaries and allowances during the period of suspension, with a stern warning that a repetition of similar misconduct will result to a more severe disciplinary action. In addition, the Committee recommends that the respondent Representative Barzaga be directed to remove all twenty-four (24) social media posts subject of this case within twenty-four (24) hours from adoption of this Report in plenary.

Let this be a reminder to all the Members of the House of Representatives that as trustees of the people, we are expected to conduct ourselves in a manner that would reflect the dignity of our position in society and in public service. Let us be more circumspect in our acts and words and be mindful of the high standards of propriety required of us as legislators.

Adopted, 1 December 2025.

*Committee Case No. SC-2025-03 entitled
“Rep. Ronaldo V. Puno, et. al. vs. Rep.
Francisco “Kiko” A. Barzaga of the
Fourth District of Cavite”*

Copy furnished:

Rep. Ronaldo V. Puno
Rep. Jeffrey P. Ferrer
Rep. Rolando M. Valeriano
Rep. Brian S. Yamsuan
Rep. Niko Raul S. Daza
Rep. Christopher Sheen P. Gonzales
Rep. Augustina Dominique C. Pancho
Rep. John Geesnell L. Yap II
Rep. Rosalie A. Salvame
Rep. Alexandria P. Gonzales
Rep. Antonio A. Ferrer
Rep. Sun J. Shimura
Rep. Alfredo D. Marañon III
Rep. Lorenz R. Defensor
Rep. Dimszar M. Sali
Rep. Miguel Luis R. Villafuerte
Rep. Vincenzo Renato Luigi R. Villafuerte
Rep. Franz S. Pumaren
Rep. Karen Hope Flores-Garcia
Rep. Maria Angela S. Garcia
Rep. Antolin A. Oreta III
Rep. Carlos A. Loria
Rep. Crispin Diego Remulla
Rep. Romeo M. Acop
Rep. Alfelito M. Bascug
Rep. Jerry Evangelista Perez
Rep. Adrian Jay C. Advincula
Rep. Eddiebong G. Plaza
Rep. Jennifer “Karen” A. Lagbas

Complainants

*Address: Rm. 219, South Wing Bldg.,
House of Representatives, Batasan Hills, Quezon City*

Rep. Francisco “Kiko” A. Barzaga

Respondent

*Address: Room 402, Ramon V. Mitra Bldg.,
House of Representatives
Batasan Hills, Quezon City*

Exh. "A"
for the
Complainant



25 pages
29 complainants

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
House Committee on Ethics and Privileges
Quezon City

HON. RONALDO V. PUNO, HON.
JEFFREY P. FERRER, HON.
ROLANDO M. VALERIANO,
HON. BRIAN S. YAMSUAN, HON.
NIKO RAUL S. DAZA, HON.
CHRISTOPHER SHEEN P.
GONZALES, HON. AUGUSTINA
DOMINIQUE C. PANCHO, HON.
JOHN GEESNELL L. YAP II, HON.
ROSALIE A. SALVAME, HON.
ALEXANDRIA P. GONZALES,
HON. ANTONIO A. FERRER,
HON. SUN J. SHIMURA, HON.
ALFREDO D. MARAÑON III,
HON. LORENZ R. DEFENSOR,
HON. DIMSZAR M. SALI, HON.
MIGUEL LUIS R. VILLAFUERTE,
HON. VINCENZO RENATO
LUIGI R. VILLAFUERTE, HON.
FRANZ S. PUMAREN, HON.
KAREN HOPE FLORES-GARCIA,
HON. MARIA ANGELA S.
GARCIA, HON. ANTOLIN
A. ORETA III, HON. CARLOS A.
LORIA, HON. CRISPIN DIEGO
REMULLA, HON. ROMEO M.
ACOP, HON. ALFELITO M.
BASCUG, HON. JERRY
EVANGELISTA PEREZ,

HON. ADRIAN JAY C.
ADVINCULA, HON. EDDIEBONG
G. PLAZA, and HON. JENNIFER
"KAREN" A. LAGBAS,

Complainants,

-versus-

Case No. SC-2025-03
For: Violation of the House
Code of Conduct

HON. FRANCISCO A. BARZAGA,
Respondent.

x-----x

VERIFIED COMPLAINT

COMPLAINANTS, unto this Honorable Office, most respectfully states that:

PREFATORY STATEMENT

The House of Representatives occupies a position of unique constitutional significance in our democratic system, serving as the institution most directly representative of the Filipino people. Throughout our nation's history, the House has maintained its standing as a deliberative body worthy of public respect through the adherence of its Members to established standards of conduct that reflect the gravity and importance of their responsibilities.

The conduct forming the basis of this complaint represents a brazen assault on these standards and the institutional dignity they protect. When a Member deliberately engages in inflammatory rhetoric using language that would embarrass a street corner demagogue, he commits nothing less than a calculated betrayal of the institutional integrity that generations of legislators have worked to preserve.

Such misconduct is not merely a technical violation, it constitutes a willful degradation of standards that have long distinguished the House as a forum worthy of public respect. Respondent's pattern of behavior demonstrates fundamental contempt for the very institution that provides him with his platform and authority, inflicting

irreparable harm upon the legislative branch and the democratic system it represents.

The Committee on Ethics and Privileges exists precisely to address such situations and ensure that institutional dignity remains inviolate. This complaint seeks to protect the honor of the House by addressing conduct that threatens to compromise the standards the Filipino people rightfully expect from their elected representatives.

When a Member reduces himself to the level of a social media provocateur, abandoning all pretense of dignity his position demands, swift and decisive action becomes necessary to protect the institution from further degradation.

I. NATURE OF THE ACTION

This is a complaint for violation of the **Code of Conduct of the Rules of the House of Representatives (the "House Rules")** and **Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees (RA No. 6713)** filed against Respondent for his conduct that reflects discredibly on the House and violates established norms of conduct for public officials.

II. PARTIES

1. **Complainants** are duly elected and qualified members of the House of Representatives, representing their respective legislative districts and are members of the National Unity Party with office addresses at Room 219, South Wing Building, House of Representatives, Batasan Hills, Quezon City, where he may be served with notices and other legal processes.

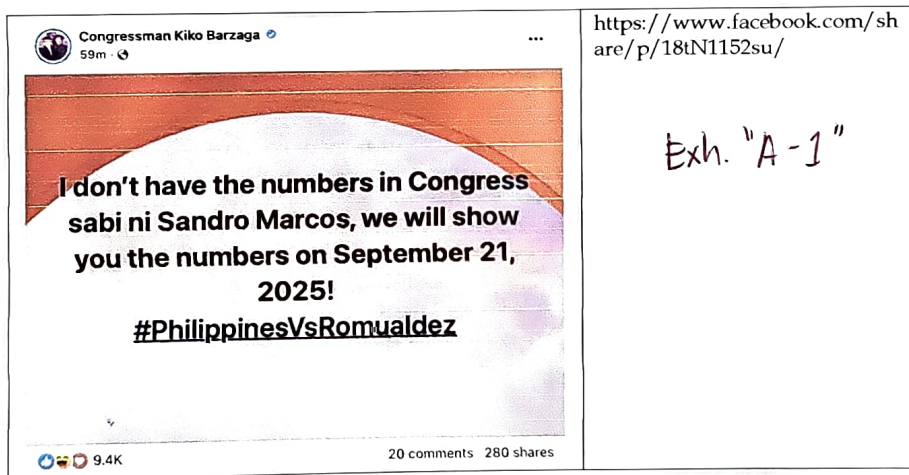
2. **Respondent FRANCISCO A. BARZAGA** is likewise a Member of the House of Representatives, duly elected and qualified, representing the Fourth District of Cavite, with office address at the Room 402, Ramon V Mitra Building, House of Representatives, Batasan Hills, Quezon City, where he may be served with notices and other legal processes.


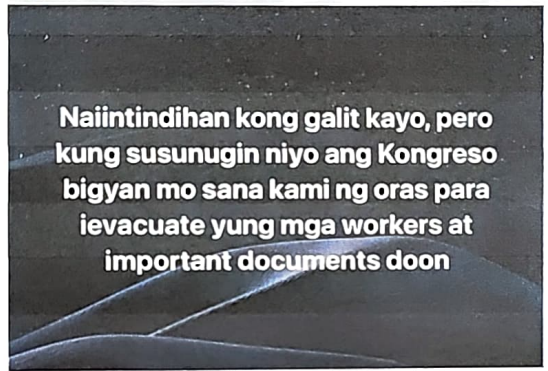
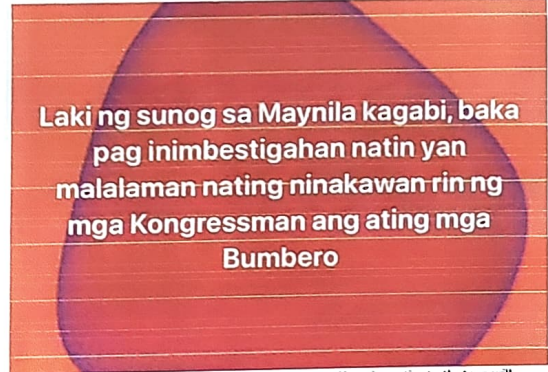
III.
STATEMENT OF FACTS

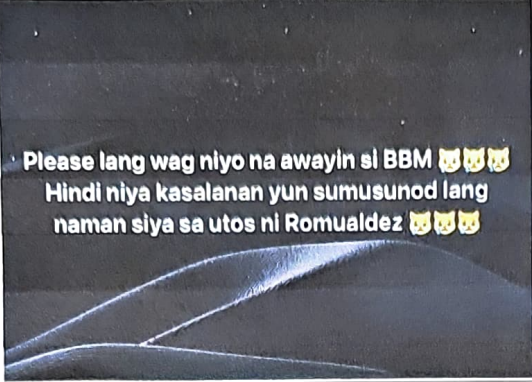
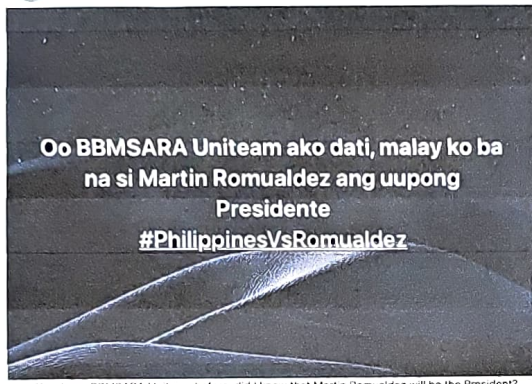
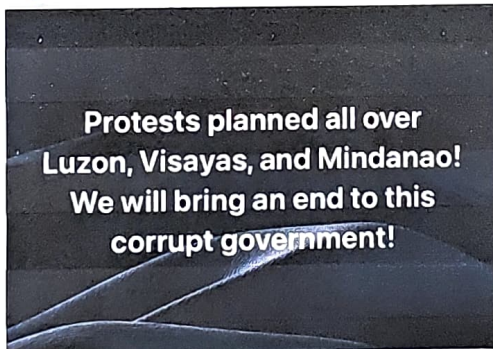
3. Respondent is an incumbent Member of the House of Representatives who assumed office on June 2025.

