



# 2010 Annual Report

Agham Road, Diliman, Quezon City

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# FOREWORD

**T**he Office of the Ombudsman as the government's premier agency in the fight against graft and corruption stands firm and unwavering in its campaign to restore the people's trust in the government.



Though the Office faced many challenges in 2010, it proved to be a fruitful year. It implemented its legal mandate with the adoption of the three-pronged approach: enforcement of anti-graft and corruption laws; corruption prevention and public assistance; and, anti-corruption education and promotion.

In the enforcement of laws, the Office resolved 8,963 criminal and administrative cases. This resulted to the filing of 985 criminal cases involving 1,747 officials and employees with the Sandiganbayan and the regular courts. Also, 1,523 officials and employees of the 871 administrative cases were meted penalties. In prosecution, we were able to register a 33.1% conviction rate at the Sandiganbayan and 50% conviction rate at the regular courts.

In corruption prevention, we continuously monitored the implementation of the Integrity Development Review recommendations as a result of the assessment made to 12 agencies of the government: BIR, BFP, BOC, DAR, DEPED, DOH, DPWH, LRA, PNP, NIA, DENR and PVAO. These recommendations, among others, are the establishment of Code of Conduct; Policies on Gifts and Benefits and Procurement-Related Initiatives; and, Guidelines on Electronic Registration of Land Titles and Deeds.

We have made studies in the Integrity Practices in Metro Manila Cities in the Issuance of Business Permits and Licenses, and Dissecting Section 3(e) of Republic Act 3019: Basis for Formulating Policy on Prosecution of Cases.

The Office spearheaded the National Anti-Corruption Plan of Action (NACPA) which seeks to integrate and strengthen under one comprehensive strategic framework the anti-corruption initiatives and commitment of the different sectors of Philippine

*society. Its implementation is coordinated by the Multi-Sectoral Anti-Corruption Council (MSACC), with the Office as lead convener. The MSACC consists of representatives from constitutional bodies, the three branches of the government, local government units, civil society, the business sector, non-government professional groups and the donor community.*

*In rendering public assistance, the Office acted upon a total of 10,143 requests.*

*In anti-corruption education and promotion, the Office in partnership with the Department of Education, continues to promote integrity and good values through the integration of the modules of the Graft and Corruption Prevention Education Teaching Exemplars in the curriculum subjects of public elementary and secondary students.*

*Guided by the Office's mission and vision and with the united efforts of the officials and employees of the Office and our public-private partners, we can carry on all its undertakings in accordance with its mandated task to serve the Filipino people and lead the fight against graft and corruption and the promotion of good governance in the years ahead.*



**ORLANDO C. CASIMIRO**

*Acting Ombudsman*

# Legal Framework

**T**he Office of the Ombudsman is the constitutional accountability authority in government. The powers, organization, staffing and operations of the OMB are set forth in the 1987 Constitution and Republic Act No. 6770, otherwise known as the “Ombudsman Act of 1989”.

In pursuit of its constitutional mandate of protecting the people, the OMB is faithfully fulfilling its mission to promote integrity, efficiency and the highest ethical standards in public service. Specifically, OMB exercises the following powers:

- Oversees the performance of government agencies and public officials to ensure laws are administered and executed justly, fairly and equally;
- Effectively enlists broad support of multi-sectoral stakeholders by establishing and strengthening existing partnerships with civil society, business, academe, youth and other sectors;
- Reviews policies, systems, procedures and practices of specific government agencies to address inefficiencies and corruption vulnerabilities; and,
- Imposes disciplinary sanctions upon erring government officials found guilty of administrative infractions, and prosecutes them criminally and civilly.

## **The Ombudsman has jurisdiction over:**

- Officials and employees of the government or any of its subdivision, agency or instrumentality, including members of the cabinet, local government officials, officials of government owned and controlled corporations; and,
- Private individuals who have acted in conspiracy with these officials.

## **Submission of complaints and the process of investigation**

The Office of the Ombudsman acts on any matter which falls under its jurisdiction, on its own initiative or upon written or oral complaint by any individual, partnership, corporation or entity concerned. Complaints may be brought personally, by mail, fax, text message or telephone to the public assistance bureaus or any of its established hotlines. A complaint that is sufficient in form and substance shall be subjected to preliminary investigation and/or administrative adjudication. Otherwise, the complaint will be referred for further fact-finding. If the complaint is in

# Legal Framework

the nature of a grievance or request for assistance, it shall be referred to the OMB public assistance offices.

## *The Ombudsman can:*

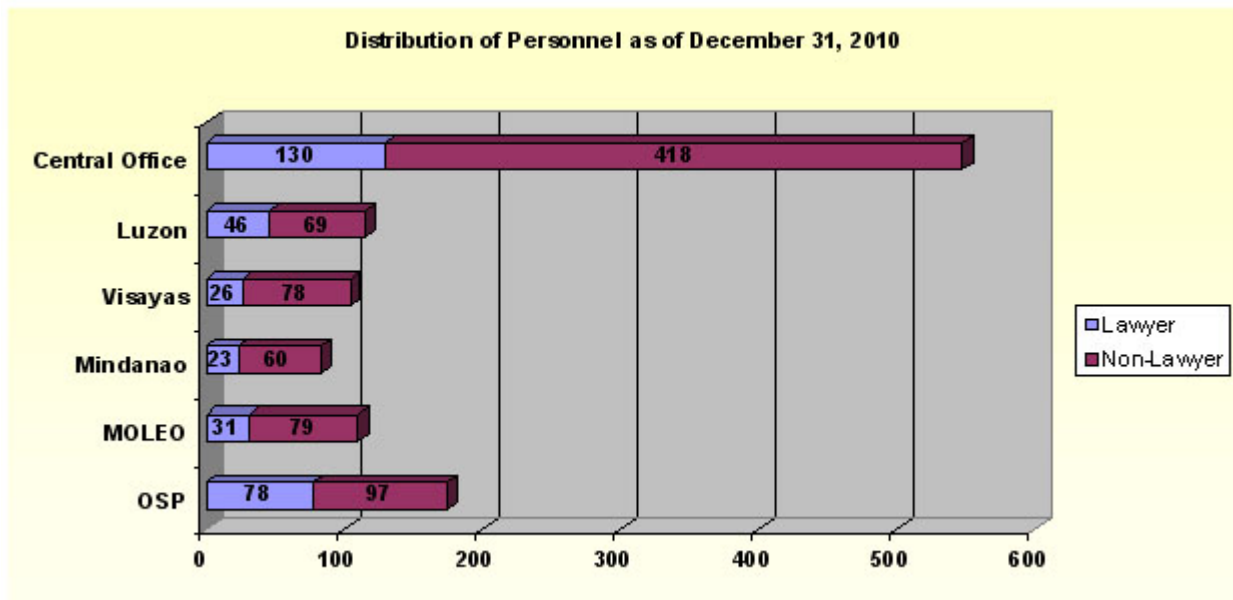
- Administer oaths, subpoena documents and witnesses;
- Direct the taking of appropriate action against erring public officials;

- Request the assistance of any government agency; and
- Publicize matters covered by OMB investigations, if necessary.

The refusal of any government official to cooperate with any of the investigation conducted by the OMB can result in the filing of criminal and administrative charges

