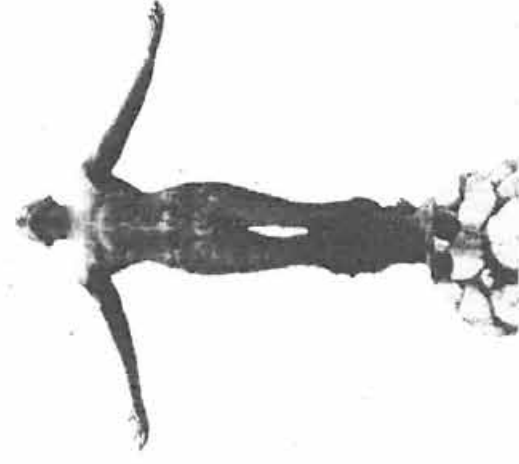


**FOSTERING
DEMOCRATIC
GOVERNANCE:
SUSTAINING THE GAINS
AND
LEARNING FROM THE PAINS**

**Diliman
Governance
Forum**



**Working Paper Series No. 10
2008**

Fostering Democratic Governance: Sustaining the Gains and Learning from the Pains

19th Diliman Governance Forum
National College of Public Administration and Governance
University of the Philippines

FOSTERING DEMOCRATIC GOVERNANCE: SUSTAINING THE GAINS AND LEARNING FROM THE PAINS


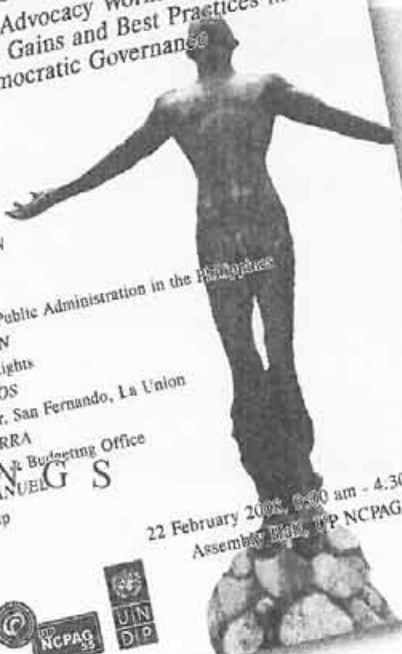
A Launch and Advocacy Workshop
on How to Sustain the Gains and Best Practices in
Fostering Democratic Governance

Speakers:

ATTY. RAFAEL HIPOLITO
Office of the Ombudsman
COL. JESUS GATCHALIAN
Philippine National Police
DR. GRACE JAMON
Association of Schools of Public Administration in the Philippines
ATTY. ANITA CHAUHAN
Commission on Human Rights
ATTY. VERSALIE LIMOS
Office of the City Mayor, San Fernando, La Union
EMERSON FO VICERRA
Congressional Planning & Budgeting Office
ATTY. MARLON MANUEL
Alternative Law Group

22 February 2008, 8:00 am - 4:30 pm
Assembly Hall, NCPAG

PROCEEDINGS



**FOSTERING DEMOCRATIC GOVERNANCE:
SUSTAINING THE GAINS AND LEARNING FROM THE PAINS**

A Documentation of Proceedings

**National College of Public Administration and Governance
University of the Philippines
May 2008**

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FOREWORD

The Diliman Governance Forum (DGF) is a continuing effort of the National College of Public Administration and Governance (NCPAG), University of the Philippines (UP) to initiate collective action for public administration reforms and better governance. Spinning off from the Policy Issues Forum conducted by the College in the past, the DGF has tackled various policy concerns, such as, reengineering government, fiscal crisis, geo-informatics, electoral reforms and youth leaders of the past and present. The 19th in a series was held on 22 February 2008 from 9 a.m. to 4:30 p.m. at the NCPAG Assembly Hall, Diliman, Quezon City. Its thematic focus is on "Fostering Democratic Governance: Sustaining the Gains and Learning from the Pains."

For 2007, the Philippine Governance Forum (PGF) focused on the consolidation, policy review, advocacy and knowledge sharing of the Rights and Reforms contributions, gains and best practices of selected FDG initiatives for 2005-2006. It has thus completed a policy forum on assessing governance in the Philippines in the post-Marcos era, and its policy review of the gains and lessons learned in fostering democratic governance.

Organized by the UP NCPAG, the DGF generally aims to showcase the best practices in public administration, political and electoral, judicial and rights-based reform efforts of various champions and partners of the College in fostering democratic governance. Also, it intends to review the lessons, pains and struggles in shepherding these reforms. All these are with the end in view of exploring courses of actions and advocacy plans that may sustain best practices and innovations in governance. In addition, at least three PGF knowledge products will also be launched and distributed to some 200 participants from the development partners of the College.

This working paper contains the highlights of the 19th DGF and the workshop outputs of the three thematic areas: political and electoral reforms, public administration reforms, and justice and human rights reforms. It also contains discussions on specific reform areas and the recommendations of the participants on the next steps to address the challenges and issues identified in the presentation of the identified champions.

We hope that this Working Paper could help raise our level of understanding of important governance issues and inform us of advocacies and little steps we can take to make the processes and arrangements more beneficial to the people, especially the disadvantaged sectors.

We would like to acknowledge with gratitude the efforts of our partners in co-sponsoring this DGF, namely: the United Nations Development Programme (UNDP), National Economic and Development Authority (NEDA), Fair Trade Alliance (FTA), UP School of Economics (UPSE), Social Watch Philippines (SWP), Human Development Network, Inc (HDN)—and our team in organizing and completing this Working Paper.

MARIA FE V. MENDOZA
PGF Director

ALEX B. BRILLANTES, JR.
Dean, UP NCPAG

Opening Remarks

Dr. Ma. Oliva Z. Domingo

Dr. Ma. Oliva Domingo, director of the Center for Leadership, Citizenship and Democracy (CLCD) of the National College of Public Administration and Governance (NCPAG), formally opened the 19th Diliman Governance Forum (DGF). In her welcome remarks, Dr. Domingo noted that the 19th DGF is unique and special. She elaborated that previous DGFs usually focus only on one issue and the speakers discussed extensively the topic at different angles. The present DGF, on the other hand, tackles several concerns as well as best practices.

In this regard, she related NCPAG's thrust in advancing reforms and innovations in the national and local governments through its researches, the trainings conducted by its centers, and the education of future government servants as well as the government employees enrolled in its programs. For the benefit of the participants who are coming to the College for the first time, Dr. Domingo also briefly introduced NCPAG's four centers, namely: the Center for Local and Regional Governance, the Center for Policy and Executive Development, Center for Leadership, Citizenship and Democracy, and the Center for Public Administration and Governance Education. Similarly she related that NCPAG offers both graduate and undergraduate degrees: Bachelor of Arts in Public Administration, Master of Public Administration, and Doctor of Public Administration.