4. On September 11 and 12, 2025, and continuing to the present, Respondent has engaged in conduct, through his official social media platforms, that violates established standards of conduct for Members of Congress. Specifically, Respondent has published posts and statements on his verified Facebook pages "Congressman Kiko Barzaga" (<https://www.facebook.com/kiko.barzaga>) and "KikoBarzagaOfficial" (<https://www.facebook.com/KikoBarzagaOfficial/>) containing scurrilous attacks against government institutions and officials, constituting conduct unbecoming of a Member of Congress.

5. These posts contain language and imagery that: (a) employ derogatory and inflammatory rhetoric against government institutions, (b) use vulgar and inappropriate language unbecoming a public official, (c) promote divisiveness and undermine public confidence in government, and (d) violate standards of decorum expected of Members of Congress, to wit:



<p>Kiko Barzaga 2h</p> <p>Congressman Barzaga's Statement on Senator Ping Lacson</p>  <p>8K likes · 671 comments · 863 shares</p>	<p>https://www.facebook.com/share/p/1JGgoX13DC/</p> <p>Exh. "A-2"</p>
<p>Congressman Kiko Barzaga 3h</p>  <p>I understand you're angry, but if you're going to burn the Congress, give us time to evacuate the workers and important documents there</p> <p>12K likes · 40 comments · 372 shares</p>	<p>https://www.facebook.com/share/p/19aAcBcTXo/</p> <p>Exh. "A-3"</p>
<p>Congressman Kiko Barzaga 22h</p>  <p>There was a big fire in Manila last night, maybe if we investigate that we will know that Congressmen also robbed our Firefighters</p> <p>13K likes · 56 comments · 359 shares</p>	<p>https://www.facebook.com/share/p/17PYzwDP63/</p> <p>Exh. "A-4"</p>

<p>Congressman Kiko Barzaga Yesterday at 12:31 PM</p>  <p>Please lang wag niyo na awayin si BBM 🐱🐱🐱 Hindi niya kasalanan yun sumusunod lang naman siya sa utos ni Romualdez 🐱🐱🐱</p>	<p>https://www.facebook.com/share/p/16bNRJcuMG/</p> <p>Exh. "A-5"</p>
<p>Congressman Kiko Barzaga September 12 at 8:47 PM</p>  <p>Oo BBMSARA Uniteam ako dati, malay ko ba na si Martin Romualdez ang uupong Presidente #PhilippinesVsRomualdez</p> <p><small>Yes, I was BBMSARA Uniteam before, did I know that Martin Romualdez will be the President? #PhilippinesVsRomualdez 👤 Hide original · Rate this translation</small></p>	<p>https://www.facebook.com/share/p/17PYzwDP63/</p> <p>Exh. "A-6"</p>
<p>Congressman Kiko Barzaga September 12 at 11:50 AM</p>  <p>Protests planned all over Luzon, Visayas, and Mindanao! We will bring an end to this corrupt government!</p> <p>211 🗨️ 7.8K 📌</p> <p>Share</p>	<p>https://www.facebook.com/share/p/173gAqeMHU/</p> <p>Exh. "A-7"</p>

Congressman Kiko Barzaga
September 12 at 9:37 PM

Pwede ba magdala ng mga airsoft sa protesta bukas o makukulong kami? Kasi may mga baril, batuta, at riot shield sila edi kawawa naman tayo

See translation

27K others 171 comments 650 shares

<https://www.facebook.com/shares/p/19stbbmhLT/>

Exh. "A-8"

Congressman Kiko Barzaga
September 12 at 5:26 PM

Wag niyo sunugin ang House of Representatives bukas may privilege speech pa ko sa Lunes 🐱🐱🐱

Don't burn the House of Representatives tomorrow I still have a privilege speech on Monday

Hide original Rate this translation

<https://www.facebook.com/shares/p/17N1rxqnKb/>

Exh. "A-9"

Kiko Barzaga
September 12 at 12:38 PM

Response to a comment made by DILG Remulla

Jonvic Remulla
DILG Secretary

2.7K comments 2.4K shares

<https://www.facebook.com/shares/p/1CcervRkMF>

Exh. "A-10"

Kiko Barzaga
September 12 at 11:42 AM

Response to a comment made by DPWH Vince Dizon

Speech bubble: "Kitala ko si Speaker Romualdez, matagal na. Pero hindi ko masasabi na close friend ka siya."

Text below cartoon: **Vince Dizon**
DPWH Secretary

Text below photo: "O nge pala, nage ka patani sa DPWH. Kakinan, ne. Magsabak namhi, mga Congressman para magting close kayarin Romualdez yan! Haha!"

13K likes, 687 comments, 1K shares

<https://www.facebook.com/share/p/19sjiE1mZr/>

Exh. "A-11"

Congressman Kiko Barzaga
September 12 at 6:03 PM

Inosente raw si DOJ Remulla... Teka lang, bat pa ba tayo may Department of Justice, eh wala namang hustisya dito!

DOJ Remulla is more innocent... Wait, why do we still have a Department of Justice, there is no justice here!

<https://www.facebook.com/share/p/19ayl5xyUN/>

Exh. "A-12"

Kiko Barzaga
September 11 at 9:13 PM

Congressman Barzaga's Statement on Martin Romualdez

Quote: "Why only Romualdez? Because he is the most powerful man in our country. If we can bring justice upon him, then any politician is fair game."

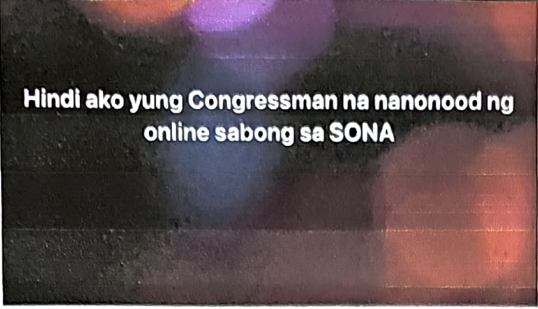
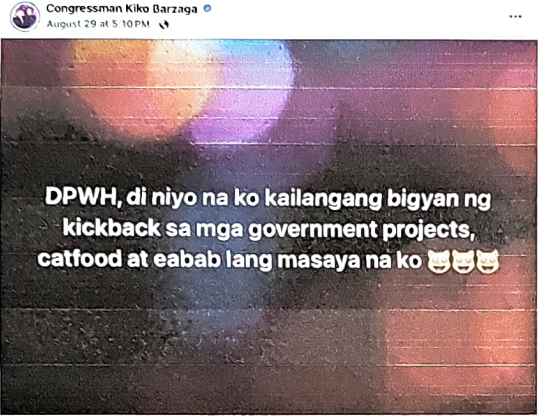
Kiko Barzaga
Congressman of the 4th District of Cavite

facebook.com/kiko.barzaga.official

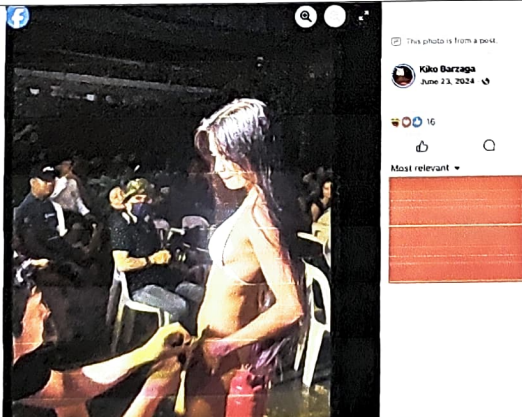
42K likes, 3.4K comments, 7.6K shares

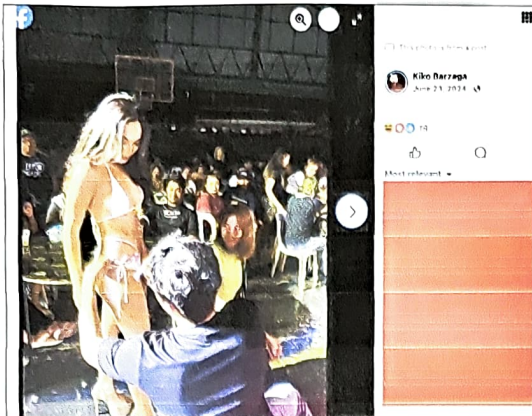
<https://www.facebook.com/share/p/1Apf1FrFv8/>

Exh. "A-13"

 <p>Hindi ako yung Congressman na nanonood ng online sabong sa SONA</p> <p>I am not the Congressman who watches online cockfight on SONA</p> <p>2.2K likes, 36 comments, 12 shares</p> <p>Most relevant</p> <p>Congressman Kiko Barzaga Vivamax pinanood ko doon</p>	<p>https://www.facebook.com/share/p/1VnXyzxpcu/</p> <p>Exh. "A-14"</p>
 <p>DPWH, di niyo na ko kailangang bigyan ng kickback sa mga government projects, catfood at eabab lang masaya na ko</p> <p>DPWH, you don't need to give me a kickback on government projects, just catfood and eabab I'm happy</p>	<p>https://www.facebook.com/share/p/17N1rxqnKb/</p> <p>Exh. "A-15"</p>

