

The
—
*Solana
Covenant*
—
Storybook



The

*Solana
Covenant*

Storybook

Given this limitation, Chair Karina Constantino-David thought that, perhaps a smaller group, composed of the independent accountability institutions, can convene an anti-corruption summit.

It was providential that Tony Kwok, who is an anti-corruption expert and who has just retired from Hong Kong's Independent Commission Against Corruption (ICAC) as its Deputy Commissioner, was in Manila working with the OMB on an anti-corruption project. During a lunch with him, the idea of this summit was brought up. Tanodbayan Simeon V. Marcelo who headed the war against graft and corruption did not give a second thought to this idea. COA Chair Guillermo Carague, likewise, welcomed this trailblazing activity.

The by-word is the constitutionally protected independence of the CSC, COA and OMB. This is further strengthened by the happy coincidence that the terms of office of the heads, all of whom are removable only by impeachment, more or less coincide. The autonomy of the institutions and the solid tenurial security of the heads provided the perfect backdrop for an honest-to-goodness assessment of anti-corruption efforts *sans* the politics and media hype that usually accompany undertakings of this sort.



THE VENUE

The choice of venue was ideal. It was chosen not only for its accessibility to Manila but also for its famous dive spots. Mr. Kwok is a diving aficionado. He would not accept any payment for

his role as the facilitator of the summit, and was instead content with exploring the under-water treasures of Anilao.

Participants had to go down a long and winding concrete staircase to reach the venue. Somewhat like the fight against corruption, going down or sitting down to discuss was relatively easy. The hard part was of course the return back. There, an arduous climb and an uphill battle await, and one could not help but draw the parallels with previous efforts to eradicate corruption.

THE SUMMIT

During the summit, the atmosphere was congenial and formalities were dispensed with. The participants were there to work and work they did.

The first order of the day was the mutual assessment of the institutions. Each agency was asked to answer the question 'how the two other agencies can help them in their anti-corruption work' The atmosphere was a bit like Christmas where one gets to say what he/she needs or wants from the relatives. A multitude of concerns surfaced during the discussion, from the personal differences of the regional officials of the agencies, to the duplication of efforts in administrative cases.

Since the principals themselves were the ones discussing, decision-making was swift and decisive. The participation of the technical staff of each agency was invaluable and the technical assistance provided by USAID-EGTA facilitated the smooth flow of the talks.

In between sessions, the participants were given time to relax and get better acquainted with each other. The early morning tai-chi with Mr. Kwok and the late afternoon shark-watching provided the perfect breather after the very serious discussions on corruption.

At the end of the two-day summit, the Joint Anti-Corruption Plan was finalized. In keeping with the summit's unique approach and the concrete and doable initiatives embodied in the plan, the group decided to give the plan its distinct identity by calling it the SOLANA COVENANT.

The Solana Covenant was to undergo intensive polishing before it was finally signed on March 16, 2004.



THE SOLANA COVENANT

The Covenant is divided into two main parts: the collective agreements and the individual agency initiatives.

Collective Action Agreements

Establishment of the Asset Disclosure Database (SALN Database) – The Statement of Assets, Liabilities and Net Worth remains the single most important document relied upon by investigators in pursuit of corrupt officials and employees, often serving as the smoking gun in lifestyle checks. Misdeclaration, underdeclaration or out and out non-declaration of assets in the SALN are grounds for dismissal from the service which also carry criminal liability with a corresponding penalty of imprisonment for at least five (5) years.

Creation of a joint task force or technical support group for major investigations – This will enable each agency to draw on the expertise of the two other agencies. The OMB for one would benefit from COA's expertise on audit in detecting and investigating anomalous government transactions. CSC and COA, on the other hand, would learn much from the OMB on the conduct of investigations.

Commitment to Self-Cleansing – The fight against corruption starts at home, so to speak. The Solana agencies agreed to cleanse their own respective backyards of corrupt officials and employees through the filing of criminal and administrative cases against

these erring personnel. Corollary to this, they also agreed to respect the *exercise of primary jurisdiction* over each agency's erring officials and employees. Thus, administrative complaints against an agency's personnel shall be taken cognizance of by the mother agency and not by the other agency even if it has concurrent original jurisdiction.

Exchange training to improve anti-corruption capabilities – The Solana agencies committed to invite representatives from the two other agencies to trainings and seminars on anti-corruption capacity-building. This is part of the move towards knowledge-sharing among the parties. One of the trainings conducted is the Ombudsman Field Investigation Training-Module I which tackled the basic techniques in investigating corruption; the practical aspects of fraud investigation; and fact-finding investigation which includes interview techniques, intelligence gathering and preparation of a case evidential report.