Dr. Domingo ended her remarks by saying that the 19th DGF which is about best practices offers good news at a crucial time when all sorts of scandals of corruption upset the nation. She said this forum is especially relevant and gives hope to the country and the citizens amidst issues of bad governance.

Overview of the Forum and Introduction of FDG Champions

Dr. Maria Fe V. Mendoza

PGF Director

Before discussing the conduct of the forum and introducing the guest speakers, Dr. Mendoza first gave the participants an overview of the “Fostering Democratic Governance” project. She explained that:

Once upon a time, when the political turbulence in the country was still only a-brewing, a programme developed with funding support from the United Nations Development Programme (UNDP) entitled “Fostering Democratic Governance” (FDG) was conceived. Generally, the FDG seeks to institutionalize democratic governance reforms and practices by government, both local and national, civil society organizations and the private sector towards poverty reduction, protection of rights and sustainable human development by year 2009...

Dr. Mendoza elaborated that the goals of the project are targeted to be achieved through the following:

- More accountable and rule-based justice institutions for greater access by the poor to justice and human security;
- More responsive national, sub-national and local institutions providing efficient social services delivery; and
- Political, electoral and legislative reforms instituted to democratize and increase participation especially by the poor.

FDG focuses on three strategic reform areas that support performance, excellence, transparency, greater accountability, participation and gender-sensitivity in the public sector. These areas are:

- **Justice and human rights reforms (JR)**, which underscore sustained and harmonized sets of reforms within and among the five pillars of the criminal justice system, i.e., law enforcement, prosecution, courts, corrections and community. Reforms are targeted to achieve more accountable and rule-based institutions and enhance access of the poor to justice and human security.
- **Public administration reforms (PAR)**, which strive to effect a rationalized, efficient and effective bureaucracy, effective use of Official Development Assistance (ODA), and corrupt-free practices and ethical behavior at all levels. To this end, reforms focus on public sector initiatives, anti-corruption measures, strengthening public sector reforms, anti-corruption measures, strengthening local governance, trade and globalization and aid coordination.
- **Political and electoral reforms (PER)**, which aim to institute legislative, electoral and other political reforms that enhance democratic governance and increase the participation of the poor and disadvantaged sector. This shall be achieved by enhancing democratic political institutions, making the process of legislation more responsive and effective, ensuring credibility and efficiency in the electoral process and other political reforms.

Dr. Mendoza shared that various reform interventions were initiated from 2002-2005 (First Cycle) and 2005-2009 (Second Cycle). Something happened in 2006 which necessitated a change in implementing mechanisms in 2007. Nevertheless, some 25

projects were implemented from late 2005-2006. These were covered under the following thematic areas:

Justice Reforms

- Medium Term Development Plan for the Criminal Justice System
- Transformation Program: Strengthening the Capacity of the PNP-PMO
- Development and Implementation of Model Police Stations
- Legal Assistance to Overstaying Detainees especially to Children in Conflict with Law & Women Detainees
- Sustained Re-integration Services
- Formulation of National Standards on Corrections
- Support to Paralegal Practice of Alternative Law Groups

Public Administration Reforms

- Capacity Building for Career Executive Service Officers (CESOs) for Improved Access to Services Delivery by the Poor
- Tracking Governance Reforms within the context of the MTPDP
- MDG Localization
- Managing Globalization
- Strengthening Schools of Public Administration & Local Resource Institutes

- Developing Innovative Practices in Corporate Governance, Leadership Philippines and Indigenous People's Governance
- Philippine Governance Forum
- Baseline Survey on Governance Reforms
- Institution of Agency-based Change Management

Anti-Corruption

- National Anti-Corruption Plan of Action
- Localization of G-Watch
- Continuing Participatory Project Monitoring
- CSO Forum Exchange

Human Rights

- Assistance to Human Rights Action Planning
- Piloting RBA (with components such as MDG, Gender and Local Governance Reforms, etc.)
- Sustaining Media Engagement for Good Governance through Public Journalism
- Gender and Governance

Political Reforms

- Citizen-Voters Education

- Citizen Congressional Lobby Assistance Project
- Deepening Democracy through Political Reforms
- Crafting the Medium Term Action Plan for the Philippine Electoral System
- Good Citizenship: Building Blocks of Development

Dr. Mendoza then proceeded to introduce what she calls FDG Champions. The FDG champions are institutions or projects which share the vision of the FDG. The FDG champions work along the different reform areas such as Public Administration, Justice and Human Rights. They include:

- The National Anti-Corruption Plan of Action or NACPA by the Office of the Ombudsman
- Model Police Station by the PNP
- Mainstreaming Rights-based Approach to Local Governance by the Association of Schools Public Administration in the Philippines, Commission on Human Rights and Local Government Units (city of San Fernando, La Union)
- Enhancing Access to Legislation by the Congressional Planning and Budget Office of the House of Representatives; and
- Widening Access to Justice through Para-Legals by the Alternative Law Groups (ALG)

Dr. Mendoza then gave an overview of the forum consisting primarily of two plenary sessions. Dr. Mendoza announced that the knowledge products related to the FDG will

be launched later in the afternoon and free copies shall be distributed to the participants.

As a concluding note, she thanked the participants in advance for coming to the DGF. She said she hopes to witness a fruitful exchange of opinions, solutions and questions to influence governance reforms today when concerted stands are badly needed to be crafted through more careful introspection, reflection and digestion of facts, experiences and progressive actions.

National Anti-Corruption Program of Action (NACPA)

Atty. Rafael Hipolito
Office of the Ombudsman

The National Anti-Corruption Program of Action under the auspices of the Office of the Ombudsman was discussed by Atty. Rafael Hipolito. According to Hipolito, NACPA was conceived on the account of some basic national concerns, namely: 1) anti-corruption efforts are diffused; 2) gaps and overlaps in policy development, enforcement and system improvement; and 3) no unified accounting of the progress of anti-corruption efforts in the country. Hence, there is a need for a convergence strategy for collective action and a coordinated and targeted approach to reach anti-corruption goals.

NACPA was formed when anti-corruption Czarina Merceditas Gutierrez felt the need for a comprehensive plan to streamline government plan of action. Hipolito cited several activities that eventually led to the establishment of NACPA including signing of covenants, formation of coalitions and other activities held in the country and abroad. Hipolito explained that NACPA is guided by chapter 21 of the Medium Term Philippine Development Plan (MTPDP), the adoption of the principles of the United Nations Convention against Corruption (UNCAC), and the Millennium Development Goals.

