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Office of the Ombudsman's Organizational Reforms and Present Strategies Against Corruption





**Office of the Ombudsman's
Organizational Reforms and
Present Strategies
Against Corruption**

HOMILY



We are gathered here today to inaugurate a building that symbolizes the effort to preserve the integrity of our political institutions. Governance is effected through institutions, which no matter how structured such as to be fail-safe, will always be dependent on the good will of those who govern and the vigilance of the governed. The Office of the Ombudsman is an instrument that serves the public good by providing check and balance to the power of public officials and serve as venue for redress of grievances. This office we are inaugurating today, therefore, is not just any physical workplace; here, decisions are made by which the ideals of our nation rise or fall.

The problem our nation is facing today is daunting, yet as it has always been in the past, our people always look to elections as an opportunity to solve endemic problems. It is as if the problems we face today will be automatically solved with the election of one man or woman. As we have seen, however, our problems run deeper, and elections are only one part of the solution. To be able to put a good man or woman in place is a good start, but any one in a position of power will always be dependent on an infrastructure of civil servants who work at all levels of government.

Our nation is basically weak in its institutional moorings, that is why, we tend to look up to leaders in order to supplant the institutions. Because our institutions are weak, any government office will only be as good as the person who runs it. If only our government institutions are stable and strong, then elections will not matter as much as they do now; leaders come and go, but the function of government continues.

This is the crucial role which mid-level officials as well as the rank-and-file play. They are the ones who stay on account of their stable tenure, and so they are in fact the backbone of government. If they do your job well, if they refuse to be corrupted, and if they fight corruption at their level, then perhaps, much can be achieved by Government even if people elect an incompetent official at the top.

Our Lord in his life and ministry never called for the overthrow of Jewish institutions. When he cured lepers, he always admonished them to show themselves to the proper authorities who alone can declare that they have been cured. He was critical of authority figures but only to the extent that they have made people serve the institutions, rather than the institutions serve the people. Yet, in his desire to reach out to people, and to make himself available to their needs, he still imposed a semblance of order around him. He also set aside time for himself in order to pray in silence.

Our Gospel today is an example of how bureaucracy can be dispensed with for the sake of a necessity. Jesus was already speaking to crowds inside a house, but a lame person had himself brought in through the roof. That certainly made a commotion among people who were listening to the Lord, but Jesus used it as an opportunity to give a lesson on authority. For Jesus, the time to do good cannot be limited by considerations of timing, schedules, position or dignity. The time to do good is anytime we see somebody in need.

In criticizing the authorities of his time, therefore, Jesus was not questioning their authority — rather, he wanted them to see whether they have been using their authority for the reason it is given - that is, to serve those who are in need. Applying this principle to our times, institutions must be strengthened not by adding layers of bureaucracy, but by making the existing structures work to their optimum capacity so that they can better serve the people.

Institutions become strong when they are efficient in their services. To do this, we need to create a culture of efficiency among civil-servants such that even if the one on top does not know his right hand from his left, the basic services can still be delivered to the people. Our nation must be run by a government of laws, and not of men (and women). If our leaders are ignorant of the laws or simply play ignorant, they must be taught a lesson they cannot forget.

The Office of the Ombudsman may not be the most popular of all government offices. But it is from this particular office that one can truly effect a change in our political ethos. Make your job not just a mere exercise of your profession — take it as a mission, even a crusade, for many persons may be given the opportunity to govern and to administer, but few are given the chance to change the way a nation sees itself. Do not be mere factotums of an oversized bureaucracy - be teachers of the people. Teach us — government officials, church leaders, businessmen, working people — teach us, that while money and popularity may win elections, incompetence and corruption cannot keep one in office for long.

May the Lord help you in this crusade by giving you the strength and the courage to fulfill your duties faithfully and efficiently, keeping always the interest of the nation over and above every other consideration. Amen.


RICARDO J. CARDINAL VIDAL

M E S S A G E



The Philippines struggles everyday with the problem of poverty and corruption. Studies have shown that corruption directly and positively impacts on poverty. In the words of His Eminence Ricardo Cardinal Vidal: *“corruption affects all of us, endangers our national life, and makes the poor poorer.”*

We are, thus, besieged with the question: *(i) a graft-free society still possible?* An *affirmative* answer is, of course, the correct and inevitable one, not because a *negative* answer is a destructive self-fulfilling prophecy that would cause us to do nothing, but because nothing can stand in the way of the rising tide of combined public and private sector initiatives bent on eradicating corruption. This is based on the accounts of citizens and organizations that battled with, and triumphed over, graft and corruption. We need only to look at the experiences of the *Concerned Citizens of Abra for Good Governance*, through whose vigilance, the government was able to save millions of pesos and erring officials of the Department of Public Works were prosecuted. We also have volunteer *boy and girl scouts*, barely in their teens, and organized by G-Watch, who assist the Department of Education in ensuring the proper, timely and quality delivery of public school textbooks; *Barug Pilipino*, a non-governmental organization spearheaded by His Eminence Ricardo Cardinal Vidal, whose volunteers will assist in the conduct of *“lifestyle checks”* of officials of the revenue-generating agencies; and the *Coalition Against Corruption*, organized in 2004 by business, church and other civil society groups to fight corruption nationwide.

Yes, a graft-free society is still possible: but only if the government will widen and embrace with open arms, to the greatest extent possible, private sector participation; and if the private sector: citizens, groups and organizations, instead of merely whining and complaining, will vigorously commit their talents and resources to concrete anti-corruption initiatives.

A word of caution: in this struggle against graft and corruption, it is easy to despair and, *metaphorically*, to see the glass as almost empty. However, the current collaborative efforts should already make us see that there is some water in the glass and, more importantly, we should see the water rising and the glass as filling up. Perhaps, with total cooperation between the public and the private sectors, the glass will overflow in the next few years.

Simeon V. Marcelo
SIMEON V. MARCELO
Tanodbayan

OFFICE OF THE OMBUDSMAN'S ORGANIZATIONAL REFORMS & PRESENT STRATEGIES AGAINST CORRUPTION

Poverty and corruption are the most pressing problems of our country today. As the government pursues its programs to address poverty, extremely vigorous efforts should also be exerted to solve the problem of corruption. Recent studies have shown that corruption directly correlates with and positively impacts on poverty. In a working paper of the International Monetary Fund entitled “*Does Corruption Affect Income Inequality and Poverty?*”,¹ it has been concluded that there is a statistically significant *positive association* between corruption and poverty; that statistical “*evidence shows that corruption increases poverty.*”² In addition, His Eminence Ricardo Cardinal Vidal has similar thoughts on this issue. He expresses the view that “*corruption affects all of us, endangers our national life, and makes the poor poorer.*”

It is worth noting, therefore, that as the Office of the Ombudsman (OMB) struggles and moves on to perform its constitutional mandate to vigorously address the problem of corruption, it likewise operates to contribute in the alleviation of poverty. With this background, it now becomes a big challenge for the OMB, despite its severe lack of resources, to work relentlessly to achieve significant accomplishments.

CHALLENGES

Unfortunately, when the current Tanodbayan assumed office in October 2002, he could not immediately take off with his anti-corruption plans and programs as he came to realize that the Office, as a whole, lacked the necessary personnel, skills and equipment to wage its war against corruption. At that time, OMB had only thirty-two (32) full-time prosecutors handling approximately

¹By Sanjeev Gupta, Hamid Davoodi and Rosa Alonso-Terme.

²At page 21

two thousand (2,000) cases at the Sandiganbayan and only thirty-seven (37) field investigators to cover a bureaucracy of about 1.5 million public officials and employees. There was no training program for its prosecutors and investigators and no investigation or surveillance equipment available. Moreover, the Office of the Special Prosecutor (OSP) had no supervisory or monitoring system of cases and prosecutors' performance, as well as no docketing/routing/case management system. Lastly, he also found out that the OMB prosecutors were not only severely undermanned but also grossly underpaid.

Benchmarking against the notable anti-corruption agency in Hong Kong, popularly known as the Independent Commission Against Corruption (ICAC), the Tanodbayan realized that the OMB, at that time, paled in comparison. Comparative data with ICAC would show the gross inadequacy of OMB's resources in terms of personnel, budget and compensation.

As to manpower resources, ICAC has 1,326 personnel for a bureaucracy of 174,175 officials and employees and for a population of 6.8 million, while OMB has 1,141 personnel for a bureaucracy of approximately 1,500,000 officials and employees and for a population of more or less 82 million. Considering the ratio of the number of personnel tasked to secure evidence with the total number of officials and employees, ICAC has eight hundred thirty seven (837) field investigators, while OMB has thirty-seven (37) investigators. [Subsequently, 51 investigators were hired in 2004.] This would show that for a bureaucracy of 174,175, ICAC has a ratio of 1:208 as against the OMB ratio of 1:17,241 covering a bureaucracy of 1,500,000.