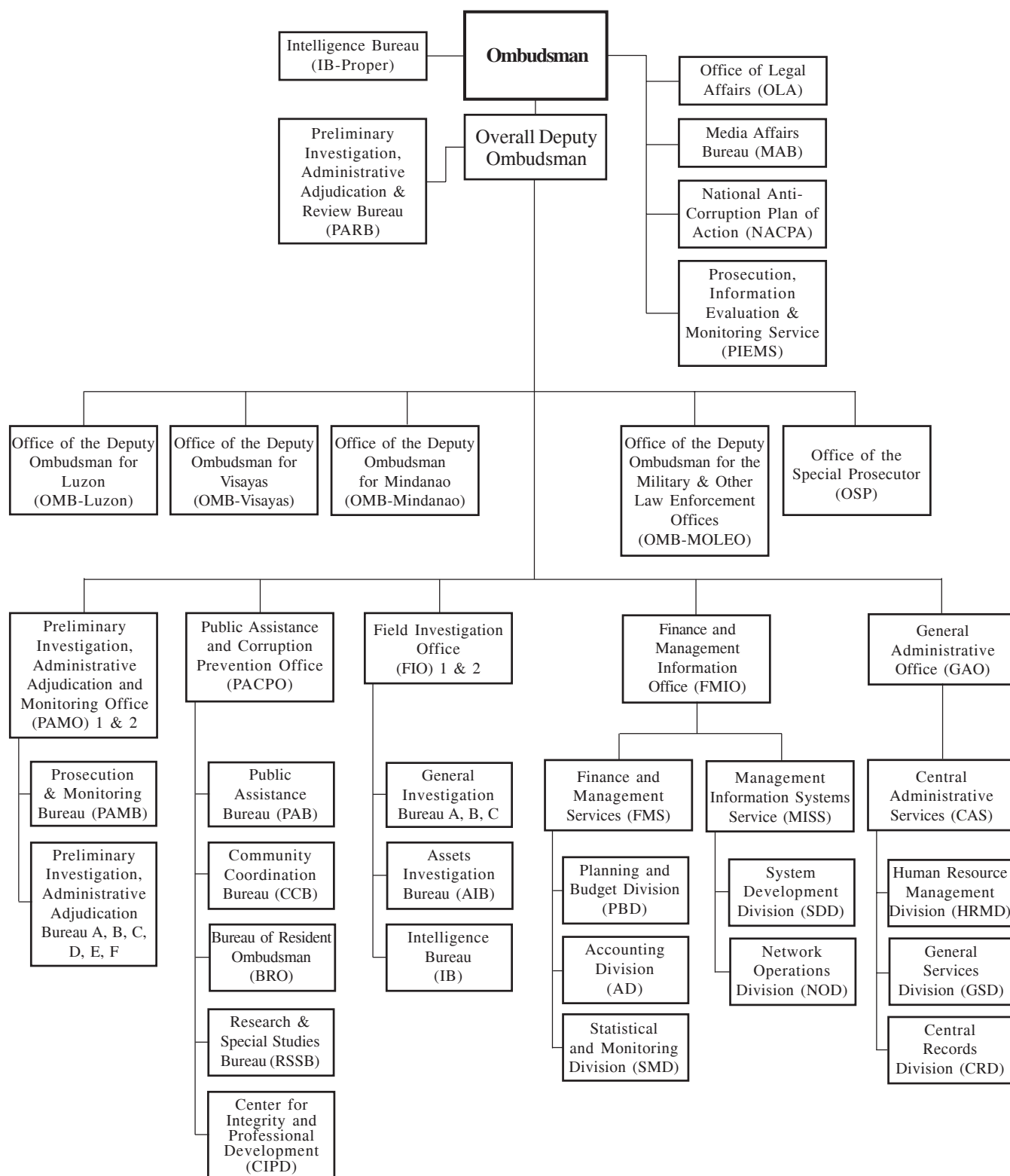
## Organization and Staffing

The Office of the Ombudsman has a personnel complement of 1,135 personnel distributed nationwide. Of this number, 334 are lawyers and 801 are non-lawyers.



# Legal Framework

## Organizational Chart of the Office of the Ombudsman



# Mission & Vision

## MISSION

*As protector of the people, we shall endeavor, in cooperation with all sectors of the Filipino society, to promote integrity and efficiency and high ethical standards in public service through proactive approaches in graft prevention and public assistance, prompt investigation of complaints and aggressive prosecution of cases filed against erring public officials and employees.*

## VISION

*A truly independent office run by God-fearing men and women with highest degree of competence, honesty and integrity, and effectively serving as watchdog, mobilizer, official critic and dispenser of justice for the people it is constitutionally mandated to protect.*





# Enforcement of Law

**T**he Office of the Ombudsman is the lead constitutional body endowed with plenary powers to fight graft and corruption. In fulfilling its legal mandate, it adopts a three-pronged approach: enforcement of anti-graft and corruption laws, corruption prevention, and anti-corruption education and promotion. Using the first approach, it vigorously pursued various projects in 2010 to make corruption a high risk low-reward activity.

Highlighted in this part of the report are the achievements of the OMB in terms of:

- fact-finding investigation,
- preliminary investigation and administrative adjudication,
- prosecution,
- mediation and requests for assistance

## Complaints received

A total of 13,057 complaints were received in 2010. This is 3% or 321 higher than last year's 12,736.

In accordance with its rules, complaints received are evaluated by officials designated as "Officer of the Day". They initially evaluate the complaints and the evidence adduced, if any, and refer them to the proper office for appropriate action.

Complaints that are sufficient in form and substance may be immediately referred for preliminary investigation and/or administrative adjudication. Others may be recommended for further fact-finding in-

vestigation or mediation proceedings. Some are treated as request for assistance or dismissed outright for various reasons (e.g., lack of jurisdiction, etc.).

## Fact-Finding Investigation

Fact-Finding Investigation is akin to what the National Bureau of Investigation does. Complaints filed in whatever form and manner, and even anonymous complaints which lack supporting evidence but with sufficient leads and details may be the subject of *fact-finding investigation*.

At this stage, investigators gather pieces of evidence which support the allegations in order to build a case against the subject of the investigation.

A total of 3,361 fact-finding investigations were completed in 2010 out of 3,969 complaints referred.

## Lifestyle Check

Since 2003, OMB has been actively conducting lifestyle check which aims to

# Enforcement of Law

establish the existence of ill-gotten and unexplained wealth of officials and employees of the government. In 2010, 228 lifestyle investigations were conducted.

## Oplan Red Plate

**Oplan Red Plate** is another initiative launched in 2006. This aims to investigate abuse and misuse of government vehicles by public officials and employees which cost the government millions of pesos annually. This was conceptualized to ensure that government vehicles are being used prudently and in accordance with applicable laws, rules and regulations.

The responsible officials or employees who utilized the vehicles for personal purposes or without duly issued trip tickets to record the trips may then be investigated for violation of certain laws: R.A. 3019, R.A. 6713, Revised Administrative

Code of the Philippines, COA Circulars, sections of the Government Accounting and Auditing Manual, and other executive issuances. A total of 284 investigations were conducted in 2010.

## Preliminary Investigation and Administrative Adjudication (PI/AA)

**Preliminary investigation** is a proceeding to determine whether there is sufficient ground to believe that a crime has been committed and the respondent is probably guilty thereof and should be prosecuted before a court of law (or legally referred to as “probable cause”). The purpose of preliminary investigation is to secure the innocent against hasty, malicious and oppressive prosecution. Not only does it protect innocent persons from the financial costs and emotional ordeals of a public trial, it also protects the State from useless trials.

*The Inter-Agency Oplan Red Plate Task Force, composed of the Ombudsman, COA, CSC, LTO, PNP and PIA, was initially launched in Region VI in 2008.*

*The series of operation conducted in 6 provinces of Region VI made a remarkable impact that led to the compliance of concerned LGUs, NGAs and GOCCs on the proper use of government vehicles. The success of this project can be attributed to the intensive educational campaign conducted by OMB-Visayas through seminars, distribution of flyers and press releases.*

Rank of Government Agencies with the Most Number of Cases (involving their officials/employees as Respondents) Filed before the OMB in CY 2010

Rank	Agency	Total
1	Local Government Units (LGU)	2,166
2	Philippine National Police (PNP)	1,530
3	Department of Education (DepEd)	684
4	Armed Forces of the Philippines (AFP)	368
5	Dept. of Environment & Natural Resources	182
6	Bureau of Internal Revenue (BIR)	144
7	Department of Agrarian Reform (DAR)	128
8	National Irrigation Administration - UPRIS	99
9	Department of Health (DOH)	91
10	Department of Justice (DOJ)	87
11	Dept. of Public Works & Highways (DPWH)	86
12	Bureau of Customs (BOC)	80

# Enforcement of Law

On the other hand, *administrative adjudication* refers to the process of resolving administrative cases filed before the OMB. If the case is supported by “substantial evidence” (which is legally defined as “that amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion”), then the respondent may be meted administrative sanctions such as dismissal from the service or suspension from office without pay.

Filing with SB	Dismissed from the Service	Suspended	Preventive Suspension	Admonished
<ul style="list-style-type: none"> <li>• 4 Members of Adjudication Board</li> <li>• Former Deputy Administrator</li> <li>• Former Comptroller Chairman (4 cases)</li> <li>• Former NEDA Director General (2 cases)</li> <li>• Director</li> <li>• Chairman</li> <li>• Mayor</li> <li>• City Administrator</li> </ul>	<ul style="list-style-type: none"> <li>• Assistant Secretary</li> <li>• Assistant Commissioner</li> <li>• Deputy Administrator</li> <li>• Acting Department Manager</li> <li>• Special Prosecutor</li> </ul>	<ul style="list-style-type: none"> <li>• City Mayor</li> <li>• Mayor</li> <li>• City Administrator</li> </ul>	<ul style="list-style-type: none"> <li>• Acting Director</li> </ul>	<ul style="list-style-type: none"> <li>• Asst. City Prosecutor</li> </ul>

ture proceedings of alleged unexplained wealth.

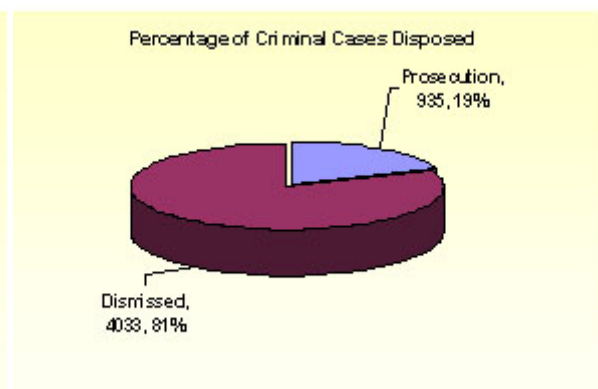
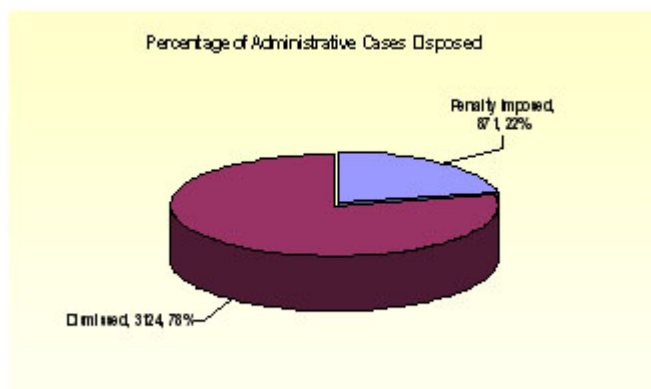
In 2010, the Task Force received 114 cases and disposed 83 cases.