Anti-corruption strategies being implemented by NACPA include seven tracks: policy, prosecution, prevention, promotion of integrity, partnership building, performance management, and perception management. NACPA's launching calls for the partnership of the government, the civil society, the Office of the Ombudsman, the business sector and development partners. Several agencies and sectors also expressed their commitment to support the NACPA Covenant, like the Executive, Judiciary,

Senate and House of Representatives, Constitutional Bodies, Local Governments, the Business sector, Civil Society, Academe and Development Partners.

Hipolito enumerated NACPA's objectives:

- Serve as avenue for effective consultations & coordination among key anti-corruption players
- Streamline & strengthen anti-corruption commitments of stakeholders under a comprehensive strategic framework
- Install an anti-corruption performance measurement system
- Social marketing of anti-corruption success stories for greater public support & investor confidence.

Hipolito then discussed the milestones of NACPA which include lobbying for the concurrence by the Philippine Senate with the United Nations Convention Against Corruption (UNCAC) with the support of the UNDP and the Transparency and Accountability Network. The milestone activities of UNCAC constitute a series of meeting and workshops under the Multi-Sectoral Anti-Corruption Council (MSACC).

The MSACC has the following governing functions:

- Principle of shared responsibility
- Observance of high standards
- Importance of harmonizing efforts
- Holistic approach
- Vital role of civil society

- Indispensable role of stakeholders
- Tangible and verifiable results

The MSACC is composed of representatives of each sector whose nomination and membership are governed by the same process and procedure in the nomination and membership of an MSACC member. The MSACC-TWC assists the Council in carrying out its functions. The Secretariat provides technical and secretarial support to the MSACC and MSACC-TWC and performs such other functions as may be assigned by the Council or Chairman. The objectives of the MSACC are to strengthen anti-corruption commitments; vigorously pursue and promote anti-corruption initiatives in the country; and unify, integrate, and monitor the anti-corruption program of all stakeholders.

Some of the activities undertaken under the program include the Rally for Integrity, a public accountability roadshow which aims to promote a reporting system on erring public officials anchored on the submission of pertinent information that will facilitate faster investigations and successful prosecutions. The rally for integrity was held on 17 August 2007 at the Bahay ng Alumni in UP Diliman, and 19 October 2007, Holy Cross Davao College, Davao City. A monitoring and evaluation workshop was also held on 26-28 September 2007 at Astoria Plaza, Pasig City.

Model Police Station

Col. Jesus Gatchalian

Philippine National Police

The model police station is one of the programs being handled by the Program Management Office (PMO) of the Philippine National Police (PNP). The PMO is headed by Col. Gatchalian who represented the office in the forum. PMO, according to Gatchalian, is a new office of the PNP focusing its activities in the national headquarters but is moving to widen its scope to cover the entire PNP offices all over the country. However, before going deeply into the model police station, Gatchalian directed the audience's attention to existing realities in the PNP.

Gatchalian imparted the dire financial and logistical status of the PNP, saying that a big share of the PNP's national budget, about 92 percent, goes to personal services or salaries and allowances of the PNP personnel. Less than 8 percent (7.58 percent) goes to maintenance and other operating expenses, and only .42 percent is set aside for capital outlay. He added that about 1,282 or 80 percent of the police stations all over the country are informal settlers or settling on lands owned by the local government units and private individuals. Police precincts are also made of inferior materials, making police stations and the personnel vulnerable to enemy harassment and to forces of nature. The PNP is also 65 percent short of land patrol vehicles, 80 percent short of aircraft, and 70 percent short of watercraft. Limited fuel supplies prevents the PNP from making continuous patrol.

Inadequate communication equipment is also another problem which leads to poor coordination among police personnel while most police stations lack proper equipment like computers and fax machines for the execution of their duties. In terms of

personnel compensation, Gatchalian lamented that sixty percent of the PO1 to PO3 personnel are living below the poverty line.

Another reality discussed by Gatchalian is the low public perception of the PNP, which reduces the effectiveness of the police to work with the community. He disclosed that only 15 percent of victims of crimes file cases at the police station or other law enforcement agencies. Most of those victimized see crime reporting to be a waste of time, citing slow police action and a cumbersome process of reporting their encounter with crime.

The Model Police Station (MPS) is one of the programs designed to address these problems. Gatchalian explained that, in general, a model police station must have adequate facilities, well-equipped and highly trained personnel, and various capabilities to meet the needs of the community. The objective of the model police station is to integrate and showcase PNP reforms and best practices in policing and police organization management within a defined locality under the jurisdiction of a provincial, municipal or city police office; and to combine police reforms & best practices with a more comprehensive, community-based peace and order planning & management system.

Reform areas targeted in connection to the MPS are composed of physical reform which include structure, facilities and equipment of the police station; reform in systems and methods which includes the review of plans, strategies, policies, procedures and techniques; and human resource reform which includes values formation, capacity building, and spiritual dimension.

The MPS's strategic framework is comprised of building partnerships, building capacities of police personnel, reviewing systems and procedures, basic resources, reforms and best practices, benefits, outcome, and impact.

The building of capacities involves: 1) review, development, implementation of systems and procedures; 2)

provision of tools and technologies; and 3) development of human resource (intelligence, investigation, community policing, major crime and incident management). Capacity building for the community is focused on the empowerment of citizens to exercise their rights and the promotion of good citizenship. Partnerships involve the development of broad constituency to gather baseline data and benchmarks for success, launching of capacity building initiatives for police and citizens, development and implementation of local peace and order plan, and mobilization of resources to the support police station. Basic resources involve the review, planning, and implementation of physical facility standards (such as buildings, office space/amenities, detention and interview rooms, police transport and communications equipment, weapons, ammunition and other police equipment), and the provision of on-time and sufficient financial resources.

Reforms and basic practices include regular Saturday inspections, regular *ugnayan*, duty shift turnovers, 5-minute response time, PNP service desk, moral & spiritual enhancement seminars (MOSES), *oplan* photo-*sita*, *oplan* video-docu, and tech-driven interventions among others.

The benefits aim to be results-oriented, effective in dealing with major Incidents and other security issues like terrorism; enhanced security for citizens, tourists & vital installations of the city; increased level of business confidence; and increased level of city competitiveness. As regards the community, the program aims to be costumer-focused, transparent, accountable, and responsive. It also aims to provide quality police services, improve access to justice of the poor and other vulnerable sectors, improve responsiveness of police services to special sectors such as women, children, and indigenous peoples. Model police station is a catalyst for fostering culture of peace, order & safety with active community involvement.

