

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE

P.S. RES. NO. 982



Introduced by **SENATORS VICENTE C. SOTTO III** and **PIA S. CAYETANO**

RESOLUTION

URGING THE SENATE COMMITTEE ON SPORTS TO CONDUCT AN INQUIRY, IN AID OF LEGISLATION, ON THE CONTROVERSY INVOLVING FILIPINO POLE VAULTER, ERNEST JOHN "EJ" OBIENA AND THE PHILIPPINE ATHLETICS TRACK AND FIELD ASSOCIATION (PATAFA), WITH THE END VIEW OF STRENGTHENING RELEVANT LAWS AND POLICIES TO ENSURE ATHLETES' WELFARE AND SPORTS DEVELOPMENT IN THE COUNTRY, INCLUDING THE REMOVAL OF ADMINISTRATIVE BURDEN PLACED UPON ATHLETES TO ENABLE THEM TO FOCUS ON THEIR TRAININGS AND COMPETITIONS

1 **WHEREAS**, Article II, Section 17 of the 1987 Constitution declares that "[t]he State
2 shall give priority to education, science and technology, arts, culture, and sports to foster
3 patriotism and nationalism, accelerate social progress, and promote total human
4 liberation and development";

5 **WHEREAS**, by virtue of Republic Act No. 6847, or *The Philippine Sports*
6 *Commission Act*, the Philippine Sports Commission (PSC) is the regulatory agency
7 responsible for coordinating all sports development programs and institutions in the
8 country, formulating policies related thereto, and establishing and maintaining linkages
9 with, among others, national sports associations (NSAs);¹

10 **WHEREAS**, as recognized by the PSC, NSAs are organized for their respective
11 sports and/or affiliated with their respective international federations, which are
12 recognized by the International Olympic Committee (IOC);²

13 **WHEREAS**, the PSC has the power to exercise supervisory and visitorial powers
14 over the NSAs in connection with their sports promotion and development programs with
15 respect to which financial assistance is provided by the PSC;³

16 **WHEREAS**, PATAFA, which is founded in 1964, is the NSA governing athletics
17 sports, such as track and field, road running, cross country running, and race walking in
18 the Philippines,⁴ and is currently affiliated with the International Association of Athletic

¹ Philippine Sports Commission (n.d.). Legal Mandate, Republic Act No. 6847. PSC.gov.
<https://psc.gov.ph/PSC%20Legal%20Mandate/Republic%20Act%20No.6847.pdf>

² Republic Act No. 6847 (1990), *The Philippine Sports Commission Act*, Sec. 13.

³ Republic Act No. 6847 (1990), *The Philippine Sports Commission Act*, Sec. 11(j).

⁴ PATAFA amended by-laws. (n.d.). <https://pinoyathletics.info/wp-content/uploads/2018/01/2015-PATAFA-Bylaws.pdf>

1 Federations (IAAF), now known as the World Athletics, and the Asian Athletics
2 Associations;⁵

3 **WHEREAS**, on 21 November 2021, PATAFA launched an investigation on its
4 member Ernest John "EJ" Uy Obiena, a Filipino pole vaulter who recently represented
5 the Philippines in the Tokyo Olympics,⁶ and now emerged as the 3rd top pole vaulter in
6 the world;⁷

7 **WHEREAS**, the public learned about the said investigation⁸ after the "internal and
8 confidential" PATAFA letter that was addressed to Obiena was allegedly leaked to a
9 media outlet, the Inquirer;⁹

10 **WHEREAS**, PATAFA stated in the letter that Obiena appeared to have falsified
11 the liquidation reports he submitted to PATAFA and failed to pay the fees of his coach,
12 Vitaly Petrov,¹⁰ and thus, ordered Obiena to return 85,000 euros (approximately
13 PHP4,930,000.00);¹¹

14 **WHEREAS**, Obiena and Petrov held an online conference to deny PATAFA's
15 accusations, where Petrov confirmed receiving the full payment of his coaching fees,
16 which was already brought to the attention of PATAFA President, Philip Ella Juico;¹²

17 **WHEREAS**, Obiena mentioned having difficulty managing the finances on his
18 own and lamented that, while training full time, he had to personally handle the payment
19 of his coaches and other members of his training staff, including shouldering the
20 difference in exchange rates and bank transfer fees, which prompted him to repeatedly
21 request PATAFA to directly pay the coaching fees of Petrov and other expenses, and to
22 stop requiring him to disperse all funds while he focuses on competing for the Philippines,
23 but such request was refused by PATAFA;¹³

24 **WHEREAS**, Obiena stated that he had hired PricewaterhouseCoopers to conduct
25 a full audit of his payments;¹⁴

