

O-Plan Red Plate Charges 60 Gov't. Officials & Employees

By Charina A. Mendoza

TIME TO SPILL THE BEANS. September 4, 2006 proved to be a red-letter day for the Office of the Ombudsman (OMB) as the Task RED P/7



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Tuburan Official sentenced to ten years for graft

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Ombudsman suspends Pasay City Officials

Task Force: Illegal "HATAK"

By Maria Flor R. Dacanay-Sibayan

ON JUNE 5, 2006, the Honorable Ombudsman Ma. Merceditas N. Gutierrez, issued Office Order No. 56, creating Task Force Illegal "Hatak", to answer the various complaints received by the Office regarding illegal towing of vehicles. The Task Force was mandated to investigate into the alleged illegal practices of towing operation including the abuses committed by the people of towing companies and employees in the government.

The Task Force is headed by Director Rudiger G. Falcis II of the Public Assistance and Community Coordination Bureau (PACCB) - Office of the Deputy Ombudsman for the Military and Other Law Enforcement Offices (MOLEO) as Chairman.

Immediately after its creation, the Task Force requested the local governments

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PUBLIC ASSISTANCE

Ombudsman Ma. Merceditas N. Gutierrez listens to one of the walk-in requesters seeking assistance during the launching of the program "Meet with the Ombudsman". Assisting the Ombudsman are Overall Deputy Ombudsman Orlando C. Casimiro, Acting Assistant Ombudsman Evelyn A. Baliton (right) and PAB Director Marlyn T. Galvez (left).

"Meet with the Ombudsman" Launched

By Maria Luisa V. Velasquez

TO INCREASE the awareness of the public on the role of the Office in rendering public assistance, the program "Meet with the Ombudsman", was launched on August 22, 2006 at the Public Assistance Bureau (PAB) Conference Room, Office of the Ombudsman. Every third Friday of the month from 9:00 a.m. to 12:00 noon, the Ombudsman

will personally attend to the requests for assistance/grievances and other concerns of the public. Assisting her are the officials of the Office and other government agencies/offices.

Expectedly, requests/grievances poured in during the launch-

ing of the program, an indication that the public really need an office that could immediately act on their concerns. The following are some of the requests/grievances raised to the Ombudsman: (1) Mr. Jovito Reyes' request for the Office to direct the Quezon City Government to implement an Ombudsman

MEET P/7

By Anna Maria Soriano-Sanchez

THE OFFICE OF THE OMBUDSMAN HAS PLACED PASAY CITY MAYOR WENCESLAO TRINIDAD, VICE MAYOR ANTONIO CALIXTO AND TEN OTHERS UNDER A SIX-MONTH PREVENTIVE SUSPENSION FOR ENTERING INTO ALLEGEDLY ANOMALOUS GARBAGE COLLECTION AND DISPOSAL CONTRACTS WORTH P464.6M FOR THE YEARS 2004 AND 2005.

Aside from Trinidad and Calixto, also placed under preventive suspension were Councilors Richard Advincula, Lexter Ibay, Jose Antonio Roxas, Ma. Antonia Cuneta, Noel Bayona, Arnel Regino Arceo, Editha Vergel de Dios, Marie Irish Pineda, Generoso Cuneta and Greg Paolo Alcera.

The Order was issued based on the complaint filed by Brgy. Chairman Juanito Delmedo.

Based on the records of the case, the Sangguniang Panglungsod of Pasay on February 6, 2004, passed Resolution No. 1945 Series of 2004 "declaring as void the contracts for services which were bidden out and awarded before the approval of the 2004

PASAY P/7

Casimiro appointed as the new Overall Deputy Ombudsman

By Anna Maria S. Sanchez

ON AUGUST 19, 2006, Malacanang ended the uncertainty besetting the Office of the Ombudsman on who will be appointed Overall Deputy Ombudsman (ODO).

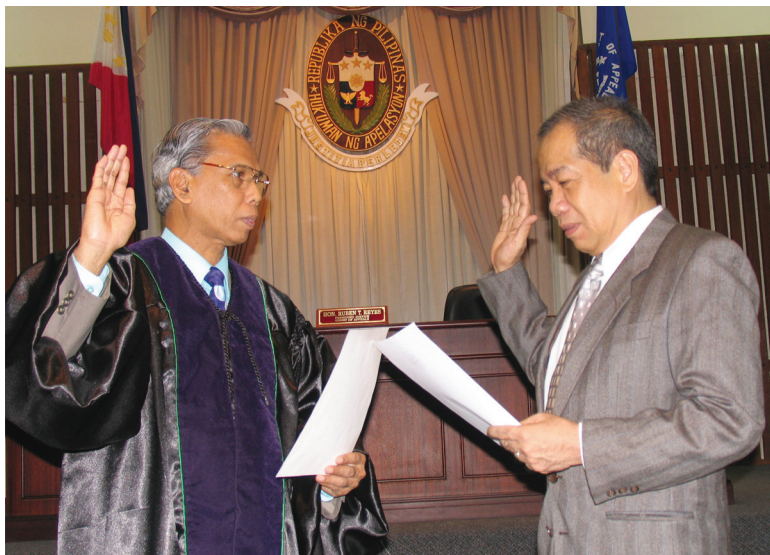
Appointed to the position was Orlando C. Casimiro, the Officer-in-Charge of the same Office for five months and the Deputy Ombudsman for the Military and Other Law Enforcement Offices (MOLEO).

He was sworn to Office as the new ODO on Aug. 23, 2006 by Court of Appeals Presiding Justice Ruben T. Reyes.

In his speech during the Flag Raising Ceremony at the Office of the Ombudsman, ODO Casimiro urged his co-workers to work together and be united as one to ensure the success of all the programs initiated by Ombudsman Ma. Merceditas N. Gutierrez.

He said, "we have only one leader, Ombudsman Gutierrez. And so we have to support her and all her activities."

He also took the opportunity to thank all those who supported him as he climbed up the career ladder and extended a reconciliatory hand to those who were doubtful of his capability to perform as ODO. "Sa mga sumuporta sa akin, maraming salamat. Sa mga hindi, let us work together to attain the objectives of this office."



ORLANDO C. CASIMIRO takes oath as the new Overall Deputy Ombudsman before Court of Appeals Presiding Justice Ruben T. Reyes.

ODO Casimiro's rise to his present position did not happen overnight. He first entered the Office of the Ombudsman as Graft Investigation Officer (GIO) II in 1991, after engaging in private practice immediately after passing the bar in 1978. While serving as GIO II, he was cited as Outstanding Employee for his exemplary performance.

On Jan. 17, 1994, ODO Casimiro, or OCC to many, was promoted as Director for the Preliminary, Investigation and Administrative Adjudication Bureau (PIAAB), Ombudsman for the Military Affairs now MOLEO. While serving as PIAAB Director, he was

designated in concurrent capacity as Acting Assistant Ombudsman for the newly-created Fact-Finding Intelligence and Research Office (FIRO) from Aug. 1, 1999 - Nov. 30, 1999.

Owing to his hardwork and integrity, he was promoted as the Deputy Ombudsman (DO) for MOLEO on Jan. 3, 2000.

At present, ODO Casimiro serves in concurrent capacity as OIC-DO for MOLEO pending the appointment of the new DO for MOLEO.

They say behind every man's success is a woman. In the case of

NEW ODO P/7

Two faces of corruption: Corrupt systems and corrupt individuals

By Belle M. Quijano

"BRINGING the Office of the Ombudsman Closer to the People" is exactly the intention of the anti-graft office when its regional office in Iloilo City was inaugurated on August 17, 2006. The new office is located at the CAP Building, General Luna Street, Iloilo City. The Honorable Ombudsman Ma. Merceditas Navarro-Gutierrez was the Guest of Honor during the special occasion. The regional office was officially opened with the blessing and ribbon cutting ceremony right after the Eucharistic Celebration officiated by Monsignor Meliton Oso and the Social Action Priests-Directors of Panay, Negros Occidental, Iloilo City, Romblon and Dumaguete City. Ombudsman Gutierrez, in her short message during the opening program, cited two faces of corruption, which she would like to believe are of equal importance. These are corruption caused by corrupt systems and corruption caused by corrupt individuals. Further, she informed those present that the Office of the Ombudsman has been passionate in addressing the problem. The Office has implemented the Integrity Development Review (IDR) to tackle the problem of corrupt systems in government offices. The project is expected to ultimately ensure the institutionalization and refinement of systems

reforms-based corruption prevention programs.

An added impact to the occasion was the Public Accountability Forum, which was conducted in the afternoon of the same day. The Honorable Ombudsman Gutierrez reminded the 350 participants, composed of the civil society, barangay officials and members of the PNP, of the significant roles they play in the community in the exercise of good governance and public accountability in their respective offices. OIC-Deputy Ombudsman Virginia P. Santiago conducted the lecture on "The Ombudsman's Mandate" and cited actual situations that may enrich the understanding of the participants about public accountability in government service. On the other hand, Mr. Joseph Cordova, an active member of the People's Graftwatch, handled the lecture on "The Procurement Law". To maximize the short stay of Ombudsman Gutierrez in Iloilo City, in the afternoon of her arrival on August 16, 2006, a conference with the partners of the office in the implementation of its various corruption-prevention programs and in fact-finding, as well as in the prosecution of cases in courts, was scheduled. Among those present during the conference were officers and members of the People's Graftwatch

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High Profile Case

SECTION 4(A) (Commitment to Public Interest) of the Norms of Conduct of Public Officials and Employees states, "Public officials and employees shall always uphold the public interest over and above personal interest." All government resources and powers of their respective offices must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues.

Please give particular attention to the words EFFICIENTLY, EFFECTIVELY, HONESTLY and ECONOMICALLY, and use these as norms for critically analyzing the actions of government officers in allowing the release of P41,840,645.00 to a private entity as payment for tuna research project, the result of which turned out to be unreliable and inaccurate.

Why do government men and women do the things they do? Too vague a question to merit an answer? Try the following:

1. Why did Bureau of Fisheries and Aquatic Resources (BFAR) officers

spend P41.8M for tagging 25,000 tunas and for recovering at least 3,000 tags when tagging 13,000 tunas and recovering the same number of tags for lower cost, of course, would be sufficient?

Is the expenditure economically sound?

2. Why did the Department of Agriculture enter into a contract costing a hefty P41.8M simply to provide ESTIMATES of population parameters for skip jack and yellow fin tuna and to ESTIMATE relationships between tuna stocks in the Philippines and those in the Southeast Asia and Western Pacific?