With regard to budget allocation, ICAC has a total budget of \$90 million or Php 4.94 billion, while the OMB had Php 480 million (2004). It also follows that, with respect to compensation, ICAC officials and employees belong to the highest paid government officials in Hong Kong. On the part of the OMB, while the Philippine Congress has already passed laws granting substantial increases in allowances to members of the judiciary and prosecutors of the Department of Justice (DOJ), the last Congress failed to enact one for the OMB prosecutors and investigators.

The Office's severe need for resources is supported by the independent studies and findings of various organizations. The ASIA PACIFIC GROUP ON MONEY LAUNDERING confirmed the Office's severe need for massive resources and stressed, in its MUTUAL EVALUATION REPORT ON THE REPUBLIC OF THE PHILIPPINES, that "[t]he Office of the Ombudsman ... is severely under-resourced..." Likewise, the FELICIANO COMMISSION, constituted to

investigate the Oakwood incident, emphasized in its REPORT that, “the Office of the Ombudsman must be given the budgetary and other support that it needs, with all possible dispatch...”

Along this line, the recently published Political and Economic Risk Consultancy, Ltd. Survey (Issue No. 667) identified the apparent weakness of the anti-corruption initiatives in the Philippines because of lack of resources:

Of course, even if the government really wanted to get serious about corruption, it would not be able to do so unless it spends a lot more money beefing up **the country's ill-equipped anti-corruption forces**. There is currently a backlog of around 2,000 cases swamping the country's anti-graft court and **those responsible for fighting corruption simply do not have the financial resources to do their jobs efficiently**.

RESPONSES

The patently inadequate resources of the OMB consequently became its greatest challenge. However, at no point did it become a reason for the Office to stagnate or to be less ambitious in its plans and strategies against graft and corruption. Instead, it served as a motivating factor for the OMB in defining and outlining its responses. Accordingly, the OMB, notwithstanding its meager resources, has successfully implemented its concrete plans and strategies embodied in its two major responses: (1) Organizational Reforms and (2) Enhanced Strategic Collaboration and Partnership with Various Sectors.

The foregoing reforms aim to cover, more or less, the internal and external measures that need to be developed, instituted and enhanced to address the problem of corruption in its broader perspective.

ORGANIZATIONAL REFORMS

For the OMB, undergoing organizational reforms is, in itself, one of its present strategies against corruption. As conceived, this will enable the Office to strengthen and fortify its organization in the performance of its mandated functions. Among the reforms introduced are the following:

1. Creation of the Internal Affairs Board
2. Augmentation of the number of personnel and resources
3. Strengthening individual and institutional competence and effectiveness
4. Adoption of the Integrity Development Review (IDR)
Project-Pursuing Reforms through Integrity Development (PRIDE)

Creation of the Internal Affairs Board

By creating the Internal Affairs Board (IAB), the OMB hopes to ensure the highest degree of integrity among its officials and employees. The IAB, created on 31 July 2003 by virtue of Administrative Order No. 16, is an internal mechanism whereby complaints against its erring officials and employees may be acted upon expeditiously and judiciously. Since its organization, IAB has already taken actions on various cases including the dismissal of three (3) employees from the service, one of whom was a senior prosecutor of the Office of the Special Prosecutor, two (2) suspensions and one (1) reprimand. In addition to this complaint-handling mechanism, it likewise seeks to inculcate faithful observance of RA 6713 and related laws among its officials and employees.

Augmentation of the Number of Personnel and Resources

On the urgent need to augment its human resources, OMB, with assistance from the Office of the President, moved for and succeeded in the creation and funding of 39 new positions for prosecutors in June 2003 and of 56 positions for field investigators in November 2003. With the approved augmentation, the prosecution office now has 62 prosecutors handling cases before the Sandiganbayan. On the other hand, with the new field investigator positions, OMB deemed it essential to rationalize its Fact-Finding, Intelligence and Research Office; thus, it formed the Field Investigation Office. OMB hopes to institutionalize a new investigation office which is patterned after the Operations Department (Field Investigation Department) of Hong Kong's ICAC.



FIRST BATCH OF TWENTY-FIVE NEW FIELD INVESTIGATORS

The move to further augment its manpower resources continues to be the main concern of the OMB in 2004. Fortunately, the House of Representatives and the Senate approved OMB's request for funding for additional prosecutors and field investigators by 2005. With the approval of the 2005 budget, the OMB can now hire 48 additional prosecutors and 200 additional field investigators. While the increase may already be substantial, the OMB believes that the same is still not enough since its prosecution office, considering the complexity and volume of the cases it handles, needs at least 200 prosecutors to handle its 2,000 Sandiganbayan cases. The Field Investigation Office, on the other hand, should have, at the very least, five hundred (500) field investigators as soon as possible. Ultimately, it should have a minimum force of 2,000 field investigators.

Strengthening Individual and Institutional Competence and Effectiveness

Aside from augmenting its workforce, OMB also institutionalized training programs with the end view of strengthening the individual and institutional competence and effectiveness of its officials and employees, particularly its prosecutors and field investigators. For its prosecutors, a training program, via a series of trial advocacy skills training seminars, were conducted. Significantly, in this specialized training program, well-known litigators and retired justices served as lecturers and magistrates in the practice court trials. During the said seminars, the "question and answers" model format on common graft offenses were also adopted to serve as guides for our prosecutors. As an added value, the last three seminars and lectures were even video-taped to be used later on as the prosecutors' teaching and training aids. It is worth mentioning that the implementation of these training programs continues through the assistance of the United States Agency for International Development (USAID).



Ombudsman Prosecutor's Trial Advocacy Skills
Development Course, 2nd Phase, January 26-30, 2004, Holiday Inn, Clark, Pampanga

To complement the increase in manpower and enhanced capability, the prosecution bureaus were likewise restructured by putting in place a case management system to ensure accountability and supervision. Now, each case is being handled by a team of at least two (2) prosecutors, i.e., the supervising director and the prosecutor actively handling the case. A docket and records management system had already been introduced and operationalized at the OSP. At the same time, a separate administrative office of the OSP was created to enhance its administrative and operational efficiency and independence.

Simultaneously with the institution of reforms in the OSP, there were also initiatives undertaken for the other units, officials and employees of the OMB. These included two seminar-workshops for its graft investigation and prosecution officers handling administrative adjudication and preliminary investigation. These seminars covered the review of policies and procedures, case studies and resolution-writing.

The enhancement and rationalization of administrative adjudication proceedings was likewise effected. A double-docketing system of both criminal and administrative cases has already been implemented, and proceedings are now summary in nature. Apart from a criminal indictment being filed in court upon the finding of probable cause, or in case where substantial evidence is found, the guilty respondent will be either suspended or dismissed immediately. Presently, the decisions of the OMB are immediately executory even pending appeal.

The training program for OMB field investigators on the latest skills and techniques of field investigation and evidence-gathering is also well under way. OMB's field investigators have undergone the following:

- ♦ seminar on Financial Investigation and Forensic Accounting sponsored by the American Bar Association
- ♦ various trainings on corruption detection and investigation conducted by Messrs. Tony Kwok and Paul Dickenson, both former senior officials of Hong Kong's Independent Commission Against Corruption
- ♦ lecture on surveillance by agents of the United States Federal Bureau of Investigation
- ♦ forensic accounting lecture by experts from the Immigration and Customs Enforcement of the United States Department of Homeland Society
- ♦ workshops conducted by the Philippine Drug Enforcement Agency on setting-up entrapment operations

- ◆ actual field surveillance and basic intelligence seminar conducted under the Philippine Air Force's Intelligence Service
- ◆ training seminar conducted by GMA 7-Imbestigador



SECOND BATCH OF TWENTY-FIVE NEW FIELD INVESTIGATORS

Realizing the great need to keep abreast with advancement in information technology, the OMB also sponsored a computer literacy program for its lawyers and other employees. This program is initiated, again, in support of OMB's goal to achieve efficiency at work.

Adoption of Integrity Development Review Project, Pursuing Reforms through Integrity Development (PRIDE)

The Office understands that the fight against corruption starts within the agencies of the government. This calls for integrity development among public officers and employees. Integrity development aims to incorporate corruption resistance strategies into the various organizational facets of an agency so that factors that contribute to corrupt behavior can be checked and deleted. On this account, the office adopted the Integrity Development Review (IDR) program crafted by the Development Academy of the Philippines (DAP).

As a major component of this IDR, the Office initiated a project dubbed as Pursuing Reforms through Integrity Development (PRIDE). This project aims to provide diagnostic tools that will assist government agencies in assessing their system integrity and in mapping out their corruption vulnerabilities. The diagnostic tools shall measure the individual, organizational and external environment vulnerabilities.