Maximize information-sharing including the use of inter-linked web sites – This will enable not just the personnel of each of the agencies but also the public at large, to have ready data and information on corruption related rules, issuances, and developments.

Ensure confidentiality of complaints filed before each agency – In keeping with the personality of the principals in shunning publicity of any kind, they committed to publicize pending cases only after the respondent has been formally charged, for administrative cases, or after an information has been filed in Court, for criminal cases. The consensus was that it would be unfair to publicize that an official or employee is undergoing investigation if there was as yet no finding of prima facie case or probable cause. The parties also agreed to study the possibility of drafting and co-endorsing a bill on the confidentiality of complaints and investigation of cases that are corruption related.

Monitoring of unliquidated cash advances – The heads of the Solana agencies expressed common concern over unliquidated cash advances, noting that in order to instill a deeper sense of accountability in government, there is a need to put a tighter rein over the disposition of cash advances. They agreed to monitor the compliance of accountable officials and employees with existing accounting and audit rules, particularly, on the liquidation of cash advances amounting to fifty thousand pesos (P50,000) or over.

Other joint initiatives include:

Vetting of appointed officials involving the establishment of an integrity vetting system and sharing of information on problem employees.

Conduct of joint inter-agency audit by CSC, COA and OMB of government agencies to review systems, personnel and anti-corruption measures.

Promoting the establishment of integrity or ethics committee in every government agency.

Finalization of the Memorandum of Agreement between the CSC and OMB on the delineation of responsibilities and case coverage in handling administrative cases.

Establishment of an inter-agency liaison network (Clearing house) to follow up on status of administrative cases and other information that relate to corruption.

Individual Agency Actions

CSC committed to strengthen its personnel audit function. A strong personnel audit system is essential to weed out bad apples or eggs from the ranks of the bureaucracy. The personnel audit will be geared towards detecting corruption in the appointment process and other personnel actions within an agency.

COA pledged to finalize the circular on monitoring of unliquidated cash advances. It also agreed to issue a circular directing its auditors to disallow the salaries of officials and employees with disapproved appointments, those with no approved extension of service, and those whose contracts of service or job orders have not been submitted to CSC for evaluation.

OMB volunteered to draft a proposed bill on whistle blowing and witness protection for corruption related cases. It also agreed to issue a directive to its staff to follow the schedule of penalties prescribed by the CSC for administrative cases involving offenses under the Administrative Code of 1987.

SIMPLE, DOABLE, ATTAINABLE INITIATIVES

The formulation of the initiatives and commitments embodied in the Solana Covenant was guided primarily by considerations of practicality and doability. At the outset, it was agreed that grand standing, big promises and motherhood statements have no place in this undertaking. The personalities involved in the crafting of the covenant, for one, were no politicians. They are respected civil servants who eschew 'pogi' or 'ganda' points, and who simply want to accomplish their respective mandate under the constitution without much fanfare.

ACTION PLANNING WORKSHOP

With the support of the United Nations Development Programme (UNDP), career officials of the Solana agencies met in June 2004 in Antipolo City to flesh out the Solana Covenant.

A Multi-Year Action Plan was the product of the workshop. In the Plan, the officials identified the goals for each agency's commitments, the most effective strategies in order to meet those goals, the timeframe within which outputs are to be delivered and the implementing unit within each agency to be given the tasks of

delivering the identified results. The Plan was presented to Chairs David and Carague and Tanodbayan Marcelo during an IAAGCC meeting on the same month.

CONCURRENT JURISDICTION: WHO DOES WHAT?



For more than a decade, the delineation of the concurrent disciplinary jurisdiction being exercised by both the CSC and the OMB over appointive officials (non-presidential) and employees has been a festering issue. More often than not, there was duplication of efforts. Worse, CSC and OMB in not a few cases rendered conflicting decisions. Those instances sprang from some confusion on the part of complainants as to which agency has primary jurisdiction over the types of cases needing resolution.

Thus, perhaps to ensure that their complaints will be heard, people ended up filing the same complaints before both agencies. With already sparse resources to combat corruption, the situation clearly needed to be resolved.

Sometime in 2003, Tanodbayan Marcelo met with Chair David to discuss how the two agencies can help each other in the fulfillment of their respective mandates under the Constitution. It was through this meeting that the idea of coming out with a MOA clarifying the issue of jurisdiction was born.

FORGING THE AGREEMENT

While the idea of a MOA has been percolating since 2003, it was during the anti-corruption summit that major decisions were made as to the contents of the agreement. It may be said that the summit afforded the parties the perfect opportunity to finalize the MOA.

It was tackled on the second day of the summit and the technical staff of both agencies buckled down to work. After innumerable revisions and the gentle, but firm, prodding of both lead principals the MOA was declared sufficient.