Is the contract for obtaining the ESTIMATES an economical and effective undertaking considering the amount involved?

3. Why did BFAR allow the release of funds amounting to millions of pesos for activities to be undertaken for eleven (11) months when the same activities could be completed in three (3) months.

Talk about efficiency and economical spending!

4. Why did the Department of Agriculture include

specific Terms of Reference and a provision for suspension of payment in a contract when the terms are violated, if the whole contract amount would be released despite glaring violations of the Terms of Reference?

If this is not a dishonest act, what is it?

5. Finally, after obtaining unreliable and inaccurate research data from a consultancy firm at a cost of P41.8M, why enter into another P2M project contract with the same firm to continue the research study?

By now, you may have an idea about what this high profile case is about. Yes, it involves tuna research project at a cost of P41.8 Million, undertaken by the Department of Agriculture thru the Bureau of Fisheries and Aquatic Resources (BFAR) in

Blame it all on Tuna

By Nida Aveno-Gruta

1992 to 1993. The "Contract for Consulting Services for the Conduct of Philippine Tuna Research Project" was entered into between the DA and Pacific Rim Innovation and Management Exponents, Inc. (PRIMEX for brevity) in November 1991.

So this is another tuna research project, the BFAR having started a Landed Catch and Effort Monitoring project on tuna and tuna-like species earlier. An extensive tuna tagging program called the Philippine Tuna Research Project ("PTRP" for brevity) was designed to provide estimates of their yield, turnover and harvest ration in fisheries, to estimate relationships between stocks exploited in the Philippine waters and adjacent areas and to describe the movement patterns of these tunas.

According to the contract's "Terms of Reference", PTRP's methodology should include a "tagging operation" which consist of capturing tunas of various species by live bait using pole-and-line fishing vessel, applying the individually numbered yellow polyurethane dart tags to the fish, recording of various data on the tunas and of the subsequent release of the tunas back into the water. Thereafter, the PTRP shall establish a tag recovery system and then analyze the tags subsequently recovered.

An international organization called The South Pacific Commission ("SPC" for brevity), which conducted tuna tagging operations around the pacific was tapped by PRIMEX in the actual conduct of tuna research project.

PRIMEX listed two (2) pole and line vessels from Indonesia, to be utilized in tuna tagging operations with the following parameters:

A total of about 25,000 tunas (yellowfin and skipjack combined, with a minimum of 5,000 of the former species) shall be tagged and released throughout three

operational areas over a two-year period, with releases spread as widely throughout the calendar year as weather and fishing conditions allow, as follows:

Sulu Sea-10,000; Moro Gulf/Celebes Sea-10,000; Philippine Sea-5,000.

However, no pole and line Indonesian vessel was ever chartered for the project. The amount of FORTY-ONE MILLION EIGHT HUNDRED FORTY THOUSAND SIX HUNDRED FORTY FIVE PESOS (Php 41,840,645.00) was paid to PRIMEX by progressive billings (installments) as shown in the following schedule: April 1992-P6,276,096.75; June 1992-P3,138,048.37; July 1992-P2,510,438.69; August 1992-P1,255,219.35; November 1992-P7,531,316.10; May 1993-P7,531,316.10; December 1993-P5,962,291.91; December 1993-P2,301,235.48; August 1994-P2,284,064.50; September 1994-P313,804.84.

The Bureau of Fisheries and Aquatic Resources (BFAR), through which the DA implemented the PTRP,

TUNA P/7

Ombudsman calls for ratification of United Nations Convention Against Corruption

By Rafael "Ritchie" Hipolito



Graft Investigation Officer Ferdie M. Mendoza from the Office of the Ombudsman presents the highlights of the assessments and recommendations regarding UNCAC provisions on criminalization during a two-day trainer's training on UNCAC held at the UP National College of Public Administration.

Tuburan official sentenced to ten (10) years for graft

By Virginia Palanca-Santiago

THE OFFICE of the Ombudsman-Visayas filed a case for Violation of Sec. 3 (e) of R.A. 3019, as amended (Anti-Graft and Corrupt Practices Act) against Mr. Vicente Bornia, Municipal Planning and Development Coordinator, Municipality of Tuburan, Province of Cebu, for collecting two sets of salaries sometime in 1994.

Mr. Bornia was found collecting his salary as laborer of the Cebu Provincial Capitol even if he was already receiving his salary as Municipal Planning and Development Coordinator (MPDC) of the Municipality of Tuburan. In August of 1994, Mr. Bornia received P14,245.73 as salary for his work in Tuburan but, at the same time, he also collected

P1,719.80 salary at the Capitol where he worked as laborer prior to his appointment as MPDC.

Mr. Bornia admitted that he collected the money from the Cebu Provincial Capitol but defended that it was not done in bad faith because he thought that it was just a salary differential out of his previous work. Accused further averred that he already refunded the amount he received from the Cebu Province after knowing that a complaint was lodged against him at the Office of the Ombudsman-Visayas.

Judge Geraldine Faith Econg of the Regional Trial Court, Branch 09, Cebu City, found Mr. Vicente Bornia guilty of the crime charged.

Judge Econg ruled that refund of the amount subject of the prosecution is not one of those enumerated under Article 89 of the Revised Penal Code which would totally extinguish criminal liability. Article 89 of the Revised Penal Code was applied in suppletory character to RA 3019 of which the accused stands charged as provided for under Article 10.

For being found guilty of violating Sec. 3 (e) of R.A. 3019, as amended, Mr. Bornia was sentenced to imprisonment for a term of six (6) years and one (1) month as minimum to ten (10) years as maximum. In addition thereto, accused is perpetually disqualified from holding public office.

OMBUDSMAN Merceditas N. Gutierrez asked the Senate to ratify the United Nations Convention Against Corruption (UNCAC) during a Senate forum last August 30, 2006.

"While many of the aspects of the UNCAC are already covered by domestic legislation, particularly the Revised Penal Code and a number of special anti-corruption laws, including anti-money laundering, still the Convention introduces a comprehensive set of standards, measures and rules that all countries can apply, in order to strengthen their legal and regulatory regimes to fight corruption. It calls for preventive measures and the criminalization of the most prevalent forms of corruption in both public and private sectors. And it makes a major breakthrough by requiring Member States to return assets obtained through corruption to the country from which they were stolen. These provisions - the first of their kind - introduce a new fundamental principle, as well as a framework for stronger cooperation between States to prevent, detect, and return the proceeds of corruption. Corrupt officials will in future find fewer ways to hide their illicit gains. This is a particularly important issue for many developing countries, where corrupt high officials have plundered the national wealth, and where new gov-

ernments badly need resources to reconstruct and rehabilitate their societies," she said.

Ombudsman Gutierrez also urged Congress to pass a number of laws that would cover mutual legal assistance on anti-corruption, whistleblower's protection, criminalization of bribery in the private sector, amendments to the Anti-Money Laundering Act and the 1977 Philippine Extradition Law to be able to benefit from the Convention and fully implement it.

Dimitri Vlassis, Crime Convention Section head at the United Nations Office on Drugs and Crime based in Austria, said the UNCAC will help the Philippines prevent and combat corruption more effectively and efficiently. It would foster international cooperation and technical assistance during asset recovery while promoting integrity, accountability and proper management of public affairs and property, he added. Vlassis urged the Senate committee on foreign affairs to expedite its deliberation on the Convention as the country only has up to Nov. 10 to ratify the Convention because a meeting between the signatory states will be held in December.

The Senate committee on foreign relations chaired by Sen. Miriam Defensor-Santiago conducted its first public hearing on the UNCAC on June 2, 2005. Since then no further action has been taken.

To widen awareness on the UNCAC, the Office of the Ombudsman, in partnership with the Transparency and Accountability Network, the Senate Economic and Planning Office and UNDP-Philippines conducted a forum at the Senate and a two-day trainer's training on UNCAC with Mr. Vlassis as resource speaker, held at UP National College of Public Administration and Governance. Close to a hundred guests from civil society, business and various government offices representing the executive, legislative and judicial branches participated in the forum and training.

The UNCAC has 140 signatories, 60 of which have already ratified the Convention. The UNCAC has 6 main structures, namely: preventive measures, criminalization and law enforcement, international cooperation, asset recovery, technical assistance/information exchange and implementation. Ombudsman Gutierrez articulated during the UNCAC Senate forum that the Senate's ratification of the UNCAC by November this year would be in keeping with the status of the Philippines as a Pioneer-member State and an ardent supporter of the ideals of the United Nations.

An international treaty on private and public corruption, the UNCAC aims to ensure that there will be no safe haven for corruptors.

HATAK

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of Metro Manila, particularly the priority target areas: Makati City, Manila, Quezon City, Pasay City and the Municipalities of Navotas and Malabon, to submit their City/Municipal Towing Ordinances and the lists of their accre-dited towing companies with their respective impounding areas.

Teams were sent to talk to the Local Traffic Enforcement Units of Quezon City, Manila, Makati City, and the Philippine Ports Authority relative to the towing operations being implemented within their respective areas. The impounding areas of the PPA South Harbor and the City of Manila were also visited.

The Task Force discovered that Quezon City did not accredit nor authorize any towing company to render towing services within the City, since the latter has its own towtrucks. The same practice is being observed by the City of Manila.

Recently, the City Administra-

tor's Office of the City of Manila, headed by Mr. Gaudencio Nable, ordered Col. Danilo Abarsoza, Officer-In-Charge of the Manila Police District to conduct operations on illegal towing activities within the City.

The Task Force is now studying and reviewing the different city and municipal towing ordinances to come up with a proposal of more reasonable standards as basis for the possible amendment of the Metro Manila localities' towing guidelines.

The Task Force had also established its hotline number, 9261590, and its e-mail address, ihatak101@yahoo.com, where anyone can call to report complaints or ask assistance/queries concerning illegal towing. This is aside from the usual written complaints, assistance/queries that can be sent.

Upon receipt of complaints and assistance/queries from illegal towing victims, Task Force immediately acts on them by referring the same to the concerned Local Traffic En-

forcement Unit, or the MMDA. Follow ups are made until the complaints and assistance/queries have been resolved and acted/answered, respectively.

On cases where towing incidents are made by unaccredited towing companies, the Task Force immediately communicates with the concerned companies, citing the illegality of their operation, and request them to immediately release the towed vehicles without collecting any fees.

