

# Intensifying the momentum in anticorruption

Updates and recent developments

Philippine Development Forum  
Anticorruption Working Group Meet  
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# Outline

## **2006 updates**

- Investigation, prosecution & continuous trials of corruption cases
- Corruption prevention
- Anticorruption education

## **Challenges & responses in the medium-term**

- MCA-PTP (programs & indicators)
- NACPA progress
- Issues & plans

# updates 2006

**programs – activities – strategies**  
**government – international development partners – civil society**

# Pursuing international commitments for anticorruption

## A P E C

- Ratify UNCAC
- Public-private partnership
- Capacity-building for anticorruption
- Promoting transparency

## A D B - O E C D

- GRP pursuing reforms in 3 pillars
- Developing effective & transparent systems for public service
  - Strengthening anti-bribery mechanisms & promoting integrity in businesses
  - Supporting active public involvement

## U N C A C

- Ratified on 6 Nov 2006
- Binds government to legislate, enforce & apply necessary anticorruption laws
- Need to strengthen M&E, engage civil society, enforce laws & address, private sector corruption

# Strengthening the Ombudsman

## Ombudsman Battle Plan, 2006-2009

Strategic planning in Jun 2006, Core Planning in Sep 2006

### TARGETS for 2009

- 60% conviction rate in the Sandiganbayan & 25% for lower courts
- Foster greater investigator-prosecutor cooperation
- Strengthen asset disclosure regime
- Prioritize forfeiture cases

## Phil-Australia Human Resource Development Facility (PAHRDF)

- Upgrade the recruitment & selection process for hiring investigators & prosecutors
- Leadership & middle management training for improved service delivery
- Training for frontline personnel
- Training for human resource personnel

# Increasing the punitive risks of corruption

- **Heightened awareness on Ombudsman's seriousness in enforcing the rule of law**
  - Filing of high-profile case against former justice secretary
  - Dismissal/suspension of high-ranking & high-profile government officials
- **25% conviction rate for cases tried before the Sandiganbayan for Jan to Nov 2006**
- **Exercising administrative disciplinary power – immediate application of sanctions**
- **Investigating corruption in donor assisted projects**
- **Lifestyle check:**
  - Dedicated hotline: 927-4102 & 927-2404
  - Digital database of SALN
  - Inter-agency approach
  - Green-lane for investigation & adjudication
  - Expanding focus: BOC, BIR, DPWH including AFP, PNP, immigration, agriculture, LGUs, etc.
- **Automated case management system in the Office of the Special Prosecutor & digital compendium of anticorruption laws & jurisprudence**
- **Continuous training of investigators, prosecutors & adjudicators**

# Increasing the punitive risks of corruption

## *Quick victories*

OPLAN Red Plate

OPLAN SAPAK

OPLAN Billboard

- Cuts across, from rank & file to high-ranking officials
- Generates public support

Anticorruption  
enforcement

Corruption  
prevention

Anticorruption  
education

# Recovering proceeds of corruption

- **Forfeiture petitions filed before Sandiganbayan**
  - More than PHP 486 million
  - Ban from filing petitions 1 yr before general elections (May 2007)
- **Inter-agency task force of Ombudsman, BIR, DOJ, OSG & AMLC for prosecuting corruption with money-laundering & tax evasion**
  - File writs of attachment for forfeiture cases
  - Institutionalizing joint investigations