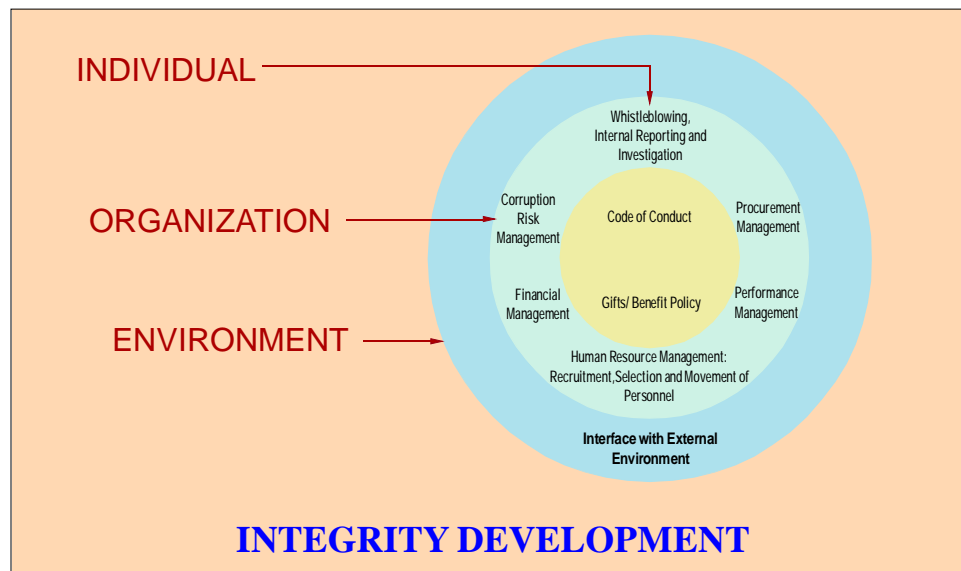
As to the tool that would aid the individual against temptations to commit offenses against the public good in the exercise of his official functions, elements such as the exercise of authority, conflicts of interest, receiving of gifts and others are measured. Paired with appropriate and applied guidelines and sanctions, this tool could help eradicate corruption.

In addition, the tool shall also cover review of organizational systems and mechanisms on Performance Management, Recruitment and Promotion and various Systems and Procedures. It will also look into the mechanisms which allow internal reporting and investigation of corrupt behavior. It may be noted that analyzing risks involved in sensitive functions will identify areas where safeguards are inadequate.

The tool shall also consider the external environment of an agency as it affects its functions in so far as transactions between the agency and other offices are concerned.

The OMB, as the first agency to be evaluated, spearheaded the pilot-testing of the developed corruption vulnerability assessment tools. This shall constitute a crucial step towards benchmarking and monitoring efforts in corruption prevention in the Office. Consequently, there had been a lot of policy changes introduced involving individual, organization and external environment concerns of the Office.

As a result of the said IDR, the OMB has implemented and is implementing a number of internal reforms and control mechanisms, among which are the adoption of: (a) its own specialized **Code of Conduct**, (b) stricter internal policies, prohibitions, procedures and requirements of disclosures as to **receipt of gifts and benefits** by its officials and employees; and (c) policies, rules and procedures on **whistle-blowing, internal reporting and investigation**.



ENHANCED STRATEGIC COLLABORATION AND PARTNERSHIP WITH VARIOUS SECTORS

The aforementioned reform initiatives, however, can only augment the OMB's resources up to a certain extent. Due to its limited resources, the Office realizes that there is an urgent and critical need for private sector support and cooperation in combating graft and corruption.

It need not be stated that government alone cannot triumph over graft and corruption. Its resources are far too limited compared to the combined efforts of the public and private sector; hence, the OMB, in its efforts to discharge its mandate, aims to strengthen its relation and cooperation not only with various offices of the government but also with the private sector.

This strategic collaboration and partnership with various sectors initiated by the OMB involves the programs on values formation, lifestyle probes, recruitment of volunteer private lawyers, transparency in procurement, and other initiatives.

Values Formation

In order to achieve reforms in individual and institutional orientation, attitude and behavior towards graft and corruption, the OMB deemed it necessary to strengthen the values of the members of the bureaucracy starting with its own employees and officials. Pursuant to this, the OMB, on 13 October 2003, entered into a Memorandum of Agreement with the Philippine Province of the Society of Jesus with respect to the adoption of the *Ehem! Aha!*. *Ehem!* is an anti-corruption manual that consists of modules, workshops, designs and exercises. It aims to establish a graft-intolerant culture through the process of cultural sensitivity and discernment.



The OMB has already conducted numerous *Ehem! Aha!* seminars participated in by NGOs, OMB officials and employees, officials and employees from other government agencies, OMB-accredited Corruption Prevention Units and the Junior Graftwatch Units. Moreover, *Ehem! Aha!* posters, videos, and television advertisements have already been produced and distributed.



Lifestyle Probe

The Lifestyle Probe is a priority project of the Inter-Agency Anti-Graft Coordinating Council (IAGCC). In this project, the private sector, which includes private citizens, church and community-based NGOs, and people's organizations, will assist in the gathering of data and information. They can readily identify possible corrupt public servants and their ill-gotten wealth and assets.

To formalize the partnership, the OMB and the IAGCC, noting that the involvement of the private sector is indeed indispensable and vital to the implementation of the lifestyle probe program, has signed a Memorandum of Agreement on 20 March 2003 with an expanded group composed of civil society organizations and other law enforcement agencies.

In the implementation of the lifestyle check, the OMB has decided to engage in strategic agency targeting, i.e., the Office has focused its limited resources on the three most corrupt (or perceived to be most corrupt) agencies, to wit: the Bureau of Internal Revenue (BIR), the Bureau of Customs (BOC), and the Department of Public Works and Highways (DPWH).



So far, the OMB has already acted upon various cases of lifestyle checks. Office data indicate the following significant dispositions on the lifestyle check cases:

DISMISSED OFFICIALS FROM THE DPWH

- a. 1 Undersecretary
- b. 1 Regional Director

DISMISSED OFFICIALS FROM THE BUREAU OF CUSTOMS

- a. 1 Deputy Commissioner
- b. Chief of Customs Operations Office
- c. Chief of the Miscellaneous Division
- d. 1 Customs Operations Officer
- e. 1 Customs Collector

DISMISSED OFFICIALS FROM THE BUREAU OF INTERNAL REVENUE

- a. 1 Assistant Commissioner
- b. 1 Regional Director
- c. 1 Chief, Revenue Officer
- d. 1 Legal Officer (Attorney V)
- e. 1 Revenue Regional Head Executive Assistant
- f. 1 Assistant Regional Director

Also, the OMB has already rendered Resolutions finding probable cause and directing the filing of cases with the Sandiganbayan against a number of the foregoing personalities for Perjury, Falsification, violations of the Anti-Graft and Corrupt Practices Act [Republic Act (RA) No. 3019] and the Tariff and Customs Code, and for forfeiture of ill-gotten wealth under RA No. 1379. Said public officials,

together with other BIR and BOC officials and employees, were also placed under preventive suspension, while their cases were pending and prior to their dismissal.

Other cases and respondents include, inter alia: (a) retired Major General Carlos F. Garcia for Plunder, Perjury and Forfeiture of unexplained wealth; (b) Lt. Col. George A. Rabusa, Maj. Gen. Garcia's former aide, for Perjury and for Forfeiture of unexplained wealth; and (c) former AFP Chief of Staff, Gen. Lisandro C. Abadia for Forfeiture of unexplained wealth and Perjury.

Early this year, the Office of the Ombudsman preventively suspended a Bureau of Customs Deputy Commissioner for charges of unexplained wealth. The case is currently pending administrative adjudication and preliminary investigation for determination of the respondent's administrative and criminal liability.

The Office of the Ombudsman has yet to attain the critical number of successfully investigated and prosecuted cases. However, other pending lifestyle cases are expected to be resolved within the next few months.

Project Case Assist/Operation Big Fish

With the aim to indict and successfully prosecute the proverbial "big fish" which eluded the Office during its fifteen (15) years of existence, the OMB has directed its prosecutors to focus on fifty (50) of the most prominent and high impact cases identified at the Sandiganbayan. These cases involve high-ranking government officials who are represented by top-caliber private lawyers. To offset this perceived disadvantage, the OMB has initiated a project to tap competent private lawyers who will assist its prosecutors in handling the top 50 "big fish" cases.

The model for this project is the Estrada Plunder Case. Private prosecutors devoted *pro bono* their time and expertise in finding and gathering evidence, in researching difficult legal issues involved, and in interviewing witnesses for this case. Thus, despite the avalanche of pleadings filed and demands of continuous presentation of 76 witnesses over a period of almost 1½ years, the prosecution never asked for a single postponement.