In coordination with the Criminal Investigation and Detection Group, Southern Police District, through P/Supt. Michel Amos Filart, entrapment operations of illegal towing incidents particularly in the areas of Makati, Pasay, and Taguig, were made possible.

The Task Force has adopted the slogan: "Sa Tamang Hila, Walang Abala, Lahat ay Masaya" (With Correct Towing, No Hassles, Everybody Happy).

Ombudsman Gutierrez approves Task Force SAPAK recommendation, suspends 3 Public High School Principals

By Anna Maria S. Sanchez

OMBUDSMAN Ma. Mercedes N. Gutierrez placed under preventive suspension three Public High School Principals for various offenses following the recommendations made by Task Force SAPAK (Sama-samang Pagkilos Laban sa Katiwalian para sa Kabataan).

During a press conference, Task Force SAPAK Chair Asst. Ombudsman Mark E. Jalandoni named the principals as Dr. Eleanor F. Abisado of the Taguig National High School; Dr. Helen B. Aggabao of the Olongapo City National High School and Dr. Virginia F. Bermudez of the Ramon Avancena High School.

Abisado was charged with Unauthorized Collection of Fees, Grave Abuse of Authority, Grave Misconduct, Oppression and Dishonesty; Aggabao with Violations of RA 3019 (Anti-Graft and Corrupt Practices Act), RA 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees), Art. 213 (Illegal Exactions) and Art. 171 (Falsification) of the Revised Penal Code (RPC), and COA Rules and Regulations; and Bermudez with Dishonesty, Grave Misconduct, Falsification of Public Documents, Conduct Prejudicial to the Best Interest of the Service and violation of RA 3019.

Based on records, Abisado allegedly "took advantage of her stint as principal to facilitate the collection of unauthorized fees from students for the sole purpose of enriching herself".

Aside from this, she allegedly certified a Senior Bookkeeper and two Utility Workers as teaching personnel for them to get honoraria.

Faculty members of the Taguig National High School had staged a

strike to oust Abisado. This prompted Task Force SAPAK to conduct a fact-finding investigation on the case.

Meantime, Aggabao was found to have collected mandatory school fees or contributions without official receipts during enrolment and rental, electric and water bills from several canteen stall owners inside the school premises; charged students for the use of computers donated to the school; and established a preparatory school within the school premises where she charged each student about P6,000 in tuition.

The complaint against Bermudez stems from alleged irregularities in the disbursement of the P96,600 fund granted by the Manila government to cover for the transportation and meal allowances of student participants in the opening and closing of the 2005 SEA GAMES.

In the complaint filed by the Ramon Avancena High School Faculty Club, it was alleged that there were students who allegedly received said allowances without

having participated in the SEA Games activity using forged signatures and names appearing in the payroll that received the allowances but were not enrolled in the school.

Task Force SAPAK was launched last May 29, 2006 by virtue of a Memorandum of Agreement signed between Ombudsman Gutierrez and the Department of Education (DepEd) Officer-In-Charge Fe Hidalgo.

Ombudsman Gutierrez initiated the program to ensure that "children are accorded the best education that the government can provide and are spared from the claws of graft and corruption".

To date, it has received a total of 72 complaints including those aired over various television and radio stations and published by newspapers; and received through its hotlines 920-1337; 9262-662; and 920-3783; Text 0902-7SAPAK; and email address SAPAK@Ombudsman.gov.ph.

Of the said number, 12 have been closed and terminated; 34 are undergoing fact-finding investigation and 28 are under preliminary investigation.



TASK FORCE SAPAK Chaired by Assistant Ombudsman Mark E. Jalandoni with members (from left) Atty. Maria Theresa L. Rafols, Director Marifi P. Chua and Atty. Mary Antonette P. Yalad during a press conference.

RAS CORNER

PUBLIC ASSISTANCE

Goodbye Saudi, Welcome Home, Cora!

By Lirio E. de Leon-Dizon

MS. CLEOFE REGALA of Bagong Barrio, Caloocan City sought the help of the Public Assistance Bureau (PAB), Office of the Ombudsman, for the repatriation of her sister, Cora, a domestic helper in Damman, Saudi Arabia.

Cleofe, in her letter of January 09, 2006 narrated to us that Cora left the country in September 2005. After more than a month, she called up to inform them that she was overworked in her employer's residence. This prompted Cleofe to inquire from the recruiting agency on the address and the telephone number of her sister's employer. However, the agency failed to give her the needed information.

A letter was sent by her sister to Cleofe with a copy of her Contract through the domestic helper whom she replaced in Saudi, Arabia, who arrived in the country on December 22, 2005. Said helper confirmed that her sister had so much work to do and was often shouted by her employer. After reading the Contract, Cleofe was surprised to find out that the name of the agency as appearing in the Contract was different from the one which hired her sister. One consolation though was that she got the address and the telephone number of her sister's employer. Cleofe went to the Office of the Undersecretary for Migrant Workers Affairs (OUMWA) of the Department of Foreign Affairs (DFA) and requested its assistance in contacting her sister. OUMWA-DFA informed Cleofe that the Philippine Embassy had difficulty in locating the address as the one given was not accurate.

PAB's action was to call up OUMWA-DFA to refer Cleofe's request. Atty. Sheryl Vitalis of said office explained to us how they go about helping our OFWs who have problems with their employers abroad. She inquired whether Cora would like to change employer or would rather be repatriated. She was told that Cora wanted to come home. Atty. Vitalis explained that they have to talk to Cora's employer for her to be released from her employment and be given an exit visa. Without the exit visa, Cora would not be allowed to leave Saudi Arabia.

On May 8, 2006, PAB was happy to be informed by Cleofe through telephone call that her sister Cora went home to our country on May 5, 2006. She thanked PAB on behalf of her sister and the entire family for the intercession which led to the successful grant of her request.

“At Long Last”

By Catalina D.Corpuz-Cacanindin

SOMETIME in August 2003, Barangay Chairman Francis Bonifacio of Barangay 472, Zone 47, District IV, Manila ordered from Mr. Romeo Sison, owner of R.S. Sportswear located in Sampaloc, Manila, twelve sets of uniforms for the Barangay Tanod, consisting of a T-shirt and jacket.

Said items were completely delivered on August 30, 2003. However, the Barangay upon receipt of the same did not pay its corresponding price of Eight Thousand Seven Hundred Sixty Pesos (P8,760.00). Unfortunately, the initial payment of Three Thousand Pesos (P3,000.00) was made only on February 18, 2006, almost three years after delivery. Several follow ups were made by Mr. Sison on the remaining balance of Five Thousand Seven Hundred Sixty Pesos (P5,760.00) with Chairman Bonifacio but of no avail.

Mr. Sison finally decided to personally seek the assistance of the Public Assistance Bureau (PAB) on June 20, 2006 for the collection of the remaining balance of the Barangay Tanod Uniform from Chairman Bonifacio.

Acting on the request, PAB invited Mr. Sison and Chairman Bonifacio to a conference held on July 18, 2006 at PAB Conference Room to thresh out the issue immediately. After both parties have given their sides, they have agreed that Chairman Bonifacio shall make the immediate payment of the balance.

Initially, a postdated check in the amount of P5,760.00 was issued by Chairman Bonifacio to guarantee payment, and thereafter, the amount in cash was tendered to Mr. Sison. On August 7, 2006, Mr. Sison personally thanked PAB for the prompt assistance extended to him.

BLOOD letting held for Dengue victims

TWENTY -TWO employees of the Office of the Ombudsman responded to the emergency call for blood donation last September 11, 2006. The appeal for donors was made by Mr. Sonny Domasian of the Philippine Blood Center of the Philippine Children's Medical Center (PCMC) since the stock of blood in the center has reached critical levels due to the spread of dengue. In short notice, the Human Resource Management Division (HRMD) through Mr. Norberto T. Endab was able to campaign for blood donations by word of mouth.

During the recently held "Pagkilala at Pasasalamat 06" by PCMC, Mr. Norberto T. Endab

and Ms. Blessilda Manglallan of the Office of Legal Affairs (OLA) were given a Galloner Award for having donated ten (10) bags of 400cc blood. The awarding was held at the Occupational Safety and Health Center.





Msgr. Meliton B. Oso, Executive Director, People's Graftwatch-Iloilo City delivers a moving homily during the Inauguration and Blessing of the Ombudsman Regional Office Visayas in Iloilo City on August 17, 2006.

A Message from our Partner

By Wilbert L. Candelaria

A THANKSGIVING mass opened the blessing and inauguration of the Ombudsman Regional Office (Visayas) in Iloilo City on August 17, 2006. The mass was officiated by the Very Rev. Msgr. MELITON B. OSO, PC who heads the People's Graftwatch-Iloilo Province, Inc., an active and zealous partner of the Office of the Ombudsman in its fight against corruption.

I had the good fortune of attending the memorable blessing and inauguration of ORO-Visayas. Deeply touched by the homily delivered by Msgr. Oso at the thanksgiving mass, I sought his permission to have it printed here for the edification and inspiration of our readers. Below is the complete text of his homily.

Corruption Intolerant Government Offices

"WHERE millions are poor, stealing public money is the worst crime of all!" This quotation captures and summarizes beautifully the essence of our struggle to make this country CORRUPTION FREE, as we inaugurate today the regional office of the "Office of the Ombudsman for the Visayas!"

Speaking of millions who are poor, the National Statistics Coordination Board says that as of 2003, there are 23.5 million Filipinos living below poverty line or approximately 4 million families. As of April 2006, the unemployment rate stands at 8.2% and the underemployment rate at 25.4%. So many poor people!

Let me try to describe how poor they are. Last Monday, I attended the launching of "Movement against Hunger" at St. Clement's Retreat House and I heard their stories. There was Aling Juana, not her real name, who daily makes "lugaw" for her 7 children who go to school, while the couple eat only coconut meat. Because we eat "lugaw" of the special kind, of course, only when somebody is celebrating a birthday, jokingly, they say "everyday is a birthday celebration". If not "lugaw," some are eating only "hinangup." For some, if rice is not available, they eat only "kangkong" leaves. Farmers in the mountains bordering Tubungan and Igaras are now

only eating Palawan. Farmers in the mountains bordering Calinog and Tapaz, who can hardly eat because of the distance from their place to the poblacion, are being suspected by the military whenever they would buy rice that would last for more than a week. The farmer said: "We are suffering not only from hunger but also from militarization." Yes, the poor eat only kangkong, "hanggup," "lugaw," or eat only once a day, and some none at all. They live in hovels with no electricity, no water. For some, their roof is made of carton or plastic, with no sanitation. These are the poor, with whom Jesus identified Himself in the Gospel just read. And Jesus in the poor exhorts us to really do something for them. Indeed, against this background, stealing public money is the worst crime of all, not only the worst crime but also, perhaps, the worst sin of all that would send us all to eternal damnation.