## Task Force Green Lane

**Task Force Green Lane** was constituted to expedite the preliminary investigation and administrative adjudication of lifestyle check cases filed by the Department of Finance-Revenue Integrity Prosecution Service (DOF-RIPS) and the Field Investigation Office (FIO) of the Office of the Ombudsman. It also initiates forfei-

## Cases disposed by OMB

A total of 8,963 cases were disposed in 2010, 4,968 (55%) of which are criminal cases while 3,995 (45%) are administrative. Of the criminal cases, 19% resulted in the finding of probable cause against

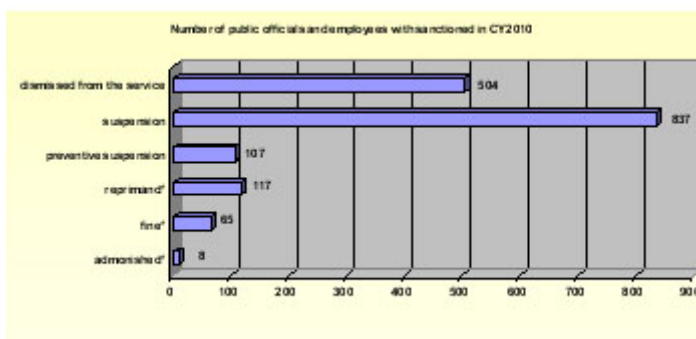


# Enforcement of Law

at least one of the respondents; the rest (81%) were dismissed for lack of evidence. On the other hand, of the administrative cases, 22% resulted in a finding of guilt and imposition of administrative penalty; the rest (78%) were dismissed.

In 2010, some 1,747 officials and employees were criminally indicted in court for various offenses. Of this number, 24% are high ranking officials while 76% are low ranking officials.

In the same year, some 1,523 officials and employees were meted administrative penalties. A total of 504 (33%) were dismissed from the service; 837 (55%) suspended; 117 (7.7%) reprimanded and 65 (4.3%) fined. Moreover, 107 officials and employees were placed under preventive suspension pending investigation while 8 were merely admonished after the adjudication of their cases.



\* These are not considered administrative penalties

## Criminal Indictment

A total of 1,747 officials and employees were charged before the court: 427 (24%) high ranking officials face charges before the Sandiganbayan while 1,320 (76%) involving low ranking officials were charged before the regular courts.

## Prosecution

The Office through the Office of the Special Prosecutor (OSP) is primarily tasked to prosecute cases cognizable by the Sandiganbayan and to represent the People of the Philippines in criminal cases involving high ranking officials or those occupying positions with salary grade 27 and above such as, cabinet secretaries, undersecretaries, bureau directors, as well as those specifically stated in the law. As the prosecutorial arm of the office, OSP can validly enter into a plea bargaining agreement with the accused for the approval of the court.

## Informations filed before the Sandiganbayan

The year 2010 recorded an increase in the number of criminal informations filed before the Sandiganbayan against high-ranking officials in government. A total of 281 informations were filed, up by almost

# Enforcement of Law

List of Government Officials with Criminal Cases Filed with the Sandiganbayan as of December 31, 2010	
High Ranking Officials	No. of Informations
Governors (2)	8
Vice-Governors (2)	15
Mayors (48)	123
Vice-Mayors (4)	4
Board Members (10)	60
COMETEC Chairman	1
Director General	1
Special Prosecutor	3
Sr. Deputy Administrator	1
Former Administrator	2
General Manager	3
College/Univ. President (4)	5
Regional Directors (3)	6
Asst. Regional Director	1
Executive Director	1
Directors (7)	53
Chairman, Board of Directors (2)	4
Major General	1
Commodore	1
Colonel	5
PC Superintendent	4
PS Superintendent (3)	6
P/Superintendent	4
Provincial Directors (2)	3
Provincial Accountant	1
Provincial Treasurer (2)	3

- A total of 134 accused low ranking officials with 233 informations were also filed with the Sandiganbayan for CY 2010.
- There were also 18 accused private individuals with 12 counts or informations.

50% from last year's 189. The total amount involved in the criminal cases for prosecution before the anti-graft court is P129.3 million.

## Conviction Rate in Sandiganbayan

The success of the prosecution is measured in terms of the percentage of decided cases which resulted in the conviction of at least one of the accused in a case. The formula for conviction rate is:

$$\text{Conviction rate} = \frac{\text{no. of cases with conviction}}{\text{total no. of decided cases}}$$

In 2010, the Sandiganbayan rendered its decision in 121 cases which had undergone full-blown trial. Of this number, 40 cases resulted in conviction, and this, registers conviction rate of 33.1%.

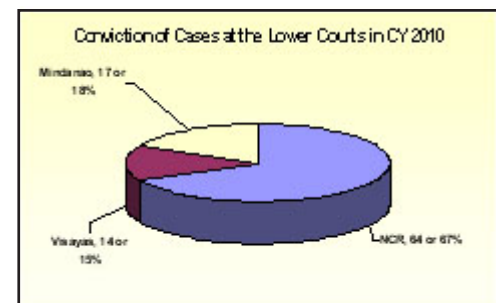
A total number of 67 officials accused of various offenses were convicted by the anti-graft court. Among them are seven mayors, a former administrator, SUC president, judges, provincial prosecutors, assistant secretary and a PNP director general, among others.

## Conviction Rate in Regular Courts

A number of criminal cases against low ranking officials and employees were prosecuted before the regular trial courts by the different prosecution bureaus and divisions.

In 2010, a total of 190 cases were decided by these courts in the National Capital Region, Visayas, and Mindanao. Of this number, 95 or 50% resulted in conviction.

Some cases for prosecution with the regular courts are not directly prosecuted by OMB lawyers due to lack of human resources and geographical accessibility. In such instances, where it is impossible for the OMB to directly handle these cases, DOJ prosecutors are deputized instead.



# Enforcement of Law

## OFFICE OF THE OMBUDSMAN vs. JOEL SAMANIEGO, G.R. No. 175573 October 5, 2010, En Banc.

*Section 7, Rule III of the Rules of Procedure of the Office of the Ombudsman, as amended by Administrative Order No. 17 dated September 15, 2003, provides:*

*SEC. 7. Finality and execution of decision. – Where the respondent is absolved of the charge, and in case of conviction where the penalty imposed is public censure or reprimand, suspension of not more than one month, or a fine equivalent to one month salary, the decision shall be final, executory and unappealable. In all other cases, the decision may be appealed to the Court of Appeals on a verified petition for review under the requirements and conditions set forth in Rule 43 of the Rules of Court, within fifteen (15) days from receipt of the written Notice of the Decision or Order denying the motion for reconsideration.*

*An appeal shall not stop the decision from being executory. In case the penalty is suspension or removal and the respondent wins such appeal, he shall be considered as having been under preventive suspension and shall be paid the salary and such other emoluments that he did not receive by reason of the suspension or removal.*

***A decision of the Office of the Ombudsman in administrative cases shall be executed as a matter of course.*** *The Office of the Ombudsman shall ensure that the decision shall be strictly enforced and properly implemented. The refusal or failure by any officer without just cause to comply with an order of the Office of the Ombudsman to remove, suspend, demote, fine, or censure shall be a ground for disciplinary action against such officer. (emphasis supplied)*

*Respondent cannot successfully rely on Section 12, Rule 43 of the Rules of Court. The Rules of Court may apply to cases in the Office of the Ombudsman suppletorily only when the procedural matter is not governed by any specific provision in the Rules of Procedure of the Office of the Ombudsman. Here, Section 7, Rule III of the Rules of Procedure of the Office of the Ombudsman, as amended, is categorical, an appeal shall not stop the decision from being executory.*

*For the CA to issue a preliminary injunction that will stay the penalty imposed by the Ombudsman in an administrative case would be to encroach on the rule-making powers of the Office of the Ombudsman under the Constitution and RA 6770 as the injunctive writ will render nugatory the provisions of Section 7, Rule III of the Rules of Procedure of the Office of the Ombudsman.*

*Clearly, Section 7, Rule III of the Rules of Procedure of the Office of the Ombudsman supersedes the discretion given to the CA in Section 12, Rule 43 of the Rules of Court when a decision of the Ombudsman in an administrative case is appealed to the CA. The provision in the Rules of Procedure of the Office of the Ombudsman that a decision is immediately executory is a special rule that prevails over the provisions of the Rules of Court. Specialis derogate generali. When two rules apply to a particular case that which was specially designed for the said case must prevail over the other.*



# Corruption Prevention & Public Assistance

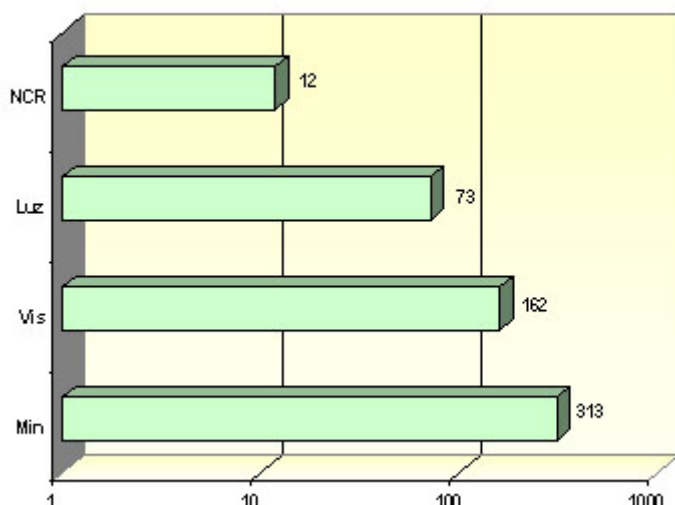
**A**nother major function of the Office of the Ombudsman is corruption prevention and public assistance. Various programs and projects were implemented to fulfill OMB's mandate to determine the causes of inefficiency, red tape, mismanagement, fraud and corruption in government. It also extends public assistance to citizens by ensuring the delivery of basic services effectively and responsively.

