

Ombudsman Public Governance Forum

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Issues, Challenges and Resolutions on Fighting Corruption: from a stakeholder's perspective

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Good morning ladies and gentlemen.

Core Principles

Let me speak first about what journalism is really about, to provide a bit of context to our discussion.

With the fast-changing technology and 24/7 news, only the form of journalism has changed. But the tenets remain the same.

Our duty is still to provide the public accurate and reliable information so that they can make informed decisions and be productive citizens in a democracy.

Here are our core principles:

1. Journalism's first loyalty is to the citizens (not to the media owners, advertisers, our friends or FOO, friends of owners, or public officials). This means that we aspire to do journalism that is of public interest, that we write about issues that enlighten the national conversation and help build our nation. This means that in order to be effective, we have to be credible. The public must believe us and what we write and say, or at least know that we do not serve agendas other than that of doing our duty; otherwise we have no reason to exist.
2. Our first obligation is to the truth. What does this entail? That we stick to the facts. We do not embellish them. We let the facts take us to our conclusions, no matter that these may be unpleasant to some. This means that we do thorough research and we make sure that we get various sides to a story. We try our best to be fair and reliable, we contextualize information, and we should, as much as possible, be transparent about our sources.
3. We must maintain independence from the subjects we cover. If we can't do this, then we let others do the reporting. Or, at the very least, we disclose this. Friendship, it is said, is the worst form of vested interest for journalists. We are sometimes compared to judges, cold and impartial. There is a paradox here. We cultivate the trust of our sources in order to get information. But when we find out that our sources have committed wrongdoing or violated the law, we keep our distance and write about them.
4. We monitor power, we serve as a watchdog. We want to make public officials transparent and accountable. We don't want them to work in the dark, where no one sees or hears them. We don't want them to be vampires sucking our blood, or more specifically, taxpayers' money.
5. We strive to practice the highest standards of journalism. This includes disciplined research and verification. Getting various sides to a story and being fair. We should practice journalism without fear or favor.

6. Ethical behavior is a must. We cannot use our position for private gain. We should not accept bribes, favors in exchange for stories. We have to be transparent and accountable in order for us to be able to demand the same from our public officials.

Challenges

Having said these, let me share with you the challenges facing the media in reporting on corruption.

Overall, it is the lack of transparency in some government agencies. Some are more transparent than others.

In the absence of a Freedom of Information law, access to public documents is limited. It is not institutionalized.

Specifically, our challenges are: First is following the paper trail.

In our experience with the Office of the Ombudsman, the following are public documents: (I refer to our experience because the Office of the Ombudsman does not have a disclosure policy; there is no list of what documents are available to the public. One has to find out by making the requests.)

Public documents are:

- 1) Cases filed with the Sandiganbayan;
- 2) Assets statements or SALNs of GOCC heads, President, VP and constitutional offices heads (No need for follow up; they give feedback);
- 3) Complaints filed by the Field Investigation Office;
- 4) Decisions on complaints filed; and
- 5) Press Releases in Ombudsman Website to announce investigations, filing of charges versus public officials, indictments, etc. (started under Omb Conchita Carpio-Morales's time?)

Documents and information on pending cases are kept from the public to avoid tarnishing people's reputation. But we've tried requesting updates on pending cases involving ranking officials and we were provided the information.

We suggest that these be made public for high government officials.

Second is following the money trail, which is more difficult.

Bank accounts are confidential; same with tax payments. The Anti-Money Laundering Council is super-secretive. But as shown in the recent impeachment of Chief Justice Renato Corona, the Ombudsman has the power to access their data.

Would it be possible for the media to use these data which were given to the Office of the Ombudsman in the course of the latter's investigation of government officials? The Office of the Ombudsman is given the power to check the veracity of all information provided in the SALNs.

Third is providing in-depth reports in the age of cyberspace.

The work of journalists has become more important in this digital and complex world. The speed of technology and global interdependence have deluged us with information such that the public needs to make sense of all this, with the help of our profession.

Journalists need to give shape to the flood of information so that the public can differentiate what is trash and what is important.

This is not to inflate the importance of journalism in this age of “citizen journalists” wherein it seems that anyone with a camera who is on the scene of a disaster or has found a supposedly substandard road can be a journalist. He can upload photos and video, tweet information immediately.