Speaking of public money that was stolen, let us consider the following figures: from 1977-1997 "Corruption in all its forms has robbed the Filipino people of some 2.65 trillion pesos." This, according to Nicasio A. Conti in his "Primer against Corruption," is based on the estimate of the Office of the Ombudsman. We consulted the local DPWH and we have come up with the following figures: P2.65T is equivalent to 4,416,666 houses and

lots for the poor at P600,000.00 per house and lot; it is equivalent to 1,325,000 school buildings with 15 classrooms at P2M over school building: it is worth 265,000 kms of concrete roads at P10M per kilometer; and it is worth 757,142 bridges at P3.5M per 10 meters of bridge.

Again, I heard this from the launching of the "Movement against Hunger": out of the P728M of the fertilizer fund scam, Iloilo shared P15M, Capiz P13M, Antique P8M, Aklan P8M, and Guimaras P5M. If the P15 Million appropriated for Iloilo was used to buy UREA fertilizer at P865 per sack, it could have bought 17,341 sacks of UREA. If the 17,341 sacks of UREA were distributed to llongo farmers at a minimum of 2 sacks per farmer, at least 8,670 farmers could have availed of the fertilizer. Panay and Guimaras provinces received a total of P49M and at the rate mentioned above, this could have helped 28,323 farmers. The farmers in that launching received nothing of these fertilizers. Instead, for a sack of UREA fertilizer on credit, they pay five sacks of "palay" during harvest season. Approximately, the 28,323 farmers would pay a total of P190,330,560.00 if a sack of "palay" sells at P336 at five sacks of "palay" per sack of UREA. The poor farmers all together would lose a total of P190,330,560.00. This great amount is so much food stolen from the

MESSAGE P/6

RO's BEST: SAMSON J. SANCHEZ

By Lyca T. Lopez

School for Boys (now Letran de Davao High School) where he graduated with honors. He then went on to pursue his Bachelor of Arts in English Literature and Philosophy, followed by a stint at the Regional Major Seminary of Mindanao. It was in the seminary where Samson honed his skills as a trainer, tasked as he was to conduct trainings in the various localities of Tagum City. Alas, upon meeting the beautiful Marilyn Cañete in one of his seminars, Samson knew there was no way he was going back to the seminary. Now married, he went on to become a college professor at St. Mary's College in Tagum City.

In July 1991, Samson entered the government service.

Now a government servant for 15 years, Samson started his career as a Utility Worker at the Provincial Government Office of Davao del Norte and worked his way up until his appointment as Provincial General Services Officer in May 2003. In recognition of his exemplary service as a civil servant, RO Sanchez was made recipient of the "Ulirang Kawani Award" by the Civil Service Commission - XI.

In July 2002, Samson was designated as the Non-Organic Resident Ombudsman for their Office. Barely two years in partnership with the Ombudsman-Mindanao graft prevention programs, RO Sanchez initiated various proactive corruption prevention activities in the campaign for public accountability and good governance in the province. He initiated the "Review of the Handbook on Procurement and Disposal of Supplies and Properties" for the Province of Davao del Norte with the goal of preventing and/or eliminating the opportunities of graft and irregularities, and hastening procedures on procurement of supplies and properties for delivery of basic services.

As Interim President of the Association of Resident Ombudsmen in Government Agencies (AROGA) in Region XI, RO Sanchez drafted its Constitution and By-Laws to institutionalize the association. After its ratification in January 2004, he caused the registration of the association before the Securities and Exchange Commission

BEST/NEXT PAGE /C4

My First Time

(as an EheM! AhA! Program Lecturer)

WITH their heads bent low and hands hurriedly scribbling their personal credo, my student participants for two days are unaware that I am looking at them, fondly. It's my last day as their teacher and wistfully, I cannot help but remember my "first time".

I have always wanted to be a teacher. In grade school I played "teacher-teacher", a teacher pretend game with my playmates. Back then I was always the "Ma'am". A peek in my kindergarten yearbook revealed my destiny. Next to the line that asked - "What do you want to be when you grow up?" I answered, "I want to be a teacher."

It came as no surprise then that I found myself in the midst of Zamboanga City to act as teacher/resource person of sorts for the EheM! Aha! Program of the Office of the Ombudsman Mindanao for LTO IX officials.

Being new in the business of facilitating the EheM! Aha! Program, I expected to be just handling the legal aspect of it - that is, a short twenty-minute lecture on common laws on graft and corruption. But like Murphy's Law, this Area office had other plans.

"Module 2 (Analysis) and Module 3 (Reflection)!" I gasped. Those were my most feared modules, as they were not my strongest suits. I was certainly not equipped to analyze and reflect on the cultural value systems that reinforce and perpetuate corruption, or even look into one's personal role and involvement in the commission or prevention of corruption. Uh-uh. But af-

tras like "Ignorantia legis non excusat" or that classic attention step clause - "Public office is a public trust." Plus of course my favorite - the fight against graft and corruption is not the fight of the Office of the Ombudsman alone - "Kayang-kaya, kung sama-sama!"

The leveling of expectations was an experience in itself - the group divided itself into six colorful groups - "Matatag", "Cuidao", "Spaghetti", "Striking Force", "Goalkeeper" and "Friendly", and all agreed that they are willing to do their share in fighting graft and corruption.

In Module I, to experience corruption, my participants had to undergo the process of feeling through and actually immersing themselves in a reality exercise of the problem of corruption. In their own works, LTO-IX officials defined corruption as something akin to "bribery", or "a lust for power and influence".

Module II brought forth the Startruck and Star Circle Quest talents of LTO-IX officials and employees, as they analyzed the causes and consequences of corruption via a role-playing workshop, where they essayed different roles: that of the actor/corruptor, and the corrupted party. Prevalent in their role-playing exercise was the existence of "Fixers" or "Middlemen" in LTO. In charting the consequences of

When we actualize our commitment to fight graft and corruption, we are not just doing so on an individual level. Dapat po meron tayong malasakit, because we are doing it for our institution, and ultimately, for the betterment of the entire bureaucracy.

ter a couple of pep talks from our Administrative Officers, Amelia O. Peligro, I accepted. Seeing God's hand in everything, I thought maybe facilitating Module 2 and 3, my most feared modules, was actually a way for me to get over that ultimate fear.

So off to battle (and Zamboanga), I went.

(At this point I was already a basketcase. I felt apprehensive and insecure. I felt I was to primed enough to facilitate these modules, I worried about everything - from what to wear, to my participants' expectations, to the availability of the whiteboard markers and manila papers for the module workshops - I was a virtual wreck).

Should I be nice and cheery as I already were? Or should I be aloof and poker faced, maintaining that teacher-student distance?

Inevitably, then came my "first time".

Walking into a room of LTO-IX officials is walking into the lion's den. Literally. It's an old boys club, a fraternity of sorts, with only a handful of women assigned to administrative positions. I walked into a room of forty-one expressions - some expectant, some amused, one indifferent - all comprising the operations, licensing, registration, administrative and traffic enforcement divisions of LTO in Region 9.

To be truly armed for battle, I prepared for a war. I opted for a MS powerpoint presentation, highlighting the common laws on graft and corruption, citing landmark cases on the side. I prepared my lectures with man-

graft and corruption, LTO employees cited poverty as a direct consequence, which begets volatile peace and order situations, further contributing to the perennial problem of lack of investments - begetting more poverty for the Filipino people.

Recitations in Module II were a source of wonder and wry amusement. When asked if a "contract of deal", roughly translated as a deal where money is given to an LTO official to perform a transaction and upon completion, money in excess of said transaction was not returned - this facilitator threw the question back - "what do you think?"

My participants' answers were simply classic: Spaghetti Group - "There is nothing wrong with said arrangement. B wants a job, A gets the job done, everybody happy."

Striking Force - "There's nothing wrong - after all, nobody's complaining anyway."

Goalkeeper - "Mali ho yun dahil every government official is already paid his salary, hindi dapat siya tumanggap ng additional pera."

Friendly - "Okay lang - after all, LTO official did not ask/request for the money, it was just given to him".

Cuidao - "Iha, tulong na yun sa tao."

"Tulong sa tao?" When we reminded that a "contract of deal" **MY FIRST P/7**



SANCHEZ

HE SEEMS too quiet and unassuming to be the Most Outstanding Resident Ombudsman for Mindanao (2003), but in this case, you certainly can't judge the book by its cover. Samson J. Sanchez, currently the Provincial General Services Officer of the Province of Davao del Norte is such a soft-spoken and self-effacing man. He smiles easily, and extends a friendly welcome to friends and visitors alike.

Born and raised in Kapalong, Davao del Norte, Samson first imagined himself to be a priest, thinking that it was the best way to be of service to the public. He studied at Briz Elementary School and the Parochial High School, St. Mary's

Text Life

By Ma. Rosanna S. Navidad

LONG before the next mechanism became in vogue among government agencies, Ombudsman-Mindanao was already into it. Still, most of those who later launched their own text program came up with systems generated processes, whereas, Omb-Min operates via a more personal approach.

Members of the Public Assistance Unit (PA) take turns in manning the two cellphones (09189156279; 09175496241) and for such effort, we get the title “text officer” of the day. Golly! It’s a full-time job, not exactly the breeze that I imagined it to be. Every time I am a text officer, I am hardly able to do anything but answer text messages.

Many of the curious, ask what kind of messages we received? We have received everything from the mundane to the serious, the colorful to the drab. There were plain commentaries from people who wanted to let off steam against the bureaucracy, clearance follow-ups from applicants, case status inquiry from parties, reports of anomalies from anonymous complaints, requests for legal advice, and believe it or not, even the telephone numbers and addresses of various government agencies.

Contrary to common impressions however, attending to text messages, though routinary, is

never a bore. I had an unforgettable experience as a text officer when an anonymous text message found its way into my personal cellphone. Thinking it was missent, or a prank, I initially ignored it, specially since, the sender refused to disclose his identity. The first message was soon followed by several disturbing messages, harping on the same theme, from the same number, which I usually receive at night. Even more unsettling is the fact that each time I attempted to call the number, it cannot be reached.