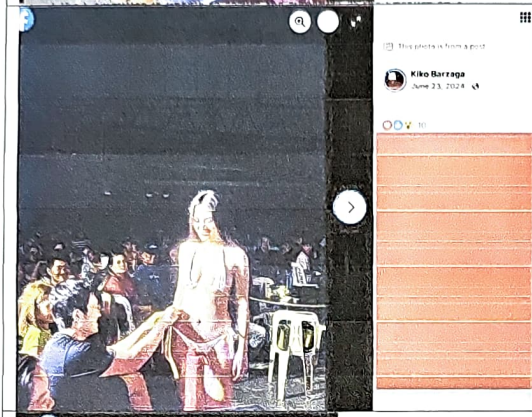
6. Even prior to assuming office, Respondent posted crude and considerably lewd pictures on his official Facebook page, which remain posted despite his election as District Representative. Screenshots of these inappropriate posts are reproduced below:

 <p>This photo is from a post.</p> <p>Kiko Barzaga June 23, 2024</p> <p>16 likes</p> <p>Most relevant</p>	<p>https://www.facebook.com/share/14F44P5RHgN/</p> <p>Exh. "A-16"</p>
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<https://www.facebook.com/share/14F44P5RHgN/>

Exh. "A-17"



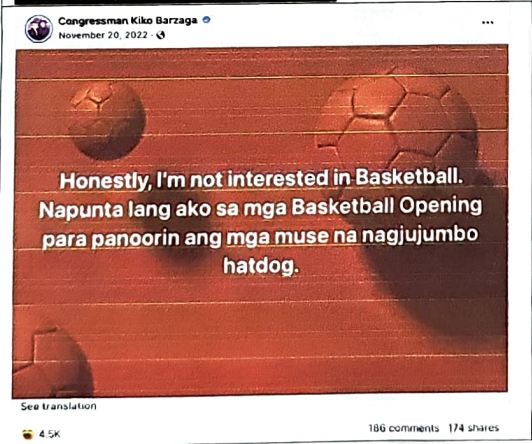
<https://www.facebook.com/share/1CeaEu5CJD/>

Exh. "A-18"



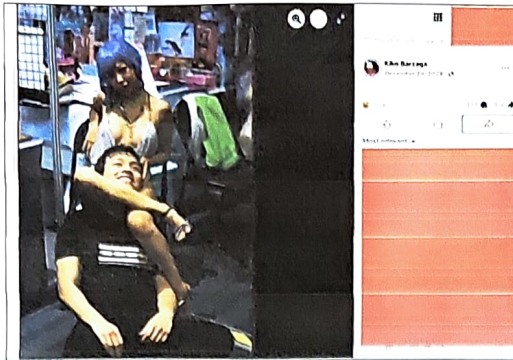
<https://www.facebook.com/share/1A0nlt4HEg/>

Exh. "A-19"



<https://www.facebook.com/share/p/17FPFbEX53/>

Exh. "A-20"



<https://www.facebook.com/share/17HEmoSoa6/>

Exh. "A-21"



<https://www.facebook.com/share/p/17Ggs3JjN8/>

Exh. "A-22"



<https://www.facebook.com/share/p/172eQ1tqgv/>

Exh. "A-23"



<https://www.facebook.com/share/p/1FTc32A31N/>

Exh. "A-24"

7. Critically, while some of these inappropriate posts may have been initially published before Respondent assumed office, they

remain publicly visible on his social media accounts that now bear his congressional title "Congressman Kiko Barzaga." By failing to remove this offensive content upon assuming office and allowing it to remain associated with his official congressional identity, Respondent has effectively adopted and republished this material as part of his current conduct as a Member of the House. His continued maintenance of these posts under his congressional title constitutes ongoing misconduct that occurs daily for as long as the content remains publicly accessible under his official legislative identity.

8. These posts have been reshared thousands of times, placing the government and its officials in unfair ridicule and rendering them objects of public mockery. The viral nature of these posts has transformed serious government institutions into sources of contempt and derision, undermining the gravitas and respect essential to effective governance. When elected officials act contrary to good morals, good customs, public policy, or become laughingstocks through their own conduct, they compromise not only their personal credibility but the institutional authority of the government they represent, making it appear unserious and contemptible in the eyes of the public.

IV. CAUSES OF ACTION

FIRST CAUSE OF ACTION: Violation of Rule XX (Code of Conduct) of the Rules of the House of Representatives

9. *Section 141 of Rule XX* of the House Rules establishes:

"Section 141. Code of Conduct. - There is hereby established in the House the following Code of Conduct:

a. A Member shall **act at all times in a manner** that shall **reflect creditably on the House**; xxx"

10. This provision is unambiguous: Members must act at all times in a way that reflects creditably on the House. The reason for this requirement is obvious; it is because every Member carries the institution's reputation on his/her shoulders.

11. When Respondent went online and, through his verified Facebook page, released posts that openly disparaged government and its institutions, he dragged not only himself but the House into disrepute.

12. Social media is not a private conversation. It is a public square, one where his words spread instantly to thousands of constituents and followers. When a Member of Congress uses that platform to declare contempt for the very government he serves, it inevitably tarnishes the image of the House. These statements, disseminated through his official and verified accounts, under his congressional title, were not mere private opinions but public pronouncements carrying the weight of his position as legislator, effectively undermining the dignity of the House of Representatives.

13. The House's Code of Conduct is a broad ethical duty: members must avoid speech or acts that bring public disrepute upon the institution. A Member's public, widely-distributed statements that: (a) brand the government or its organs as corrupt/illegitimate without any basis whatsoever, and (b) use language comparing such government to authoritarian or dictatorial forces fall squarely within conduct that tends to "reflect discredit" upon the House because such statements: (i) erode public confidence in democratic institutions, and (ii) impair the dignity and reputation of the legislature as an institution. When a legislator uses an official, widely-followed social media platform to make such sweeping, derogatory pronouncements, the act is not a private political opinion but an official, public communication that implicates the House's institutional reputation.

14. **Clearly, Respondent's conduct, as evidenced by his social media posts, fails to reflect creditably on the House of Representatives and brings discredit to the institution and its members. This violation is particularly egregious because Respondent has maintained inappropriate content posted under his congressional title even after assuming office, demonstrating ongoing and deliberate disregard for the standards his position demands. His failure to remove offensive material upon becoming a Member of Congress constitutes a daily, continuing violation of his duty to reflect creditably on the House.**

15. The language and tone employed in the subject posts fall below the standards of conduct expected of a Member of Congress and constitute a clear violation of Section 141 of Rule XX.

**SECOND CAUSE OF ACTION:
Violation of Republic Act No. 6713**

16. *Section 4 RA No. 6713* lays down the norms of conduct of public officials. Under **Section 4 (c)**, public officials and employees are required to observe “justness and sincerity” and “remain true to the people at all times,” “act with justness and sincerity,” and “refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest:

“Section 4. Norms of Conduct of Public Officials and Employees. - (A) Every public official and employee shall observe the following as standards of personal conduct in the discharge and execution of official duties:

(c) Justness and sincerity. - **Public officials and employees shall remain true to the people at all times.** They must act with justness and sincerity and shall not discriminate against anyone, especially the poor and the underprivileged. **They shall at all times** respect the rights of others, and shall **refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest.** xxx

17. Republic Act No. 6713 demands that public officials act with justness, sincerity, and dignity, and that they avoid conduct contrary to good morals, public order, and public policy. These are not abstract ideals. They are everyday standards meant to guide officials in how they speak, act, and represent the people.

18. Respondent’s Facebook posts display obscene and abusive content and language aimed at undermining public trust in government institutions. The fact that many of these posts were published under the official title “Congressman Kiko Barzaga” transforms what might be dismissed as personal misconduct into official violations of public service standards, as he deliberately invoked his legislative authority while engaging in conduct contrary to good morals and public policy. Public dissemination of such content by an elected official falls within conduct that RA 6713 norms were designed to discourage.

19. A public official who deliberately publishes broad, denigrating accusations against the government on an official platform

demonstrates a failure of the standards of personal conduct, i.e., lack of restraint and absence of the required fiduciary dignity.

20. Instead of sincerity, his words drip with reckless contempt. Instead of fostering trust, his posts fan cynicism and hostility.

21. The unethical nature of the content he posted is clear not only in what was said but how it was said – casually, on social media, with no restraint, and with full awareness that such words would echo across the public sphere. This is not the measured voice of a public servant. It is the reckless voice of a provocateur.

22. Respondent's disparaging communications violate RA 6713's norms, and provide further grounds for this Committee's internal disciplinary action.

**THIRD CAUSE OF ACTION:
Possible violation of Article 142 of
the Revised Penal Code.**

23. Under the *Section 142 of the Revised Penal Code, as amended (RPC)*, the crime of inciting to sedition and related offenses criminalizes publications and speeches that utter seditious words, or writings that tend to disturb or obstruct lawful officers in executing their functions, or that lead or tend to stir up the people against lawful authorities.

24. In the case of *Espuelas vs. People of the Philippines*¹ the High Court explained that publishing or circulating scurrilous libels against the Government of the Philippines or any of the duly constituted authorities thereof or which suggest or incite rebellious conspiracies or riots or which tend to stir up the people against the lawful authorities or to disturb the peace of the community is a violation of Article 142 of the RPC. The court defined scurrilous as low, vulgar, mean, and foul, clarifying that Article 142 punishes communications that have a tendency to produce dissatisfaction or a feeling incompatible with the disposition to remain loyal to the government.²

25. Indeed, writings which tend to overthrow or undermine the security of the government or to weaken the confidence of the people in the government are against the public peace, and are

¹ G.R. No. L-2990, December 17, 1951.

² *Ibid.*

criminal not only because they tend to incite to a breach of the peace but because they are conducive to the destruction of the very government itself.³

26. Respondent's posts does more than just insult the government, it invites disaffection and arguably stokes violence and uprising. Words which weaken confidence in lawful authority or stir contempt for government fall within the character of seditious speech. The use of his official congressional title in making these seditious-like statements particularly aggravates the offense, as it lends the weight of legislative authority to communications designed to undermine government stability and public trust.

27. Respondent's posts level sweeping charges against the government and uses language that associates the state with authoritarian or extremist descriptors; language that, in context and by its reach, erodes public confidence in government institutions.

28. While this Ethics Complaint is not an information for criminal prosecution, the posts' tendency to produce public dissatisfaction and weaken confidence in government is an aggravating factual circumstance that demonstrates the dangerousness and seriousness of Respondent's unethical conduct.

29. When a legislator tells the public that their government is corrupt, dictatorial, or unworthy of respect, what effect can that have except to erode loyalty and breed dissatisfaction?