The pilot sites of the project are Baguio City, Makati City, Marikina City, Quezon City, Sorsogon City, Boracay, Aklan PPO,

Lapu-lapu City, Marawi City and Zamboanga City. The criteria for the selection of the priority areas are strategic location, high level of business activity, peace and order situation, proximity to tourist sites or conflict areas, and Millennium Development Goals sites. The UNDP, the US DOJ International Criminal Investigative Training Assistance Program, the British Embassy Manila, Commission on Human Rights, Civil Service Commission, Local Government Units, Supreme Court-PMO, Bureau of Jail Management and Penology, *Bantay Bata* 163/ABS-CBN Foundation, Inc., and the Alternative Law Groups, Inc. were the partners in the program. The US DOJ ICITAP provides police and criminal investigation development assistance through technical advice, training, mentoring, equipment donation and internships with pre-eminent criminal justice organizations. British Embassy Manila provides funding and technical assistance for the development of Model Police Station in Marawi City. United Nations Development Programme (UNDP), on the other hand, provides funding and technical assistance for the development of Model Police Station in Marikina City.

Gatchalian elaborated that the Marikina Police Station had its 179 personnel re-trained in community policing, crime scene investigation and instructor development. It is equipped with computers and other office facilities procured using UNDP Funds. The station has also an additional patrol vehicle issued by DL as approved by CPNP. Recently, Marikina Police Station was adjudged as the "Most Child-friendly Police Station" by the National Police Commission and, "Best City Police Station of National Capital Region Police Office for 2007." Gatchalian finished his presentation by showcasing the progress of other MPS project sites in other parts of the country.

Enhancing Access to Legislation

Mr. Rodolfo Vicerra

Congressional Planning and Budget Office

Mr. Rodolfo Vicerra discussed the most recent project implemented in the House of Representative, which is the Citizens Legislative Assistance Program conducted during the 2nd semester of 2006. The objectives of the project are:

- Establish a general framework of engagement between the legislature and the citizens at large in policy formulation;
- Improve networks for communication, negotiation and collaboration between the legislature and sectoral/ community groups on specific legislative measures and priorities; and
- Forge partnership with the academia, civil society organizations and business sector in capability-building activities that intend to help the public to better understand its role in public affairs.

Vicerra explained that, at the onset of the project, workshops and fora were conducted in Luzon, Visayas and Mindanao. The results of the workshops surprised the initiators of the project.

Out of the localities given the workshops and fora, none has a clear understanding of the activities of the House of Representatives, the roles of the representatives that they elect, the functions of the legislature, as well as the function of the very representative they voted for.

With this in view, the project identified the following dominant themes and issues in the consultation process:

- how the legislature can better reach out to constituents, civil society and basic sectors;
- strategic measures to deepen engagement between the legislature and the citizens and civil society—bringing various people's organizations and marginalized groups closer to the legislative process.

To concretize the themes, some strategic measures were proposed to improve the relationships between the constituencies of Congress and Congress itself. Initially, the office is working on the establishment of the web portal, *Bantay Gobyerno*, to engage possible partners to take part in communicating and important policy information that could affect policy making and legislation in the House. The *bantaygobyerno.org* is a working website right now. The problem with the web portal is that it is still on its beta test and could not yet be used intentionally. Congress is not yet ready because the ICT equipment is not yet in place. Most of the computers in the offices of congressmen are on stand alone basis and not connected by a local network.

Another on-going project is the conduct of Legislative Agenda Planning Workshop by the House Secretariat for the House to be able to suggest to the next Congress the possible policy priorities that the secretariat feels the incoming congress should focus their attention.

Vicerra also underscored the need to increase the level of awareness of House Members and constituents on the key role of oversight in pro-poor programs/projects. Vicerra stressed that oversight function is the power of Congress that is not well maximized particularly in evaluating government projects and the implementation of policies. Current activities in relation to oversight are mere blue ribbon investigation which has not deeply

delves into Congress' "power of the purse", to clarify where does and how every peso is spent in the implementation of projects, programs, policies and laws.

The proposal for systematic lobbying procedure in the legislative process is also important. At present, most of those who lobby the most are those who are not supposed to be in Congress. In other words, the poor fishermen, the poor farmer, the poor working sector are not able to reach Congress for lack of facilities to communicate their concerns and for lack of resources to mobilize groups and meetings with the concerned decisionmakers. In this case, only those who have the money and the advantage are able to lobby especially on critical legislations. In lieu of this, a proposal was submitted to Congress endorsing the Citizens Legislative Assistance Program to ensure access to communication between the basic sectors and the legislators.

On the side, Vicerra also cited institutional developments since the recent change in leadership or speakership in the House of Representatives which include the following:

- Formal consultations and legislative town hall meetings;
- Conduct public hearings outside of Metro Manila to solicit public inputs, esp. from marginalized areas;
- Making Committees Account for Output - Deputy Speakers to oversee clusters of Committees
- Enhanced transparency of legislative processes;
- full multi-media coverage of plenary/committee meetings;
- "periodikit" wallnews in every congressional district.

One of the important projects under the e-government fund is the e-Legislation system. The e-Legislation system will automate the bill filing from the desktop of the congressman, to referral in the plenary, to referral to the committee including the editing process with the editing authorities. All of these are digital-secured process and would be available in the web. This would not be limited to the Bills, but would also include all position

papers, and all information submitted to the committees with regard to policy process. On top of that, the system would also include a program where the citizens can communicate and include their own inputs, comments and reactions to policy proposals for a more participative policy making so that the committee secretariat can make available the inputs and reactions to House members.

A similar project related to ICT is the e-appropriation project. This is hoped to be linked to the DBM in the budgeting system. Beyond this, the project aims at linking the House of Representatives and other agencies with respect to budget needs.

Recently, the House of Representatives has also installed the Bio-metric electronic voting in the plenary. In this case, legislators have to use their bio-metric signatures in voting to prove that they are present on the floor. This would correct the traditional and inefficient way of "Aye" and "Nay" which is oftentimes abused with voice projection. Another proposal to improve the legislation is the establishment of the Legislative Academy and to expand Congressional Internships and Policy Advocacy Training to cover basic sectors. The House has been conducting congressional internships for young Muslim leaders. This program is sponsored by USAID to orient young Muslim leaders on the legislative process so that they would understand how things work and learn to maneuver their way into the system of legislation.

Mainstreaming Rights-based Approach to Local Governance

Dr. Grace Jamon

Association of Schools of Public Administration
in the Philippines (ASPAP)

Dr. Jamon presented the experience of the Association of Schools of Public Administration in the Philippines (ASPAP) in conducting the project called *Mainstreaming Human Rights and Gender in Local Development* supported by the UNDP. Before proceeding to the actual experience of ASPAP in relation to the project, she found it necessary to provide a glimpse of the organization since, she supposed, some of the participants are not yet familiar with ASPAP.