⁵ PATAFA amended by-laws. (n.d.). <https://pinoyathletics.info/wp-content/uploads/2018/01/2015-PATAFA-Bylaws.pdf>

⁶ Go, B. (2021, July 22). Fast facts: Who is pole vault star EJ Obiena. *Rappler*.
<https://www.rappler.com/sports/things-to-know-ej-obiena/>

⁷ Ernest John OBIENA. (n.d.). *World Athletics*. <https://worldathletics.org/athletes/philippines/ernest-john-obiena-14522941>

⁸ Patafa orders Obiena to return financial assistance. (2021, November 21). *Inquirer Sports*
<https://sports.inquirer.net/442325/patafa-orders-obiena-to-return-financial-assistance>

⁹ Morales, L. (2021, November 21). Obiena denies "falsifying" liquidations submitted to the Philippine athletics body. *Philippine Star*. <https://www.philstar.com/sports/2021/11/21/2142870/obiena-denies-falsifying-liquidations-submitted-philippine-athletics-body>

¹⁰ Morales, L. (2021, November 21). Obiena denies "falsifying" liquidations submitted to the Philippine athletics body. *Philippine Star*. <https://www.philstar.com/sports/2021/11/21/2142870/obiena-denies-falsifying-liquidations-submitted-philippine-athletics-body>

¹¹ Inquirer Sports Staff (2021, November 21). Patafa orders Obiena to return financial assistance. *Philippine Inquirer*. <https://sports.inquirer.net/442325/patafa-orders-obiena-to-return-financial-assistance>

¹² Mangubat, L. (2022, January 6). A timeline of the EJ Obiena vs Patafa rift. *Spin.ph*.
<https://www.spin.ph/life/guide/a-timeline-of-the-ej-obiena-vs-patafa-rift-a1017-20220104-lfm>

¹³ Dioquino, D. (2022, January 17). EJ Obiena bares how his team stayed despite delayed pay. *Rappler*.
<https://www.rappler.com/sports/ej-obiena-says-team-stayed-despite-delayed-salary/>

¹⁴ Mangubat, L. (2022, January 6). A timeline of the EJ Obiena vs. Patafa rift. *Spin.ph*.
<https://www.spin.ph/life/guide/a-timeline-of-the-ej-obiena-vs-patafa-rift-a1017-20220104-lfm>

1 **WHEREAS**, in response, the PSC said that the dispute between PATAFA and
2 Obiena should be sorted out internally and that the PSC would only intervene “when it is
3 appropriate,” which prompted the Philippine Senate to recall its PHP 1,600,000,000 2022
4 budget,¹⁵ taking into consideration that the PSC extends financial assistance for sports
5 development to NSAs and that based on PSC’s financial report, PATAFA had received
6 the largest financial aid from 2010-2020 in the amount of PHP 274,300,000;¹⁶

7 **WHEREAS**, during the further deliberations of PSC’s 2022 budget, PSC Chairman
8 William Ramirez assured the Philippine Senate that he will stop the harassment against
9 Obiena, put in place better processes for athletes who train abroad, and provide
10 assistance in their administrative work;¹⁷

11 **WHEREAS**, Obiena, for his part, said that he will bring PATAFA’s accusations
12 against him to the Philippine Olympic Committee (POC), IOC, and World Athletics for
13 further investigation;¹⁸

14 **WHEREAS**, IOC and POC have conducted their own investigations on the matter
15 with POC President Bambol Tolentino’s assurance that all efforts would be exhausted for
16 Obiena to represent the country in major international tournaments;¹⁹

17 **WHEREAS**, on 28 December 2021, the POC’s Executive Board approved the
18 recommendation of its Ethics Committee to declare PATAFA President Juico a “*persona*
19 *non grata*,” after the investigation found him to have harassed and made malicious
20 accusations against Obiena and to no longer recognize him as PATAFA’s President;²⁰

21 **WHEREAS**, on 4 January 2022, PATAFA’s Investigative Committee
22 recommended that Obiena be dropped from the National Training Pool of Athletes, and
23 that an estafa case and a complaint before the World Athletics be filed against him and
24 Petrov, respectively;²¹

¹⁵ Cepeda, M. (2021, November 23). Senate recalls PSC’s 2022 budget over “hands-off” stand in EJ Obiena-PATAFA row. *Rappler*. <https://www.rappler.com/nation/senate-recalls-philippine-sports-commission-2022-budget-hands-off-stand-ej-obiena-patafa-row/>

¹⁶ Saldajeno, I. (2021, March 17). NSAs receive P5.12-B funding from PSC in last 10 years. *Philippine News Agency*. <https://www.pna.gov.ph/articles/1133981>