30. We are not here to file a criminal case, but the sedition-like character of his words cannot be ignored. It aggravates the misconduct. It shows that this was not a harmless rant but a dangerous abuse of influence that risks inflaming public distrust.

**FOURTH CAUSE OF ACTION:
Conduct Prejudicial to the Best
Interest of the Service**

31. Above all, Respondent's behavior amounts to conduct unbecoming of a Member of the House. The totality of his conduct constitutes behavior that is prejudicial to the best interest of the service and undermines public trust and confidence in the House of Representatives.

³ *Ibid.*

32. The words of a Congressman are not ordinary. They carry weight, authority, and influence. When spoken responsibly, they can inspire. When spoken recklessly, they can destroy.

33. Respondent chose the destructive path. By weaponizing his official platform to denigrate government while explicitly identifying himself as "Congressman Kiko Barzaga," he betrayed the dignity of his office and failed the trust reposed in him by the people. His deliberate use of his congressional title transforms what might otherwise be dismissed as personal opinion into official statements that carry the imprimatur of legislative authority, thereby directly compromising the institutional integrity of the House.

34. Moreover, Respondent's posting of images displaying wads of cash constitutes an ostentatious and inappropriate display of wealth that violates the principles of public service and creates the impression that his office is a source of personal enrichment rather than public duty.

35. Equally disturbing is Respondent's pattern of posting lewd and demeaning content that reflects a callous and degrading view of women. Such conduct creates legitimate concerns about the professional environment within the House of Representatives and raises serious questions about whether female Members, staff, and visitors can expect to be treated with dignity and respect by someone who publicly displays such attitudes. **The fact that Respondent has chosen to maintain this offensive content on his social media accounts even after assuming office and adopting the congressional title demonstrates a conscious decision to associate these views with his legislative position, making this ongoing misconduct rather than past indiscretion.** The House of Representatives must maintain an atmosphere of mutual respect and professionalism where all Members can serve effectively without concern that their colleagues harbor or express views that demean their inherent worth and dignity as persons.

36. The House of Representatives possesses the inherent and exclusive authority to discipline its Members for breaches of parliamentary decorum and conduct that discredits the House. The Supreme Court has long upheld the House's power to discipline

(including suspension and other sanctions) where a Member's statements or conduct are found to be disorderly or damaging to the integrity of the institution.⁴

37. The House's disciplinary power reaches more than rule-book infractions – it protects the House's dignity, privileges, and ability to perform its constitutional functions. A Member who persistently uses official channels to undermine public confidence in government effectively injures not only citizens but the institution he represents. The House has both the right and the duty to discipline Members for such conduct. To let this pass is to tell the public that Members may attack and demean the institutions of democracy with impunity. To act is to affirm that this Chamber will defend its honor.

P R A Y E R

WHEREFORE, premises considered, it is most respectfully prayed that after due notice and hearing, this Honorable Committee:

1. **FIND** Respondent **FRANCISCO A. BARZAGA GUILTY** of violating Rule XX (Code of Conduct) of the Rules of the House of Representatives and Republic Act No. 6713;
2. **IMPOSE** upon Respondent the appropriate sanctions as provided by law and the Rules of the House;
3. **DIRECT** Respondent to refrain from similar conduct in the future; and

Other reliefs as may be just and equitable under the circumstances are likewise prayed for.

Quezon City, 16 September 2025



HON. RONALDO V. PUNO
1st District, Antipolo City



HON. JEFFREY P. FERRER
4th District, Negros Occidental

⁴ See *Osmeña v. Pendatun*, G.R. No. L-17144, October 28, 1960.

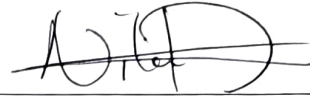


ROLANDO M. VALERIANO
2nd District, Manila

**HON. JOAQUIN CARLOS
RAHMAN A. NAVA**
Lone District, Guimaras



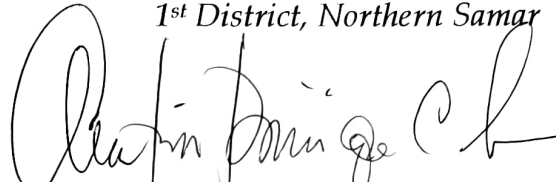
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2nd District, Parañaque City



HON. NIKO RAUL S. DAZA
1st District, Northern Samar

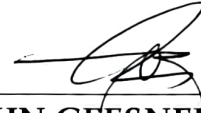


**HON. CHRISTOPHER SHEEN P.
GONZALES**
Lone District, Eastern Samar



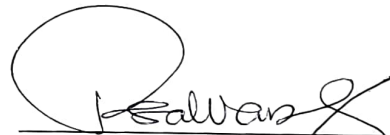
**HON. AUGUSTINA DOMINIQUE C.
PANCHO**
2nd District, Bulacan

**HON. TYUYOSHI ANTHONY G.
HORIBATA**
1st District, Camarines Sur



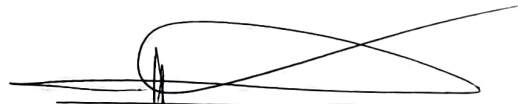
HON. JOHN GEESNELL L. YAP II
1st District, Bohol

HON. BIENVENIDO M. ABANTE JR.
6th District, Manila



HON. ROSALIE A. SALVAME
1st District, Palawan

HON. ALEXANDRIA P. GONZALES
Lone District, Manila



HON. ANTONIO A. FERRER
6th District, Cavite



HON. SUN J. SHIMURA
4th District, Cebu



HON. ALFREDO D. MARAÑON III
2nd District, Negros Occidental



HON. LORENZ R. DEFENSOR
3rd District, Iloilo



HON. DIMSZAR M. SALI
Lone District, Tawi-Tawi

HON. MARIA VICTORIA G. CO-PILAR
6th District, Quezon City



HON. VINCENZO RENATO LUIGI R. VILLAFUERTE
2nd District, Camarines Sur



HON. KAREN HOPE FLORES-GARCIA
3rd District, Cebu

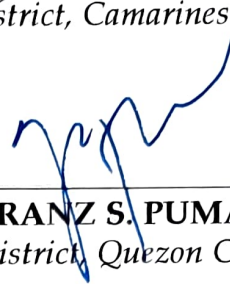


HON. ANTOLIN A. ORETA III
Lone District, Malabon



HON. CRISPIN DIEGO REMULLA
7th District, Cavite

HON. MIGUEL LUIS R. VILLAFUERTE
5th District, Camarines Sur



HON. FRANZ S. PUMAREN
3rd District, Quezon City



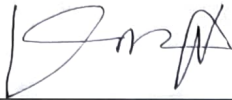
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3rd District, Bataan



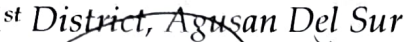
HON. CARLOS A. LORIA
2nd District, Albay



HON. ROMEO M. ACOP
2nd District, Antipolo City



HON. ALFELITO M. BASCUG
1st District, Agusan Del Sur



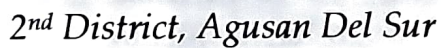
HON. JERRY EVANGELISTA PEREZ
2nd District, Zamboanga City



HON. ADRIAN JAY C. ADVINCULA
3rd District, Cavite



HON. EDDIEBONG G. PLAZA
2nd District, Agusan Del Sur



HON. JENNIFER "KAREN" A. LAGBAS
1st District, Misamis Oriental



**VERIFICATION and CERTIFICATION
OF NON-FORUM SHOPPING**

We, the undersigned are of legal ages, and with address Room 219, South Wing Building, House of Representative, Quezon City, after having been duly sworn in accordance with law, depose and state that:

1. We are the Complainants in the instant case;
2. We have caused the preparation of the foregoing Complaint;
3. We have read the allegations therein and have found the same to be true and correct based on my personal knowledge and/or authentic documents on hand;
4. The instant Complaint is not filed to harass, cause unnecessary delay, or needlessly increase the cost of litigation, and the factual allegations therein have evidentiary support, or will likewise have evidentiary support after a reasonable opportunity for discovery; and
5. We have not heretofore commenced any action or filed any claim involving the same issues in any court, tribunal, or quasi-judicial agency and, to the best of my knowledge, no such other action or claim is pending therein, and if we should learn that the same or similar action or claim has been filed or is pending, we shall report that fact within five (5) days therefrom to this Honorable Committee.

Affiants further sayeth naught.

IN WITNESS WHEREOF, we have hereunto set our hands this
SEP 17 2025 at QUEZON CITY, Philippines.



HON. RONALDO V. PUNO
1st District, Antipolo City



HON. JEFFREY P. FERRER
4th District, Negros Occidental



ROLANDO M. VALERIANO
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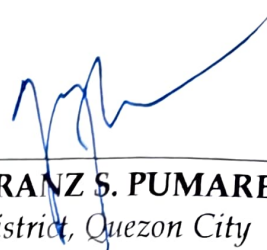
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2nd District, Camarines Sur



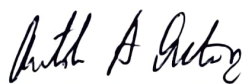
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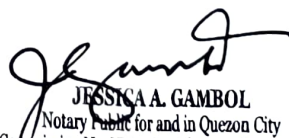
HON. CARLOS A. LORIA
2nd District, Albay



HON. CRISPIN DIEGO REMULLA
7th District, Cavite

SUBSCRIBED AND SWORN to before me this ___ day of
SEP 17 2025 2025 at QUEZON CITY affiants exhibiting to me their
issued on _____
20__ at _____, Philippines.

Doc. No.: 95
Page No.: 20
Book No.: 61
Series of 2025.