The final version of the MOA was further reviewed by both offices after the summit. It was finally signed on March 4, 2004 and published on June 14, 2004.

THE MOA

Essentially, the MOA settled the issue of concurrent disciplinary jurisdiction between the CSC and the OMB. Tanodbayan Marcelo wanted to prioritize cases rather than dissipate OMB energies on many small cases to the detriment of the more important cases. It was agreed, therefore, that the CSC shall henceforth take cognizance of all administrative cases involving first level employees. In cases where there are more than one respondent and some of them belong to the second or third level, the agency which has jurisdiction over the highest-ranked respondent shall have jurisdiction, i.e., the OMB.

On the other hand, the OMB shall take cognizance of complaints involving officials and employees belonging to the second and third level of the bureaucracy if it involves acts or omissions involving corruption, such as:

- a. direct, indirect and qualified bribery;
- b. fraud and illegal exactions;

- c. malversation or illegal use of public funds or property where the amount involved is more than one hundred thousand pesos (P100,000.00);
- d. conflict of interest and divestment;
- e. homicide and murder;
- f. corrupt practices;
- g. unexplained wealth;
- h. violation of procurement rules and regulations;
- i. violation of Anti-money Laundering Act of 2001; and
- j. plunder.

If the charges against the second level employees and third level officials (non-presidential appointees) do not involve any of the enumerated offenses, CSC shall have jurisdiction over the same. The only exception to this is when the complaint involves an employee or official of the two agencies, in which case the respective mother agency shall have jurisdiction.

Cases filed before the CSC that do not fall within its agreed upon jurisdiction shall be referred to the OMB and vice-versa. As a further check to avoid duplication of actions, a certification of non-forum shopping shall be required for all administrative complaints filed with either of the two agencies.

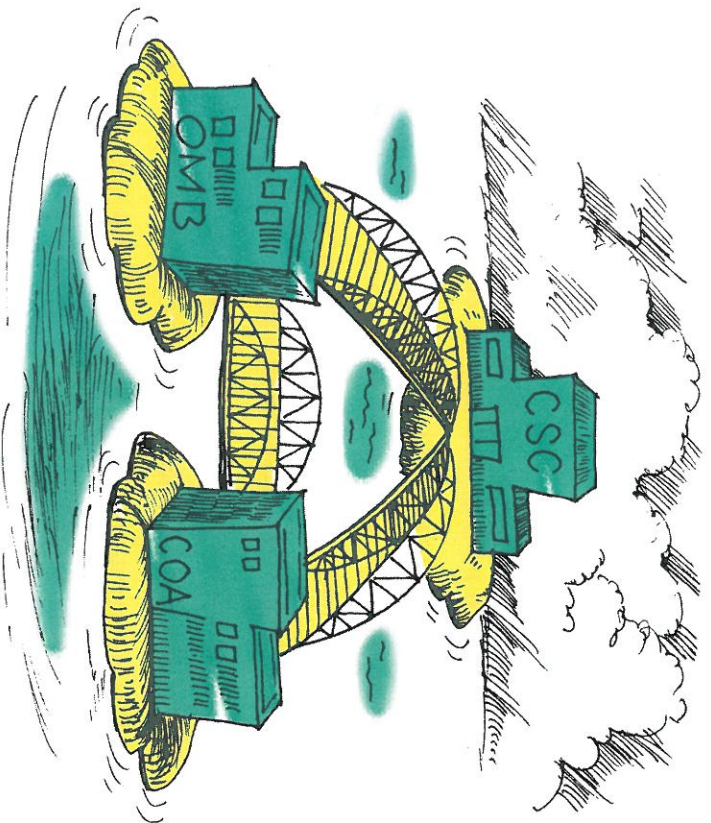
Not only the delineation of jurisdiction was clarified. The MOA also provided for the process flow in cases where after the administrative proceeding, and the CSC believes that there is criminal liability involved, the case shall be referred to the OMB who, in turn, would conduct its own investigation to determine probable cause.

The perennial problem that the CSC encounters with regard to local government units, that is, the local chief executive's refusal to implement CSC Resolutions or Orders, was also addressed in the MOA. The OMB agreed to assist the CSC since, unlike the Commission, it has jurisdiction over elective officials. Thus, The OMB shall take cognizance of cases referred to it by the CSC relative to the refusal or non-implementation of its Resolutions by local government units. Refusal to implement CSC decisions renders heads of LGUs liable for neglect of duty, at the minimum.

To effectively coordinate and monitor cases, a monthly list of administrative cases received by either agency shall be exchanged by the parties.