With 50 "big fish" cases that have been identified by the OMB's prosecution, the Office has entered into a Memorandum of Agreement with the Philippine Bar Association (PBA). The PBA favorably responded with 16 volunteer lawyers. This would be of great help to the OMB's need of at least 100 volunteer lawyers.

On 25 February 2005, the Office of the Ombudsman and the COALITION AGAINST CORRUPTION signed an agreement whereby the Coalition undertook to recruit private lawyers who will assist the Ombudsman in prosecuting its "big fish" cases.

The moment we have sufficient legal support from volunteer lawyers, our Office intends to ask the Sandiganbayan to have continuous trials in these

cases. With the active involvement of private prosecutors, the OMB hopes to be able to aggressively prosecute the most powerful and influential public officials involved in the “big fish” cases, some of which are the following:

- 1) The President Diosdado Macapagal Boulevard case
- 2) The RSBS Pension Fund case
- 3) The PEA-Amari Scam
- 4) The Tax Credit Scam cases
- 5) The DPWH Vehicle Repair Scam case
- 6) The PCGG cases
- 7) The Maj. Gen. Carlos F. Garcia cases



Transparency in Procurement

In addressing the problems in government procurement, the Office subscribes to the view that the strict implementation of RA No. 9184, the Government Procurement Reform Act, will help reduce the incidence of corruption in this area. Along this line, the Office may help ensure compliance with the provision of RA 9184 which requires two observers from the private sector to sit in the bids and awards committees of government agencies. The Office also seeks private sector assistance in monitoring compliance with the obligations under the awarded contracts.

OMB has partnered with Procurement Watch, Inc. (PWI) for the latter to train volunteer observers for government bids and awards committees (BAC). PWI has already given training seminars to several groups on the Procurement Law in Metro Manila, Cebu City, Davao City, General Santos City and Cagayan de Oro City. In this connection, the Asia Foundation granted funding for the operationalization of the Complaints-Handling Mechanism for processing the reports of BAC observers.

For monitoring the implementation of awarded contracts and training the monitors therefor, the OMB is collaborating with G-Watch, an independent monitoring, research and advocacy project that addresses governance and public management concerns. It specializes in the monitoring of the contract implementation side of procurement. It presently monitors DepEd, DPWH, DOH, and DSWD. Its proponent and implementer is the Ateneo School of Government.

Development of Corruption Prevention Reform Measures

The Office likewise set in motion several corruption prevention initiatives through the development and crafting of Corruption Prevention Reform Measures. It collaborated with the crafting of agency-specific corruption prevention reform measures which was spearheaded by the Presidential Anti-Graft Commission (PAGC) in cooperation with the Presidential Committee on Effective Governance (PCEG) and the Transparency and Accountability Network composed of 21 anti-corruption non-governmental organizations.

Under this program, the convenors (PAGC, OMB, PCEG and TAN) focused on the formulation of Corruption Prevention Reform Measures (CPRM) done by ten (10) government agencies.³ The convenors conducted a series of five (5) seminar-workshops aimed at identifying corruption vulnerabilities, then formulating strategic measures to address them. It was followed by two workshops to critique and revise the CPRMs.

After the revision, the CPRMs were subjected to focus group discussions wherein various OMB Resident Ombudsmen, experts and stakeholders/clients validated the outputs. Also, the monitoring mechanisms were tackled to ensure the implementation of these CPRMs. Subsequently, the convenors took the responsibility of reviewing the revised CPRMs for further refinements. At present, the finalized CPRMs will be a work in progress until corruption is significantly diminished in the bureaucracy.

Incidentally, the CPRMs of the 10 pilot agencies were formally launched during the UNDP-sponsored and CSC-organized *National Anti-Corruption Conference* held on October 26 and 27, 2004 coinciding with the October-to-December *Governance Festival*.

To further ensure the high rate of success in repressing corruption in the government, the implementation of the respective CPRMs of the 10 agencies will be subjected to an objective yearly assessment through the previously mentioned *Integrity Development Review (IDR)*. This program will be instituted with the assistance of the *Development Academy of the Philippines*. This is to provide a road map in the progressive institution of CPRMs. Also, it is intended as an appropriate response to an urgent demand for a comprehensive, doable, coordinated and sustainable strategy to fight corruption.

³Bureau of Internal Revenue, Bureau of Customs, Department of Agrarian Reform, Department of Environment and Natural Resources, Department of Education, Department of Health, Department of Interior and Local Government, National Labor Relations Commission and Department of Justice.

ACTIVE INVOLVEMENT OF THE INTERNATIONAL DONOR COMMUNITY

The Office's training programs and other anti-corruption initiatives would not have been possible if not for the active involvement of the international donor community. Due to the limited and inadequate funds currently available from the national government, OMB is fortunate in being able to receive support and assistance from foreign donors. The additional funding financed much of the projected improvements and reforms undertaken by the Office, more particularly, in relation to its training programs and systems development.

The United States Agency for International Development (USAID) and the United Nations Development Program (UNDP) are both instrumental in the realization of the training seminars for prosecutors, as well as for the deputized prosecutors of the Department of Justice. Moreover, the USAID facilitated the conduct of a seminar on field investigation and corruption detection for field investigators, through the help of Messrs. Tony Kwok and Paul Dickenson.



"Team Building for Good Governance - A Workshop for OMB Middle Managers" in coordination with the British Council Philippines, March 10-12, 2004 at Quezon City

On 10 to 12 March 2004, a team building and good governance workshop was conducted for the middle managers of the OMB through the assistance of the British Council. The workshop aimed to provide a holistic and complete outlook on the operations of the OMB in order to more effectively and efficiently discharge its public duties.

The UNDP has also sponsored the crafting and development of the OMB's Medium Term Development Plan which aims to achieve the following:

1. Making corruption a "high risk, low reward activity" through effective investigation and prosecution;





2. Allowing more public access to remedies or offices for redress of grievances through public assistance and researches;
3. Strengthening linkages and collaborative undertakings with the community, non-governmental organizations, local and international fund benefactors and stakeholders;
4. Values reform and education towards creating a graft-intolerant culture; and
5. Organizational development for public officers engaged in law enforcement and anti-corruption efforts to enable them to acquire a high sense of responsibility and unquestionable integrity.

The European Community (EC), represented by the Delegation of the European Commission to the Philippines, is financing the implementation of the program **Improving Governance to Reduce Poverty**. The program, which seeks to improve overall governance in the Philippines, focuses on areas that hit the poor most. It consists of two projects, namely: *Access to Justice for the Poor* and *Corruption Prevention*.



The overall objective of the 3-year **EU-OMB Corruption Prevention Project** is to prevent corruption in the Philippines, and thereby to: (a) improve service delivery to the poor; (b) enhance the country's standing as a partner for foreign investment and trade; and (c) remove both the grievances and opportunities (through covert dealings with corrupt officials) that contribute to terrorism and political violence. The basic purpose of the project is to support the co-operative efforts of the Office in preventing corruption. Specifically, the project aims to strengthen co-operation between the Office and civil society organizations/non-governmental organizations (CSO's/NGO's), the wider public and other government agencies. The project also envisions the

strengthening of the management capacities of the Office to ensure that it has the technical expertise and equipment to meet the above objectives.

The four (4) components, aptly phrased as: (a) Collaboration with Civil Society Organizations; (b) Winning the Co-operation of the Wider Public; (c) Co-operation with Other Government Agencies to Prevent Corruption; and, (d) Management Requirements of the OMB, are the basis of the project's operational implementation. A significant part of the project would focus on areas outside Metro Manila, specifically Mindanao, because of EC's special interest in that region as outlined in the *EC-Philippines Country Strategy Programme 2002-2006*. Thus, to finance the project, a grant in the total amount of €2.9 Million spread over three years was given by the European Community. This amount will finance, among others, the training programs for the volunteer-observers in bids and awards committees, volunteer-monitors in the implementation of awarded contracts and volunteers for lifestyle checks.



Moreover, the World Bank – ASEM (Asia Europe Meeting)⁴ Trust Fund granted the OMB the amount of US \$ 716,258.00 to be spent for a computerized case-tracking system for prosecutors and a data bank of all Statements of Assets, Liabilities and Networth submitted by government officials and employees. A portion of the grant will also be utilized to fund training seminars for the Office's field investigators.

⁴The countries that contributed to the ASEM Trust Fund are China, the European Community, France, Italy, Republic of Korea, Luxembourg, Netherlands, Sweden and Thailand.

OMB's Campaign for Further Collaboration

On 10 July 2004, the OMB presented before the Catholic Bishops' Conference of the Philippines (CBCP) its proposal for the organization of members of PPCRV and other church-based bodies into anti-corruption groups. Also, NAMFREL, whose representatives were present during the presentation, expressed its willingness to get involved in the battle against corruption.