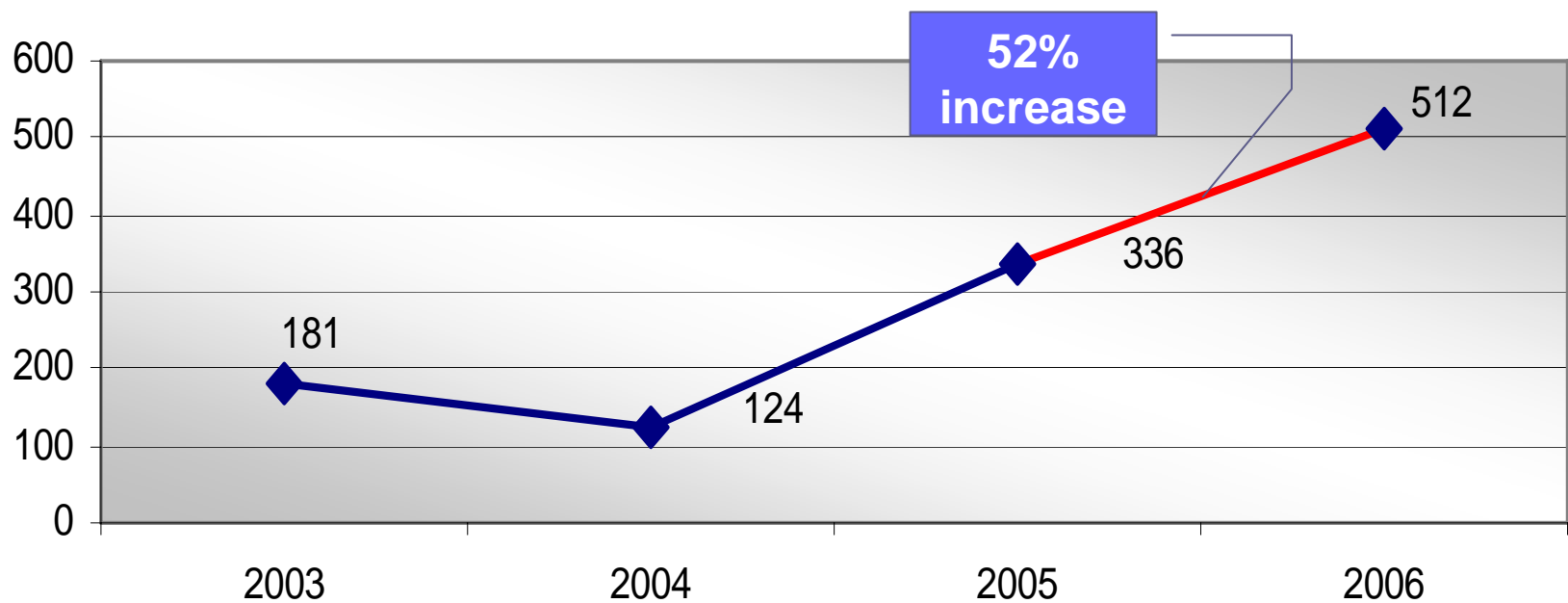
# Recovering proceeds of corruption

## *Success story*

In November 2006, Ombudsman charged 2 senior customs officials. The cases stemmed from an investigation conducted by RIPS. After thorough review, Ombudsman filed corruption cases in court & forwarded the evidence to BIR & AMLC for possible tax evasion and money-laundering charges  
<[www.ombudsman.gov.ph](http://www.ombudsman.gov.ph)>

# Reducing time required for resolving corruption cases

**No. of cases involving high-ranking officials charged before the Sandiganbayan**



Anticorruption  
enforcement

Corruption  
prevention

Anticorruption  
education

# IDR: Reducing scope & opportunities for corruption

## Integrity Development Review 2006

- BOC** automate assessment system & install tracking mechanism for handling seizures/forfeitures, regulate accreditation of importers, hasten auction process, computerize inventory of goods for auction, install surveillance cameras in warehouses, revisit recruitment/promotion
- BIR** regularly revalidate case dockets, strictly implement “no return, no letter of authority policy”, rotate staff deployed to One-Time Transaction program, preclude political recommendation letters from recruitment/promotion line up, address problem of “borrowed items”
- LTO** set queuing system & standard processing time for adjudication of LTO cases, minimize face-to-face interaction with transacting public, secure storage of registration plates
- DWPH** standardize unit costs of materials/services, conduct random validation audit to check overstated quantities/bloated prices/defective works, promote third-party involvement in checking billings/vouchers
- PNP** promote grievance channels & confidentiality of voluntary reports, strengthen independence of internal affairs

# IDR 2007

1. DENR
  2. DND
  3. DOH
  4. DAR
  5. Light Rail Transit Authority
  6. Land Registration Authority
  7. Bureau of Corrections
  8. Bureau of Fire Protection
  9. AFP: Navy & procurement
  10. National Irrigation Administration
  11. DBM – Procurement Service
- Trained 100 internal assessors of participating agencies & external assessors from COA, DBM, DAP & Ombudsman
  - Executive briefings ongoing
  - Corruption resistance review stage – in progress
  - Target date of completion: June 2006
  - TASK FORCE RED TAPE

# Public awareness & call to action

## EC-OMB corruption prevention project – extended until Dec 07

- Awareness raising programs (integrity show, debate competition, newsletter)
- Interactive Ombudsman website
- Teaching exemplars on anticorruption for public schools
- Agency-based hotline & help desk
- Restructuring & professionalization of public assistance office

## ADB

- Support for OECD

## The Asia Foundation

- Back observer feedback handling mechanism
- NACPA, reverse engineering of perception surveys & workshops on facing the media
- Mediation & integrity institute

## AusAID

- Strategic human resource development plan
- Training HR staff, middle management & frontline staff of Ombudsman

## European Union

- IDR, training of middle managers, transparency in air cargo handling at NAIA
- Infomercials, communications plan, integrity TV show, newsletter, debate competition, multi-event competition, song writing contest
- Training of civil society orgs for procurement monitoring, tripartite code of conduct for procurement
- Teaching exemplars, values formation (Ehem Aha)
- Hotline & help-desk & printing of signage for 17 executive agencies
- Ombudsman inter-active website, restructuring of public assistance offices