For an orderly implementation of the MOA, the parties agreed that it would be applicable only to complaints filed after its effectivity.

BUILDING BRIDGES OF ASSISTANCE AND GOODWILL



One of the agreements in the Solana Covenant is the setting-up of an inter-agency liaison network or clearing house. For the covenant to work effectively, there is need to ensure that the communication lines among the Solana agencies remain open and facilitative, particularly with regard to new developments and issues that may arise as a result of the agreement.

Standard operating procedures for the clearing house were formulated which include the following:

- a. OMB shall send to CSC a confidential list of administrative cases that are under investigation. CSC shall consolidate its own list and its designated liaison officer shall crosscheck the lists to verify the existence of forum shopping and avoid duplication of cases filed.
- b. In cases involving COA audit reports, OMB shall allow the COA auditor and his/her immediate supervisor to study and submit comments on the draft information after the approval of the resolution finding probable cause.
- c. OMB shall call for a clarificatory hearing with COA before dismissing cases arising from COA audit.
- d. CSC shall furnish COA with a list of disapproved appointments within thirty (30) days from disapproval.
- e. COA shall furnish CSC or OMB with a copy of audit reports/decisions/resolutions that have findings involving violation of laws, rules and regulations.
- f. COA shall submit audit reports in time for filing cases (while the responsible official is still in office) with priority

given to resolutions of COA-appealed cases which are subject of OMB preliminary investigation.

The technical staff/officials who were part of the summit became the point persons for the clearing house. This hastened the resolution of various concerns on all fronts. Having been involved in the formulation of the Plan, the career officials have acquired the institutional memory for making the Plan work, not to mention the good working relationship they have established in the process.

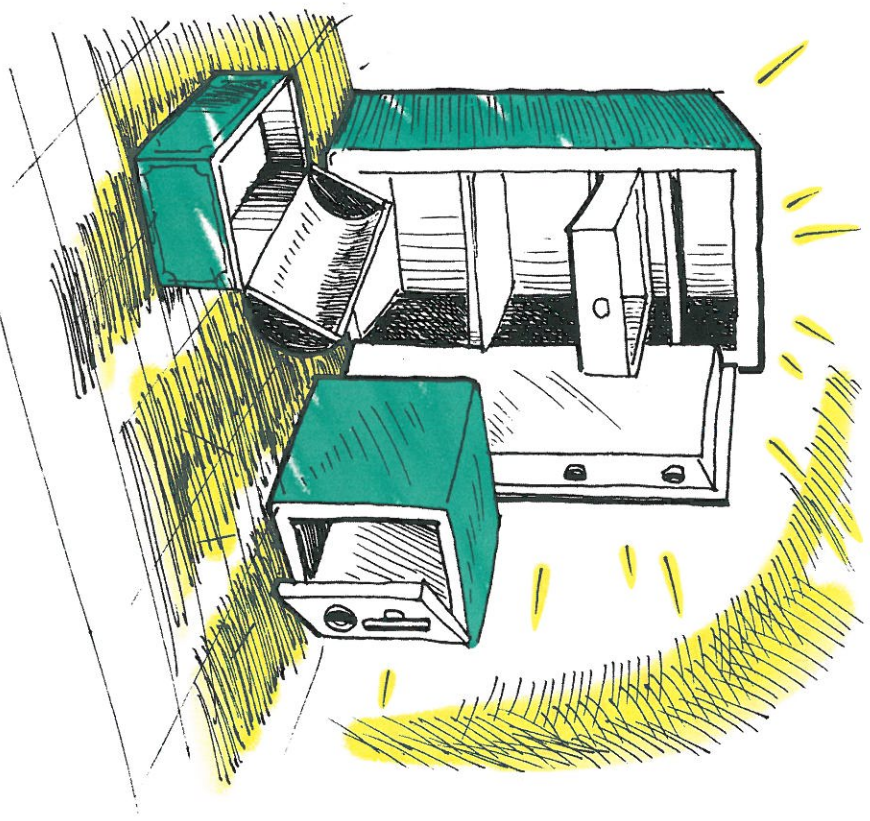
Concerns ranging from personnel actions, qualification standards, audit findings and investigations have been swiftly addressed without being hampered by the usual bureaucratic processes.

The sense of kinship that binds the Solana agencies is a key element of the covenant and its future success. What the proponents realized early on is that the battle against corruption could not be fought on individual, disjointed fronts and that each agency could no longer function as an independent anti-corruption republic.

There is now a common thread that binds the work of all three accountability agencies and their united front is firmly believed to make for a more effective implementation of their respective constitutional mandate.