She gave a brief overview of the nature of the work of ASPAP, after which she identified chapters of the organization distributed in several regions and provinces of the country. She shared that:

ASPAP today has more than 120-member schools across the country, from University of Northern Philippines (UNP) in to the Mindanao State University (MSU) in Tawi-Tawi. As of last year, we have successfully organized seven (7) ASPAP Regional Chapters, viz.:: (1) ARC – Region III (Pampanga); (2) ARC - Region IV (Lucban, Quezon); (3) ARC – National Capital Region; (4) ARC – Region V (Naga); (5) ARC – Region VI (Panay); (6) ARC – Regions VII and VIII (Central Visayas), and, (7) ARC – ARMM and Central Mindanao (General Santos City).

Dr. Jamon noted that ASPAP started as a national enterprise but it has since grown big that establishing regional chapters became necessary. Dr. Jamon presented the summary of the trainings

conducted by ASPAP under the project. The workshops and trainings were held in all three major islands of the Philippines in the year 2007.

Based on their experience, Dr. Jamon suggested that the role of the schools or academic organizations in development and governance cannot be overemphasized.

Aside from molding the character of the young, the schools or academic institutions develop leaders who would be at the forefront of community development and governance. Also, the schools or academic institutions by virtue of the values and principles that they espouse, have earned a respectable place in the community where they have developed certain linkages and alliances with community groups. Based on these networks and alliances, they have enjoyed to a large extent, a high level of public trust. It is this public trust and confidence that is deemed to be a valuable asset in building partnerships with other institutions or organizations in the community particularly with the local government.

The academic institutions or schools, Jamon said, have the advantage of knowledge resources that can be shared with the government (local/national level) and other organizations. It is this expertise that can contribute to the capacity building of institutions most especially local government. She calls this their “town and gown” approach. Basically this approach:

...implies a partnership between the school and the local community, particularly the local government. It implies a relationship between the “town” which is the community or the local government and the “gown” which is the university or school located in the local area. The relationship is seen to be more of a “partnership” where each partner shares its resources for a common cause or goal, which is the development of the local community. This notion also

represents to each partner a better strategy to address a specific goal or objective than each partner operating independently. The partnership then adds value to the efforts of each individual partner.

In reference to the role of ASPAP, Dr. Jamon likewise emphasized the character of schools as an effective facilitator of development efforts. She noted that it was never a problem to invite local government officials to attend the workshops since they have high esteem for the academe.

...the schools or academic institutions by virtue of the values and principles that they espouse, have earned a respectable place in the community where they have developed certain linkages and alliances with community groups. Based on these networks and alliances, they have enjoyed to a large extent, a high level of public trust. It is this public trust and confidence that is deemed to be a valuable asset in building partnerships with other institutions or organizations in the community particularly with the local government...The academic institutions or schools have also the advantage of knowledge resources that can be shared with the government (local/national level) and other organizations. It is this expertise that can contribute to the capacity building of institutions most especially local government.

Dr. Jamon also shared the feat of the Philippines becoming no. 2 in the Guinness Book of world records with the most number of people mobilized for the 'Stand-up Against Poverty' event held in 2006 which was highly participated in by ASPAP.

As a concluding remark, Jamon said that the experience of ASPAP in mainstreaming human rights and gender in local development is well worth the money spent for its conduct.

On a personal level, I consider it very fulfilling. Fulfilling because, first of all, I got to travel to places where I have not been before. Second, I have met people and won new friendships. Third, I got to realize the potential of the ASPAP Regional Chapters (ARCs) as a valuable resource which one could really tap when it comes to organizing activities such as the Seminar-Workshops they conducted. .. Fourth, it seems that the imperial Manila does not have the monopoly of experts in the field of human rights and gender. There are a lot of valuable human resource which could be tapped in the regions which remain undiscovered. While this seems to be considered an advantage to our friends in the regions, I consider the same to be a challenge to ASPAP because we discovered during our meeting with Naga Mayor Jesse Robredo that people at the local level have high regard for the 'branded' schools based in Manila. In packaging seminars or training programs for implementation at the local level, it would be important to include personalities from Manila who are recognized experts so people will be attracted to attend. With the establishment of the 7 ASPAP Regional Chapters (ARCs) across the country, ASPAP remains steadfast in facing the challenge of development, especially at the local level.

Mainstreaming Rights-Based Approach to Local Governance

Atty. Anita Chauhan
Commission on Human Rights

Atty. Anita Chauhan, Regional Director of the Commission on Human Rights, shared their experience in implementing the project Mainstreaming Rights-Based Approach to Local Governance in Region I. She began her presentation by providing a background on how the CHR got involved in the project. It was revealed that CHR was identified as the lead agency under the UNDD-GOP Shell Programme on Right to Development of the Portfolio on Governance. Mainstreaming of the Human Rights Based Approach to Local Governance at CHRP-1, meanwhile, started in 2003.

Before proceeding to the discussion of the project implementation, Atty Chauhan provided a framework for understanding the interlinked concepts of human rights and human development.

Human development is essential for realizing human rights and human rights are essential for full human development. We will not enjoy development without security, we will not enjoy security without development, and we will not enjoy either without respect for human rights.

“Unless all these causes are advanced, NONE will succeed,” added Chauhan.

Next to be discussed was the modalities of action of the project. Tackled under this area are the strategies, interventions, targets, partners, and the accomplishments.

In general, the strategies employed by Atty. Chauhan and her team consist of advocacy, IEC materials development, capacity building, partnership and alliance building, resource generation and mobilization, and piloting. Major interventions, meanwhile included the following:

- Intensive Advocacy campaign on the Mainstreaming of the Human Rights-Based Approach to Development and Governance (HRBADG)
- Engagement in a rights-based study entitled ‘*PILOT Survey on the Diagnosis of Indigenous People’s Rights To Ancestral Domains and Lands in Three Ancestral Domains in the Philippines*’
- Application of HRBADG in the Enhancement of the Ancestral Domains Sustainable Development and Protection Plan (ADSDPP)
- Rights-Based MDG Localization Under the Regional Development Council
- Pilot Project on “Developing San Fernando City as a Resource City for Rights-Based MDG Localization”
- Pilot Project on “Developing a Rights-Based Indicator System for MDG Localization”.

Targets and partners, on the other hand, involved mainly the private sector, civil society organizations, the government sector, indigenous people and higher education institutions.