## Resident Ombudsmen

Installation of resident ombudsmen started way back in 1989 during the time of then Ombudsman Conrado M. Vasquez through the issuance of Administrative Order No. 10 designating a resident ombudsman in all departments, offices and agencies of the government including government-owned and controlled corporations.

Cognizant of the important role of the resident ombudsman in preventing corruption, the OMB strengthened the network of resident ombudsmen nationwide. As of December 31, 2010, there are 13 OMB lawyers designated as resident ombudsmen in 45 national government agencies. On the other hand, there are 560 non-organic resident ombudsman coordinators nationwide. These ombudsman coordinators designated in various government agencies and local government units assist the OMB in promoting and carrying out its public assistance and anti-corruption programs and initiatives to ensure excellence in public service delivery by acting on requests for assistance, assisting in the conduct of multi-agency social service caravans, mediation proceedings, implementing anti-corruption education programs, studying and recommending appropriate reforms in existing office systems and procedures and other relevant activities.

Distribution of Non-Organic Resident Ombudsmen  
as of December 31, 2010



# Corruption Prevention & Public Assistance

*The Association of Resident Ombudsmen in Government Agencies (AROGA) was formally launched in 2008. The set of officers together with OMB officials drafted the AROGA Constitution and By-Laws (CBL), which was duly approved during the 2<sup>nd</sup> National Convention in Davao City in 2009. Per AROGA Consitution and By-Laws, there will be a two-year term of office for the elected national officers. So, the term of office of those elected in 2009 will expire until the national officers shall have been elected in 2011.*

*Meanwhile, AROGA-Region XI with other AROGA officers from other regions in Mindanao held its annual convention on October 28-29, 2010 in Tagum City. The Resident Ombudsmen in Visayas and Regional Executives had their 10<sup>th</sup> Anniversary Convention on November 11-12, 2010 in Crown Regency Hotel & Towers, Cebu City.*

## Integrity Development Review

Integrity Development Review (IDR) is a diagnostic tool for assessing the robustness of corruption resistance mechanisms and for identifying the corruption vulnerabilities of government agencies with the end in view of designing and implementing safeguards to prevent corruption in the public sector.

The Bureau of Resident Ombudsman continuously monitors agency efforts in the implementation of the following IDR recommendations in 12 agencies:

**Code of Conduct.** The *Bureau of Internal Revenue (BIR)* launched its Revised Code of Conduct on August 3, 2010. The

*Bureau of Fire Protection (BFP)* presented the draft of the BFP Code of Conduct, Ethical Standards and its Customs and Traditions to the management and personnel. The *Bureau of Customs (BOC)* conducted orientation of the BOC Function-Specific Code of Conduct to the 3,059 employees. The *Philippine Veterans Affairs Office (PVAO)* submitted to the OMB a copy of their Code of Conduct. The *Procurement Service (PS)* crafted and rolled-out the PS Code of Conduct which covers all its officials and employees including those under Job Order status.

**Policies on Gifts and Benefits.** The *Department of Agrarian Reform (DAR)* issued Memorandum Circular No. 7, Series of 2010. The *Department of Health (DOH)* issued Department Memorandum on No Gifts Policy and Gifts Registry.

**Procurement-Related Initiatives.** The *Department of Health (DOH)* is actively using the e-procurement system with respect to the conduct of its bidding activities. The *Department of Public Works and Highways (DPWH)* strengthened its procurement system through implementation of the following: Continuous Capacity-building for BAC; Issuance of Guidelines on Bid Ceiling; Strict Observance of Competitive Bidding Mode; Further Simplification of Procurement Processes; and Updating of Annual Procurement Plans. The *National Irrigation Administration (NIA)*



# Corruption Prevention & Public Assistance

established a sustained training program on Republic Act 9184 to capacitate the BAC, TWG and Secretariat in the NIA Central Office and in all regional offices, and included a clause on community participation in local projects in MOUs.

**Human Resource Management.** The *DOH* revisited its policy on nepotism by issuing a Department Personnel Order. It also adopted a color-coding scheme in recruitment at the East Avenue Medical Center to shield the appointing authority from political influence in the selection, hiring and promotion of hospital personnel. The *DPWH* implemented a stricter enforcement of Office Rules, Discipline and Decorum. The *Philippine National Police (PNP)* conducted IDR orientation workshops in PNP Regional and Provincial Offices. The Regional Integrity Development Review Committees (RIDCs) were also convened being primarily responsible in the monitoring of the implementation of the program at their respective levels.

**Risk Management.** The *DOH* strengthened the powers and functions of the Internal Audit Service (IAS) to enhance systems and processes aimed at reducing corruption risks, and used case studies in profiling complaints.

**Financial Management.** The *DOH* used automated system in financial trans-

actions. It developed an Expenditure Tracking System (ETS) and is now implementing it in all its units. To fast track the implementation of the ETS, *DOH* is also developing the Financial Management Tracking System (FMTIS).

**Internal Reporting and Whistleblowing.** The *DPWH* issued Special Order No. 135, Series of 2010, for the creation of a Fact-Finding Committee to investigate 19 contract packages and related contracts under the “Post-Ondoy and Pepeng Short Term Infrastructure Rehabilitation Project” which were approved without public bidding.

**Strengthening Interface with External Environment.** The *DOH* used the *DOH-IDC* website to report complaints which registered an increase in the number of complaints received. It also renewed its MOA with the National Citizens Movement for Free Elections (NAMFREL) and Transparency and Accountability Network (TAN) which expanded the terms of engagement of these CSOs in the anti-corruption efforts of the agency. The *DPWH* re-established the Complaints and Action Center (CAC) and call centers to handle complaints; and utilized SMS, email and social networking sites.

**Corruption Vulnerability Assessment (CVA).** The *Land Registration Authority (LRA)* issued Implementing Guidelines on

# Corruption Prevention & Public Assistance

Electronic Registration of Land Titles and Deeds. The *NIA* Regional Offices adopted a policy on ISF billing, collection and remittance and developed strategies that encourage farmers to pay directly to the bank account of NIA or to NIA offices in order to reduce the risk of robbery, theft and delayed remittance which are prevalent in all regions and big systems.



ODO Casimiro, officials from the BIR & LRA & Resident Ombudsmen during the Integrity Corruption Vulnerability Assessment of Property Registration subject to Internal Revenue Taxes

## Anti-Corruption Researches and Systems Studies

In CY 2010, major researches were completed:

- *Integrity Practices in Metro Manila Cities in the Issuance of Business Permits and Licenses.* This is a study of the procedures in the issuance of business per-

mits and licenses in six (6) cities in Metro Manila: Manila, Quezon City, Caloocan, Pasig, Mandaluyong, and Parañaque. The study also identified the integrity practices of the Business Permit and License Offices (BPLOs) of these cities and assessed the effectiveness of the existing reform measures, control mechanisms, and integrity infrastructures in the BPLOs in preventing red tape and other forms of corruption in the permit services.

The study recommended various ways in general and specific to each city to address the corruption vulnerabilities of the BPLO process and improve customer service delivery. The study recommended amendments to the Local Government Code to cut procedures and waiting time.

- *Dissecting Section 3(e) of Republic Act 3019: Basis for Formulating Policy on Prosecution of Cases.* This is a diagnostic study of the provisions of Section 3(e) RA 3019, otherwise known as the Anti-Graft and Corrupt Practices Act. It looks into the legal nuances of the subsection with the end view of identifying various factors which present difficulty on the part of prosecutors to prosecute a case for violation of Section 3(e).

The study recommended the adoption by the Office of the Ombudsman of specific policies that will address the issues affecting the prosecution of Section 3(e) cases.

# Corruption Prevention & Public Assistance

The following policy and system reviews were also completed in CY 2010:

- Policy Review on the Grant of Health Benefits to Personnel of the Manila International Airport Authority
- Policy Review on Metro Manila Land Use and Development
- System Study on the amount of authorized fees to be collected from transacting public at the Bureau of Immigration and the continuous rotation of personnel as “officer of the day” responsible for the issuance of Order of Payment Slip
- System Study on the Guidelines, Rules and Procedures in the Filing of Confidential Information and the Investigation



Acting Director Alan R. Cañares of the Research & Special Studies Bureau presents the result of the research on the Integrity Practices in the Issuance of Business Permits in Metro Manila cities.

of Cases arising therefrom which was adopted by the Bureau of Internal Revenue through Revenue Regulations No. 16-2010 dated 25 November 2010

- System Study on the Processes of the Armed Forces of the Philippines Pension (36 months LumpSum) at the Department of National Defense.
- System Study on the Purchase, Use and Disposal of Service Vehicles at the Housing and Land Use Regulatory Board (HLURB)
- System Study at the National Housing Authority on Bicol Calamity Assistance and Rehabilitation Effort (B-Care) Funded Projects; and,
- System study at the National Irrigation Administration on Personnel Recruitment/Promotion and Selection Procedures.

## Monitoring of Unliquidated Cash Advances (UCA)

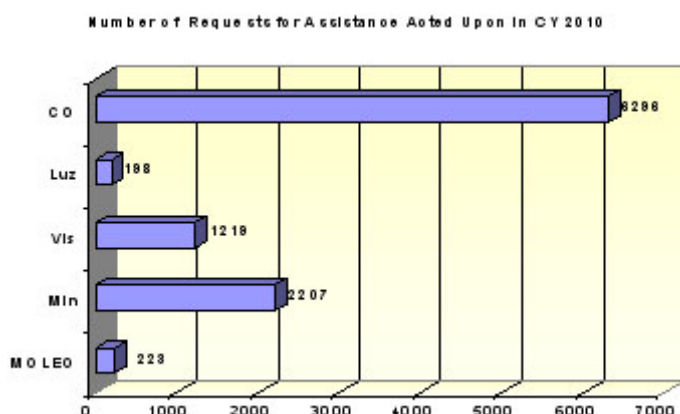
The OMB has increased its vigilance in gathering monitoring reports on unliquidated cash advances. As of December 31, 2010, total amount of UCA being monitored is **Php2,576,801,712.72**. The OMB sent letter-reminders to concerned offices which brought a substantial reduction in UCAs from P2.4B to P850M representing 65% decrease in unliquidated cash advances.