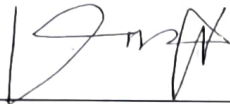


JESSICA A. GAMBOL
Notary Public for and in Quezon City
Commission No. NP 038 until December 31, 2026
Roll No. 49577
PTR No. 7060282 / 01-03-2025 / Quezon City
IBP Lifetime No. 011996 / 01-15-2013 / Quezon City
k.m. 102 Northwing Bldg, House of Representatives
Batasan Complex, Quezon City
MCLE VII Compliance No. 0023979



HON. ROMEO M. ACOP

2nd District, Antipolo City



HON. ALFELITO M. BASCUG

1st District, Agusan Del Sur



HON. JERRY EVANGELISTA PEREZ

2nd District, Zamboanga City



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3rd District, Cavite



HON. EDDIEBONG G. PLAZA

2nd District, Agusan Del Sur



HON. JENNIFER "KAREN" A. LAGBAS

1st District, Misamis Oriental

Exh. "B" For the Complainants

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
House Committee on Ethics and Privileges
Quezon City



HON. RONALDO V. PUNO, et al.,
Complainants,

-versus-

Case No. SC-2025-03
For: Violation of the House
Code of Conduct

HON. FRANCISCO A. BARZAGA,
Respondent.
x-----x

REPLY

(To: Respondents' Answer dated 06 October 2025)

COMPLAINANTS, unto this Honorable Office, most respectfully states that:

1. On 08 October 2025, Complainants received a copy of Respondent's Answer dated 06 October 2025 (hereafter, the "Answer").
2. In his Answer, Respondent primarily argues that the provisions cited in the Verified Complaint dated 16 September 2025 are mere "general ethical guidelines" not enforceable through administrative discipline, and that his conduct is protected by constitutional free speech guarantees. Respondent's arguments are hinged on various criminal law cases involving sedition, prior restraint, and criminal prosecution.
3. Considering that Respondent's primary defenses are founded on fundamental misunderstandings of the nature of these proceedings and the applicable legal standards, it becomes necessary to clarify the record and address these erroneous contentions.

4. Thus, in accordance with the rules governing proceedings before this Honorable Committee, Complainants hereby submit this Reply for the Committee's judicious consideration.

I. Respondent fundamentally misunderstands the nature of these proceedings. This is administrative discipline, not criminal prosecution.

5. Throughout his Answer, Respondent repeatedly invokes standards applicable to criminal prosecution – “penal provisions,”¹ “clear and present danger,”² “malice,”³ “reckless disregard for truth,”⁴ as if this were a criminal proceeding threatening his liberty rather than an administrative complaint addressing his fitness to serve in this House.

6. This is not a criminal case. This is an administrative disciplinary proceeding arising from the House's constitutional power to discipline its own Members for conduct unbecoming of their office. The distinction is not semantic; it is fundamental.

7. Under *Article VI, Section 16(3) of the 1987 Philippine Constitution*, each House of Congress can determine the rules of its own proceedings and punish its members for disorderly behavior. With the concurrence of two-thirds of all its members, it may suspend or expel a member. In *Osmeña v. Pendatun*,⁵ the Supreme Court affirmed that this disciplinary authority is the exclusive power of the House and outside the jurisdiction of the courts.

8. The disciplinary authority of the House over its Members is separate and distinct from the jurisdiction of regular courts. Legislative discipline exists to maintain institutional integrity and public confidence, not to punish crimes. The standards governing legislative discipline need not, and indeed, should not be conflated with the requirements of criminal law.

9. Therefore, Respondent's reliance on constitutional cases like *Brandenburg v. Ohio*⁶ (addressing criminal incitement vis-à-vis

¹ Answer dated 06 October 2026, par. 1.

² *Id.* at pars. 5, 8, and 10.

³ *Id.* at pars. 4 and 16.

⁴ *Id.* at par. 4.

⁵ C.R. No. L-17144, October 28, 1960.

⁶ 395 U.S. 444.

free speech rights), *Salonga v. Paflo*⁷ (involving criminal seditious charges), and *Chavez v. Gonzales*⁸ (concerning prior restraint and criminal prosecution) is entirely misplaced. These cases address the constitutional limits on government power to criminally prosecute or restrain speech. They protect ordinary citizens from state action that would deprive them of liberty or subject them to prior restraint. They have no application to internal legislative discipline, which does not involve government prosecution, criminal sanctions, or deprivation of constitutional rights, but rather the House's inherent authority to maintain standards among its own Members.

10. Respondent is not being prosecuted. He is being held to account as a member of this House. There is a world of difference.

II. Constitutional free speech protections do not immunize Respondent from violations of institutional standards of conduct. The manner of speech matters, not just its content.

11. Respondent's primary defense rests on the false premise that constitutional free speech protections shield him from any consequences for how he exercises that speech as a Member of Congress.

12. This premise fails both legally and logically.

a. Free Speech Does Not Shield Members from Internal Discipline.

13. The Supreme Court has long recognized that legislative bodies possess inherent authority to discipline their Members for conduct that violates institutional standards, even when that conduct involves speech.

14. In *Osmeña v. Pendatun*⁹, the Court held that while parliamentary immunity protects legislators from external prosecution for their speeches, it does not shield them from internal disciplinary

⁷ G.R. No. L-59524 February 18, 1985.

⁸ G.R. No. 168338, February 15, 2008.

⁹ *Supra* note 5.

action by the legislative body itself. The Court affirmed the House of Representatives' power to discipline its members for disorderly behavior, including suspension, and declined to interfere with the House's judgment on what constitutes such behavior, including speech that involve attacks upon the Chief Executive which was deemed to constitute unparliamentary conduct.

15. The distinction is critical: Free speech protects Respondent from criminal prosecution for his words. It does not protect him from administrative discipline for violating the standards of conduct required of Members of this House.

16. To accept Respondent's argument would render *Rule XX Section 141 of Rule XX of the Rules of the House of Representatives (House Code of Conduct)* meaningless. If any Member could invoke "free speech" to excuse any conduct, no matter how vulgar, inflammatory, or destructive of institutional dignity, then the House would have no power to maintain any standards whatsoever. This cannot be the law.

**b. The Manner of Speech Matters,
Not Just Its Content.**

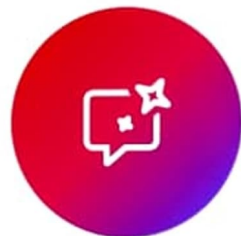
17. Even assuming *arguendo* that Respondent's posts addressed matters of public concern (which many demonstrably did not), this does not excuse the manner in which he expressed himself.

18. While public officials must expect criticism, including sharp criticism, there nonetheless exists a standard of decorum and propriety in public discourse. The manner of expression matters. Speech that is needlessly inflammatory, deliberately offensive, or calculated to demean rather than debate crosses the line from protected expression to misconduct.

19. In the case cited by the Respondent himself, *Domingo, et al. v. Badoy-Partosa*,¹⁰ the Supreme Court emphasized:

"Nevertheless, the exercise of these freedoms is not absolute. The realities of life in a complex society require a degree of moderation. "[T]he freedom to express one's sentiments and belief does not grant one the license to vilify in public the honor and integrity of another. Any sentiments must be expressed within the proper forum and with proper regard for the rights of others. xxx

¹⁰ A.M. No. 22-09-16-SC, August 15, 2023.



The liberty of the press means that anyone can publish anything he pleases, but he is liable for the abuse of this liberty. If he does this by scandalizing the courts of his country, he is liable to be punished for contempt. In other words, the abuse of the privilege consists principally in not telling the truth. There is a right to publish the truth, but no right to publish falsehood to the injury of others with impunity.

Further, these rights must never threaten other equally important public interests. xxx" (*Citations omitted, emphasis supplied*)

20. Similarly, in *Chavez v. Gonzales*,¹¹ the Court explained that not all types of speeches are treated the same and that some types of speech may be subject of regulation:

"From the language of the specific constitutional provision, it would appear that the right to free speech and a free press is **not susceptible of any limitation**. But the realities of life in a complex society preclude a literal interpretation of the provision prohibiting the passage of a law that would abridge such freedom. For freedom of expression is **not** an absolute, nor is it an 'unbridled license that gives immunity for every possible use of language and prevents the punishment of those who abuse this freedom.

Thus, all speech are not treated the same. Some types of speech may be subjected to some regulation by the State under its pervasive police power, in order that it may not be injurious to the equal right of others or those of the community or society. The difference in treatment is expected because the relevant interests of one type of speech, e.g., political speech, may vary from those of another, e.g., obscene speech. Distinctions have therefore been made in the treatment, analysis, and evaluation of the permissible scope of restrictions on various categories of speech. We have ruled, for example, that in our jurisdiction slander or libel, lewd and obscene speech, as well as "fighting words" are not entitled to constitutional protection and may be penalized." (*Citations omitted, emphasis and underscoring supplied*)

¹¹ G.R. No. 168338, February 15, 2008.

21. Indeed, while political speech receives robust protection from criminal prosecution, this does not immunize public officials from administrative discipline for conduct unbecoming their office.

22. The House Code of Conduct does not prohibit Respondent from criticizing the government. It requires him to “act at all times in a manner that shall reflect creditably on the House.” These are not the same thing.

23. Respondent could have expressed every substantive criticism contained in his posts through language befitting a Member of Congress. He chose not to. That choice, the manner of his expression, is what violates the House Code of Conduct.

24. Respondent’s posts do not merely express dissent; they contain language that invites public disaffection and ridicule of government institutions. Statements such as “give us time to evacuate before you burn Congress” and “bring an end to this corrupt government” are not calls for reform, they are inflammatory and reckless.

25. 11. The doctrine in *Espuelas v. People of the Philippines*¹² remains controlling: speech that tends to stir up contempt for lawful authority or weaken public confidence in government is seditious in character. While this proceeding is not criminal, the sedition-like nature of Respondent’s posts aggravates the ethical violations.

III. Respondent actually admits the conduct alleged—he merely disputes whether it should have consequences. His defenses are confessions with attempted justifications.

26. Stripped of its legal misdirection, Respondent’s Answer does not actually deny any of the conduct alleged in the Complaint.

27. He does not deny posting inflammatory content attacking government institutions. He does not deny posting images of women in compromising positions. He does not deny posting images

¹² G.R. No. L-2990, December 17, 1951.



displaying cash. He does not deny that these posts remain publicly visible under his congressional title.

28. Instead, he argues that this conduct should be excused because: (a) it constitutes “free speech,”¹³ (b) it was done “in good faith,”¹⁴ (c) it reflects his “authentic” personality,¹⁵ and (d) that Congress’s reputation was already damaged anyway.¹⁶

29. These are not defenses. They are confessions with attempted justifications.

a. Respondent’s “Authenticity” and “Good Faith” Defenses are Contradictory and Actually Prove the Violation.

30. Respondent proudly claims that “who he is at home is who he is in public.”¹⁷

31. This admission is damning, not exculpatory. Respondent concedes that he makes no distinction between his private conduct and his public responsibilities as a Member of Congress. He admits he does not adjust his behavior to meet the standards expected of his office.