SOLANA COVENANT INITIAL RESULTS

Monitoring GOVERNMENT funds through prompt and proper liquidation OF CASH ADVANCES



The problem of waning public accountability

For the past years there has been a tremendous increase in unliquidated funds. The Commission on Audit reported that billions of pesos have remained unaccounted for as of 2004.

An example mentioned in COA's Annual Report in 2004 was the Department of Interior and Local Government's unliquidated cash advances that still remained at P57,210,248.03 as of year-end despite the liquidation of P77,346,964.00 or 57% reduction during the year, thus overstating the cash and receivable accounts while understating the expenses by the same amount. Cash advances of the former First Lady, Imelda Marcos, during her stint at the Ministry of Human Settlements, have remained unsettled. Another example was a municipality in Luzon which lost a big amount of money despite the Sandiganbayan's conviction of the municipal mayor for failure to liquidate huge cash advances.

The remedy

In an effort to solve the problem of unaccounted resources, COA issued COA Memorandum No. 2004-14 on February 24, 2004. COA instructed its auditors to identify at the end of each quarter outstanding cash advances, in aggregate amounts of

P50,000 and above per accountable officer, aged thirty (30) days or over from due date of liquidation. The field auditors were directed to gather evidence to facilitate the filing of appropriate criminal and/or administrative cases and to submit reports on unliquidated cash advances to CSC, PAGC, OMB and DOJ.

Coordinated support

OMB issued a Memorandum to all Deputy Ombudsmen, Assistant Ombudsmen, Directors, Graft Investigation and Prosecution Officers on March 17, 2004 to support the COA Memorandum. Ombudsman Marcelo enjoined all OMB officials "to immediately act on cases filed".

CSC, meanwhile, circularized its Resolution No. 04-0676 dated June 17, 2004 (Policy Guidelines to Govern the Liquidation of Cash Advances and the Penalty to be Imposed for Failure of an Accountable Officer to Liquidate within the Prescribed Period). Based on CSC guidelines, failure of an accountable officer to render an account within the periods prescribed and after formal demand has been made shall constitute grounds for the filing of an administrative offense of Gross Neglect of Duty punishable by dismissal from the service for the first offense.

Result

A visible improvement in cash advance settlement has been noted. Chair David reported that in CSC alone, “there was a tremendous drop in unliquidated cash advances”.

CSC and COA also ironed out the initial kinks in the implementation of this initiative. The 2005 indorsements from COA to CSC contained complete documentation. CSC, in turn, has issued letters to persons complained of to submit counter-affidavit/ comments under oath.

Institutional Self-Cleansing

Backyard concerns

The CSC, COA and OMB were created to ensure high-level of integrity in running the government. Their combined powers and functions are forces to reckon with by grafters and corruptors in the public sector.

However, they are hampered by credibility problems of the past, lack of resources and manpower and uncoordinated action with other offices involved in fighting corruption. They also have their own share of corruption evils that they are supposed to fight.

Issues that have been raised were about OMB's losing cases, CSC's examination irregularities and COA's non-action on questionable spending of some agencies and individuals.

The resolve



Against this backdrop, the heads agreed to clean their respective backyards, do their own share of housekeeping and re-build their integrity to restore public confidence and support to their institutional processes and programs. The thinking was all three agencies should have the moral ascendancy to implement reforms across the bureaucracy.

Cleansing initiatives

What followed was an unprecedented weeding out of bad eggs. CSC's crackdown and investigation on unscrupulous individuals perpetrating examination irregularities and other anomalies resulted in administrative and criminal charges filed against four (4) CSC personnel involved in 2003-2004 Computer Assisted Test irregularities where 52 examinees were reported to have unduly benefited from the anomalous transactions. Hearings for the criminal aspect are, to date, on-going. In other various investigations, CSC dismissed seven (7) of its employees for dishonesty and grave misconduct.

COA instituted 25 administrative cases against its own erring officials and employees. Of this number, 20 decisions have been rendered imposing penalties ranging from reprimand to dismissal from the service.

At the OMB, an Internal Affairs Board that was created prior to the Solana initiative recommended the filing of charges against some OMB employees. This resulted in the dismissal from the service of one Senior Special Prosecutor, two (2) suspensions and a reprimand against graft investigator and support staff.

INTEGRITY DEVELOPMENT REVIEWS

To support institutional cleansing, CSC, COA and OMB participated in the IDR capability building project that looks into areas of operations and processes which may be potential source or breeding ground for corruption and unethical practices.

Assessment of the identified areas yields information that provides solutions, safeguards and recommendations to prevent and detect corruption vulnerability from occurring.