This phenomenon has expanded the work of journalists to include vetting of tips, information, photos and videos from the public. We have to make sure that these are facts; that photos are real, not photoshopped.

Thus, while we do get leads and tips from the public via Facebook, Twitter, feedback to our Website, and e-mail, we need to time to check these out.

Recommendations

I Disclosure policy

Journalists live for one thing: stories. So all we need is access to information. It would be very helpful if the Office of the Ombudsman can come up with a **disclosure policy**. Just like what the Department of Interior and Local Government did under Sec. Jesse Robredo. Under its Full Disclosure Policy, financial reports, biddings and awards, among others, were made public and could be accessed on its website.

The Department of Public Works and Highways, under Sec. Rogelio Singson, launched a “full transparency in operations” program with “regular updates on government infrastructure projects, as well as public disclosures of project irregularities involving agency personnel.”

The Department of Agrarian Reform, in 2011, issued an open-door and disclosure policy which allows access to most of its official documents. It lists the exceptions which include personal information, drafts of documents, and privileged information covered by the Rules of Court.

Multilateral institutions have come up with their own disclosure policies. In 2010, groundbreaking change took place at the World Bank. The public is now able to get more information than ever before—about projects under preparation, projects under implementation, advisory activities, and Board proceedings. The Bank’s principle is: it will disclose any information that is not on the list of its exceptions. Requests for information can be made online.

Among those in its list of exceptions are: personal information, security and safety information, and information subject to attorney-client privilege.

In 2011, the ADB expanded its information-disclosure policy.

In the case of the Ombudsman, a disclosure policy will institutionalize access to information.

II Presence in Social Media

A big source of news today is social media. We get breaking news, updates, official statements from Twitter and Facebook.

The Office of the Ombudsman should set up accounts in Twitter and Facebook, to keep the public and media abreast—in the fastest way possible. More than 30% have access to Internet in the Philippines and most of these netizens visit Facebook and Twitter.

As of 2011, we had 33.6 million Internet users showing a penetration rate of 32.4%, still small for a population of 90-100 million.

Facebook users in the Philippines have reached 30 million or a 28.8% penetration rate. The Philippines ranks among the top 10 Facebook users in the world.

For Twitter: In 2012, we had 9.5 million users and we placed 8th in worldwide rankings in 2010.

Users of smart phones can access social media using their mobile phones. Smart phones account for 29.4% of the local market. So-called “feature phones” or the basic 2G phones, hold 70.6% of the market share.

Helping the Ombudsman

To conclude, let me address the issue of how the media can help the Ombudsman in the fight against corruption.

The first answer is an indirect way of helping the Ombudsman. Here’s an example of how we try to cleanse our ranks.

Before the May elections, journalists and politicians signed a covenant to fight corruption in media. This was a first in contemporary history.

It was timed to coincide with the start of the election campaign, a fertile season for bribes and favors.

The signatories pledged not to engage in envelopmental journalism—the practice of paying off journalists to get to the front pages, TV and radio prime time, and the websites.

Of course, the outcome will not be dramatic. But it will lead to 2 significant things.

First, we in the media are opening the gates to public scrutiny. We are making ourselves the subject of news. We are asking the public to hold us to our promise to say no to corruption.

We are at the frontlines of demanding transparency and accountability from public officials and the people we cover so we in the media should not exempt ourselves.

Second, we are encouraging media to report on media. After all, we are fair game.

As one writer said, "Light reveals us to ourselves." To this, if I may add: Light reveals us to others, too.

I liken the covenant to an acupuncture treatment. We're sticking a few needles to parts of our body. The disease will be healed only after a continuous treatment.

Similarly, the campaign for zero tolerance against corruption needs to be sustained over a period of time until it becomes part of our culture.

May I also add that some news organizations have their own codes of ethics. Rigorous implementation of these codes has led to the suspension or firing of corrupt journalists.

The second way media can help the Ombudsman is through our reports. These are all available to the public and can be used as leads by government and civil society. We really want our stories to be helpful, to lead to change. Please use them.

This is an appeal. Let not our reports languish in cyberspace or simply be used to wrap fish or as *pambalot ng tinapa*.

Thank you for listening and good day.