# Corruption Prevention & Public Assistance

## Requests for Assistance

Under Sec. 15, R.A. No. 6770 (or the Ombudsman Act of 1989), the OMB has the power to require public officials and employees to perform and expedite any act or duly required by law or to stop, prevent, and correct any abuse or impropriety in the performance of public duties. The OMB may also require government agencies to render assistance to the people. Thus, the public seeks OMB intervention to facilitate their access to services given by government agencies through what is known as *Requests for Assistance (RAS)*.

For CY 2010, the OMB received a total of 13,151 requests for assistance (RAs) up by 25% from the 10,531 recorded last year. The total number of RAs acted upon reached 10,143.



## Issuance of OMB Clearances or Certifications

An ombudsman clearance or certification is a document that declares whether or not a person has pending case(s) before the OMB. Its purpose is to facilitate decision on a person's retirement, promotion, transfer, appointment, United Nations Mission, travel or other purposes.

A total of 53,067 certifications and clearances were issued nationwide.

## Mediation

*Mediation* is a voluntary process in which a mediator facilitates communication and negotiation between disputing parties and assists them in reaching an agreement regarding their dispute. As an alternative form of dispute resolution, mediation has enabled the OMB to offer and utilize an efficient system for resolving minor and non-graft cases that are brought to its offices nationwide.

In April 2008, the OMB issued Administrative Order No. 20, also known as the *Ombudsman Rules of Procedure for Mediation*. The Rules adopted establish and institutionalize a mediation system that will render meaningful, responsive and relevant public assistance.

For the calendar year 2010, a total of

# Corruption Prevention & Public Assistance

1,075 complaints and grievances were referred for mediation and 909 were terminated. Out of this number, 411 were successfully mediated registering a 45% success rate.

## OMB Social Service Caravan

Conceptualized by Ombudsman Ma. Merceditas N. Gutierrez, the caravan aims to bring the government closer to the people. The OMB, in collaboration with other government agencies, non-government organizations, as well as private institutions, work together to attend to the needs of residents of areas identified with a high-rate of unemployment, out-of-school youth and youthful offenders, malnutrition, domestic violence, and other forms of criminality. For the calendar year 2010, there were nine (9) OMB Social Service Caravans conducted nationwide with more than 10,000 beneficiaries in the following sites: These were at Muntinlupa



City, Taytay, Rizal, Antipolo City, San Jose, Antique; Pototan, Iloilo; Kalibo, Aklan; Roxas City, Capiz; Manay, Davao Oriental; and Linamon, Lanao Del Norte.

*Medical/Dental Missions & Relief Operations* were also conducted in Olongapo City, San Jose, Antique; Pototan, Iloilo; Brgy. Quintin Salas, Jaro, Iloilo; Tubungan, Iloilo; Kalibo, Aklan; Roxas City, Capiz; and Philippine Children's Medical Center (PCMC) Quezon City in line with "Pasko sa Hulyo ng OMB MOLEO." More than 6,000 beneficiaries were served during the said activities.

## Corruption Prevention Units

Corruption Prevention Units (CPUs) serve as the OMB's citizens' arm in its crusade for a clean and honest government. These organizations assist the OMB in detecting graft and corruption in the bureaucracy.

In 2010, accreditation of CPUs was put on hold in lieu of Office Order No. 08-077 stating that the mode of partnership by the Office of the Ombudsman with the Non-Governmental Organizations and/or Civil Society Organizations shall be through a Memorandum of Agreement. However, OMB-Visayas maintained 43 CPUs in 2010. They conducted the 1st Visayas-Wide CPU Consultative Assembly.



# Corruption Prevention & Public Assistance

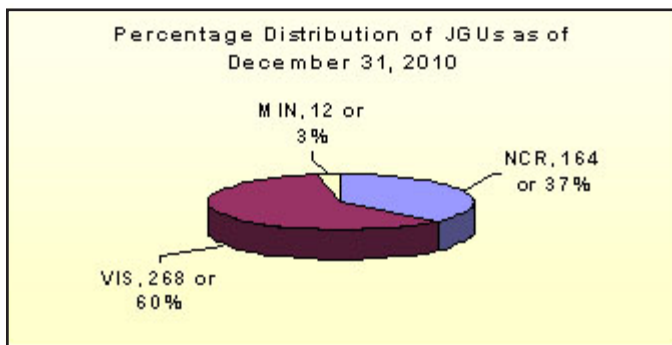
## Junior Graftwatch Units

The Junior Graftwatch Units (JGUs) serve as the OMB's youth arm in graft prevention and control. The JGU aims to address the long-term psychological goal of developing basic moral values among the Filipino youth and raising their sense of righteousness and civic consciousness. Established in schools and communities, JGUs provide a mechanism for young citizens to effectively participate in corruption prevention campaigns.

In 2010, a total of 444 school and youth organizations were accredited as JGUs nationwide.

Activities undertaken by JGUs are the following:

- Conduct of seminar on JGU Orientation and Leadership seminars in 20 batches with more than 1,600 participants.
- Holding of Summer Youth Program



wherein ten (10) students from selected JGUs were trained to perform office functions, attend trainings on leadership and values formation to develop their organizational skills, public service and good citizenship values

- Holding of Makibata, an outreach program for children in Taytay in May and Caloocan City in December which benefited 300 children
- Organize JGU Advisers' Association and JGU Students' Coordinating Council
- Conduct of JGU Summer Training Program wherein twenty (20) students from various universities and high schools in Region 7 participated
- Conduct of JGU Leadership Training participated in by 90 student leaders and JGU Advisers
- Conduct of JGU Orientation and Accreditation Program attended by student-leaders and advisers from 22 schools in DepEd Region XII
- Conduct of Survey on Corrupt/Illegal Practices of teachers in Las Piñas North National High School which resulted to reprimand and non-renewal or non-hiring of those concerned
- Display of passages and other informa-

# Corruption Prevention & Public Assistance

tions pertaining to corruption on a Bulletin Board.

- Participation in the information dissemination campaign through poster making during the Drug Abuse Prevention and Control (DAPC) Week in Pedro Diaz High School in Muntinlupa.
- Presentation of the JGU Program to the representatives of India, Azerbaijan and Pakistan during the five-day Study Tour Program of the AOA member countries in line with the ADB-Regional Technical Assistance (RETA) Project held at the Laurel High School in Manila.
- Participation in the activities such as National Crime Prevention Week; EDSA Tour during the celebration of EDSA People Power, World Teachers' Day, Brigada Eskwela Plus, Project Citizen Philippines, in Pinagbuhatan High School, Pasig City.



JGU representative from Laurel High School presents JGU best practices during the Study Tour Program of the AOA member representatives

**Environmental Compliance Assessment (ECA).** The Environmental Ombudsman Task Force (Iloilo Team) conducted a series of Environmental Compliance Assessment in the different municipalities and cities in the Provinces of Iloilo and Negros Occidental. It is a comprehensive, systematic and periodic review of the compliance of local government units with Republic Act No. 9003 (otherwise known as the Ecological Solid Waste Management Act) and Republic Act No. 8550 (otherwise known as the Fisheries Code of 1998).

The ECA focused on barangays and municipalities located along the coasts of the Visayan Sea, as this particular area has been identified to be the richest in the Philippines in terms of marine biodiversity and aquatic resources.

The OMB served as the catalyst for the Local Chief Executives to institute environmental reforms in their area of jurisdiction.

**“Ombudsman Bantay Kalsada (OBK)”.** This project arose due to the numerous reports submitted by ombudsman partners regarding abandoned and/or unfinished infrastructure projects (like roads, bridges, drainages and flyover) in Region 6.

The Office called the attention of the DPWH through its District Engineers, concerned LGU – city, municipality, and barangay to act on the reports of our partners.

Through the intervention of the OMB-Iloilo, many infrastructure projects were finished on time benefitting the general public.

# Anti-Corruption Education & Promotion

**A**nother strategy of the Office of the Ombudsman in the fight against corruption is mobilizing public support through anti-corruption education and promotion. Various programs and projects were carried out for the successful implementation of this strategy.

## Anti-Corruption Education

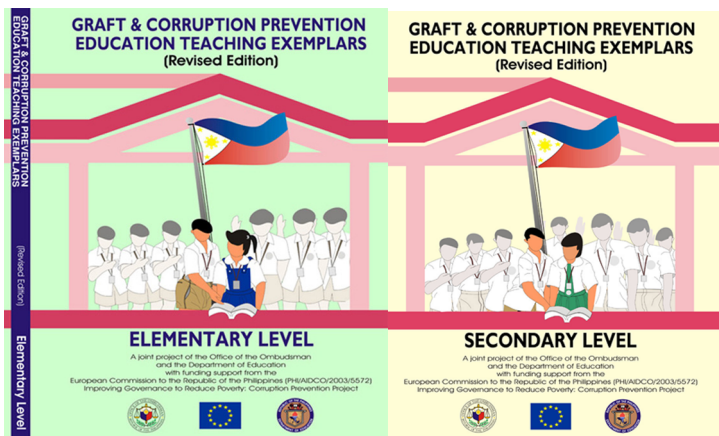
Curriculum Integration through Graft and Corruption Prevention Education (GCPE) Teaching Exemplars. GCPE is one of the mainstream anti-corruption education programs of the OMB. This is a joint project of the OMB and the Department of Education (DepEd) which intends to mold and instill positive values among the students.