The messages urged this Office to conduct an investigation against a top ranking government official who allegedly enriched himself in office (we’re talking millions here), through some money-making schemes the texter detailed. Mind you, the account number as well as the bank branch was specified! I initially got scared. My overreacting mind began conjuring images of poor me in some decrepit safehouse hiding from the thugs of this notoriously prominent figure (“isang preso ka lang”), of going around in a phalanx of bodyguards (good if they were mala-Kevin Costner) . . . of being stalked . . . threatened . . . etc. Suffice it to say that after I have objectively analyzed the messages, I realized that this Area-Office had no jurisdiction over the concerned official because he was based in Metro Manila, so my report was eventually forwarded to the OMB-Proper (hah! . . . there goes my short ticket to

fame). Much later, I read in a national daily that the subject official was dismissed from the service.

Just like the movies - that aptly describes the kind of messages we received. We had our share of tearjerkers. The abandoned wife of a policeman texted to seek advice on how to get a share of his retirement benefits. Their three kids are with her, and they lead a hand-to-mouth existence, while the “scoundrel” cohabited with a younger woman, and was about to enjoy retirement bliss.

There’s also comedy in text. After his questions were dutifully answered by the text officer, one texter suddenly replied, “text u later, im about to make luv”. Good thing he didn’t give a graphic account, ha ha ha, that would have raised some hackles.

Text life has action. A very secretive texter urged this Office to send secret agents . . . este . . . investigators, to a public bidding to be conducted in some provincial office the next day. Some hat trick was purportedly in the works to ensure that the favored bidder comes out winner. He did name in advance the name of the supposed winner. The Office did send investigators after validating the information given by the texter.

We get the occasional psycho-thrillers. A text went this way: “pls save me and my family, our lives

Text P/7

ODO speaks at PCCI Workshop

By Ma. Amelita P. Garcia

THE PHILIPPINE Chamber of Commerce and Industry (PCCI) together with the Investment Climate Improvement Project, an Advocacy Plan of the American Chamber of Commerce of the Philippines, Inc. has invited the Office of the Ombudsman to the Workshop on Red Tape and Corruption.

The activity had two-fold aims, to wit: to find common avenues for the business community to come up with reform measures that will minimize bureaucratic and governance loopholes; and, to serve as a consultation process of PCCI for resolutions in preparation for the Philippine Business Conference set on October 2006.

The newly appointed Overall Deputy Ombudsman Orlando C. Casimiro graced the occasion on August 23, 2006 as speaker on the topic “Clarity and Transparency: The Role of the Office of the Ombudsman”.

In his speech, he stressed that “The Office of the Ombudsman is the lead enforcer of public accountability. . . likewise, an advocate of transparency in the bureaucracy.” These two (2) concepts “have close relations considering their importance in governance. They are also critical for the efficient functioning of a modern economy and for fostering social well-being.”

He further explained that “transparency serves to achieve accountability which means that authorities can be held responsible

for their actions.” Moreso, without these concepts in governance, “trust will be lacking between the government and those whom it governs” resulting to social instability and an environment that is less than conducive to economic growth.

ODO also share with the participants the proactive initiatives that are being undertaken for the sustenance of integrity and the promotion of efficiency that contribute to the achievement of the Office’ institutional goals. These initiatives were highlighted by the following: reforming the organization through augmenting the number of personnel and resources of the Office; the Enhance Strategic collaboration and partnership with various sectors by way of these Program of Activities: adoption of the National Anti-Corruption Program of Action (NACPA); the Lifestyle Probe Program; the Transparency in Procurement; the Courtwatch Monitoring Program; the installation of Resident Ombudsmen in different government agencies; the Values Formation Program; Public Assistance and assistance from the International Donor Community.

The workshop was participated in by the country’s business leaders, government agency heads, city mayors, foreign chambers and World Bank officials. In this forum, issues on red tape and corruption and their implications to business in the Philippines context were tackled.

LTO conducts Ehem! Aha! seminar workshop

By Menelia C. Mortel

Chief Internal Audit Division, LTO

IN LINE with the Integrity Development Program of the Land Transportation Office (LTO) and in support of the anti-corruption program of the government, the 1st Ehem! Aha! Seminar Workshop was conducted last January, 2005 by Fr. Albert Alejo, SJ, which was attended by the Assistant Secretary, Regional Directors, Assistant Regional Directors and members of the Central Office executive committee during the Quarterly Regional Directors’ Conference. This was followed by the issuance of a memorandum by LTO Assistant Secretary Anneli R. Lontoc directing the regional directors to conduct this corruption sensitivity seminar workshop to their respective officials and employees. The regional offices conducted a series of seminars in close

coordination with the Regional Office of the Ombudsman while LTO-NCR and Central Office coordinated with the Office of the Ombudsman in Quezon City. It is worth mentioning that six (6) regional offices, namely: Regions I, III, IV, VI, X, XI were awarded last April 28, 2006 during the LTO 94th Founding Anniversary for 100% attendance of employees in the Ehem! Aha! seminar. To date, all employees of the central office have completed the said seminar. On the other hand, other regional offices are committed to finish this seminar within the year, as this is also included in their respective regional integrity development program.

LTO EMPLOYEES’ CREDO

We, in the Land Transportation Office, are Inspired by the Blessings of Almighty God, Nurture by an abiding

faith in the goodness of man and guided by the Constitution of the Republic of the Philippines To which we owe allegiance.

We do profess, as law-abiding citizens sworn to duty as public servants; That we believe in putting the interest and welfare of the people before our own; That public service is a public thrust; That guided by our conscience and moved by our commitment and vow to performance excellence, we shall always strive to be transparent in all our dealings to eliminate graft and corruption and to serve Almighty God our fellow men and this country.

We believe that we are and will always be true and faithful public servants. In our hearts, words and deeds. So help us God.

OMB-VIS from page 1

Iloilo-CPU headed by Monsignor Meliton Oso, the DOJ Prosecutors headed by Regional State Prosecutor Domingo Laurea and Iloilo City

Prosecutor Ephraim V. Baldago. Also present was our Ombudsman Liaison/Coordinator for Region 6 Mr. Roddy Gumabong.



IT’S OPEN TO SERVE THE PUBLIC

Ombudsman Gutierrez assisted by Iloilo City Mayor Trenas cut the ribbon symbolizing the opening of Regional Office in Iloilo.

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and the Bureau of Internal Revenue.

In line with the maxim, “Ignorance of the law excuses no one from compliance therewith”, RO Sanchez initiated the conduct of trainings such as “Forum on Administrative Order No. 10” and the “Procurement Watch Seminar”, both of which were participated in by the Resident Ombudsmen from other parts of Mindanao. Said seminars aim to acquaint the public with anti-corruption laws and familiarize them with proper procedures in government transactions, particularly bidding processes. More recently, RO Sanchez, in his capacity as AROGA XI President and Head of the General Services Office of the Province of Davao del Norte caused the re-launching of the “FOR OFFI

CIAL USE ONLY” markings on all provincial government vehicles.

With such a grinding schedule both as Head of the General Services Office, and as Resident Ombudsman, Samson finds solace in reading, spending time with his daughter, Samuelle Marianne, and listening to the bossa nova tunes of Sitti and the legendary Astrud Gilberto.

Recently conferred as Outstanding Resident Ombudsman, and now on his second term as AROGA XI President, RO Sanchez is now busy preparing, among others, the first-ever conference of all AROGA delegates from all over Mindanao, scheduled in September 2006.

Indeed, for once-seminarian Samson J. Sanchez, it seems that being a priest is not the only way to be a “man for others”. Truly, he is one of RO’s best.



TIMEOUT REFEREE!

Ombudsman Volleyball Teams for inter-agency sportsfest pose before their games. Composing the Women’s Team are: (from left front row) Zenaida Tabaque, Aileen Rodriguez, May Blessing A. Corpuz, Edith Dizon (back row from left) Libye Tengson, Dianne Belo, Flor Cabato (Team Captain), Jing Rañosa, Mary Rawnsel V. Lopez, Amylou Fernandez. (Not shown in photo is Faye Aceron) For the Men’s Team are: (from left, seated) Rafael Garcia, Alan Cañares (back row standing from left) Eric Gutierrez, Alex Lazo, Mike Caballer, Xandrick Malones, Randy Tongco, Bob Callos (Team Captain), Edwin Delos Reyes, Daniel A. Enriquez and Ronald Chua. (Not shown in photo are Mario Quinit and Richard Narvas).

Biblical Integrity

By Jenni G. Sosa

The word “Integrity” is used 16 times in the Bible.

The wisest man who ever lived on earth (King Solomon) mentioned the word “integrity” 3 times in the book of Proverbs:

Proverbs 11:3
The integrity of the upright shall guide them: but the perverseness of transgressors shall destroy them.

Proverbs 19:1
Better is the poor that walketh in his integrity, than he that is perverse in his lips, and is a fool.

Proverbs 20:7
The just man walketh in his integrity: his children are blessed after him.

(Bible verses are taken from the Authorized King James Version 1611)

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The views and opinions appearing on the Integrity Watch News do not necessarily reflect those of the European Commission/Union

Correction, please

The title of the article on page 8 written by Atty. Rafael “Ritchie” Hipolito of July issue which reads as: “International Development Review Updates” should be “Integrity Development Review (IDR) Updates”

The caption of the picture on page 5 of July issue which reads as “STARCM DIRECTOR OSCAR MAMA signs the Statement of Support to OMB National Anti-Corruption Program of Action (NACPA) in the presence of Glynn Baker and DO Valenzuela” should be “Signing of Commitment of Support with STARCM Directors Oscar Mama, Glynn Baker and Deputy Ombudsman Valenzuela looking on”.

The caption of the picture on page 5 of July issue which reads as: “AHA! Focus Group Discussion Team from OMB-Luzon was conducted with the teachers” should be “AHA! Focus Group Discussion Team from OMB-Luzon was conducted with the LGU officials from Aparri, Cagayan and Resident Ombudsmen in Region II”.

The Hong Kong Experience

How to formulate an effective Anti-Corruption Strategy in an organization (2nd of 2 parts)

The Followings are some of the areas you can go through in this analysis :

System

*Is the system conducive to efficiency, value for money and accountability? *Is there a review mechanism to review enforcement decisions and results? *Are there adequate optional guidelines for staff? *Is there a strict confidentiality rule to protect the whistleblower?