Chauhan presented a summary of the salient features in the various efforts they have made in relation to the project. For the Intensive Advocacy campaign on the Mainstreaming of the Human Rights Based Approach to Development and Governance

(HRBADG), she noted that they have successfully advanced stakeholder awareness and recognition of HRBA as an approach to development and governance that ensures accountability, participation, empowerment and attention to vulnerable groups. As for the “Piloting the Application of HRBADG in the Enhancement of the Ancestral Domains Sustainable Development and Protection Plan (ADSDPP),” she shared that it has resulted in LGU awareness and acceptance of human rights obligation of tribe organization to manage the ADSDPP implementation. Another accomplishment cited by Chauhan is their project called “Rights Based MDG Localization Under the Regional Development Council.” In most general terms, Chauhan summarized the effects of their efforts as resulting in:

- Increased awareness and recognition of HRBA by Stakeholders
- Enhanced appreciation of HRBA in improving accountability for human rights obligation among duty bearers.

The major contributions of their efforts, on the other hand, include:

- Anticipated good governance
- Stronger sense of accountability among duty holders
- Paving the way for evidenced based application of HRBA in development processes
- Awakening of rights claimholders.

Chauhan ended her presentation by declaring that good governance is a human right.

Mainstreaming Rights-based Approach to Local Governance

Atty. Verselie Limos
Representative of Mayor Pablo Ortega,
San Fernando City, La Union

Atty. Verselie Limos, municipal officer at the city of San Fernando in La Union, discussed in detail the project “Developing San Fernando City as a Resource City for Rights-Based MDG Localization” earlier mentioned by Atty. Chauhan in her presentation. Basically, Atty. Limos presented the general situation in San Fernando City. She tackled the present endeavors and future directions of the city wherein the central theme of the project eventually fit in. Presented below is the speech she delivered.

The newly elected City Mayor of the City of San Fernando, Hon. Pablo C. Ortega, has been in elected public office for 25 years. His patience in serving the public in various capacities in all these years has finally paid off when he overwhelmingly won in the 2007 elections. Mayor Ortega possesses a long running record of public service: 10 years as Barangay Captain, 12 years as Municipal/ City Councilor and three years as Board Member of the Province of La Union.

Being part of the immediate past administration as a city councilor together with the vice mayor and five re-elected councilors, it appears in the onset that taking the reigns of administration and governance is so simple and undemanding. However, when the newly elected city mayor, with his equally dynamic partners in the legislative, took over the helm of governance for the city, they undauntedly faced a big challenge from a very dynamic and zealous former city administration headed by Mayor Mary Jane Ortega and Vice Mayor Bernardo Valero, whose leadership

and productive partnership has brought to the city international and local recognition.

In 2004, which is the start of the last term of the Hon. Mayor Mary Jane Ortega, the city came up with a vision making our city the Botanical Garden City by 2010 with skills for jobs, magnet for economic investments and culture for quality of life and work.

To achieve this vision, WESTERN CHAINS' became the agenda that answers and focuses on the eight Millennium Development Goals, which mainly focuses on economic, education, women, children, health, environment and global partnership. To further institutionalize this endeavor in the long run, the city came up with and adopted the MDG Action Plan 2006. The most important milestone of this MDG Action Plan is the conduct of the Comprehensive Survey for Future Trends (CSFT) on the same year with the purpose of determining the actual situation of the City's Socio-Economic Profile as a basis in policy recommendations for the formulation of plans and programs while establishing and maintaining a city comprehensive database.

With the groundworks already laid down, work force capacitated and on-going programs and projects, it is therefore appropriate that the present administration's platform of government is continuity and innovation for unity, peace and progress with a thrust to continue to pursue this rallying call and secure our hopes for pride, potential and progress through public and private partnership.

With this thrust and with the department heads and elected officials working hand in hand, the city immediately rallies behind a vision for the city to become the Botanical Garden by 2010: the place to live and work in, marked with responsive and transparent governance, enhanced environmental consciousness, economic productivity,

sustained efficient and effective delivery of public services, business-friendly climate with more employment and entrepreneurial opportunities, self-reliance, safety and walkability.

The City Mayor came up with a 7-point agenda. First, strengthen our barangays through satellite and lying-in clinic catchment area; one village, one product; district clustering of education and health services. To realize further this agenda and with the advent of newly-elected barangay officials, we wanted to start the first term right by capacitating them through orientation seminar of their duties and functions. Second, cleaning, greening and beautifying our public places for environmental sustainability and for health and sanitation. Third, support economic and business viability through skills for jobs, magnet for economic investments and culture for quality life and work. Fourth. Promote participatory and transparent governance. With the partnership with Commission on Human Rights and NEDA in developing the City as a resource city for local mainstreaming of human rights in MDG localization, the barangay development strategy, a planning session in the barangay, will be fine tuned by capacitating the duty holders in formulating a rights-based MDG localization plan for the barangays and San Fernando City. Fifth. Keep our city peaceful and orderly. Sixth. Strong and proud defenders of the public interest. Last but not the least, we will be driven by what is possible and not paralyzed by what cannot be done.

With all the major projects that were started by the immediate past administration, with the rallying thrust of the present administration, these projects are still being continued.

The present administration's realization of its thrust will be made possible with the city council, all department heads,

barangays and civil society working hand in hand in making the city as we visualize it.

We keep in our hearts these vision pillars and we know the way to achieve our dreams and with our very supportive and cooperative partners, we see San Fernando City as doing its share in the promotion of competitiveness, bankability, livability and good governance in the global community being truly responsive through a healthy and productive working relationship with its stakeholders.

Our city mayor hopes and believes that the executive and legislative branches of the city government should work in harmony. It is also his desire and belief that government officials and employees should perform for the interest of all people of San Fernando City. He deeply feels that anybody occupying an elective office should not break the trust and confidence that the voters placed on them. He promises that he will discharge the duties of his office energetically, transparently, efficiently and effectively.

Like in the past 25 years, Mayor Pablo C. Ortega will deliver the goods in the next three years through the rights-based approach.

Endnote

¹ WESTERN CHAINS stands for Water and Sanitation, Energy, Solid Waste Management, Transport, Education, Recreation, Nutrition, Communication, Health, Agriculture, Infrastructure, Nature & Environment Shelter.

Widening Access to Justice Through Paralegals

Atty. Marlon Manuel
Alternative Law Groups

“Widening Access to Justice Through Paralegals” was presented by Atty. Marlon Manuel of the Alternative Law Groups (ALG). ALG is an umbrella organization of different law groups committed to giving legal assistance to the marginalized to promote social justice.

Before formally proceeding to his presentation on the project conducted by ALG in connection to the Fostering Democratic Governance initiative, Atty. Manuel provided a background on the legal system in the Philippines as it affects the lives of the people, particularly the poor. He cited several articles, covenants, and laws relating to the right of people for legal service. These include the Universal Declaration of Human Rights and the Constitution. He juxtaposed these declarations to the actual practice or experience in legal service in the Philippines.