32. But this is precisely what the House Code of Conduct requires. A Member of Congress must distinguish between private citizen and public official. A Member must maintain standards of decorum and dignity in public conduct.

33. Public office demands restraint, dignity, and respect for institutional norms. A legislator who chooses to maintain lewd, vulgar, and inflammatory content under his official title cannot invoke authenticity as a shield against accountability.

34. When Respondent says “I’m just being authentic,” what he actually means is “I refuse to meet the standards required of my office.” This is not a defense; it is a confession to the violation.

35. Moreover, Respondent cannot claim “good faith” while simultaneously maintaining that his conduct was deliberate and “authentic.” Either he deliberately chose to post inappropriate content

¹³ Answer, par. 1.

¹⁴ *Id.* at pars. 6, 7, and 9.

¹⁵ *Id.* at par. 7.

¹⁶ *Id.* at par. 18.

¹⁷ *Supra* note 14.

(negating good faith) or his conduct was inadvertent (contradicting his "authenticity" defense). He cannot have it both ways.

36. Likewise, Respondent's assertion of "good faith" is belied by the tone, content, and timing of his posts. The repeated use of phrases such as "burn the Congress," "kickback naming mga Congressman," and "Vivamax pinanood ko sa SONA" are not expressions of oversight, they are deliberate provocations that ridicule the institution and its Members.

37. Respondent's claim of good faith is therefore is nothing but lip service as his actions clearly shows that he purposefully wants to humiliate this Institution.

b. Respondent's Claim that "Congress was already tarnished" is Reckless, Cynical and Dismissive of the House of Representatives as an Institution.

38. Perhaps most remarkably, Respondent argues that his conduct should be excused because "Congress had become a source of ridicule" before he joined it.¹⁸

39. This defense borders on the absurd. It amounts to saying "everyone else was doing it" or "the institution was already damaged, so what's a little more?"

40. Respondent's claim that the House's reputation was already damaged is a cynical deflection. The existence of prior controversies does not excuse further misconduct. On the contrary, it heightens the need for accountability and institutional discipline.

41. This proves why this Committee must act. If the House's reputation has indeed been damaged by previous controversies, then the need to restore and maintain institutional standards becomes more urgent, not less. When an institution's credibility has been challenged, the response must be to reinforce standards and demonstrate its commitment to integrity, not to abandon standards on the ground that they have previously been violated. Each violation unchecked invites the next. Each instance of misconduct left unaddressed further erodes institutional legitimacy.

¹⁸ Answer, par. 18.



42. Respondent's logic is self-defeating. If Congress's reputation is damaged, and Respondent's conduct further damages it, he cannot escape responsibility by pointing to the pre-existing damage. He is not excused from adding fuel to the fire merely because the fire already existed.

43. Respondent's defense essentially argues: "The House's reputation was already bad, so I made it worse." This Committee must reject such reasoning categorically. The public expects better from their representatives and that failure to act when standards are violated further damages institutional credibility.

IV. Respondent's invocation of privacy rights is misplaced. One cannot claim privacy protection for information voluntarily broadcast to the world.

44. Respondent's invocation of the right to privacy, citing the case *Hing v. Choachuy*¹⁹ fails on multiple levels.

45. The right to privacy protects against unwarranted intrusion into private affairs. It does not protect conduct that an individual voluntarily makes public by posting it on social media platforms accessible to thousands or millions of people.

46. When Respondent posted content on his public, verified Facebook pages, he waived any claim to privacy regarding that content. One cannot claim privacy protection for information one has deliberately broadcast to the world. As the Court emphasized in *Vivares, et. al v. St. Therese College, et. al.*,²⁰ when a Facebook post is public, there is no reasonable expectation of privacy.

47. Most fundamentally, this case does not involve any intrusion into Respondent's privacy. This action is not intended to examine Respondent's private correspondence, search his home, or investigate his personal relationships. This action seeks to address Respondent's actions as a Member of Congress vis-à-vis the content he voluntarily posted on public platforms and has chosen to maintain under his congressional title.

¹⁹ G.R. No. 179736, June 26, 2013.

²⁰ G.R. No. 202666, September 29, 2014.

48. Respondent cannot invoke privacy to shield public conduct any more than he can invoke free speech to excuse conduct violations.

V. Respondent's violations are continuing and deliberate.

49. The most serious aspects of Respondent's misconduct is its continuing nature.

50. While some posts were originally published before Respondent assumed office, they remain publicly visible on social media accounts that now bear his congressional title.

51. By failing to remove this content upon assuming office, Respondent has effectively adopted and republished it as part of his current conduct as a Member of Congress.

52. This is not past misconduct. This is ongoing, daily misconduct that occurs each day the content remains publicly accessible under his official legislative identity.

53. Respondent's claim that lewd images were from "cosplay events" featuring "professional models"²¹ is irrelevant. The problem is not where the photos came from, it is that Respondent chose to post them on public accounts and has chosen to keep them there under his congressional title. This shows he consciously chose to associate these images with his legislative position and has deliberately chosen not to remove them despite assuming office.

54. The defense that the women depicted were "professional models" misses the point. The issue is Respondent's decision to associate such imagery with his congressional persona, creating a hostile and unprofessional environment, especially for female Members and staff.

55. Respondent's deafening silence in his Answer on this point is telling. He offers no explanation for why he has chosen to maintain this content. He provides no justification for associating it with his congressional office. In recent days, he has even ramped up his public attacks against the government, this institution, and its leadership.

²¹ Answer, par. 16.

56. This continuing violation demonstrates that Respondent has not merely made past mistakes. He continues, consciously and deliberately, to violate the standards required of his office.

CONCLUSION

Respondent's Answer does not deny the conduct alleged; it merely disputes whether it should have consequences. He admits to posting inappropriate content, concedes he maintains offensive material under his congressional title, and celebrates his failure to distinguish between private citizen and public official as evidence of his "authenticity."

The House of Representatives is not a criminal court. This Committee is not a prosecutor. Respondent is not a defendant facing deprivation of liberty. He is a Member of Congress being held accountable by peers for conduct that violates standards he voluntarily accepted when he took his oath of office.

Respondent's conduct fails to meet the objective standards established by the House Code of Conduct and RA 6713. The evidence is substantial and overwhelming. The violations are continuing and deliberate.

Beyond legal standards, this case presents a critical question about institutional integrity. The House depends entirely on public respect and confidence to function effectively. When Members conduct themselves in ways that bring ridicule and disrepute upon the institution, they undermine not only their own effectiveness but that of every Member.

If this Committee takes no action, what message does that send? It tells the public that the House has no standards, or lacks the will to enforce them. It tells Members they can conduct themselves however they please without consequence. It tells future generations of legislators that institutional dignity is optional.

Respondent's Answer is remarkable not for what it denies, but for what it concedes. He admits the acts, then insists they should bear no consequence. He does not defend the dignity of his office, he dismisses it. It is this cavalier disregard for institutional integrity that makes this case so urgent.

The question before this Committee is not whether Respondent has a right to speak; it is whether this House still cares how its

Members conduct themselves. The answer will define the kind of institution this Congress chooses to be. If the House condones this conduct, it invites contempt; if it disciplines it, it restores respect.

PRAYER

WHEREFORE, premises considered, it is most respectfully prayed that after due notice and hearing, this Honorable Committee:

1. **FIND** Respondent **FRANCISCO A. BARZAGA GUILTY** of violating Rule XX (Code of Conduct) of the Rules of the House of Representatives and Republic Act No. 6713;
2. **IMPOSE** upon Respondent the appropriate sanctions as provided by law and the Rules of the House;
3. **DIRECT** Respondent to refrain from similar conduct in the future; and

Other reliefs as may be just and equitable under the circumstances are likewise prayed for.

Quezon City, 09 October 2025



HON. RONALDO V. PUNO
1st District, Antipolo City

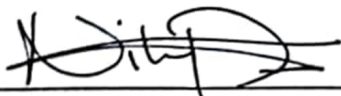


HON. JEFFREY P. FERRER
4th District, Negros Occidental



ROLANDO M. VALERIANO
2nd District, Manila

HON. BRIAN S. YAMSUAN
2nd District, Parañaque City



HON. NIKO RAUL S. DAZA
1st District, Northern Samar



HON. CHRISTOPHER SHEEN P. GONZALES
Lone District, Eastern Samar

Exh. "C" for the Complainants

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
House Committee on Ethics and Privileges
Quezon City



HON. RONALDO V. PUNO, et al.,
Complainants,

-versus-

Case No. SC-2025-03
For: Violation of the House
Code of Conduct

HON. FRANCISCO A. BARZAGA,
Respondent.

x-----x

MANIFESTATION

COMPLAINANTS, unto this Honorable Committee, most respectfully manifest that:

1. On 23 October 2025, Complainants received a copy of an Order from the Sub-committee on Conciliation directing the parties to formally manifest their willingness to be the subject of conciliation proceedings pursuant to the approved rules of this Committee.

2. At the outset, Complainants recognize and appreciate the importance of reconciliation and dialogue in resolving disputes between Members of this House. Indeed, where matters involve personal disagreements or intra-party conflicts, conciliation serves as a valuable mechanism for promoting harmony and collegiality within the institution.

3. However, with utmost respect to this Honorable Committee, Complainants must respectfully submit that the present complaint is not susceptible to conciliation given its nature and the interests it seeks to protect.

4. It must be emphasized that this is not a personal dispute between individual Members of Congress nor an intra-party conflict

between party members. More importantly, this is not a matter arising from political differences or personal animosity.

5. This is an administrative complaint concerning conduct that attacks the institutional integrity of the House of Representatives itself.

6. The instant complaint addresses Respondent's public conduct that:

- (a) Brings disrepute upon the House as an institution;
- (b) Violates objective standards of conduct established by *Rule XX of the House Rules (Code of Conduct)* and *Republic Act No. 6713*;
- (c) Creates a hostile environment inconsistent with the dignity of public office;
- (d) Undermines public confidence in the legislative branch; and
- (e) Continues daily through Respondent's maintenance of inappropriate content under his congressional title.

7. These violations are not against individual Complainants personally; rather, they are violations against the institution and the standards that govern all its Members.

8. The interests at stake in this case are not personal interests that can be compromised through conciliation. They are institutional interests that belong to the House collectively and to the Filipino people whom this institution serves.