Staff

*Are the human resources management, i.e recruitment, promotion, termination built on the emphasis of staff integrity and professionalism? *Is there an internal monitoring system to ensure staff integrity?

Skill

*Is professional skill available internally to conduct management audit and investigation of corruption complaints? *Is there adequate training to ensure the professionalism and integrity of staff?

Structure

*Does the structure ensure supervisory accountability? *Is there an internal affairs unit to take up professional investigation of corruption complaints? *Does the unit adequately resourced and supported?

Style

*What is the management style? *Are there effective

communication and staff consultation?

Strategy

*Is there a comprehensive corporate plan to fight corruption? *Is the fight against corruption based on reactive or proactive approach? *Is there a clear strategy in formulating partnership with outside agencies in fighting corruption? *Is there a strategy in dealing with the media?

Shared Value

*Is the leadership setting a good example? *Does the staff have a shared value in ethics and integrity? *Is there a code of ethics for staff? With adequate training? *Is there a fair reward and sanction system?

Step 3- Identify the Major Problems

Having scanned through the external and internal environment, it should not be difficult to identify the major problems or barriers in effectively fighting corruption. In most of the organization in corruption prevalent countries, they usually share the following major problems :

* Lack of or inadequate top political will to fight corruption. *Lack of commitment in investigating internal corruption. *Investigations are

often subject to political interference. *The internal rules are inadequate in dealing with corruption. *There is general apathy to corruption in the organization. *Low salary of public servants. *Lack of strategic partnership in fighting corruption.

Step 4 - Formulation of strategy and strategic plans

Having identified the major problems, it would be up to the organization to come up with a comprehensive anti-corruption strategy, and then to translate the strategy into action plan for implementation.

What is Hong Kong ICAC Strategy

As a result of the success of the Hong Kong model in fighting corruption, many countries followed Hong Kong's example in setting up a dedicated anti-corruption agency. However, many of them are not effective and hence there are queries as to whether the Hong Kong model can be successfully applied to other countries. The point is whether there is a thorough understanding of the working of the Hong Kong model. In my view, it consists of the following eleven components:

1. Three pronged strategy

As stated earlier, there is no single solution in fighting corruption. Hong Kong ICAC adopts a three pronged approach: deterrence, prevention and education. As a result, the Commission consists of three separate departments: the Operations Department to investigate corruption; the Corruption Prevention Department to examine the systems and procedures in the public sector, to identify the corruption opportunities and to make recommendations to plug the loopholes; and, the Community Relations Department to educate the public against the evil of corruption and to enlist their support and partnership in fighting corruption.

2. Enforcement led

The three prongs are equally important, but ICAC devotes over 70% of its resources in the Operations Department. The reasons are that any successful fight against corruption must start with effective enforcement on major targets, so as to demonstrate to the public the government's determination to fight corruption at all costs, as well as to demonstrate the effectiveness of the anti-corruption agencies. Without that, the public would be reluctant to come forward to report corruption. Successful enforcement assists in identifying problem areas for

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MESSAGE

from page4

table of the poor and is more than enough to send us all to hell, according to the Gospel.

What happened to the fertilizer fund? We have referred a case to the Office of the Ombudsman-Visayas relative to the fertilizer fund scam where even the dead and non-existent individuals were reported to have received sacks of fertilizers. It is my personal prayer in this Holy Mass that this case is acted upon with dispatch.

In the face of all these, what can be done against this worst crime/sin of all?

First, for all government officers to be a CORRUPTION INTOLERANT! Do not tolerate nonfeasance, misfeasance and malfeasance.

What do we mean? A few years ago, I requested a document from a government agency for a piece of land the Archdiocese would use for its housing project for the poor. I got the document after two years and that was after I made a verbal complaint to the Resident Ombudsman of the agency and threatened them with a formal complaint before the Office of the Ombudsman. Think of the time I spent following up the document. Imagine further, other tax

payers who come from far away places, spending time and money, only to be frustrated. I also wrote a letter to another head of a government agency because in my phone conversation with her subordinate I was rudely treated. The head of office thanked me for my vigilance but she justified the behavior of her subordinate. Anyway, the person concerned brought the letter personally to me and apologized. As I wrote the letter, I was thinking of the many simple folks who would go to that office and would be treated as rudely or, perhaps, more rudely than I was. And simple folks would just keep quiet and would never assert their rights. These are simple things, but they reveal so much about the kind of public service that the sovereign people in this country. Our appeal then to people in government is: do not tolerate your colleagues and subordinates. Call their attention immediately if adverse reports have been made against them. Investigate the accusation thoroughly and let the ax fall where it may, and prosecute the erring, if necessary. In addition to a very simple and transparent lifestyle for public servants, if only all government offices will become CORRUPTION INTOLERANT, we will be

sending a very strong message to everyone and, indeed, we will lessen incidences of corruption, if not eradicate them altogether. Second, “Only with the help of the citizenry can we reduce if not eradicate graft and corruption,” says now resigned Tanodbayan Simeon Marcelo. Indeed, corruption can only be curbed or eradicated with the help of the citizenry.

With well-meaning and vigilant citizens volunteering their selfless services as observers in the Bids and Awards Committee of government and as IRA watchers — WE CAN! At this point, with pride, we would like to introduce to the honorable Tanodbayan Ma. Mercedes Navarro Gutierrez our Corruption Prevention Units (CPUs) and our volunteers (127 altogether) from the five pilot municipalities of the five congressional districts of Iloilo: IGBARAS; STA. BARBARA; C A B A T U A N ; DUMANGAS; and BAROTAC VIEJO. They come from all walks of life, from the sector of the retired senior citizens, the professional sector, from the youth sector, the students. Only with their participation, only with their well-meaning service, only with their vigilance can we reduce, if not eradicate, graft and corruption in

the City and Province of Iloilo.

Third, in January 2003 the social action network was invited by the President to a dialogue at Malacanang. I was tasked to give an input on our anti-corruption advocacy. Two things we suggested to the President: first, to put an extension office in Iloilo; and second, for the Office of the Ombudsman to act with dispatch on cases brought to its attention. The first is being realized today as we inaugurate this regional office and we hope the second will be facilitated because of this regional office. Yes, we trust the sincerity, dedication to service, and honesty of the OIC-Deputy Ombudsman for the Visayas. However, the interest of justice and the struggle for a CORRUPTION FREE Philippines will be best served, if cases filed or brought to the attention of the Office of the Ombudsman are acted upon with dispatch.

As we inaugurate today this regional office, let us hear Jesus saying: "Whatsoever you do to the least of my brothers, that you do unto me." For Jesus in the poor, let us all join hands to make at least Iloilo City and Province CORRUPTION FREE. May God who has begun the good work in us bring it to fulfillment.

PASAY from page 1

budget and in the absence of a certification from the City Treasurer as to the availability of funds”. Under the same Resolution, Trinidad was authorized to extend the contracts for services for a period not to exceed 90 days so as not to hamper the services covered by said contracts.

However, on February 13, 2004, Trinidad entered into separate contracts with L.E.G. Hauling Services Corporation, Excellent Transport Services, Inc., Solid Waste Alternative Tech., R.M. Maintenance Services and Greenline Envirotech Phils. for the garbage collection and disposal for six months, from February 10, 2004 - August 31, 2004.

On August 4, 2004, Trinidad entered into another contract with the same companies by virtue of Resolution No. 1979, s. 2004 approved by the Sangguniang Panglungsod of Pasay on July 28, 2004. The said resolution gave Trinidad authority to extend the said contracts for four months, from Sept. 1 - Dec. 31, 2004.

Trinidad again entered into another contract with the said companies on December 28, 2004, after the Sangguniang Panglungsod passed Resolution No. 2013, s. 2004 giving the mayor authority to extend the contracts for garbage collection for another six months, from July 1 - Dec. 31, 2005.

In a 12-page Order, Ombudsman Ma. Mercedes N. Gutierrez said that by passing the questioned Resolutions, “the required public bidding was effectively dispensed with, and subsequently allowed respondent Trinidad to successfully enter into the several contracts for the city’s garbage collection and disposal.”

The Order also says the circumstances obtaining during the time of the approval of the said Resolutions do not justify an exemption from the public bidding requirement.

It also noted that the Sanggunian should have strictly observed existing laws, particularly in public bidding, considering the huge amount it had appropriated for garbage collection for the years 2004 - 2005, in the total amount of P464,640,000 or P232,320,000 per year.

Because of these, Ombudsman Gutierrez said there is cogent reason to place the said respondents under preventive suspension.

Trinidad filed a petition for certiorari before the Court of Appeals (CA) for the issuance of a Temporary Restraining Order (TRO).

He also asked the CA to issue a judgment “annulling and setting aside the Order dated August 25, 2006 of respondent Ombudsman placing herein petitioner under preventive suspension.”

But as of this writing, the appellate court has yet to act on the mayor’s petition.

Interior Sec. Ronaldo Puno had sworn in Councilors Allan Panaligan and Arvin Tolentino as Acting Mayor and Acting Vice-Mayor, respectively.

TUNA from page 2

was responsible for the overall management of the project including the approval of workplans and the release of budgets. Hence, the funds were released to and received by PRIMEX.

On December 27, 1993, or after the expiration of the contract on December 1, 1993, the DA and PRIMEX entered into a “Supplemental Contract for Consulting Services for the Conduct of the Philippine Tuna Research Project”. It was intended for the continued collection of data/information through the Landed Catch and Effort Monitoring (“LCEM” for brevity) at eighteen (18) fish landing sites in the Philippines until August 31, 1994. This supplemental contract required an amount of TWO MILLION PESOS (Php2,000,000.00). Upon release, this additional amount completed the PTRP contract price in the total amount of FORTY-ONE MILLION EIGHT HUNDRED FORTY SIX HUNDRED FORTY FIVE THOUSAND PESOS (Php41,840,645.00).

A draft Final Report submitted by PRIMEX to BFAR in December of 1993 helps give us an honest view of the results of PTRP. Consider the following declaration in the Final Report:

“There is a need to continue monitoring the tag returns to obtain time series data since there is a great probability of biased results when analysis is undertaken only on short term returns”.

If a specific objective of the study was to tag 25,000 tunas in a span of eleven (11) months and obtain at least 10% of the number for “tag returns”, how can BFAR say that tagging only 13,000 tunas in a span of three (3) months was sufficient on the research study?