Thus, the Coalition Against Corruption was formed, and on 21 September 2004, the Coalition launched the Combating Corruption Conference. The Coalition is composed of the Makati Business Club, Code NGO, NAMFREL, CBCP-National Secretariat for Social Action, Bishops-Businessmen's Conference for Human Development, Transparency and Accountability Network and the TAG Project. The initial projects of the Coalition are:

- ♦ Textbook Count
- ♦ Bids and Awards Committee Observers' Training
- ♦ Medicines Monitoring
- ♦ Internal Revenue Allotment Monitoring
- ♦ Pork Barrel Monitoring
- ♦ Lifestyle Check Program
- ♦ Volunteer Lawyers' Prosecution Support
- ♦ Advocacy on COMELEC Cases

The OMB also entered into a Memorandum of Agreement on 6 October 2004 in Cebu City with the Barug! Pilipino, whose prime mover is His Eminence Ricardo Cardinal Vidal, the Archbishop of Cebu, with Fr. Carmelo Diola as the Vice-Chairperson. The MOA states that Barug! Pilipino will help the OMB in the conduct of its lifestyle probe by gathering data and detailed information on ill-gotten properties of government officials and employees. Likewise, the organization will provide observers in the bids and awards committees of the Department of Education.

The initiatives of BARUG! PILIPINO has since borne fruit:

- a. Volunteers from the Prelature of Ipil organized the INTER-FAITH COALITION FOR GOOD GOVERNANCE that has a regular Wednesday radio program anchored by a priest. They also organized LOGCCO FOR PEACE, or LOCAL GOVERNMENT, CHURCHES AND COMMUNITIES FOR PEACE, which focuses on values education and information dissemination.
- b. Volunteers from the Diocese of Maasin got involved in the monitoring of textbook deliveries to public schools.
- c. In the area of value formation, moral reconstruction and strengthening personal conviction, Barug! Pilipino has partnered, on 04 January 2005, with the BROTHERHOOD OF CHRISTIAN BUSINESSMEN AND PROFESSIONALS (BCBP).

Further, the model structure of BARUG! PILIPINO has since been replicated. Thus, on 27 November 2004, with the blessings of Archbishop Angel N. Lagdameo, D.D., a Memorandum of Agreement was executed among the People's Graftwatch of Iloilo City, the People's Graftwatch of Iloilo Province, and the OMB. Under the said agreement, members of the People's Graftwatch will sit as observers in government bidding committees, act as monitors in the implementation of awarded contracts and assist the OMB in the conduct of its lifestyle check.

Also, representatives from church-based civil society organizations from Regions I, II and the Cordillera Autonomous Region (CAR) met with the Tanodbayan early this year (2005). They expressed their desire to help the Office of the Ombudsman in its battle against graft and corruption. Inspired by the success stories of the CONCERNED CITIZENS OF ABRA FOR GOOD GOVERNMENT (CCAGG), the church-based civil society organizations and non-governmental organizations from 13 dioceses in Regions I, II, and CAR have formed an alliance, led by Bishop Ramon Villena of the Diocese of Bayombong (Nueva Vizcaya), called the NORTHERN LUZON COALITION FOR GOOD GOVERNANCE (NLCCG). NLCCG has mobilized the Social Action Centers of the 13 dioceses of Northern Luzon and partnered with active NGOs like the CCAGG, an active anti-corruption partner of the Office. As soon as NLCCG is registered with the Securities and Exchange Commission, the Office will sign a Memorandum of Agreement with NLCCG's representatives.

Moreover, the OMB is initiating talks with other religious groups with the intention of making the fight against corruption an inter-faith project.

Finally, the OMB has also forged a strategic partnership with the Integrated Bar of the Philippines (IBP) and the Department of Environment and Natural Resources (DENR) pertaining to the prosecution of environment-related graft cases.



All told, the strategic collaboration with the various sectors extends and multiplies the otherwise limited and finite resources of the OMB, as well as expose, educate and embolden those involved to commit more of their time and resources in the fight against corruption.

CONCLUDING STATEMENT ANTI-CORRUPTION: A UNIFYING REFORM FOR THE POOR

The Government is, admittedly, expected to perform multifarious functions and initiate a myriad of reforms in various areas of governance, if only to better serve the needs of its constituents. As discussed earlier, however, in a situation of very limited resources as in the Philippines, different offices in the government compete, rightly or wrongly, for the limited resources needed in any bureaucracy-wide reform. Different agencies, therefore, lobby for different agenda in what is perceived to be a contest of competing interests for resource-allocation.

We do quite understand that our government, it seems, is caught in a dilemma, considering the Philippines's very limited resources and difficult fiscal position. Eduardo T. Gonzales, Ph.D., President of the DEVELOPMENT ACADEMY OF THE PHILIPPINES, however, advances that it may not be prudent to pursue all reforms all at once:

Taken together, the building blocks of reform appear overwhelming, as they entail significant changes in the nexus of relationships within the government and between government and society, and in the current policy practices of government. **The lock opener is not a singular capacity to pursue reforms all at once. The choice and sequencing of reforms must be in harmony with both the limits and possibilities of governance in the country.**⁵

Drawing from the insight of Dr. Gonzales, it is clear that it is impossible to pursue all reforms all at once in our country. This is obviously logical considering that the government simply does not have enough resources with which to initiate and sustain all the needed reforms all at the same time. Given our country's fiscal predicament, the proper sequencing of reforms may, thus, be indispensable.

As discussed in the beginning, corruption directly and positively impacts on poverty, *i.e.*, "**corruption increases poverty.**" Thus, the OMB posits the view that in investing substantial funds in the anti-corruption campaign, the government is effectively helping in alleviating poverty. To our mind, therefore, the "lock

⁵PHILIPPINE GOVERNANCE REPORT (2002), AT PAGE 385

opener”, carefully considering the “*limits and possibilities of governance in the country*”, is simply an initial massive re-channeling of focus, priority and resources to anti-corruption reform initiatives.

In its 2004 COMMON COUNTRY ASSESSMENT, the UNITED NATIONS DEVELOPMENT PROGRAMME said that about 13% of the P781 Billion Philippine national budget (or about P100 Billion) was at risk of being lost to corruption.⁶ However, it is estimated that the greatest loss happens at the revenue generation agencies, namely: the BUREAU OF INTERNAL REVENUE and the BUREAU OF CUSTOMS. This is “loss” in terms of uncollected revenues that can be used by the government for its projects. This observation is confirmed by a study made by the PHILIPPINE CENTER FOR INVESTIGATIVE JOURNALISM relating to smuggling. According to said study, “*the total revenue loss for the government could reach as much as P200 billion*”.⁷

Thus, if an adequately funded anti-corruption initiative is able to substantially reduce such budgetary leakages and revenue “losses”, the immediate effect will be the accrual of “savings” and increased revenue collection for the government, which can, in turn, be used for poverty-alleviation projects. Further, reduced graft and corruption spells higher investor confidence which will, accordingly, translate to more investments and employment for the people.

The OMB, therefore, contends that a massively funded anti-corruption campaign should be seen as an investment and not as an expense, where the primary beneficiaries are the poor and the marginalized sectors of society, and where the direct and immediate effect is the alleviation of poverty in our country. ***Indeed, if the government is to engage in a campaign to stump out corruption at all, it must do so with every bit of resource committed to this initiative. After-all, “[w]ell-meaning initiatives that are not realistically backed with sufficient resources and know-how will likely boomerang”***⁸

Anti-corruption initiatives, therefore, constitute the “lock opener” of any intended bureaucracy-wide reform from which all other reform agenda can be realized, considering that an effective anti-corruption campaign can generate the needed resources, either in terms of savings from unsound expenditures or leakages, or increased revenue collection, as outlined earlier. These “unlocked” resources, thus, become available to initiate and/or sustain the other needed reforms in our country.

⁶See Cai Ordinario, “100 B Lost to Corruption”, THE MANILA TIMES, 31 July 2004, page 1.

⁷See Tess Bacalla, “Smuggled Goods, Flood Walls, Markets”, THE PHILIPPINE STAR, 25 October 2004, page 10.

⁸PHILIPPINE GOVERNANCE REPORT (2002), at page 386

APPENDICES

- A. Investigation and Prosecution Battleground**
- B. Public Assistance and Research Battleground**
- C. Community Relations and Linkages Battleground**
- D. Education Battleground**
- E. Organizational Development Battleground**

INVESTIGATION AND PROSECUTION BATTLEGROUND

BATTLECRY: Make corruption a "HIGH RISK, LOW REWARD ACTIVITY."