¹⁷ Fernandez, B. (2021 November 24). PSC budget deemed “re-submitted” as Ramirez assures senators of action in Obiena-Patafa row. *Business Mirror*. <https://businessmirror.com.ph/2021/11/24/psc-budget-deemed-re-submitted-as-ramirez-assures-senators-of-action-in-obiena-patafa-row/>

¹⁸ Yumol, D. (2021, November 22). EJ Obiena denies not paying Ukrainian coach, threatens to ‘immediately’ retire. *CNN Philippines*. <https://cnnphilippines.com/sports/2021/11/21/EJ-Obiena-PATAFA-probe-.html>

¹⁹ Mangubat, L. (2022, January 6). A timeline of the EJ Obiena vs. Patafa rift. *Spin.ph*. <https://www.spin.ph/life/guide/a-timeline-of-the-ej-obiena-vs-patafa-rift-a1017-20220104-lfrm>

²⁰ CNN Philippines Staff. (2021, December 28). POC declares PATAFA chief persona non grata amid Obiena rift. *CNN Philippines*. <https://www.cnnphilippines.com/sports/2021/12/28/POC-PATAFA-Juico-persona-non-grata-EJ-Obiena.html>

²¹ Giongco, M. (2022, January 4). Patafa to drop EJ Obiena from national team, file estafa case. *Philippine Inquirer*. <https://sports.inquirer.net/446410/patafa-to-drop-ej-obiena-from-national-team-file-estafa-case>

1 **WHEREAS**, some members of the Senate expressed their strong disappointment
2 on how PATAFA handled the case of Obiena and emphasized that the welfare of our
3 athletes should be prioritized;²²

4 **WHEREAS**, with the best odds to win, as the 3rd top pole vaulter in the world,
5 Obiena is set to represent the country in international competitions this year, such as the
6 2022 SEA Games in Hanoi, the Asian Games in Huangzhou, and the 2024 Paris
7 Olympics,²³ but his possible removal from the national training pool might jeopardize his
8 chance to participate in these competitions;

9 **WHEREAS**, even with several offers from other countries,²⁴ Obiena maintained
10 and reiterated his loyalty and commitment to play for and represent the Philippines in
11 future competitions,²⁵

12 **WHEREAS**, there is an urgent need to address the matter involving Obiena and
13 PATAFA to enable our world class athlete and one of the best pole vaulters in the world
14 to focus on his trainings and competitions;

15 **WHEREAS**, it is necessary to review the existing rules and regulations, and
16 practices of the PSC and the NSAs, and in this particular case, PATAFA's handling and
17 disbursing of funds to athletes, coaches, and staff to prevent similar future occurrences;

18 **WHEREAS**, the circumstances surrounding Obiena's case highlight the need to
19 improve relevant laws and policies in order to protect the welfare of athletes, particularly
20 to ease the burden of administrative work²⁶ of those training abroad due to the lack of
21 immediate assistance that might otherwise be available in the country;

22 **NOW, THEREFORE, BE IT RESOLVED**, urging the Senate Committee on Sports
23 to conduct an inquiry, in aid of legislation, on the controversy involving Filipino pole
24 vaulter, Ernest John "EJ" Obiena and the Philippine Athletics Track And Field Association
25 (PATAFA), with the end view of strengthening relevant laws and policies to ensure
26 athletes' welfare and sports development in the country, including the removal of
27 administrative burden placed upon athletes to enable them to focus on their trainings and
28 competitions.

Adopted,


VICENTE C. SOTTO III


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²² Bordey, H. (2022, January 6). More senators rally behind Olympian EJ Obiena amid rift with PATAFA. *GMA News*. <https://www.gmanetwork.com/news/topstories/nation/817250/more-senators-rally-behind-olympian-ej-obiena-amid-rift-with-patafa/story/>

²³ Saldajeno, I. (2022, January 4). POC vows to bring EJ Obiena to SEA Games, Asiad. *Philippine News Agency*. <https://www.pna.gov.ph/articles/1164484>

²⁴ Giongco, M. (2022, January 4). Patafa to drop EJ Obiena from national team, file estafa case. *Inquirer*. <https://sports.inquirer.net/446410/patafa-to-drop-ej-obiena-from-national-team-file-estafa-case>

²⁵ Ramos, C. (2021, November 23). PSC, senators want end to "harassment" vs EJ Obiena. *Inquirer*. <https://sports.inquirer.net/442609/psc-senators-want-end-to-harassment-vs-ej-obiena>

²⁶ Go, B. (2022, January 14). DOCUMENTS: How a Philippine sports system failed EJ Obiena. *Rappler*. <https://www.rappler.com/sports/documents-how-philippine-system-failed-ej-obiena/>