The modules of the GCPE Teaching Exemplars have been integrated in the MAKABAYAN subjects of public elementary and secondary students through DepEd Memorandum Circular No. 13. For

the year 2010, a series of orientation briefings were conducted for public school teachers highlighting the implementation program at the school level. Additional copies of the exemplars were also distributed to teachers who attended the briefings and to schools which requested for additional copies. Modules on teaching exemplar were demonstrated by JGU teacher-advisers to promote the program. In coordination with the JGU advisers and students in the NCR, two GCPE teaching demonstrations were conducted in Las Piñas and Makati.

Based on initial monitoring conducted in NCR and Oriental Mindoro public elementary and secondary schools, forty four schools have been validated to have received and adopted the GCPE modules.

**Orientation Briefings/Study Tour.** The objective of the orientation briefing is to provide information about the organizational set-up of the OMB, its major roles and functions, and anti-corruption programs and initiatives.





# Anti-Corruption Education & Promotion

For the calendar year 2010, 9 orientation briefings were conducted among students and faculty members of Ateneo de Naga University, West Visayas State University, University of Caloocan, UP Baguio, UP NCPAG and New Era University; on the other hand, 4 briefings were held for Kabalikat Civicom, Community Force Multipliers for Peace, Incorporated, Public Services Labor Independent Confederation (PSLINK). OMB-Visayas, for its part conducted 5 orientation briefings at St. Theresa's College in Cebu, Western Visayas State University-Graduate School, Cebu Technological University, and Cebu Normal University.

**Public Accountability Seminars/Other Lectures.** The Office of the Ombudsman holds lectures on public accountability and other topics in its effort to increase the awareness of public servants of the evils of corruption, promote public service values, and expand their knowledge of anti-corruption laws.

In 2010, the different concerned offices of OMB conducted a series of public accountability lectures. The Community Coordination Bureau held 10 lectures on various topics while the Bureau of Resident Ombudsman cascaded a total of 104 lectures on various topics such as anti-red tape, integrity development review, procurement reform and unliquidated cash advance. For its part, OMB-

Luzon conducted 5 public accountability lectures. Meanwhile, OMB-Visayas held 5 public accountability lectures, 20 seminars on financial management, 5 on procurement and 2 on barangay good governance. OMB-Mindanao, on the other hand, conducted 5.

The Organic Resident Ombudsmen, in the implementation of anti-corruption education, cascaded a total of 104 lectures, trainings and seminars on important topics such as, Public Accountability, Anti-Red Tape Act (ARTA), Integrity Development Review (IDR), Government Procurement Reform Act (GPRA), Unliquidated Cash Advance (UCA).

**Ehem! Aha! Program.** It was implemented at the Office of the Ombudsman in 2003, in collaboration with the Philippine Province of the Society of Jesus (PPSJ). It primarily aims to create a graft-intolerant culture in the country. The convergence of the OMB and PPSJ led to the conceptualization and implementation of several trainings designed to prevent corruption not only in OMB offices but in other government offices as well.

Ehem! has 4 modules aimed at facilitating a process among the various sectors towards understanding the culture of corruption, its various standpoints, and the roles of individuals and institutions in the

# Anti-Corruption Education & Promotion

perpetuation of corruption in society; providing an avenue for analyzing issues and situations of corruption and their immediate and long-term causes and consequences; allowing serious reflection among different sectors to generate insights on their value systems that reinforce or prevent corruption; and building commitment and formulate plans to help combat corruption.

On the other hand, Aha is the institutionalization and strengthening of whistleblowing and tipping in the Philippines. Aha! seeks to produce more watchdogs, tipsters, complainants, witnesses and reporters.

In 2010, OMB conducted 7 seminars in the various offices in Visayas.

## Anti-Corruption Promotion

To be able to reach out to the public, the OMB continued in its promotion programs, using print, broadcast, and cyberspace media namely, the “*Magsumbong sa Ombudsman*”, “*Ombudsman: Kakampi Mo Laban sa Katiwalian*”, “The Essential Thing”, the “Integrity WatchNews”, and the OMB website.

**“*Magsumbong sa Ombudsman*” Radio Program.** Aired every Wednesday from 10:00 to 11:00 a.m. over DZRB Radyo ng Bayan and its provincial stations nation-

wide, Ombudsman Gutierrez co-hosts the program with veteran broadcaster Tony Salao. It features weekly news updates about OMB projects and activities, as well as discussions about current issues in the Philippines. It also features interviews with OMB officials and other guest speakers, and an open-line segment where phone calls, text messages and letters from the public are entertained. Forty-eight (48) episodes were aired last year.



**“*Ombudsman, Kakampi Mo Laban sa Katiwalian*” TV Program.** Aired every Saturday from 12 noon to 1:00 pm over NBN-4, the Ombudsman hosts a program with a talk show and documentary format that features the anti-corruption activities/initiatives of the Office including those in partnership with other government agencies and public and private sector organizations. It also features testimonials of granted requests for assistance; dramatization of Ombudsman/Sandiganbayan decided cases; and responses to messages or emails sent to the Ombudsman.

# Anti-Corruption Education & Promotion

A total of 40 episodes were aired in 2010.

***“The Essential Thing” Opinion Column.*** Ombudsman Gutierrez wrote on various current issues affecting good governance and anti-corruption reforms and initiatives. A total of 48 articles were written and published in 2010.

***Integrity WatchNews.*** The Office of the Ombudsman came out with its two issues of Integrity WatchNews, a bi-annual journal publication which reports the various accomplishments of the Ombudsman in its anti-corruption drive. High-profile cases were also featured in the journal as well as notable projects on anti-corruption.

***Other promotional materias.*** In addition, the Office of the Ombudsman distributed a number of posters, primers, flyers, bulletins, and tarpaulins to different national agencies and local government units.

Numerous press releases on cases disposition, OMB activities and events were also prepared and published in the different national broadsheets, dailies and other local newspapers.

**OMB website with domain [ombudsman.gov.ph](http://ombudsman.gov.ph)** features an up-to-date archive of “The Essential Thing” articles, podcasts of the the OMB radio program, episodes of the OMB TV program, events or activities of the OMB. The website also offers online services such as filing of complaints, requests for OMB clearance or certification, and requests for assistance.

***“Hagit, Siyagit Musicale”.*** O M B - Visayas led the launching of an anti-corruption concert dubbed as ***“Hagit, Siyagit Musicale”*** on August 23, 2010 held at Cebu Normal University. Various sectors participated in the concert: CPUs, JGUs, Non-Organic ROs, MSACC-Visayas Chap-



The various stakeholders of Hagit, Siyagit Musicale.

# Anti-Corruption Education & Promotion

ter, religious organizations, and different government agencies.



**Hotlines, Emails and Text Messages.** Several hotline numbers were put up nationwide to make the OMB more accessible to the public. The public can now report any irregularities in their area; request for assistance or even follow-up application for clearance with the Ombudsman. This serves as a convenient link to its stakeholders and shareholders.

## HOTLINE NOS.

<b>For Public Assistance:</b> [02]9262-OMB [9262-662]
<b>For Lifestyle Check:</b> [02]927-4102 or [02]927-2402
<b>For Anti-Fixing:</b> 0926-6994703
<b>OMB-Visayas "TextOMB" Project</b> 0917-8898662 or 09178 [TxtOMB]

## International Anti-Corruption Day

Simultaneous commemoration of International Anti-Corruption Day was held by the Office of the Ombudsman nationwide on December 9, 2010 with the theme: **Ang Sigaw Laban sa Katiwalian, Aksyon! "No to Corruption, Yes to Integrity Shout Out"**. The event aims to bring together all integrity forces, good governance practitioners and stakeholders.



Representatives from different sectors delivered a short talk highlighting the concrete contribution of the respective organizations to the common fight against graft and corruption and urged others to join the campaign for honest, transparent, accountable and effective governance.



# Institutional Strengthening

**I**n support of the mandate of the Office of the Ombudsman various measures have also been institutionalized to invest in human resources, strengthened infrastructure and systems with the OMB, and reinforced alliances with partners and stakeholders, including international and regional organizations in compliance with the United Nations Convention Against Corruption.

The following highlight the various linkages and alliances with international organizations and local organizations, local and international trainings and conference, and improvement of working conditions of OMB officials and employees through finance and administrative services.

## Broadening Alliances

**National Anti-Corruption Plan of Action.** Spearheaded by the Office of the Ombudsman, the National Anti-Corruption



Plan of Action (NACPA) seeks to integrate and strengthen under one comprehensive strategic framework the anti-corruption initiatives and commitments of the different sectors of Philippine society. This is in line with the World Bank study *“Combating Corruption in the Philippines,”* which recommends that anti-corruption initiatives be unified under one concerted national program, with a strong leadership and management structure and as well as a strong partnership with the private sector, civil society, and development partners.

Implementation of the NACPA is coordinated by the Multi-Sectoral Anti Corruption Council (MSACC). With this Office as lead convener, the MSACC consists of representatives from constitutional bodies, the three branches of government, local government units, civil society (i.e. academe, media, faith-based organizations, people’s/non-government

# Institutional Strengthening

organizations, and the youth), the business sector, non-government professional groups, and the donor community.

For the year 2010, the NACPA/MSACC has undertaken the following activities:

- Held a Governance Forum with the theme “Setting the Tone at the Top”
- Conducted three NACPA mini-roadshows to increase awareness on the convergence program
- Conducted Orientation Workshop on anti-corruption among officers and members of the Philippine Association of Professional Regulatory Boards (PAPRB) for cooperation in case build-up and prosecution
- Distributed posters and video clips for the advocacy program “Walang Hihingi” in time for the national elections, and conducted voter’s education seminars in MSACC-Mindanao Chapter
- Launched and implemented the “Oplan Red Plate Poster Campaign” to seek the support and active participation of the other members of the society in the corruption prevention programs particularly in the monitoring of unauthorized use of government vehicles in Davao City.