Target	Strategies	Programs/Projects	Time Frame	Success Indicator
1. To have improved conviction rate at the Sandiganbayan from 6 percent to 50 percent and at least 25 percent at the regular trial courts between 2005 and 2009	• Aggressive prosecution	• Project OPPOSE - OSP prosecutors to oppose all motions of the defense to impress upon the SB justices OMB's vigilance on these corruption cases.	• Every trial	• Total number of approved oppositions against the total number of motions of the defense
		• Project WRITE-IT - OSP prosecutors to put in writing all arguments (instead of relying on oral arguments) before the SB including preparation of Trial Brief for every case.	• Every case	• Total number of approved written arguments against total number of arguments (including oral) before the SB
		• ADOPT-A-CASE Project - a coordination with volunteer private prosecutors from different lawyer associations/ organizations, calling for private prosecutors to adopt-a-case from among the 50 most significant/high profile cases in the Sandiganbayan.	• July 2004 onwards	• Total number of cases adopted against the total number of most significant/high profile cases
	• Capacity Building	• Trial Advocacy Skills Development Project - a back to basics training program for prosecutors and investigators performing prosecutorial work.	• 3 batches every year	• Total number of field investigators and prosecutors trained
		• Trial Advocacy Skills Development Project Level 2 - an advanced training program for prosecutors and investigators performing prosecutorial work.	• 3 batches every year follow-through	• Total number of field investigators and prosecutors trained
		• Trial Advocacy Skills Development Project for OMB Deputized Prosecutors from the Department of Justice - Level 1	• July 2004-2005	• Total number of deputized prosecutors trained
		• Trial Advocacy Skills Development Project for OMB Deputized Prosecutors from the Department of Justice - Level 2	• July 2004-2005 follow-through	• Total number of deputized prosecutors trained
• Reform Advocacy	• Advocate for the passage of a Bill that will allow OMB to hire private prosecutors.	• July 2004-2005	• Legislation enacted with implementing guidelines issued	

APPENDIX - A

INVESTIGATION AND PROSECUTION BATTLEGROUND

BATTLECRY: Make corruption a "HIGH RISK, LOW REWARD ACTIVITY."

Target	Strategies	Programs/Projects	Time Frame	Success Indicator
2. From July 2004 to 2009, to have unsparingly exercised administrative disciplinary power over public officials and assure a 100 percent enforcement of decisions resulting to administrative sanctions, including suspension, even to cases with pending appeals.	<ul style="list-style-type: none"> Rules/ systems reengineering 	<ul style="list-style-type: none"> Formulate revised rule on preventive suspension of government personnel. 	<ul style="list-style-type: none"> July 2004 onwards 	<ul style="list-style-type: none"> Approval and issuance of the revised rule on preventive suspension.
		<ul style="list-style-type: none"> Formulate a monitoring system for enforcement of administrative sanctions/penalties. 	<ul style="list-style-type: none"> July 2004-2005 	<ul style="list-style-type: none"> Total number of administrative sanctions enforced against total number of administrative sanctions imposed.
3. By 2009, to have implemented a focused and periodic proactive lifestyle check and asset verification of all government officials belonging to graft-prone agencies (e.g. BIR, Bureau of Customs and DPWH) as well as high ranking officials from Chiefs of Division and above.	<ul style="list-style-type: none"> Capacity Building 	<ul style="list-style-type: none"> Field Investigation Training - a 3-module training program reflective of HK-ICAC's training for field investigators - designed by Mr. Tony Kwok/Man Wai. 	<ul style="list-style-type: none"> 2 batches/ Module Beginning March 2004 and onwards 	<ul style="list-style-type: none"> Total number of field investigators trained
		<ul style="list-style-type: none"> Financial (fraud) Investigation Training. 	<ul style="list-style-type: none"> July 2004-2005 	<ul style="list-style-type: none"> Total number of field investigators trained
	<ul style="list-style-type: none"> Decentralization and strengthening of operations 	<ul style="list-style-type: none"> Establishing a separate office for field investigation with multi-disciplined personnel/staff - Mr. Tony Kwok as consultant. 	<ul style="list-style-type: none"> July 2004-2005 	<ul style="list-style-type: none"> Field investigation office established
		<ul style="list-style-type: none"> Strategic agencies targeting 	<ul style="list-style-type: none"> Profiling of graft-prone agencies and high ranking officials. 	<ul style="list-style-type: none"> July 2004-2005
4. From 2005 to 2009, to have aggressively enforced forfeiture proceedings against government employees with unexplained wealth.	<ul style="list-style-type: none"> Resource leveraging 	<ul style="list-style-type: none"> Harness use of CSC's SALN database to upgrade information and capacity for asset verification. 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> Total number of cases produced from SALN verification
		<ul style="list-style-type: none"> Strategic agencies targeting 	<ul style="list-style-type: none"> Project TOP PRIORITY - the classification of corruption cases involving unexplained wealth as a key factor for consideration as top priority case. 	<ul style="list-style-type: none"> July 2004-onwards
	<ul style="list-style-type: none"> Capacity building 	<ul style="list-style-type: none"> Trial advocacy skills development for prosecutors handling forfeiture cases. 	<ul style="list-style-type: none"> 2005 	<ul style="list-style-type: none"> Total number of prosecutors trained

INVESTIGATION AND PROSECUTION BATTLEGROUND

BATTLECRY: Make corruption a "HIGH RISK, LOW REWARD ACTIVITY."

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
5. From 2005 to 2009, to have maintained case disposition efficiency rate at 100 percent the number of cases received and 85 percent of total case workload.	<ul style="list-style-type: none"> case load decongestion and delay reduction strategy 	<ul style="list-style-type: none"> CMS Project - a Case Monitoring System that gives supervisors/ managers information on the actual status of cases and the exact number of cases an investigation officer is handling vis-a-vis the total case load of the bureau. 	<ul style="list-style-type: none"> July 2004-2006 	<ul style="list-style-type: none"> Case Monitoring System operationalized at the Bureau level
6. By 2009, to have installed and operationalized internal control and reporting system in all government agencies and established the OMB Witness Protection Program.	<ul style="list-style-type: none"> Reform advocacy 	<ul style="list-style-type: none"> WHISTLE BLOWING LEGISLATION Project- enactment of law supportive of, and which encourages, internal reporting or whistle blowing of wrongdoings Establishment of OMB's Witness Protection Program - to protect, provide and define incentives and rewards of whistle blowers. Project REPORT-IT - a system that encourages reporting or whistle blowing of wrongdoings and providing benefits and incentives to reporters after successful pursuit of the case reported. 	<ul style="list-style-type: none"> July 2004-onwards July 2004-2006 July 2004-onwards 	<ul style="list-style-type: none"> Legislation enacted with implementing guidelines issued Issuance/Publication of guidelines on the OMB witness protection program Total number of whistle blowers provided protection Total number of wrongdoings reported

APPENDIX - B

PUBLIC ASSISTANCE AND RESEARCH BATTLEGROUND

BATTLECRY: Provide citizens greater access to social justice

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
<p>1. By 2009, to have developed and fully operationalized an enhanced and efficient "intervention system" (quick response system) up to provincial levels that would allow ordinary citizens greater access to agencies' services.</p>	<ul style="list-style-type: none"> Decentralization and streamlining of operations 	<ul style="list-style-type: none"> Rationalizing the organizational and staffing structure of the "Public Assistance and Corruption Prevention Office" - OMB will bring its public assistance (quick response) services closer to the people by establishing regional and provincial offices 	<ul style="list-style-type: none"> Starting 2004 up to 2008 	<ul style="list-style-type: none"> Approval of the proposed restructuring Budgetary requirements for the creation of additional positions included in the OMB annual appropriations for FYs 2005-2008 Number of Dulugan-Bayan centers established and monitored
		<ul style="list-style-type: none"> Dulugan-Bayan Project - aims to establish public assistance centers in various government agencies to assist "ordinary" people in securing assistance requested from a particular agency. 	<ul style="list-style-type: none"> 2005 to 2008 	
	<ul style="list-style-type: none"> Rules/Systems reengineering Capability building 	<ul style="list-style-type: none"> TEXT-OMB Project - provides OMB the ability to receive requests for assistance through text messaging 	<ul style="list-style-type: none"> July 2004 onwards 	<ul style="list-style-type: none"> Total number of RAS completely served against total number of RAS received. Total number of RAS completely served against total number of RAS received Total number of OMB and non-OMB personnel trained
		<ul style="list-style-type: none"> DIAL-UP Numbers - dedicated telephone lines to serve as call centers 	<ul style="list-style-type: none"> July 2004 onwards 	
<p>2. By 2009, to have conducted a comprehensive study on the causes of inefficiency, fraud and mismanagement in the delivery of basic services in at least 10 graft-prone agencies and recommended appropriate interventions.</p>	<ul style="list-style-type: none"> Strategic agencies targeting 	<ul style="list-style-type: none"> Integrity Development Review of Key Public Sector Agencies - the project aims to assist agencies in identifying areas where integrity development measures may be improved. The key indicators for integrity development are categorized at individual, organizational, and external levels 	<ul style="list-style-type: none"> 2004 for piloting and 2005 to 2009 for continuing implementation 	<ul style="list-style-type: none"> At least 2 agencies covered per year
	<ul style="list-style-type: none"> Operations research and systems review 			
	<ul style="list-style-type: none"> Capability building 			