9. The question before this Committee is not "Can these individual Members reconcile with Respondent?" but rather "Does Respondent's conduct meet the standards required of all Members of this House?" The ultimate purpose of these proceedings is for this Committee to specifically define what constitutes acceptable conduct for Members of Congress. This is a definitional and jurisprudential function that cannot be delegated to private conciliation between parties.

10. When this Committee rules on whether Respondent's conduct violates *House Code of Conduct and RA 6713*, it establishes precedent that guides all current and future Members regarding the boundaries of acceptable behavior. It clarifies what "acting in a manner that reflects creditably on the House" means in practice. It provides concrete application of abstract standards.

11. This adjudicative function, defining standards through application to specific facts, is central to the Committee's institutional role. It cannot be accomplished through conciliation, which by its nature seeks compromise rather than clarity, accommodation rather than adjudication.

12. Either Respondent's conduct violates institutional standards, or it does not. Either the House will enforce its Code of Conduct, or it will not. These are binary questions that require institutional determination, not bilateral negotiation.

13. To subject institutional standards to negotiation through conciliation would itself undermine the very integrity this complaint seeks to protect. Standards of conduct are not matters for bilateral compromise—they are rules that apply equally to all Members and must be enforced uniformly to maintain institutional credibility.

14. *Rule XX, Section 141(a)* requires that Members "act at all times in a manner that shall reflect creditably on the House." This is an objective standard that does not depend on whether individual Members are personally offended or whether they can reach an accommodation with the violator.

15. Similarly, *RA 6713* requires public officials to "refrain from doing acts contrary to law, good morals, good customs, public policy, public order, public safety and public interest." These are objective legal requirements, not personal preferences subject to negotiation.

16. The conduct complained of either meets these standards or it does not. This is a legal and institutional determination that cannot be resolved through interpersonal conciliation.

17. Moreover, as extensively discussed in the complaint and reply, Respondent's violations are continuing in nature. The inappropriate content remains publicly accessible under his congressional title. New inflammatory posts continue to be published.

18. Conciliation typically addresses past conduct and seeks mutual understanding going forward. But here, the misconduct is ongoing. Unless and until Respondent removes the offensive content and ceases the conduct that violates institutional standards, there is nothing to conciliate as the violations continue to occur.

19. A Member cannot negotiate away his obligation to meet conduct standards any more than he can negotiate away his obligation to attend sessions or follow House rules.

20. Finally, this matter involves significant public interest. Respondent's conduct has been widely publicized. His posts have been shared thousands of times, and the public is watching how this House responds.

21. The question of whether this House enforces its standards of conduct cannot be resolved behind closed doors through private conciliation. The public has a right to see that institutional standards are upheld through proper legal processes, not negotiated away through private accommodation.

22. To conciliate this matter would send a message that conduct standards are flexible and negotiable rather than firm and uniform, precisely the opposite of what institutional integrity requires.

23. For all these reasons, Complainants respectfully submit that conciliation is not appropriate in this case.

24. This is not to diminish the value of conciliation in matters where it is suitable. Nor is it to suggest any unwillingness on Complainants' part to work constructively with all Members of this House, including Respondent, on legislative matters or issues of common concern.

25. But institutional standards are not subject to compromise. The enforcement of the House Code of Conduct is a legal and institutional function of this Committee that cannot be delegated to private conciliation between individual Members.

26. Complainants therefore respectfully request that this Honorable Committee proceed with the adjudication of this case on its merits, in accordance with the Rules of the House and applicable law.

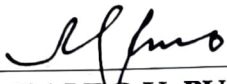
PRAYER

WHEREFORE, Complainants most respectfully pray that this Honorable Committee:

1. NOTE this Manifestation;

2. PROCEED with the adjudication of Case No. SC-2025-03 on the merits without referral to conciliation proceedings; and;
3. GRANT such other relief as may be just and proper under the circumstances.

Quezon City, 06 November 2025.



HON. RONALDO V. PUNO
1st District, Antipolo City

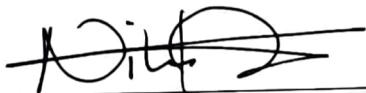


HON. JEFFREY P. FERRER
4th District, Negros Occidental



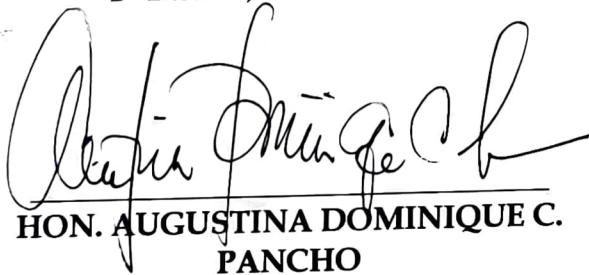
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2nd District, Manila

HON. BRIAN S. YAMSUAN
2nd District, Parañaque City



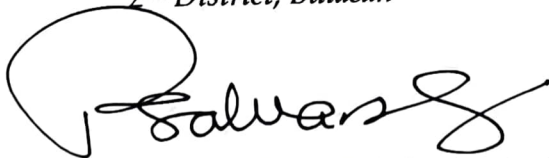
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1st District, Northern Samar

HON. CHRISTOPHER SHEEN P. GONZALES
Lone District, Eastern Samar



HON. AUGUSTINA DOMINIQUE C. PANCHO
2nd District, Bulacan

HON. JOHN GEESNELL L. YAP II
1st District, Bohol



HON. ROSALIE A. SALVAME
1st District, Palawan


HON. ALEXANDRIA P. GONZALES
Lone District, Mandaluyong City



HON. ANTONIO A. FERRER
6th District, Cavite



HON. SUN J. SHIMURA
4th District, Cebu




HON. ALFREDO D. MARAÑON III
2nd District, Negros Occidental

HON. LORENZ R. DEFENSOR
3rd District, Iloilo



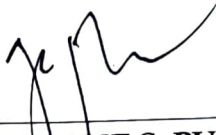
HON. DIMSZAR M. SALI
Lone District, Tawi-Tawi



HON. MIGUEL LUIS R. VILLAFUERTE
5th District, Camarines Sur



HON. VINCENZO RENATO LUIGI R. VILLAFUERTE
2nd District, Camarines Sur

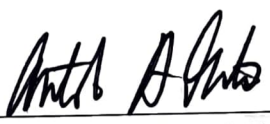


HON. FRANZ S. PUMAREN
3rd District, Quezon City



HON. KAREN HOPE FLORES-GARCIA
3rd District, Cebu

HON. MARIA ANGELA S. GARCIA
3rd District, Bataan



HON. ANTOLIN A. ORETA III
Lone District, Malabon



HON. CARLOS A. LORIA
2nd District, Albay




HON. CRISPIN DIEGO REMULLA
7th District, Cavite

HON. ROMEO M. ACOP
2nd District, Antipolo City

HON. ALFELITO M. BASCUG
1st District, Agusan Del Sur

HON. JERRY EVANGELISTA PEREZ
2nd District, Zamboanga City



HON. ADRIAN JAY C. ADVINCULA
3rd District, Cavite

HON. EDDIEBONG G. PLAZA
2nd District, Agusan Del Sur



HON. JENNIFER "KAREN" A. LAGBAS
1st District, Misamis Oriental

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Committee on Ethics and Privileges
 Quezon City, Metro Manila

HON. RONALDO V. PUNO, HON. JEFFREY P. FERRER, HON. ROLANDO M. VALERIANO, HON. BRIAN S. YAMSUAN, HON. NIKO RAUL S. DAZA, HON. CHRISTOPHER SHEEN P. GONZALES, HON. AUGUSTINA DOMINIQUE C. PANCHO, HON. JOHN GEESNELL L. YAP II, HON. ROSALIE A. SALVAME, HON. ALEXANDRIA P. GONZALES, HON. ANTONIO A. FERRER, HON. SUNJ. SHIMURA, HON. ALFREDO D. MARANON III, HON. LORENZ R. DEFENSOR, HON. DIMSZAR M. SALI, HON. MIGUEL LUIS R. VILLAFUERTE, HON. VINCENZO RENATO LUIGI R. VILLAFUERTE, HON. FRANZ S. PUMAREN, HON. KAREN HOPE FLORES-GARCIA, HON. MARIA ANGELA S. GARCIA, HON. ANTOLIN A. ORETA III, HON. CARLOS A. LORIA, HON. CRISPIN DIEGO REMULLA, HON. ROMEO M. ACOP, HON. ALFELITO M. BASCUG, HON. JERRY EVANGELISTA PEREZ, HON. ADRIAN JAY C. ADVINCULA, HON. EDDIEBONG G. PLAZA, and HON. JENNIFER "KAREN" A. LAGBAS



Complainant/s,

-VERSUS-

Case No. JC-2025-03
 For: Violation of the House
 Code of Conduct

HON. FRANCISCO A. BARZAGA

4th District, Cavite

Respondent/s.

X-----X

ANSWER

(To Verified Complaint)

Respondent, unto the Honorable Committee on Ethics and Privileges, most respectfully avers - That:

FIRST CAUSE OF ACTION: Alleged Violation of Rule XX (Code of Conduct) of the Rules of the House of Representatives

1. Respondent respectfully submits that the cited Section 141 of Rule XX is a general ethical guideline, not a penal provision. The standard that a Member "shall act at all times in a manner that reflects creditably on the House" is inherently subjective and must be interpreted in light of the constitutional guarantee of free speech, especially for Members of Congress who are expected to engage in robust public discourse;
2. In the case of **Salonga v. Paño** (G.R. No. L-59524 February 18, 1985) the Court emphasized that:

"We must interpret the language Congress chose against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide open and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials xxx The language of the political arena, like the language used in labor disputes is often vituperative, abusive, and inexact."