Unfortunately, despite the clear mandate for the people to receive legal service, the marginalized sectors are oftentimes helpless. He cited realities in the country that make law favorable only to the moneyed elite. One reality he mentioned is the concentration or preference of lawyers to a corporate clientele and the high fees charged by them. He broadly identified the situation in three strokes:

- Inequity in the access to resources, and injustices caused by imbalanced relationships, are supposed to be addressed by an effective legal system.

- Unfortunately, the poor and marginalized groups and communities lack access to the legal system. Legal practice is in favor of the wealthy and powerful.

As a response, the ALG came up with the Paralegal Formation Program.

The Paralegal Formation Program is anchored on the poor and marginalized groups' ability to take the initiative and effectively act on their legal matters and concerns with the proper training, guidance and logistics... The direct participation of the groups and communities in asserting their rights is essential to their empowerment, and to social change.

The Paralegal Program aims to equip women, members of the basic sectors, and local communities with pertinent legal knowledge and skills. Trained individuals are envisioned to become paralegals, who are tasked to address the legal needs of their organizations or communities and thereby, lessen the latter's dependence on lawyers.

Atty. Manuel described the unique approach of the paralegal program as being focused on sectoral issues, gender, and community. Like any other training program, it also has an internship and actual case handling.

Atty. Manuel shared that some of the success of their trained paralegals. He cited the experience of a farmer who represented a person in court and was able to fulfill the legal requirements necessary. Speaking of his personal experience as legal counsel of the Sumilao² farmers, he mentioned his high confidence on how well the farmers can explain (eloquently) the law or their case to the press or to anybody who would ask about it. He emphasized the importance given to knowledge transfer in the paralegal program which is oftentimes absent in many lawyer-client relationship.

Before finishing his presentation, Atty. Manuel emphasized that the goal of their program is not simply to provide legal service but to promote social justice as well. He then quoted civil rights champion Martin Luther King:

"But those who adhere to the method of nonviolent, direct action recognize that legislation and court orders tend only to declare rights – they can never thoroughly deliver them. Only when the people themselves begin to act are rights on paper given lifeblood. Life is breathed into a judicial decision by the persistent exercise of legal rights until they become usual and ordinary in human experience."

Endnote

²The Sumilao farmers are lumad-farmers from Sumilao, Bukidon. They staged a 28-day hunger strike in front of the office of the Department of Agrarian Reform in Quezon City to pressure the government to redistribute 144 hectares of their ancestral land covered by the government's agrarian reform program.

HIGHLIGHTS OF THE OPEN FORUM

Is there a legal sanction for House Members who failed to realize the projects?

Vicerra: A legal sanction is difficult. What the new Speaker is trying to do is to improve coordination. By organizing the committee system and how they work, he would try to ask his colleagues to commit to deliver output. This includes individual consultations in town halls with their constituents, especially with regard to pork barrel projects by requiring legislators to present evidence that indeed real consultations did happen.

If we look at governance and the problem of corruption, many of these problems emanate from attitudinal problems. Do we have any interventions that would address attitudinal problems or behavioral interventions that people may change?

Hipolito: The Ombudsman is implementing anti-corruption teaching exemplars. These are teaching manuals to guide public school teachers nationwide for primary and secondary students. This would promote positive Filipino values and inculcate these values to school children in the hope that we would have youth who will embody positive Filipino values. The office also conducts public accountability seminars in various government agencies to remind them of the norms of conduct of public officials and employees.

Gatchalian: On the part of the PNP particularly on the model police station (MPS), the MPS is a microcosm of our police course. As you have seen in the briefing earlier, the third component is the human resource reform. It includes the change of values and moral and spiritual reforms. We do these in our model police stations. We have partners such as religious groups. Aside from that, we don't believe that it is only the person who should change. We

should also strengthen the institution, especially accountability and transparency because if human resource reform programs and institutional reforms do not come hand in hand, the gains in human reform may be reversed. With the growth of the human resource as well as reforms in the institutions, we may be able to see changes and strengthen MPS.

Jamon: Education plays a very important role. In as much as more is needed to be done for reforms, we also need to focus on the future generation. For example, what I think with the present Lozada exposé is a very teaching moment. That is why if there is ever any engagement that is forthcoming from citizens, it is really by educating our young people on what is really happening, that is to teach them how to be discerning, discriminating between what is true and what is not. That means to keep them involved in anti-corruption discussions and activities.

Chauhan: One of the elements of HRBA is accountability. In that regard, HRBA can also respond to corruption because accountability in HRBA is focused on accountability of duty holders in governance, government institutions, the civil society and the private sector as well. This is anchored on the obligation of the state that is passed on to those in power in order for them to respect, to protect and to fulfill the rights of the people. This is also anchored on the ratified treatise and laws that have to be implemented.

Limos: In San Fernando City, we have a barangay development strategy, a council where members gather to plan for the development of the barangay. This also emphasized accountability and transparency of officials by opening the process of policy making to the people, and also to make the people aware of the limited resources of the barangay amidst enormous demanded services to be provided.

Vicerra: I am not so much concerned with attitudinal problems. I am concerned with the system. For instance, I believe that we

need an army of true believers in terms of people being able to assert their rights. More than these, we need people who can help people clarify things in a proper forum. In terms of the system, there are things that need to be clarified. Like when we implement the law, there are things in the law that prevent corruption as well as our anti-corruption laws are also limited. For instance, we have an agency mandated to penalize corruption. But the Ombudsman has also limited resources and personnel so that when there are thousands of these cases, how can they prosecute anti-corruption laws? There are also other laws that need to be changed like bank secrecy law that limits anti-corruption campaigns, if not even helps corruption.

Manuel: Our thrust is to work on the attitudes of the citizens so that they should learn to exact accountability from their politicians.

How can we sustain the gains of ALG? Are there any plans to professionalize the paralegals, or like giving licensure examination for the paralegals?

Manuel: The accreditation of the paralegals is very controversial. The problem with professionalizing the paralegals is that it may also mean marginalizing, like the farmer paralegal is the worker paralegal. This may make a core of professional paralegals. That is not the intention of the paralegal formation program. The growing consensus is that there is a great danger of defeating the very essence of the grassroots paralegal formation program if we institute exams. Some of them cannot even write well in English. So if we install an examination system, they may fail. But they can argue, and they understand and can use the law.