PUBLIC ASSISTANCE AND RESEARCH BATTLEGROUND

BATTLECRY: *Provide citizens greater access to social justice*

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
		<ul style="list-style-type: none"> Interactive Workshop for Managers - the project aims to find how public managers help identify vulnerable areas for corruption, and reduce its occurrence through the use of interactive workshops 	<ul style="list-style-type: none"> July 2004-2007 	<ul style="list-style-type: none"> At least 400 public sector managers trained per year
	<ul style="list-style-type: none"> Capability building 	<ul style="list-style-type: none"> Manager's Mentoring Program - a pilot project which also aims to help identify vulnerable areas for corruption and measures to reduce its occurrence through the use of monitoring techniques 	<ul style="list-style-type: none"> July 2004-2007 	<ul style="list-style-type: none"> 200 public sector managers trained per year
		<ul style="list-style-type: none"> Comparative study on the three approaches, mentoring, workshops and IDR 	<ul style="list-style-type: none"> July 2004-2007 	<ul style="list-style-type: none"> Comparative study completed
	<ul style="list-style-type: none"> Proactive researches 	<ul style="list-style-type: none"> Baseline social survey to assess public's view of government (integrity) agencies, including the OMB 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> At least one (1) annual survey report
		<ul style="list-style-type: none"> Assessment of needs and opportunities of CPUs/JGUs and other organizations working with OMB 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> At least one (1) assessment report
		<ul style="list-style-type: none"> Assessment of "text-messaging" strategy in OMB-Mindanao on its applicability to OMB-Central Office 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> At least one (1) assessment report
		<ul style="list-style-type: none"> Survey of government offices with signages/posters/flowcharts to guide transacting public 	<ul style="list-style-type: none"> July 2004- and 2006 	<ul style="list-style-type: none"> One (1) study at the beginning of (July 2004) and prior to end (2006) of the project
		<ul style="list-style-type: none"> Assessment of response times to assist public in government organizations 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> At least 2 agencies per quarter
		<ul style="list-style-type: none"> Independent review/study of corruption cases decided by the SB - to determine areas for improvement 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> At least one (1) study per year

APPENDIX - B

PUBLIC ASSISTANCE AND RESEARCH BATTLEGROUND

BATTLECRY: Provide citizens greater access to social justice

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
3. To have developed, installed and operationalized an "open system" - an interactive website that would cater on line to citizens' requests for services/grievances.	<ul style="list-style-type: none"> Systems Reengineering 	<ul style="list-style-type: none"> Interactive Website Project - the website aims to provide the citizenry immediate access to air and track down their grievances with the Office of the Ombudsman. The website will also contain data and other publicity materials including: "success stories" where corruption issues were properly addressed 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> OMB website (@ interactive level)
4. From 2005 to 2009, to have maintained a disposition efficiency rate of 100 percent of the number of RAS (requests for assistance) received and 90 percent of total RAS workload.	<ul style="list-style-type: none"> RAS load decongestion and delay reduction strategy 	<ul style="list-style-type: none"> RAS System Study - the study aims to periodically identify and define the roles of the various internal and external components that affect RAS load, and design comprehensive and mutually reinforcing measures that will contribute to improving overall efficiency in the disposition of RAS 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> 2 action research per year

COMMUNITY RELATIONS AND LINKAGES BATTLEGROUND

BATTLECRY: Develop stronger partnership with Civil Society Organizations/Non-Governmental Organizations other Governmental agencies performing oversight functions, international institutions and donor community.

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
1. To have broadened and strengthened cooperation with existing civil society organizations/ non- governmental organizations/business sector and have empowered them to participate actively in anti-corruption and governance activities.	<ul style="list-style-type: none"> • People empowerment through capacity building 	<ul style="list-style-type: none"> • Court Watch - involves tapping senior law students to assist in the monitoring of performance of prosecutorial staff of OMB during trials in the SB 	<ul style="list-style-type: none"> • July 2004-2005 	<ul style="list-style-type: none"> • 200 student-volunteers trained
		<ul style="list-style-type: none"> • Training Workshops for CSO/NGO observers on Infrastructure Contracts and Projects and Procurement Monitoring - a program that trains volunteer observers from the business sector on the various bidding processes including implementation, contractual compliance and the pertinent red flags to watch for 	<ul style="list-style-type: none"> • July 2004-2007 	<ul style="list-style-type: none"> • 400 participants with at least 30% women trained
		<ul style="list-style-type: none"> • Training Workshops for Lifestyle Check - a regular monitoring of high profile personnel of graft-prone agencies 	<ul style="list-style-type: none"> • July 2004-2007 	<ul style="list-style-type: none"> • 1,200 participants with at least 30% women trained
		<ul style="list-style-type: none"> • Training Workshop on General Measures to Prevent Corruption, Corruption Awareness Prevention and Education - training program for general public involvement 	<ul style="list-style-type: none"> • July 2004-2007 	<ul style="list-style-type: none"> • 400 participants with at least 30% women trained
		<ul style="list-style-type: none"> • Training workshop on Participatory Audit - project to involve civil society members in the conduct of audit of government projects/programs 	<ul style="list-style-type: none"> • July 2004-2007 	<ul style="list-style-type: none"> • 200 participants with at least 30% women trained
		<ul style="list-style-type: none"> • Bureaucracy Watch - looks at the performance of the agency as a whole 	<ul style="list-style-type: none"> • July 2004-2007 	<ul style="list-style-type: none"> • 200 participants with at least 30% women trained

APPENDIX - C

COMMUNITY RELATIONS AND LINKAGES BATTLEGROUND

BATTLECRY: Develop stronger partnership with Civil Society Organizations/Non-Governmental Organizations other Governmental agencies performing oversight functions, international institutions and donor community.

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
2. To have further enhanced the partnership between the Office of the Ombudsman and other oversight bodies to pursue comprehensive and enduring reforms, in administrative adjudication and criminal prosecution of cases, asset disclosure and investigation, government procurement system, value formation in the bureaucracy, and internal control systems improvement.	• Inter-agency collaboration	• Together with the CSC, conceptualize the establishment of a database and enhancement of compliance and monitoring procedures relating to SALN, including the inclusion of the ITR in the SALN (per SOLANA Covenant)	• July 2004	• Issuance of implementing guidelines and areas of cooperation established
		• Finalize the MOA between CSC and OMB on the delineation of responsibilities and case coverage in handling administrative cases and in setting up inter-agency liaison network	• July 2004	• MOA between CSC and OMB signed
		• Together with CSC and COA, <ul style="list-style-type: none"> o Establish an integrity vetting system o Conduct inter-agency audits of government agencies to review system, personnel and anti-corruption measures o Conduct exchange training for their respective officers and personnel o Establish report referral system and information sharing system 	• July 2004-onwards	• MOA between CSC and OMB signed
3. To have expanded linkages with international institutions - government and non-governmental - to foster international cooperation in the areas of corruption prevention, investigation, prosecution and education.	• International linkages	• Pursue and maintain active collaboration with the, American Bar Association, ADB, OECD, WB, UNDP, USAID, EU/EC, AusAID, CIDA, The Asia Foundation, British Council and continue membership with Commonwealth Association for Public Administration and Management (CAPAM), AOA, IOI	• July 2004-onwards	• Total number of membership and/or partnership with international institutions
		• Together with the members of the IAGCC, establish a joint task force and/or provide technical support in major investigations	• July 2004-onwards	• Task Forces formed • Total number of cases investigated
4. To have generated bilateral and/or multi-lateral technical and/or financial assistance from the donor community.	• Resource Leveraging	• Formulation of a 5-year Medium Term Development Plan • Formulation of a 5-year Expenditure Program Identifying Internal and External Sources of Funds	• July 2004-onwards	• Total number of donor agencies as members of the Donor Group for the OMB

EDUCATION BATTLEGROUND

BATTLECRY: Develop professional competence, integrity and ethics, social awareness and involvement with a keen sense of nationalism among OMB personnel and stakeholders.