OMB was a pilot agency that tested the IDR tool developed by the Development Academy of the Philippines. The IDR experience of OMB was a very rich source of further learning. It led to new policies on:

- *Code of Conduct of OMB*
A customized code of conduct was formulated and agreed to by officials and employees of OMB. The various dimensions of the code considered the peculiarities and prevailing culture of OMB.
- *Gifts and benefits policy*
A major source of conflict of interest is acceptance of gifts or hospitality. Gifts are sometimes abused to camouflage corruption. Certain conduct has been proscribed.

- *Post-employment policy*

Conflict of interest may threaten public interest even after an incumbent official leaves public office. Thus the OMB has imposed certain restrictions on professional activities of former officials during a prescribed period under certain conditions.

Other areas of concern that found uses for the IDR are:

- Recruitment and selection policy;
- Whistle blowing and internal reporting;
- Corruption risk management; and,
- Financial management.

CSC found the initial IDR tool used at the Assessors' Capability Building Training too cumbersome. It developed a customized pre-vulnerability assessment/diagnostic tool to make the assessment process more user-friendly and less time-consuming. The tool was supported by a computer program internally developed by CSC. The tool needs further refinement but may already be used as basis for determining the level of vulnerability to corruption of an agency. The aim was to find a categorization of agencies or some portions of the agencies on the level of their vulnerability to corruption and to provide a set of "prescriptions" or measures to insulate them from such vulnerability.

To date, CSC, COA and OMB have a combined Pool of 15 Assessors who may undertake assessment for other agencies.



THE SOLANA COVENANT II

More than a year after the first summit, on May 13 to 14, 2005, the second anti-corruption summit of independent accountability institutions was held in Taal Vista Hotel, Tagaytay City.

TAKING STOCK

The objective of the second summit was to review the individual accomplishments of each agency and the collective accomplishments of the first Solana Covenant. Each agency presented an accomplishment report detailing the actions it took in pursuit of its commitments under Solana I. Altogether, the group was able to identify about fifteen (15) achievements, among which are:

- a. The creation of SALIN database of corruption-prone agencies like the Bureau of Customs, Bureau of Internal Revenue and the Department of Public Works and Highways.
- b. Joint task-forces for the investigation, prosecution and monitoring of high profile corruption cases like the case of General Garcia of the AFP, the NAIJA Customhouse case, the Cainta case, the Makati case and the Philippines Coast Guard case, among others.
- c. Punishment of a total of forty-two (42) erring employees of the Solana Agencies (3 from OMB, 20 from COA and 19 from CSC).
- d. Preparation of the concept paper and draft guidelines for vetting presidential appointees and third level officials of the Solana agencies.
- e. Crafting of the Integrity Development Review (IDR), which entails a systematic diagnosis of the corruption resistance mechanisms in place in an agency and its vulnerabilities to corruption. The IDR has been pilot-tested in two agencies and is being readied for application in fifteen (15) high-risk agencies.
- f. Standardization of the penalties imposed for administrative offenses under the Administrative Code of 1987. In the past, there were instances when CSC and OMB imposed different penalties for similar offenses. Only one schedule of penalties is now being used by both the CSC and the OMB. This removes the discretion for imposing a lighter penalty (such as suspension for one year) for grave offenses that call for dismissal from the service. The discretion in the imposition of the proper penalties has been limited to the range, that is, whether to impose the minimum, medium or maximum of a divisible penalty. Absolutely no discretion is allowed for an indivisible penalty like dismissal.

CONTINUING COMMITMENTS

There were commitments that need to be sustained from the Solana I to the Solana II. These are initiatives which are, by its nature, continuing activities.

First and foremost is the need for the Solana agencies themselves to maintain their credibility. Thus, they all vowed to continue their respective self-cleansing efforts. Action on erring employees shall be swift and decisive.

The joint task forces for investigation of high profile corruption cases and the exchange training will continue as the need arises.

ADDRESSING PROBLEMS

There were also initiatives that were not carried out or were not properly implemented under the first agreement. The challenges encountered were analyzed and improvements were put in place to ensure the effective implementation this time around.

Under the program on monitoring of unliquidated cash advances, the group clarified the procedure to be followed. Reports on unliquidated cash advances involving presidential appointees and elective officials shall be submitted to the OMB, while those involving non-presidential appointive officials and employees shall be given to the CSC. The latter may decide to refer the case to the OMB for the criminal aspect.

The agreement to revise the SALN form has been put on hold. The CSC and the OMB still have to agree on the contents of the new form that will be prescribed for all government officials and employees. The OMB wants a more detailed form to aid them in the conduct of their investigations. On the other hand, the CSC believes that there is a need to balance the interests of the 1.5 million civil servants who would be required to fill out the revised SALN form vis-à-vis the need of the OMB for a more detailed information on the handful of government officials/employees that are being investigated or will be subject of their investigation. In the meantime, both Offices agreed on a different tact: changing the form may not be the solution to the problems encountered by the OMB regarding the SALN submitted by government officials and employees. What is more pressing is the need to popularize the form to ensure 100% compliance. At the same time, a monitoring mechanism to check on SALN submissions shall be institutionalized. The Technical Working Groups from both agencies have been instructed to work on this new approach.