WORKSHOP OUTPUTS

Political and Electoral Reforms

OBJECTIVE	STRATEGY	CHAMPION	TARGET DATES
1. Citizens Legislative Assistance Program (CLAP)			
<ul style="list-style-type: none"> •To provide extensive and timely information about the workings of HOR •To set up a constituents' feedback mechanism 	<ul style="list-style-type: none"> • monitor implementation of E-legislation 	<ul style="list-style-type: none"> •ASPAP (c/o Dr. Grace Jamon and Dr. E.G. Ong) •Philippine Political Science Association •Philippine Association of State Universities and Colleges (c/o Dr. E.G. Ong) 	June 2008
	<ul style="list-style-type: none"> • support the CPBD Web portal 		TBA

OBJECTIVE	STRATEGY	CHAMPION	TARGET DATES
2. Citizen-Voter Education (CVE)			
<ul style="list-style-type: none"> •To pursue the implementation of the CVE 	<ul style="list-style-type: none"> •monitor the implementation of Section 26 of R.A. 9369 	<ul style="list-style-type: none"> •Dr. Armando E. Abejuela, MNSA (Research) 	March 2008
	<ul style="list-style-type: none"> •coordinate with IPER and COMELEC Voters' Education Division, RE: CVE Modules and other requirements 	<ul style="list-style-type: none"> •Dr. Ebinezer Florano, 	March 2008

OBJECTIVE	STRATEGY	CHAMPION	TARGET DATES
2. Citizen-Voter Education (CVE) (continued)			
•To pursue the implementation of the CVE	•include CVE in extension programs of the different schools	•Polytechnic University of the Philippines (PUP) •UP NCPAG (c/o Dr. Ebinezer Florano) •College of Management-UP Visayas (c/o Prof. Romana Villareal) •NCRA (c/o Dr. Norma Nuñez) •Kalinga Apayao State College (c/o Mrs. Jovy Ao-wat)	March 2008
	•Encourage civic organizations (e.g. Philippine Jaycees), business organizations (e.g. PCCI), and religious organizations to support CVE	•Mr. Bñong Verzosa and Ms. Marichu Santos (Jaycees) •Dr. E.G. Ong (PCCI) •(c/o Prof. Romana Villareal)	March 2008

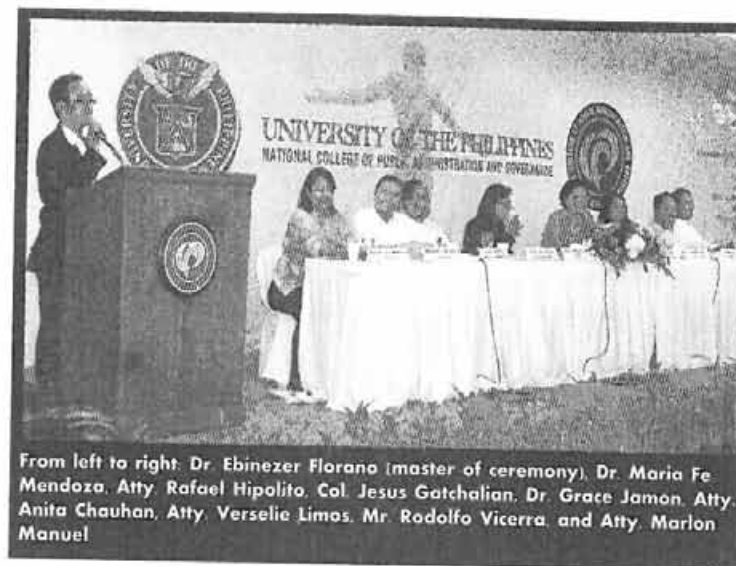
Justice and Human Rights

	LAW ENFORCEMENT	PARALEGAL	CRIMINAL JUSTICE SYSTEM	HUMAN RIGHTS
LESSONS LEARNED	<p>The 3 areas of reform— physical, systems and methods, and human resource, is a good approach as they are all interrelated to improve PNP services. Moral regeneration must be emphasized on this pillar of the justice system.</p> <p>The PNP should Also focus on the Moral and spiritual aspect of the PNP</p> <p>The low salary given to the members of The Police force Compels some of them to accept bribes.</p>	<p>Ability to Represent oneself without formal legal background.</p> <p>Increase information on legal matters</p> <p>Free services</p> <p>Positive approach to the illiterate</p>	<p>Fair justice system</p> <p>Good Governance cannot be expected unless HR is respected</p> <p>Reformation and Livelihood programs for former inmates</p>	<p>Simplified HR concept of accountability for Easier understanding</p> <p>Equal treatment regardless of socio-economic Status</p> <p>Information dissemination on HR</p> <p>HR education should begin at home</p> <p>Assert ones rights</p> <p>Attach HR advocacies to other CJS pillars</p>
ADVOCACY PLANS	<p>Acquire equipment for the improvement of technology for IEC</p> <p>Continuing coordination and interaction with LGUS to increase acceptance of the MPS</p> <p>Sustained and regular media releases (TV, print, radio)</p> <p>Be a good and law abiding citizen</p>	<p>Continuing education and training of Interested paralegals and Katarungang Pambarangay</p> <p>Install a paralegal office or agency</p> <p>Develop a Parallelism Between paralegals and Paramedics through media approach</p> <p>Support the needs and Encourage paralegals</p>	<p>Implement speedy trial</p> <p>Inform the accused of their rights</p> <p>IEC campaigns through various media (lectures, forum, seminars and trainings)</p> <p>Parent should be role models</p> <p>Implement fair Trial</p>	<p>Awareness of Bill of Rights</p> <p>Continuing education</p> <p>Establish HR desk in every office/ public places</p> <p>Involvement in the Barangay Development Council</p> <p>Human rights for all, not only for the oppressed</p> <p>Use of media to promote HR</p>

Public Administration

Lessons Learned	Next steps to sustain	Need to scale up advocacy
<ol style="list-style-type: none"> 1. Need for Champions 2. Need for data base as inputs 3. Problem of ownership (project implementor does not have proper mandate) 4. Need for transparency 5. Need for benchmarking 6. Need for information dissemination 7. Role Modelling – "Walk the Talk" 8. Fund allocation for proposed projects – Too many deliverables for the time frame 	<ul style="list-style-type: none"> - Establish website / portal for FDG projects - Cull out IEC materials from toolkit- CM Rat Plan, etc. - Strengthen information dissemination/communication to improve appreciation of change management processes - Compendium of Course design/ Module of CES - Proper planning /programming - Dissemination of info on Benchmarks on Tax ranges for industries / businesses to stakeholders to improve tax compliance. 	<ul style="list-style-type: none"> - Issue of CESO's - Work for enactment of bill for the Professionalization of CESO's - Endorse to concerned agencies/institutions to integrate HR programs - Review implementation of EO 366 - Use of manual & change mgmt. processes - Document actual process in coordination with appropriate agencies - Push for the establishment of taxpayers service desk at BIR & LGU (in partnership with Leagues). - Application of Benchmarks by mandated institutions to improve tax assessment and collection

PHOTO DOCUMENTATION



1

(1) Dr. Maria Fe Mendoza (2) Atty. Rafael Hipolito



2