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
1. To have established a learning resource center that shall serve as the central repository and clearing house of information on baselines, benchmarks, blueprints, best practices-cum-benefits for anti-corruption.	<ul style="list-style-type: none"> Proactive research 	<ul style="list-style-type: none"> Conduct of researches on various aspects of corruption to generate baseline data, establish benchmarks and blue prints, document best practices and benefits. 	<ul style="list-style-type: none"> July 2004-2007 	<ul style="list-style-type: none"> Total number of studies conducted
	<ul style="list-style-type: none"> Proactive information dissemination 	<ul style="list-style-type: none"> Printing and posting of posters 	<ul style="list-style-type: none"> July 2004-2007 	<ul style="list-style-type: none"> Total number of posters designed and printed
		<ul style="list-style-type: none"> Tri-media (T.V., radio newspaper) campaign for anti-corruption 	<ul style="list-style-type: none"> July 2004-2007 	<ul style="list-style-type: none"> Total number of programs and articles produced and aired
		<ul style="list-style-type: none"> Essay and slogan contest at the primary, secondary, tertiary, and professional categories 	<ul style="list-style-type: none"> July 2004-2007 	<ul style="list-style-type: none"> Compendium of essays and slogans
2. To have established comprehensive human resource development plan that continuously develops the competence and integrity of OMB personnel.	<ul style="list-style-type: none"> Conduct of training cycle 	<ul style="list-style-type: none"> Assessment of the human resource needs and requirements of the OMB Formulation of a training calendar 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> 3-year rolling human resource plan
	<ul style="list-style-type: none"> Capability buildings 	<ul style="list-style-type: none"> Design, implementation, and evaluation of various training and capacity building programs such as but are not limited to: <ul style="list-style-type: none"> o Trial Advocacy for Prosecutors <ul style="list-style-type: none"> • Basic Program • Advanced Program (Phase 2) • Specialized Program <ul style="list-style-type: none"> • Money Laundering • Anti-Graft Cases • Plunder • Malversation • Foreign Training Program 	<ul style="list-style-type: none"> July 2004-onwards 	<ul style="list-style-type: none"> Conduct of training programs and total number of participants trained

APPENDIX - D

EDUCATION BATTLEGROUND

BATTLECRY: Develop professional competence, integrity and ethics, social awareness and involvement with a keen sense of nationalism among OMB personnel and stakeholders.

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
		<ul style="list-style-type: none"> o Training Program for Field Investigators <ul style="list-style-type: none"> • Basic Program • Advance Program <ul style="list-style-type: none"> • Specialized skills • Project management and procedures • Techniques in conducting Lifestyle Check • Techniques in entrapment procedures • Report Writing • Foreign training program o General Investigation Skills Development Program <ul style="list-style-type: none"> • Resolution Writing • Effective conduct of administrative hearings • Techniques in appreciating evidence • Time Management • Foreign training program o Management Development Program <ul style="list-style-type: none"> • Career Exec. Service Devt. Program (Local) • MNSA/NDC • Foreign Training Program 		
3. To have ensured upgrading of knowledge and skill of stakeholders through continues training and development.	<ul style="list-style-type: none"> • Conduct of training cycle 	<ul style="list-style-type: none"> • Assessment of the human resource needs and requirements of the OMB stakeholders • Formulation of a training calendar • Design, implementation, and evaluation of various training and capacity building 	<ul style="list-style-type: none"> • July 2004 onwards 	<ul style="list-style-type: none"> • 3-year rolling human resource plan • Conduct of training programs and total number of participants trained
4. To have made available anti-corruption information and materials in any form or manner (e.g., books, monographs, videos, CD's, etc.)	<ul style="list-style-type: none"> • Materials development 	<ul style="list-style-type: none"> • Development, acquisition, and production of materials and needed equipment for such 	<ul style="list-style-type: none"> • July 2004-onwards 	<ul style="list-style-type: none"> • Total number of publications and needed equipment

ORGANIZATIONAL DEVELOPMENT BATTLEGROUND

BATTLECRY: Design and operationalize a client-responsive organizational structure guided by concrete goals and carefully planned strategies operating in an environment supported by systems and staff with the highest degree of integrity and competence.

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
1. To have rationalized the organizational and staffing structure of the Office of the Ombudsman by creating regional and provincial offices and right-sizing of personnel complement.	<ul style="list-style-type: none"> Decentralization and reengineering 	<ul style="list-style-type: none"> Rationalizing OMB's organizational and staffing structure. The streamlined formal structure shall consider both vertical and horizontal compartmentalization and integration of functions and process and ensure efficient and effective operations and decision making. 	<ul style="list-style-type: none"> July 2004-2009 	<ul style="list-style-type: none"> Approved structure and budgetary allocation included in the annual appropriation of the OMB
2. To have adopted a streamlined and adequate set of OMB Internal Rules that promotes efficient, speedy resolution and impartial adjudication of cases, as well as an OMB Code of Ethics.	<ul style="list-style-type: none"> Systems reengineering 	<ul style="list-style-type: none"> Formulation of the OMB Internal Rules that shall serve as the standard guiding framework or terms of reference for all officials and employees of the OMB Project CODE-IT - formulation of OMB Code of Ethics that aims to put in place desired organizational and professional culture and values. 	<ul style="list-style-type: none"> July 2004-2005 July 2004-2005 	<ul style="list-style-type: none"> Issuance of the OMB Internal Rules Issuance of the OMB Code of Ethics
3. To have formulated and operationalized a comprehensive integrated Computer Technology-based case/transactions monitoring system in all levels of operation.	<ul style="list-style-type: none"> Systems reengineering 	<ul style="list-style-type: none"> Formulation and installation of OMB - wide ICT based monitoring system 	<ul style="list-style-type: none"> July 2004-2009 	<ul style="list-style-type: none"> "Open System" in place and accessible to all
4. To have developed and operationalized a result-oriented performance appraisal system and the corresponding incentive/disincentive system.	<ul style="list-style-type: none"> Reform advocacy HRD/ Systems reengineering 	<ul style="list-style-type: none"> A competitive and performance-based remuneration package for its personnel through legislation Formulation of result-oriented performance appraisal system and incentive/disincentive plans 	<ul style="list-style-type: none"> July 2004 	<ul style="list-style-type: none"> Law passed prescribing a distinct salary/remuneration plan for OMB personnel
5. To have developed and operationalized a competency-based recruitment and merit-based promotion system that would ensure the steady influx of highly qualified officers and personnel in the OMB.	<ul style="list-style-type: none"> HRD/ Systems reengineering 	<ul style="list-style-type: none"> Overall assessment of the qualification requirements and ranking of positions of personnel in the context of the OMB reform program and implementation of capacity building for its personnel. 	<ul style="list-style-type: none"> July 2004-2006 	<ul style="list-style-type: none"> Total number of competent personnel placed and meritorious personnel promoted against total number of personnel evaluated for each of the two items

APPENDIX - E

ORGANIZATIONAL DEVELOPMENT BATTLEGROUND

BATTLECRY: Design and operationalize a client-responsive organizational structure guided by concrete goals and carefully planned strategies operating in an environment supported by systems and staff with the highest degree of integrity and competence

Target	Strategies	Programs/Projects	Time Frame	Success Indicators
6. To have updated and improved existing internal control systems and procedures within the context of fiscal autonomy, and transparency and accountability in the utilization of resources.	<ul style="list-style-type: none"> • Reform advocacy • System reengineering 	<ul style="list-style-type: none"> • Reengineering of the OMB appointment and promotion process 	<ul style="list-style-type: none"> • July 2004-2006 	<ul style="list-style-type: none"> • Appointment and promotion process defined
		<ul style="list-style-type: none"> • Advocate for full fiscal autonomy in the preparation and submission of its proposed budget, management in the allocation and disbursement of its organizational and staffing structure, and in the generation and use of revenues, subject only to accounting and auditing regulations and civil service rules. 		<ul style="list-style-type: none"> • Approval of full fiscal autonomy
7. To have built/constructed physical facilities and/or infrastructure necessary to meet the demands of operations.	<ul style="list-style-type: none"> • Infrastructure and facilities development 	<ul style="list-style-type: none"> • Update Financial Management System, Planning and Budgetary System, Asset Management System, and Revenue Generation System 	<ul style="list-style-type: none"> • July 2004 onwards 	<ul style="list-style-type: none"> • Systems developed
		<ul style="list-style-type: none"> • Construction of 5th and 6th floors of OMB main building • Construction of building of OSP and area office for the Luzon and Mindanao • Upgrading of Intelligence and Surveillance equipment • Construction of the Learning Resource Center • Upgrading of Printing Facilities • Construction/Development of an IT Center 	<ul style="list-style-type: none"> • July 2004 onwards 	<ul style="list-style-type: none"> • Various building erected and constructed with facilities and equipment • Various equipment procured



From left to right: Deputy Ombudsman for MOLEO, Hon. Orlando Casimiro; Hon. Tanodbayan Simeon V. Marcelo; Messrs. Tony Kwok and Paul Dickenson during the Field Investigation Training- Module 1, Eugenio Lopez Center, Antipolo, March 22- 26, 2004