The enforcement of CSC's directive for government agencies to submit to CSC Contracts of Services and Job Orders, as well as their compliance of CSC decisions on appointments and extension of service beyond compulsory retirement age was strengthened with the issuance of COA Memorandum No. 2004-030 on May 6, 2004. COA directed its auditors to pay closer attention to the violations of CSC directives which shall be subject of appropriate Audit Observations Memorandum. A note, however, was made that despite some violations committed notices of disallowance or suspension, where appropriate, have not been issued as they should. CSC and COA agreed to further clarify the roles of CSC Field Offices vis-à-vis COA auditors through separate memoranda.

ENSURING INTEGRITY IN PRESIDENTIAL APPOINTMENTS

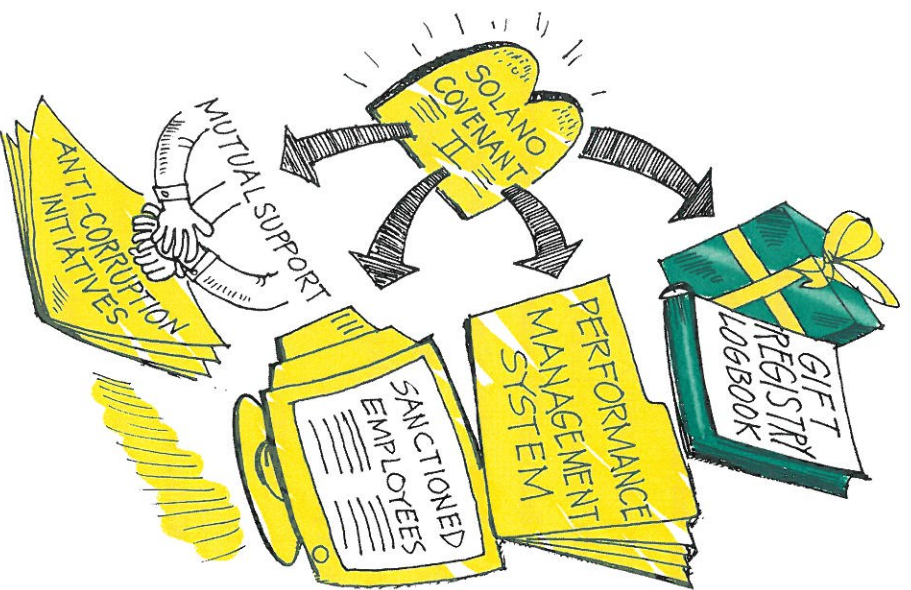
The vetting of selected officials was initially conceptualized as a system to determine whether presidential appointees are qualified both in terms of credentials and integrity. However, the parties realized that whatever guidelines they would prescribe, there was no way that they can implement it without the support or participation of the President.

Thus, during the Solana II, the three agencies instead agreed to send a letter to the President emphasizing the importance of integrity in the appointment of senior officials in the fight against corruption. Rather than prescribe guidelines, the Solana agencies shall volunteer their assistance to the President in the vetting of proposed appointees both in terms of the personal reputation of the appointee and of his/her commitment to uphold integrity in the agency.

Along this line, the CSC committed to study the possibility of conducting 'integrity checks' prior to the grant of third level eligibility. This will provide the CSC an opportunity to screen those who will be granted eligibility before they can have security of tenure in their positions.

NEW INITIATIVES

Solana Covenant II identified new initiatives that would be undertaken jointly by the Solana agencies. Some of the new initiatives are the following:



Setting-up of a gift registry

As a preventive measure to nip corruption in the bud, the Solana agencies will establish a gift registry policy in their respective agencies. Giving gifts is part of the so-called ‘sweetening’ process that unsuspecting civil servants fall prey to. It starts with something

innocuous like a gift of small value. By the time the employee realizes where it is headed, it is already too late to back out because by accepting the small gift, he/she is already obligated.

A gift registry logbook will be maintained where officials and employees will be required to register gifts received, to identify the giver, and to declare how the gift was disposed of. The gift registry shall be open to the public.

Once the gift registry is already in place in all three agencies, they will recommend the adoption of a similar policy to the executive and to the other branches of the government.

Development of a performance management system

An effective performance management system (PMS) will go a long way in preventing corruption from taking root in an agency. The Solana agencies are working individually to design an effective PMS. To maximize resources, they will share their respective learnings in this field.