*"xxx the alleged remark about the likelihood of violent struggle unless reforms are instituted is not a threat against the government. Nor is it even the uninhibited, robust, caustic, or unpleasantly sharp attack which is **protected by the guarantee of free speech**. Parenthetically, the American case of *Brandenburg v. Ohio* (395 U.S. 444) states that the constitutional guarantees of free speech and free press do not permit a State to forbid or proscribe advocacy of the use of force or of law violation xxx."*

3. The posts cited by Complainant, made on Respondent's verified social media account, constitute expressions of opinion on matters of public concern. Such expressions are protected under the Constitution by **Article III, Section 4 of the 1987 Constitution** and are part of the legitimate exercise of a legislator's oversight and representative functions;

4. There is no indication that Respondent's statements were made with malice, nor is there any evidence that they were false or made with reckless disregard for the truth. Mere criticism of government or its institutions, even if harsh, does not automatically equate to conduct that "reflects discredit" on the House, absent clear proof of bad faith or intent to undermine the institution;
5. The Supreme Court has recognized that public officials, especially legislators, are entitled to a wide latitude in expressing their views on public issues, and such speech should not be unduly restrained in the absence of a clear and present danger to the institution or the public. In the case of ***Domingo, et al. v. Badoy-Partosa*** (A.M. No. 22-09-16-SC, August 15, 2023) The Supreme Court emphasized that *"The interest of society and the maintenance of good government demand a full discussion of public affairs. Complete liberty to comment on the conduct of public men is a scalpel in the case of free speech. xxx A public officer must not be too thin-skinned with reference to comment upon his official acts. xxx Criticism does not authorize defamation. Nevertheless, as the individual is less than the State, so must expected criticism be born for the common good. xxx public opinion should be the constant source of liberty and democracy."*;

SECOND CAUSE OF ACTION: Alleged Violation of Republic Act No. 6713, Section 4(c)

6. Respondent denies any violation of Section 4(c) of RA 6713 (1989). The cited provision requires public officials to act with justness and sincerity and to refrain from acts contrary to law, good morals, good customs, public policy, public order, public safety, and public interest. The social media posts in question were made in good faith, in the exercise of Respondent's right and duty to inform the public and to participate in public debate;
7. In further support of his good faith, Respondent has been consistent that "who he is at home is who he is in public". He emphasized this during an interview by media personality and entertainment reporter, "Ogie Diaz" and which video interview has been uploaded on the latter's YouTube channel on September 17, 2025;
8. There is no evidence that Respondent's statements were unjust, insincere, or contrary to law or public policy. Jurisprudence affirms that the norms of conduct under RA 6713 (1989) must be applied with due regard to the context and intent of the official's actions. In the case ***Domingo, et al. v. Badoy-Partosa*** (A.M. No. 22-09-16-SC, August 15, 2023), The Supreme Court discussed the right to criticize public officials, including members of the judiciary, and clarified that criticism by itself does not automatically amount to a violation of ethical standards or contempt, unless it crosses into defamation or poses a clear and present danger to the administration of justice. The Court recognized the

importance of free speech and public discourse, especially regarding the conduct of public officials.

"The guaranties of a free speech and a free press include the right to criticize judicial conduct. The administration of the law is a matter of vital public concern xxx If the people cannot criticize a justice of the peace or a judge the same as any other public officer, public opinion will be effectively muzzled xxx It is further the duty of all who know of any official dereliction on the part of a magistrate or the wrongful act of any public officer to bring the facts to the notice of those whose duty it is to inquire into and punish them."

THIRD CAUSE OF ACTION: Alleged Violation of Article 142 of the Revised Penal Code (Inciting to Sedition)

9. The Respondent's social media posts do not constitute seditious behavior, nor do they evince any intent to undermine lawful authority. On the contrary, the posts were made in good faith and in the exercise of his duty as a public official to promote transparency, accountability, and civic awareness. The content shared aimed to enlighten the public on matters of national concern, particularly in matters of governance and public service to effect profound change in others especially those who are misled, astray or lost in a sea of misinformation and disinformation;
10. Far from inciting discontent, the posts encouraged informed discourse and responsible citizenship. In the case of **Chavez v. Gonzales** (G.R. No. 168338, February 15, 2008) the court stated that: *"Freedom of expression includes the liberty to discuss publicly and truthfully any matter of public concern without censorship or punishment, except where there is a "clear and present danger of a substantive evil that the State has a right to prevent"*;
11. The Respondent's statements fall well within the bounds of protected speech and do not pose any such danger. As a public servant, the Respondent is bound by the principles of justness and sincerity, and his actions reflect a commitment to remain truthful and responsive to the people. The exercise of free expression, especially when exercised with respect for truth and public welfare, is not only protected but expected of those who serve in government;

FOURTH CAUSE OF ACTION: Alleged Conduct Prejudicial to the Best Interest of the Service

12. Respondent respectfully denies the allegations in paragraphs 31 to 37 of the Complaint. The charge of "conduct prejudicial to the best interest of the service" is not supported by substantial evidence and is based on mischaracterization of the Respondent's actions;
13. The Supreme Court has consistently held that conduct prejudicial to the best interest of the service refers to acts or omissions that tarnish the

image and integrity of public office, even if not directly related to official duties. However, not every act that may be deemed unbecoming or controversial rises to the level of this grave administrative offense. The act must be so flagrant and shameful as to diminish the public's faith in the institution and must not already constitute an administrative offense under the applicable rules. As clarified in recent jurisprudence, in the case of **Nicolas v. Task Forces Abono – Field Investigation Office** (G.R. No. 246114, July 26, 2023), wit:

“Conduct prejudicial to the best interest of the service need not be related to the performance of official duty, as long as the act/omission subject of the administrative complaint tarnish the image or integrity of the public service... Nonetheless, in the evaluation of the charge/s and the evidence against the respondent, the act/omission must not already constitute as an administrative offense xxx “

14. Respondent categorically denies that he has “weaponized” his official position or betrayed the dignity of his office. The use of his congressional title in public communications is not an act of misconduct but an acknowledgment of his role as an elected representative. The mere identification of his position does not transform legitimate opinion into institutional discredit, particularly when no falsehoods or malicious intent are shown. Jurisprudence has consistently recognized that elected officials are entitled to wide latitude in expressing their views, even if critical of government policies, so long as such expression does not present a clear and present danger to the institution or public order;
15. The allegation that Respondent’s posting of images constitutes an “ostentatious display of wealth” is unfounded. The posts in question have been taken out of context and do not, in any manner, prove personal enrichment from public office or impropriety. Absent concrete proof that these images relate to corrupt practices or misuse of public funds, the accusation remains speculative and insufficient to establish misconduct;
16. The respondent’s social media posts featuring pictures of women were made without malice and do not constitute unethical conduct. The women in the pictures were professional models in cosplay events attended by the Respondent. These posts were a personal expression made within the bounds of his constitutional rights. As both a public official and a private individual, the respondent retains the right to privacy and freedom of expression, provided these are exercised without violating the rights of others or breaching public trust. In the case of **Hing v. Choachuy** (G.R. No. 179736, June 26, 2013), the Supreme Court affirmed that: *“The right to privacy is the right to be let alone. The right to privacy is enshrined in our Constitution and in our laws. It is defined as ‘the right to be free from unwarranted exploitation of one’s person or from intrusion into one’s private activities in such a way as to cause humiliation to a person’s ordinary sensibilities.’ It is the right of an*

individual 'to be free from unwarranted publicity, or to live without unwarranted interference by the public in matters in which the public is not necessarily concerned.' Simply put, the right to privacy is 'the right to be let alone.'"

17. This jurisprudence underscores that the respondent's personal online activity, absent any malicious intent or breach of official duty, falls within the protective ambit of his right to privacy. The ethical standards applicable to public officials must be interpreted in a manner that respects both their public responsibilities and their private lives, especially when the conduct in question does not impair the dignity of the office nor the rights of others;
18. With respect to the reputation of Congress or the House of Representatives which the complainants claim is being tarnished by the Respondent, such allegation is not new. Even before Respondent spoke about the issues and anomalies, there were already numerous reports and articles stating that Congress had become a source of ridicule and was turning into a circus because of various controversies, such as corruption. Hence, it cannot be said that it is the Respondent who is defaming the name of the House of Representatives, since its reputation has long been damaged and tainted by previous events (see "ANNEX 1").

PRAYER

WHEREFORE, premises considered, Respondent respectfully prays that this Honorable Committee DISMISS the Verified Complaint for utter lack of merit.

Respondent further prays for such other relief as may be equitable under the premises.

October 06, 2025, Quezon City.



HON. FRANCISCO A. BARZAGA
Representative
4th District, Cavite

VERIFICATION

I, Francisco A. Barzaga, 27 years old, Filipino citizen, single and with address at No. 114 Don P. Campos Ave., Brgy. Zone 3, City of Dasmariñas, Cavite, after having been duly sworn in accordance with law, hereby depose and state that I have caused the preparation of the foregoing ANSWER; that I have read and understood its contents; and that

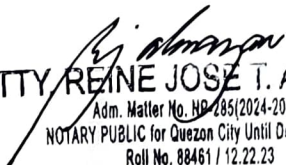
the allegations therein are true and correct based on my personal knowledge and authentic records.



Hon. Francisco A. Barzaga
Respondent

SUBSCRIBED AND SWORN to before me this **OCT 07 2025**
QUEZON CITY affiant exhibiting to me his Driver's License with
Nos. D23-22-300925

Doc. No. 127
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Book No. 1
Series of 2025


ATTY. REINE JOSE T. ALMAZAN
Adm. Matter No. HD-285(2024-2025)
NOTARY PUBLIC for Quezon City Until Dec 31, 2025
Roll No. 88461 / 12.22.23
IBP No. 488731, December 28, 2024, Quezon City
PTR No. 6989533, January 2, 2025, Quezon City
MCLE Compliance No. VIII - 0009734 Valid until April 14, 2028
Phase 2 Block 8 Lot 1 Sampaguita St., Palmera Homes, Brgy. Sta. Monica, Nova., QC

ANNEX "1"

MANILA BULLETIN

Philippines World Business Opinion Lifestyle Entertainment Sports

Manila Bulletin > Opinion > All circus, no bread

Opinion

All circus, no bread

By Raymundo W. Lo, MD, FPSP


Published Dec 16, 2024 09:33 pm

UNDER THE MICROSCOPE



For weeks and even months now, we've been witness to political spectacles as in hearings in the senate and congress. First was the investigation of POGOs, which stirred quite a hornet's nest, leading to the President banning all of them. Then it shifted to an investigation of Bamban Mayor

<https://mb.com.ph/16/12/2024/all-circus-no-bread>




OPINION

The Philippine Congress: A House of Clowns, A Bane to our Freedom

Posted on: 10 July 2021 by emileborja

[emileborja](#)

By:



Enjo

<https://sinag.press/news/2021/07/10/the-philippine-congress-a-house-of-clowns-a-bane-to-our-freedom/>