In response to the MSACC’s call for dedicated personnel that will provide technical support in the management of NACPA programmes and projects, operationalization of the NACPA (Bureau) was initiated in the last quarter of 2010. As a unit of this Office, the NACPA Bureau is supposed to provide technical assistance in the management of the NACPA, including internal projects of this Office and its commitments with regional and international organizations.

**Inter-Agency Anti-Graft Coordinating Council (IAAGCC).** The IAAGCC is a voluntary alliances of agencies engaged in the maintenance of integrity, efficiency, transparency and accountability in the government. It was originally formed by the heads of the OMB, CSC, COA, PAGC and the NBI through a Memorandum of Agreement executed in 1997. The DOJ became a member of the Council pursuant to Council Resolution No. 1-98. IAAGCC was



IAAGCC Principals sign resolutions concerning IAAGCC activities on July 21, 2010

# Institutional Strengthening

officially recognized by the President of the Philippines through the issuance of Administrative Order No. 79 in 1999. PAGC ceased to be a member of IAAGCC when it was abolished through E.O. No. 13 issued on November 15, 2010.

The IAGCC has undertaken the following activities in 2010:

- Passed four Resolutions during the Principals meeting, as follows:

Resolution No. 2010-01 - which affirmed the institutional commitment of the member agencies to the IAAGCC and authorized the use of IAAGCC funds and other resources for good governance programs and activities, as well as to support and implement the collaborative programs, projects and other related activities of the NACPA that is being implemented by the MSACC.

Resolution No. 2010-02 - which adopted the guidelines for the utilization of the IAAGCC funds for anti-corruption plans and programs.

Resolution No. 2010-03 - which adopted vetting as a national integrity policy, fully supporting its advocacy and implementation jointly with the Constitutional Integrity Group.

Resolution No. 2010-04 - which approved the project proposal of COA for the cross-training of gov-

ernment investigators, prosecutors, COA Auditors and representatives from other member agencies.

- Conducted focused group discussion (FGD) as a preparatory activity to the cross-training aimed at identifying the common issues, concerns and problems in the performance of the member-agencies respective mandates, and proposed measures to enhance coordination and cooperation between and among the IAAGCC members.

## Linkages with Anti-Corruption Partners

The OMB gathers public support in combating corruption through coordination with the public and establishes alliances with numerous organizations nationwide through formal collaborations and partnership agreements. It maintains linkages with the following partners:

- **Public Services Labor Independent Confederation (PSLINK)** is a confederation of public sector unions of Philippine government employees. It forged a partnership with OMB on April 26, 2010 to



# Institutional Strengthening

implement the “*Bantay Lustay*” Project to ensure transparency in procurement activities. As an initial step to prepare them to become observers in procurement proceedings, two (2) capacity-building seminars were conducted for the DepEd and DPWH PSLINK members.

- **Community Force Multipliers for Peace Incorporated (CFMPI)** is an alliance of individuals who grouped themselves to assist law enforcement agencies in inculcating moral values. The CFMPI and OMB signed a Memorandum of Agreement on June 24, 2010 for the implementation of the “*Project on Random Monitoring of Policemen’s Attendance*”. The Project was pilot-tested in eight (8) police stations, namely: Police Station (PS) 1 in Tondo, PS-7 in Jose Abad Santos, BCDA PS in Taguig City, Parañaque City PS; San Juan PS; PS-4 in Novaliches, QC; North Caloocan PS; and Bagong Silang PS.



- **Davao Procurement Transparency Core-Group (DPTCG)** is an umbrella-organization of 32 non-governmental organizations based in the Davao area (Davao City, Davao del Sur, and Davao del Norte) who are actively involved in training and monitoring as BAC observers

- **Federation of the Philippine Industries (FPI)**. The FPI consists of 21 industry association and 70 corporate members, envisions that business will be proactive and broad-based in its concerns, sensitive not only to its own interests but also to those of other sectors such as labor and consumers, environmentally responsible. In 2010, FPI submitted reports on the alleged anomalies/illegal activities at the Bureau of Customs, hold Anti-Smuggling Summit and other anti-corruption activities both in public and private, and implemented graft prevention programs within the business sector and government agencies/offices.

- **Philippine Chamber of Commerce and Industry (PCCI)**. A non-stock, non-profit, non-government organization comprised of small, medium, and large enterprise, local chambers and industry associations representing various sectors of business, all working together to foster a healthier Philippine economy and improve the viability of business in the country. It has 17 regions and 108 local chambers over



# Institutional Strengthening

the Philippines. In 2010, PCCI implemented programs aimed at promoting good governance particularly transparency and accountability in the government.

- **Moral Recovery Program Task Group, Inc. (MRPTG).** A non-government organization consists of Reverends, Bishops, Ministers, Pastors, christian leaders, businessmen and youth leaders and with a total membership of almost 20,000. MRPTG entered into a MOA with OMB on July 28, 2010 to pursue an effective public information dissemination campaign relative to the existence, nature and objective of the NACPA through the conduct of seminars, symposiums, conventions on values orientation and anti-corruption programs.



- **Concerned Citizens of Abra for Good Governance (CCAGG)** is a non-government organization, with general membership composed of people coming from all walks of life with different vocations and occupations, driven by the desire to be of service to the people and who believe in voluntary action towards societal transformation and renewal. Per agreement signed on January 28, 2010, CCAGG works hand-in-hand with the OMB in the reduction or eradication of all corruption incidence in public procurement.

- **Council for the Restoration of Filipino Values Corruption Prevention Units (CRFV)** is a non-government organization which started in 1996 that is determined to contribute and respond to the challenge of bringing righteousness into the government of the Philippines. The CRFV conducted a forum for the teaching and non-teaching personnel of DepEd, Leyte.

- **Bagong Lampara Foundation, Inc.** was organized mainly for the amelioration of the situation of the people of the Municipality of Ronda and in other towns in Central Visayas. With its advocacy for good governance, the foundation initiated investigation of unlawful acts committed by local officials which led to the filing of six (6) complaints in OMB-Visayas.

# Institutional Strengthening

## Technical Cooperation with International Organizations

### United States Agency for International Development (USAID)

The USAID funded Philippines Integrity Project focuses on current successful anti-corruption initiatives while also establishing new initiatives to improve integrity within government agencies. It builds on work done from 2006 to 2009 by the Management Systems International (MSI) on the Millennium Challenge Account-Philippine Threshold Program Technical Assistance Project. The **"Integrity Project: Enhancing Anti-corruption Efforts at the National and Local Levels"** with four components:

1) *Business Process Enhancement (BPE)*. The strategy is to re-engineer OMB's many processes and procedures to align them to better cope with the ever changing tactics of lawless minds. This calls for BPE as basis for redesigning operational practices in the "Complaint and Case Management System (CCMS)" and "Evidence Security". It includes establishment of the Legal Information Archive (LIA). In 2010, the CCMS in partnership with CD Asia, a subcontractor of the MSI has started to standardize a unified system to link the different case management systems and formats in use at OMB. As to the Legal Information Archive (LIA),

OMB issuances from 2008 to 2010 like Office Orders, Memorandum Circulars, Memorandum of Agreements including Supreme Court Decisions of Ombudsman cases from 2006 to 2010 were already scanned and digitized.

2) *Constitutional Integrity : Cooperative Venture among Constitutional Bodies*. The strategy is to pool the expertise, talents and willingness of the different Constitutional Bodies in a unified movement towards the option for total integrity in government service. In 2010, OMB forged a strategic collaboration with the Commission on Audit for intensive coordination towards joint investigation and prosecution of selected cases amounting to fifty million pesos and above. It likewise conducted trainings for 320 OMB investigators and prosecutors on COA Rules of procedure; analyzing COA technical reports, and working papers and detecting fraud and irregularities. Conducted trainings for 70 COA auditors on substantive laws, techniques in fact-finding investigation,



# Institutional Strengthening

COA auditors' role in preliminary investigation and prosecution.

3) *Prosecution of Corruption Cases in Lower Courts: Aiming for Better Conviction.* This strategy has resulted in the formulation and maintenance of corruption cases filed in the Lower Courts. A template in the conduct of case inventory was already approved and the scope of the case inventory as well as the needed logistical support from the OMB was identified.

4) *Integrity Development Review (IDR) at the local level: Cascading Efforts.* The IDR Program at the Local Government Units (LGUs), the OMB has partnered with the Department of Interior and Local Government (DILG) as the executive arm of government tasked to oversee local governance, peace and order, and public safety.

In line with the implementation of the Integrity Project, the USAID through the American Bar Association (ABA) supported the drafting of a bill amending Republic Act 6770, otherwise known as "The Ombudsman Act of 1989". The draft bill was submitted to the Senate and House of Representatives for authorship and support. The proposed bill seeks to strengthen certain components of the le-

gal and structural framework of the Office of the Ombudsman. Once passed, these laws will not only improve evidence-gathering and investigative powers of the office but at the same time bring it at par with international anti-corruption standards.

## Asian Ombudsman Association (AOA)

The Asian Ombudsman Association (AOA) was established on April 16, 1996 as a non-governmental, non-political, independent and professional forum for Ombudsmen in Asia. The idea to form the AOA surfaced in 1995, during the meeting of the Board of Directors of International Ombudsman Institute (IOI), where it was emphasized that Asia should organize a regional body for promoting the



AOA member representatives during the Asian Ombudsman Regional Conference in Manila

# Institutional Strengthening

principles and practices of Ombudsmanship. Pakistan, supported by China took the initiative to establish the AOA and the then Wafaqi Mohtasib (Ombudsman) of Pakistan, Justice Abdul Shakurul Salam, was elected as the first Chairman of the Board.