If a specific objective of the project was to limit the tagging operation to skipjack and yellowfin tunas, how can BFAR say that tagging big-eyed tuna (to increase the number of tagged tunas) will not affect the results of the research study?

Next time you face a sumptuous meal of grilled tuna belly, think how much the government had spend to study this fish. And in case the money for the PTRP project came from a World Bank loan with huge interest, and placing this country deep in debt, JUST BLAME IT ON TUNA!

TEXT from page 3

in immediate danger, suspicious looking men r nw following us.” The text officer frantically texted - “quick! give us more details, so we may know how to help you.” Then came the next text: “we are being followed by arab-looking men. Ds r al queda bombers now hir in the phils to launch anothr attack on d US. Dey now use computr operatd weapons of mass destructn.” Oooppss, some screws are loose somewhere.

Still, everyone in our group would surely agree that our “text life” lends variety, drama and excitement to our existence at the PA Unit.

NEW ODO from page 1

ODO Casimiro, she surely is his wife, the former Ms Araceli Flores, with whom he has six children.

The Casimiro's are both alumna of the Silliman University in Dumaguete City, Negros Oriental where ODO Casimiro obtained his degrees in Business Administration major in Management and Bachelor of Laws.

OCC turned 60 last August 26. He was born in the Municipality of Umingan, Pangasinan to the spouses Cresencio and Asuncion Casimiro.

A believer of the saying, "Kalabaw lang ang tumatanda", OCC vows to serve as ODO in the next seven years with the same zeal and fervor as when he first entered the Office of the Ombudsman in 1991.

RED from page 1

Force O-Plan Red Plate filed criminal and administrative complaints against sixty (60) officials and employees from thirty (30) government agencies during its first press conference held at the CCB Function Room.

Among the respondents revealed during the presscon were some local officials, directors, and an assistant secretary. The respective drivers of the abovementioned personnel at the time of the questioned trips were also accused of the same charges.

Most of the vehicles used by the respondents were seen by the Task Force in suspect places like shopping malls, night clubs, bars, restaurants, theme parks, and beauty salons during or after office hours, including Saturdays, Sundays, and holidays.

The Task Force members determine if the travel is official or not after examining the photos taken during the operations, together with the Memorandum Receipts, Travel Orders, Trip Tickets, and other documents turned in by the concerned government offices. Agencies found to have utilized the vehicles for personal purpose and/or have not duly issued trip tickets to record the trips are then considered liable under Republic Act 3815, Article 217 (Malversation of Public Funds or Property), Republic Act (RA) 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees), Sec. 22 Rule 14 of Omnibus Rules Implementing Book V of the Executive Order No.292, Commission on Audit (COA) Memo. No. 2000-120, and Sec. 361 of Government Accounting and Auditing Manual (GAAM).Task Force O-Plan Red Plate, headed by Assistant Ombudsman Mark E. Jalandoni and Assistant Special Prosecutor II Caesar D. Asuncion, was created on April 28, 2006 by virtue of Office Order No. 06-33. Since then, its members from the OMB-Proper, Field Investigation Office (FIO), and Office of the Ombudsman for the Military and Other Law Enforcement Offices (OMB-MOLEO) have been monitoring major cities and municipalities within and outside the National Capital Region.

is one crime contemplated in RA 3019 (Anti-Graft and Corrupt Practices Act), for which they may be charged criminally and administratively, and actually be dismissed from the service - the room fell into a hushed silence. Interesting.

Module 3 offered participants a moment of reflection that leads to their decision making, by highlighting the human side and the ambivalence of Filipino values such as “utang na loob”, “p a k i k i s a m a”, “bayanihan” at “pagmamahal sa pamilya.” In citing love for family, participants state that this is a positive Filipino value, as the family should be one’s top priority. It then becomes a negative value because when translated in the workplace, too much love for family can lead to “nepotism”, “favoritism”, or even “blind loyalty”. Here, LTO officials took a moment to reflect, and agreed that love for family is good if its is couple with “hiya” (shame or embarrassment), and is within the bounds of the law. Aptly stated by the Cuidao group - “It is no longer love when you feed your family with money na kinurakut mo.”

Zuleika T. Lopez is a Graft Investigation and Prosecution Officer I of the Office of the Ombudsman - Mindanao. A Broadcast Communication graduate of UP Diliman, she jumpstarted her career doing production work for ABS-CBN Davao, and later on served as Information Officer III of UP Mindanao. She completed her Bachelor of Laws at San Beda College of Law, where she was the Associate Editor of the “Barrister”. She’s currently writes a column for The Mindanao Insider Daily (a local daily). “Lyca”, as she is fondly called, dreams of going to Florence, and loves the color pink.

MEET from page 1

Order of one-year suspension meted against officials of the Quezon City Government; (2) Ms. Erlinda Paran’s request for and in behalf of her uncle Rodolfo H. Kahulugan, for financial assistance by way of payment of hospitalization incurred during his confinement. The said request was indorsed to the Philippine Charity Sweepstakes Office (PCSO); (3) Mr. Francisco Lopez’ request for the issuance of a Certificate to File Action in court in connection with his complaint against his nephews who illegally entered his house, after the Punong Barangay allegedly refused to issue the same; (4) Mr. Leoncito Cabales’ grievance against the Assistant Head of the Department of Public Order and Safety (DPOS) of Quezon City Hall for alleged irregularities in handling traffic adjudication cases; (5) Mr. Bonifacio Jaray’s grievance against a deputized Traffic Enforcer of Barangay Pasong Putik in Lagro for his alleged unlawful issuance of a ticket for Breach of Franchise;(6) Mr. Alipio G. Ibuyan’s request for a lawyer who could assist/represent him in the case which he filed against the Ex-Officio Sheriff of Quezon City for failure to execute a Deed of Ab-

MY FIRST from page 4

I cannot help but remember all these as I glance at my student participants, all 41 of them, hurriedly scribbling their personal credo and bite size commitments, as they get involved and formulate future action plans to combat corruption. Their bite-sized commitments, such as “I will come to work on time”, or “I will continue to avoid illegal transactions in the LTO Operations Division”, when taken collectively, is a step to fight their very own indifference, to recover their rage against graft and corruption.

Aptly stated by their Regional Director, Atty. Abaton, upon his acceptance of his co-worker’s bite size commitments - “The LTO is perceived to be one of the most corrupt agencies in the country. When we actualize our commitment to fight graft and corruption, we are not just doing so on an individual level. Dapat po meron tayong malasakit, because we are doing it for our institution, and ultimately, for the betterment of the entire bureaucracy.”

And now, it’s over. My hurried days of facilitating the *Ehem! Aha! Program* came and went. My fervent wish is that my student par-

ticipants, young (and old!) as they are, learned something from me. In such a short time that I’ve been a part of their lives, I became a student, and they, my teachers. Was it Confucius who said that the mark of a teacher is one who seeks to learn from his students? “Tis true.” I’ve learned to be more tolerant, more patient, to make “alalay” and guide them through various laws on graft and corruption, in essence experiencing, analyzing, reflecting and finally, formulating action to fight my own indifference. Going through the *Ehem! Aha! Program* gave me a keener and deeper appreciation of the program that serves as a tool for making people more seriously sensitive and bothered about corruption, and more deeply involved in combating it at individual, group and institutional levels.

I am humbled!, and truly grateful.

My first time as an *Ehem! Aha!* teacher/resource person is almost like a first romance. There is the apprehension, the expectations, the simple triumphs, the whirlwind courtship. It is a time never forgotten but recalled often, and cherished forever.

WELCOME

By Bert T. Endab

TWENTY-FOUR new employees, fifteen (15) of which were lawyers and nine (9) non-lawyers, from the Central Office, the Office of the Special Prosecutor and the Office of the Deputy Ombudsman for Luzon, completed the Orientation Program for the new employees from July 25 to 31, 2006.

This is in compliance with Office Order No. 128 series of 2003 which adopted WELCOME, which stands for Winning Employees’ Loyalty and Commitment to Office Mandates and Ethics. The seminar incorporated PRIDE orientation. PRIDE stands for “Pursuing Reforms through Integrity Development”. The seminar thus gave a sharper focus in the more stringent norms of behavior and ethical standards applicable to the officials and employees of the Office.

Integrity Development and Public Accountability Seminars in Misamis Oriental and Iligan City

By Maria Iluminada S. Lapid-Viva

TO EFFECTIVELY carry-out the crusade against graft and corruption in government and to continue building the image as the people's vanguard for honesty, integrity and efficiency in public service, the Office of the Ombudsman for Mindanao and the Regional Office in Cagayan De Oro City, in coordination with the Provincial Government of Misamis Oriental and the City Government of Iligan City, conducted a series of seminar workshops on integrity development and public accountability for local government officials. This was mainly to give then an overview of the anti-corruption laws, remind them of the ethical issues on corruption and familiarize them with proper procedures in government transactions particularly on procurement processes.

The seminar workshop for the Province of Misamis Oriental was held on August 23, 2006 at the Pearlmont Inn in Cagayan de Oro City. This was attended by about 250 public officials from Misamis Oriental, composed of municipal mayors, members of the sangguniang bayan, provincial government department heads, barangay officials, resident ombudsmen and representatives from national line agencies. The Honorable Governor Oscar S. Moreno gave the inspirational message to the participants.

On the same day, the newly elected officers of the Association of Resident Ombudsmen in Region X were inducted to office by OMB-Mindanao Officer-in-Charge Deputy Ombudsman Rodolfo M. Elman. The new set of officers is now headed by Atty. Nicanor Cancio Guibone, Misamis Oriental Provincial Legal Officer.

On August 24, 2006, the same seminar workshop was held at the Maria Cristina Hotel in Iligan City. This was attended by a total of 96 participants led by Acting Iligan City Mayor Henry C. Dy. The other participants present were members of the Sangguniang Panlungsod of Iligan, city department heads and barangay officials. The keynote address was delivered by OMB-MIN OIC-Deputy Ombudsman Elman.

During both seminars, the participants were given a lecture by OMB-MIN senior lawyers on five modules, namely: Module 1 - The Office of the Ombudsman, Module 2 - Public Accountability and Procurement Issues, Module 3 - Experiencing Corruption, Module 4 - Statutory Perspective of Corruption (Penalizing Corruption) and Module 5 - Ethical Issues on Corruption.