In the meantime, the CSC has completed its own PMS. A pilot-test has already been conducted and the CSC-PMS is presently being enhanced prior to its roll-out in the entire bureaucracy.

Publication of the names of sanctioned government personnel and of those with pending cash advances and disallowances

To maximize the use of technology, the Solana agencies will hyperlink their websites with each other. This will enable the public to have a complete list of government employees who have been dismissed from the service, as well as provide them with a list of those with unliquidated cash advances and with pending disallowances. These lists will be useful to the appointing authorities as additional background information on would be appointees.

Mutual support

As a manifestation of each agency's unstinting belief in the individual anti-corruption efforts of each, the Solana agencies also agreed to support each other's anti-corruption initiatives:

1. European Commission-OMB corruption prevention projects like the conduct of Solana –type workshops with other government agencies; formulation of code of conduct among government agencies, contractors/suppliers and civil society groups; the production of training video on the integrity of civil servants; the production of a managers' guidebook on ethics management;
2. COA's plan to update the rules on irregular, unnecessary, excessive, extravagant and unconscionable expenditures;

3. CSC's project to rationalize the compensation structure of the bureaucracy.

WHAT LIES AHEAD: EMBEDDING THE SOLANA REFORMS

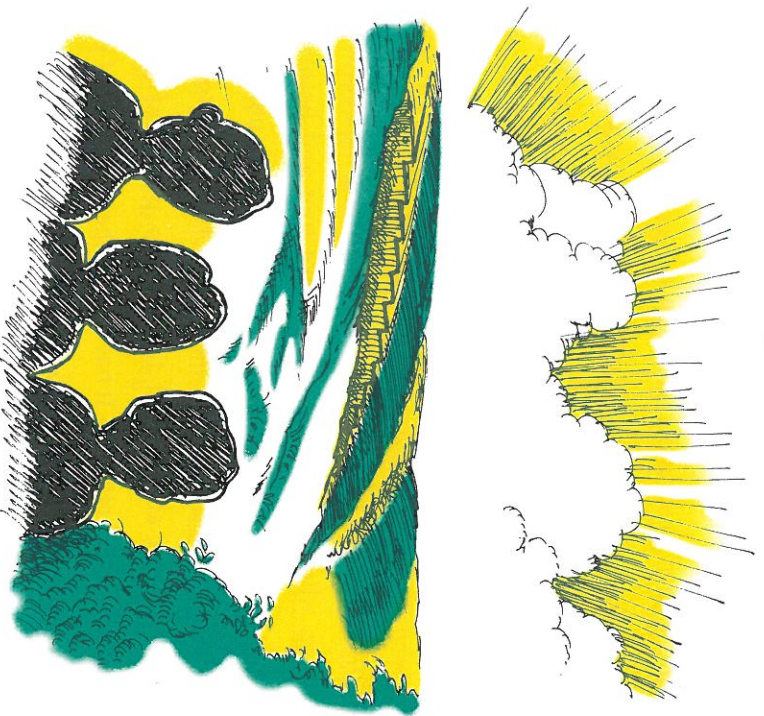
The Solana Covenant II was signed on July 15, 2005 in spite of, or perhaps as a fitting counterpoint to, the unraveling political upheaval of our times.

The next steps are no less difficult than the ones hurdled by CSC, OMB and COA to bring a sense of order and attainability in the fight against graft and corruption across the breadth of the bureaucracy. As has been stated in the beginning, Solana sought to focus on the simple, doable and attainable initiatives that the three agencies had confidence could be implemented to prevent and to considerably reduce the incidence of malfeasance in government.

The real success of Solana can only be measured over time in the future, when envisioned reforms take root and become the accustomed practice in how government dispenses public service. The cost of corruption thus far has taken a very heavy toll on the nation's resources and robbed the Filipino people of precious opportunities for a better life. It has skewed the principles of public service enshrined in the constitution and distorted the values of good governance so crucial in nation-building.

Tanodbayan Marcelo summed up the anti-graft initiatives during the National Conference on Anti-Corruption thus: “The fight against graft and corruption is full of ironies. For as we are able to discover more instances of corruption and successfully prosecute the guilty, it only means that we – as a people, as a society – have failed to prevent it in the first place. Beyond this irony, however, is the truth that a graft-free society is possible.”

Until reforms become firmly embedded in the Philippine public service, the saga of Solana continues...





Civil Service Commission

Batasan Pambansa Complex

Constitution Hills, Diliman, Quezon City

Telephone Nos.: 931-7937; 931-7939; 931-8092; 951-2575

E-mail: cscphil@csc.gov.ph

Website: csc.gov.ph