The AOA currently has 27 members from 17 countries and is governed by a nine-member Board of Directors.

On August 24-27, 2010, the OMB co-hosted with the Asian Development Bank the Asian Ombudsman Association Regional Conference and Board of Director's Meeting. The conference culminated in the unanimous adoption of the Manila Dec-

laration of the Principles of Ombudsmanship.

In March 2010, a *Secondment Program* was conducted by the OMB for the AOA member country representatives from India and Pakistan. It consisted of a two-week full institutional immersion program, with strategic focus on public assistance and service delivery.

It also included coaching of the secondees on grievance handling and dispute resolution in the Office of the Ombudsman, analysis and documentation of actions on grievances and mediation of non-corruption complaints. The secondees went through a series of guided observations of agency processes related to customer assistance in the Ombudsman, BOC, PVAO, DOH, LTO and other government agencies.

The OMB likewise organized and conducted briefings to foreign delegates during their study visit to the Office.

A *Nepal Study Visit* is in connection with the Project entitled “*Support to Anti-Corruption Institutions*” which was geared toward assisting five key anti-corruption institutions in Nepal and was supported by the Asian Development Bank through a technical assistance grant.

***Five-Day Study Tour Program*** par-



Asst. Secretary Lozada of the Department of Health presents the agency's processes in customer assistance to the AOA member country representatives.



# Institutional Strengthening

ticipated in by AOA members from *Pakistan, Azerbaijan and India*. This is in line with the ADB-Regional Technical Assistance Project which was geared toward strengthening the AOA. It was viewed as an effective capacity enhancing activity that can facilitate quick and clear understanding of the design and implementation of successful practices, procedures and policies in the host country.

## South East Asia Parties Against Corruption (SEAPAC)

The OMB participated in the 6th Meeting of SEAPAC held in Siem Reap, Cambodia on November 4-5, 2010, where the members reported their agency's anti-corruption accomplishment updates. The Ombudsman reported the Philippine experience in monitoring unliquidated cash advances and presented a report on compliance with the UNCAC and the self-assessment that was conducted.

## Center for Asian Integrity (CAI)

CAI is a new initiative in national and regional efforts to build integrity and combat corruption using a three-pronged approach: a training centre; research program and curriculum design and course development.

In 2010, a **Corruption Mapping Workshop** was held. It presented corruption risk vulnerabilities within the public and private sector and special areas of con-

cern. It was also devoted to discussions on the particular areas of concern where corruption has become entrenched. Corruption "snapshots" were presented by experts.

The goal was to map the corruption "terrain" in the Philippines in order to better develop a national anticorruption strategy. Its objectives were (1) identify key actors, linkages, "hot spots", vulnerable areas, and networks, (2) clearly recognize power structures in the country, the different underlying networks, and their interests, as well as their roles in and relationships to the most important forms of corruption, (3) understand the political context, constraints, and opportunities of corruption and (4) better inform the anti-corruption strategy. Participants were CAI consortium members, CAI partners, UP NCPAG, DAP academics, NGOs, business sector members and investigative journalists.

## Intergovernmental Working Group on the Prevention of Corruption

The OMB was represented in the First Meeting of the Intergovernmental Working Group on the Prevention of Corruption held in Vienna, Austria on December 13-18, 2010.

The meeting emphasized interlinkages among all the substantive chapters of the UNCAC and the role of

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the Working Group as a market place for exchange of experiences, government practices and challenges in preventing corruption.

The OMB representative recommended the need to convene the UNCAC Review Group and to include a member from COA and DOJ. It was also proposed that the TWC of the MSACC be tasked to assist in the preparation of the updated UNCAC compliance self-assessment checklist and to incorporate the good practices on the measures adopted to preserve the integrity of documents related to public expenditures and revenue. It was further suggested that a report on the Philippine Integrity Fund allegedly established by the Business for Integrity and Stability of Our Nation 2020 be validated, which is supposed to support anti-corruption projects by both government and non-government agencies. A more accurate and validated Philippine Self-Assessment Report be transmitted to the UNODC thru the Philippine Permanent Mission in Vienna.

## **ADB-OECD Anti-Corruption Initiatives for Asia and the Pacific**

The OMB was also represented in the 15th Steering Group Meeting and 10th Regional Seminar on Criminalization and Bribery. This was held in Kuala Lumpur, Malaysia on 12 to 24 September 2010.

It was agreed upon by the members that there is a need to increase the participation of all relevant stakeholders. They were strongly encouraged to invite representatives from the local business associations to attend future meetings. In addition, representatives from other relevant non-anti-corruption agencies in a Thematic Review must also be included so that information can be collected through their responses to interviews and questionnaires. It was also recommended that for a particular topic, representatives from the agency which has jurisdiction over the topic should be represented in the meetings so that they can immediately respond to queries that might be posed. This was also recommended for those in the private sector, civil society or non-governmental organizations if the issues pertain to their sector so that there will be sharing of experiences and best practices during discussions.

## **Local and International Scholarships and Trainings**

Below are some of the local and international scholarship programs, trainings, seminars and conferences which benefited OMB officials and employees:

- Master's Degree in Economics sponsored by the Japan International Cooperation Center (JICE)/Japan Grant Aid for HRD (JDS)

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- Master in National Security Administration sponsored by the National Defense College of the Philippines
- Master in Public Administration sponsored by the Catholic University of South Korea
- Master in Project Management sponsored by the Philippines-Australia Human Resource Development Facility
- Post-Graduate Certificate Course in Corruption Studies sponsored by the Hong Kong University
- Master in Government Management-Executive Special Program (MGM-ESP) at the Pamantasan ng Lungsod ng Maynila (PLM) for 23 employees pursuant to a Memorandum of Agreement between the Ombudsman and PLM.
- Senior Executive Course for Strategic Management of Anti-Corruption Programme sponsored by Malaysian Government/TESTDA in Kuala Lumpur
- Corruption Prevention and Risk Management in Public Sector Organization Workshop conducted by Malaysia Anti-Corruption Academy (MACA), Kuala Lumpur
- Managerial Leadership Seminar conducted by the Civil Service Commission
- Training courses on Database Management Using MS Access, Statistics for Project Monitoring and Evaluation and Effective Statistical Presentation Skills conducted by the Statistical Research and Training Center (SRTC).
- *Orientation Seminar on the OMB Citizen's Charter.* The orientation was designed and conducted in compliance with the Republic Act 9485 otherwise known as "The Anti-Red Tape Act". Under the said law, every agency is tasked to prepare and produce a citizen's charter that will serve as guidebook for the public who may wish to avail of the various services being delivered by every government entity. A total of one hundred forty-eight (148) participants composed of different frontline service personnel of the bureaus



Students of the Master in Government Management-Executive Special Program

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and offices in both central and area/sectoral offices participated in the orientation.

## Center for Integrity and Development

The Center for Integrity and Professional Development (the “Center”) was created on June 6, 2008 through Office of the Ombudsman **Resolution No. 03**, series of 2008. The Center’s mission is to institutionalize professional and integrity development programs for Ombudsman personnel, other anti-corruption stakeholders and the general public.

In 2010, the Center designed and developed training/seminar modules on the following:

- *Workshop on Barangay Good Governance.* The workshop aims to respond to the need for enhancing transparency, accountability and integrity in barangay governance as means whereby communities may achieve greater heights of self-reliance, self-governance and human development.
- *Seminar design for Public Accountability and Corruption Prevention.* Public Accountability seminars aims to increase awareness of public servants of the evils of corruption, promote public service val-

ues, and expand their knowledge of anti-corruption laws.

- *Integrity, Good Governance and Accountability Training Series (IGGATS).* IGGATS aims at giving competency-based training and problem-based learning among institutions at three levels: 1) IGGAT for the Public Sector to target policy and decision-makers, administrators and implementers; 2) IGGAT for Private Sector to target corporate leaders, policy makers, administrators and professional groups; and 3) IGGAT for Civil Society Organizations to target leaders of coalitions of non-government organizations, people’s organizations, media, academe and faith-based organizations.

This training series will serve as the Center for Asian Integrity’s (CAI) strategic training intervention that will build competencies among the institutions in processing social, economic, political, cultural, legal and structural factors that promote or breach personal and institutional integrity, accountability and good governance and their subsequent effects on development and democratic governance in societies.

In addition to the modules being developed, the Center has also prepared and submitted Terms of Reference for Consultancy Services intended for public sector, which is the basis for contracting out services of consultancy providers.



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## Management Information System

In 2010, the Management Information System Services (MISS) was able to implement the following projects: (a) OMB Employee Number System where a unique number is automatically generated and assigned for each and every employee in the Central Office, OSP, Luzon and MOLEO regardless of his/her place of assignment; (b) Document Tracking System in FAO where the flow of documents within FAO can be tracked down online thereby simplifying ways of monitoring day to day transactions of FAO offices; and (c) Daily Time Record System (DTRS) in OMB Central, OMB Luzon, OMB MOLEO and OSP using the biometrics machine.

The Statistical Management Division (SMD) continued to provide technical support in the management and maintenance of in-house developed and outsourced systems to the Accounting Division, OLA, CRD, HRMD, PAB, Office of the Special Prosecutor, OMB Luzon and OMB MOLEO in the generation of electronic New Government Accounting Systems, Case Registry System, payroll System, Request for Assistance System and Service Record Module. In order to improve and respond to the additional requirements of end-users, modifications on certain in-house developed systems were made.