Also in Iligan City, the participating officials, again led by Acting Mayor Dy and

26 barangay chairmen signified their statement of support to the Ombudsman National Anti-Corruption Program of Action (NACPA). The participating Iligan City barangays are: Abuno, Mandulog, Mahayahay, Mainit, Santiago, Bagong Silang, Bunawan, Dalipuga, Del Carmen, Digkilaan, Ditucalan, Kabacsanan, Kalilangan, Luinab, Pugaan, Rogongon, San Miguel, Saray, Suarez, Tambacan, Tipanony, Tomas Cabili, Ubaldo Laya, Upper Hinaplanon, Upper Tominobo and Villa Verde.

In a simple but meaningful signing ceremony, these barangay officials declared their "support and active participation in the NACPA to draw (their) collective strength as the concrete translation of the convergence strategy under the leadership of the Office of the Ombudsman".

There was a very good turnout of participants in the seminar workshops in the cities of Cagayan de Oro and Iligan. The Office of the Ombudsman in Mindanao and the Regional Office are thankful to all the responsible public servants who gave their honest-to-goodness effort for the success of the said activities.

Indeed, the belief that we still can get better as a nation still holds true.

OMBUDSMAN-VISAYAS Launches Aha! Primer & Ehemplo MTV

By Belle M. Quijano

LAVENDER is the color of the day, when the Aha! Citizens' Primer on Whistleblowing was launched in the Visayas. The color lavender was purposely chosen to set a pro-gender mood of royalty and vigilance.

After conducting a series of Focused Group Discussions in Cebu, Bacolod and Tacloban, the Ehem Technical Working Group composed of GIO II Josephine D. Mojica, GPCO V Vicky Roberto, GIO I Dr. Belle M. Quijano, GIO I Teresita Angeles and Dr. Ronnie Amorado of the Philippine Province of the Society of Jesus, has finally come up with the Primer on Whistleblowing. The Primer aims to guide those who are willing to testify against persons involved in corruption and other wrongdoing. The launching was well attended by 230 participants representing different sectors in the community, such as the religious sector, academe, youth, NGOs/CPUs, media, government agencies and employees of the Office of the Ombudsman-Visayas.

OIC-Deputy Ombudsman Virginia P. Santiago welcomed all the guests and participants to the launching, and delivered a brief but direct message by reminding the participants to be responsible whistleblowers, whenever they have an irregularity to be reported to the anti-graft Office. She also encouraged the citizenry to be vigilant on alleged anomalies in the government because it is the only way we can curb corruption.

Two very effective speakers in the launching were Rev. Fr. Albert Alejo, SJ, the Ehem-Aha Team Leader and composer of the newly launched song, entitled, "Ehemplo" which sends a beautiful message that people, especially in the government, should possess moral ascendancy and set good examples to the public. Adding excitement to the launching of the "Ehemplo" was the special dance number presented by the Ehem Dancers of the Ombudsman-Visayas. The Spirituality of Whistleblowing was also passionately discussed by

Fr. Alejo. It makes whistleblowing not just an ordinary reporting of some irregularities, but more of a patriotic duty of every citizen. That the whistleblower should have a noble intention when he reports. One striking line that Fr. Alejo said during his presentation was "Corruption is violence, therefore, those who work against corruption are peace-loving people." From his statement, we can therefore say that well-meaning whistleblowers are people who are working for peace.

Dr. Ronnie Amorado, the Ehem-Aha! National Coordinator, presented a brief background on how the focused group discussions were conducted and how the Primer on Whistleblowing came about. He presented the data gathered, researches and the findings which are all found in the FGD Executive Report, copies of which are distributed to the participants. Dr. Amorado also acknowledged the significant contribution of the FGD facilitators during research exercises conducted in the Visayas.



Dr. Amorado and Fr. Alejo from PPSJ and OIC-DO Virginia P. Santiago pose with EHEM! AHA! Technical Working Group and OMB-Visayas FGD Teams during the Aha! Primer Launching.

HONG KONG

From page 6

corruption prevention review and can clear any human obstacle in the review. The successful enforcement stories also provide basis for public education and act as deterrence for the other corrupt officials.

3. Professional Staff

Fighting corruption is a very difficult task, because you are confronting with people who are probably very intelligent, knowledgeable and powerful, thus the corruption fighters must be very professional in their jobs. The ICAC ensures that their staff are professionals in their diverse responsibilities - the Operations Department has professional investigators, intelligence experts computer experts, accountants and lawyers as their staff. Corruption Prevention Departments has management/technical experts and the Community Relations Department pools together education, ethics and public relations expert. Apart from professionalism, all ICAC staff are expected to uphold a high level of integrity and to possess a passion and sense of mission in carrying out their duties. ICAC strives to be highly professional in their investigation. ICAC is one of the first agencies in the world to introduce the interview of all suspects under video; they have a dedicated surveillance team with over 120 specially trained agents who took surveillance as their life-long career. They also have a number of specialized units such as witness protection, computer forensic and financial investigation.

4. Effective Deterrence Strategy

The ICAC'S strategy to ensure effective enforcement consists of the following components: *An effective public complaints system to encourage reporting of corruption by members of the public and referrals from other institutions. ICAC has a report centre manned on 24 hour-basis and there is a highly publicized telephone hotline to facilitate public reporting. *A quick response system to deal with complaints that require prompt action. At any time, there is an investigation team standing by, ready to be called into action. *The ICAC adopts a zero tolerance policy. So long as there is reasonable suspicion, all reports of corruption, irrespective of whether it is serious or relatively minor in nature, will be properly investigated. *There is a review system to ensure all investigations are professionally and promptly investigated. *Any successful enforcement will be publicized in the media to demonstrate effectiveness and to deter the corrupt.

5. Effective Prevention Strategy

The corruption prevention strategy aims at reducing the corruption opportunities in government departments and public institutions through the following methodology:

*Enhance system control; *Enhance staff integrity; *Streamline procedures; *Ensure proper supervisory checks and control; *Ensure efficiency, transparency and accountability, and *Promote staff code of ethics.

6. Effective Education Strategy

The ICAC has a very wide range education strategies, in order to enlist the support of the entire community as partners to

fight corruption. It includes: *Media publicity to ensure effective enforcement cases are well publicized, through press releases, media conference and interviews, as well as the making of TV drama series based on successful cases. *Media education -use of mass media commercials to encourage public to report corruption; promote public awareness to the evil of corruption and the need for a fair and just society; and as deterrence to the corrupt; *School ethic education programme, starting in kindergarten up to the universities. *Establish ICAC Club to accept members who wish to perform voluntary work for the ICAC community education. *Corruption prevention talks and ethics development seminars to public servants and business sectors. *Issue corruption prevention best practices and guidelines. *In partnership with the business sector, set up an Ethic Development Centre as a resource centre for the promotion of staff code of ethics. *Organize exhibitions, fun-fairs, television variety shows to spread the message of clean society; and, *Wide use of websites for publicity and reference, youth education and ethics development.

7. Adequate Law

Hong Kong has a comprehensive legislation to deal with corruption. In terms of offenses, apart from the normal bribery offenses, it created two unique offenses: (a) offense for any civil servant to accept gifts, loans, discounts and passage, even if there is no related corrupt dealings, unless specific permission is given; and (b) offense for any civil servant to be in possession of assets disproportionate to his official income; or living above means. On in-

vestigative power, apart from the normal police power of search, arrest and detention, ICAC has power to check bank accounts, require witnesses to answer questions on oath, restrain properties suspected to be derived from corruption, and hold the suspects' travel documents to prevent them from fleeing the jurisdiction. Not only are they empowered to investigate corruption offenses, both in the Government and private sectors, they can investigate all crimes which are connected with corruption.

8. Review Mechanism

With the provision of wide investigative power, there is an elaborate check and balance system to prevent abuse of such wide power. One unique feature is the Operations Review Committee. It is a high powered committee, with majority of its members coming from the private sector, appointed by the Chief Executive. The committee reviews each and every report of corruption and investigation, to ensure all complaints are properly dealt with and there is no "whitewashing". It publishes an annual report, to be tabled before the Legislature for debate, thus ensuring public transparency and accountability. In addition, there is an independent Complaint Committee where members of the public can lodge any complaint against the ICAC and/or its officers and there will be an independent investigation. It also publishes an annual report to be tabled before the Legislature.

9. Equal emphasis on Public & Private sector corruption

Hong Kong is amongst one of the earliest jurisdiction to criminalize private sector cor-

ruption. ICAC places equal emphasis on public and public section corruption. The rationale is that there should not be double standard in the society. Private section corruption can cause as much damage to the society, if not more so than public sector corruption. Serious corruption in financial institution can cause as much market instability; corruption in construction sector can result in dangerous structure. Effective enforcement on private sector corruption can be seen as a safeguard for foreign investment and ensures Hong Kong maintains a level playing field in its business environment.

10. Partnership approach

You cannot rely on one single agency to fight corruption. Every one in the community and every institution have a role to play. ICAC adopts a partnership approach to mobilize all sectors to fight corruption together. The key strategic partners of ICAC include: *Civil Service Commission; *All government departments; *Business community; *Professional bodies; *Civil societies and community organizations; *Educational institutions; *Mass media, and *International networking.

11. Top political will, in dependence and adequate resources

In Hong Kong, there is clearly a top political will to eradicate corruption, which enables the ICAC to be a truly independent agency. ICAC is directly responsible to the very top, the Chief Executive of Hong Kong. This ensures that the ICAC is free from any interference in conducting their inves-

tigation. The strong political support was translated into financial support. The ICAC is probably one of the most expensive anti-corruption agencies in the world! In 2002, its annual budget amounted to US \$15 per capita. You may wish to multiply this figure with your own country's population and work out the anti-corruption budget that needs to be given to the equivalent of Hong Kong's! However, looking at the ICAC budget from another angle-it represents only 0.3% of the entire Government budget or 0.05% of Hong Kong Gross Domestic Product (GDP). I think you will agree that such a small "premium" is a most worthwhile investment for a clean society.

Conclusion

Often in the most corrupt countries, it is possible to see corruption under control in individual government department. It is down to the top political will of the head of department. All it needs is to come up with a comprehensive strategy, which should embrace the three pronged approaches - deterrence, prevention and education and formulate a doable action plan. Ideally, there should be a dedicated internal affairs unit to oversee the anti-corruption action plan and to conduct internal investigations.

The Hong Kong experience offers hope to countries which have a serious corruption problem which appear to be insurmountable. Hong Kong's experience proved that given a top political will, a dedicated anti-corruption agency, a correct strategy and the public commitments, even the most corrupt place like Hong Kong can be transformed to a clean society.