## UK Embassy

- Infommercials

## UNDP

- Ombudsman medium-term development plan
- UNCAC – trainers' training, Senate briefing
- NACPA

## USAID ROLE

- Ombudsman strategic plan, 2006-2009
- Financial investigation & prosecution training
- Asset forfeiture training
- Support for the inter-agency task force
- Anticorruption knowledge resources
- Citizens' whistleblowing manual
- Volunteer monitoring of public school construction projects
- Citizens' lifestyle check reporting manual

## ABA-Asia Law Initiative

- Trial advocacy training materials

## World Bank/ ASEM

- Investigation training
- OSP case monitoring system
- Digital SALN database

# challenges & responses in the medium term

**programs – activities – strategies**

**government – international development partners – civil society**

# MCA-PTP

## Millennium Challenge Account – Philippine Threshold Plan (MCA-PTP)

### *Thrusts*

1. Reduce opportunities for corruption throughout the government
2. Improve the ability of authorities to expose violators & increase compliance with laws by tax payers & officials for improved revenue collection

# MCA-PTP

**Ombudsman**

**RIPS**

**BOC**

**BIR**

(RATS)

(RATE)

## TECHNICAL ASSISTANCE REQUESTED

- Training of investigators/prosecutors
- Strengthening of investigation & surveillance capacity
- Information management
  - Connectivity of Ombudsman offices
  - RIPS information security
  - BIR human resource info system
  - BOC RATS database
- Organizational reforms
  - Institutionalize customs accreditation program, harmonize local with international customs laws, formulate customs integrity action plan, establish internal control unity
  - Reform taxpayer registration & filing of returns

## TARGETS

- Increase conviction rate in the Sandiganbayan
- Increase corruption charges by RIPS
- More officials charged by RIPS & suspended by Ombudsman
- Higher volume of income tax returns, including corporate tax returns
- Increase tax evasion & smuggling charges filed before proper courts

# NACPA

- Multi-sectoral advisory council
  - Convening in March 2007
  - By laws drafted, for approval by council
- Developing monitoring & evaluation scheme of anticorruption initiatives (with civil society participation)
- Continuous updating of sourcebook of anticorruption programs/activities
- Training of secretariat

# Current milieu: corruption investigation & prosecution

<ul style="list-style-type: none"><li>● Temporary restraining orders</li><li>● Monitoring of cases in lower courts</li><li>● Congressional review of Ombudsman powers</li></ul>	<ul style="list-style-type: none"><li>✓ Strengthen monitoring of cases, install court watch program with strong civil society participation</li><li>✓ Convergence of anticorruption agencies, work together to secure convictions</li><li>✓ Continue producing air-tight cases</li></ul>
<ul style="list-style-type: none"><li>● Ombudsman &amp; Sandiganbayan faced with big volume of “old” corruption cases</li></ul>	<ul style="list-style-type: none"><li>✓ Study inventory of cases to identify old cases for possible archiving or dismissal without prejudice</li></ul>
<ul style="list-style-type: none"><li>● Need to prosecute corruption in relation to other crimes</li></ul>	<ul style="list-style-type: none"><li>✓ Ombudsman now poised to investigate &amp; prosecute corrupt acts in relation to <b>BORDER MANAGEMENT, SMUGGLING, &amp; TRAFFICKING IN PERSONS</b></li></ul>

# Current milieu: corruption prevention

Implementation of corruption prevention reforms beyond diagnostics

- ✓ Strengthen integrity circles in executive agencies that will move forward the reforms
- ✓ Monitor reform implementation with civil society

Link corruption prevention with need to creating enabling environment for business & investments

- ✓ Set up a foreign investors' help desk in coordination with local & international chambers of commerce, business groups & organization of professionals

# Current milieu: corruption education

<ul style="list-style-type: none"><li>● Pessimism of the public that nothing can be done in corruption</li></ul>	<ul style="list-style-type: none"><li>✓ Set up an information office that will collate anticorruption wins of the government &amp; cascade it to the public</li><li>✓ Mobilize support for information dissemination/ social marketing<ul style="list-style-type: none"><li>▪ Airing of infommercials</li><li>▪ Radio program</li><li>▪ Barangay roadshow</li><li>▪ Distribution of “tabloid”-style newsletter</li></ul></li></ul>
<ul style="list-style-type: none"><li>● Need to institutionalize training for continuous capacity building of anticorruption staff</li></ul>	<ul style="list-style-type: none"><li>✓ Set up an integrity academy</li></ul>

# Current milieu - institution

<p>Budget re-enactments</p> <p>Need for more operational resources for Ombudsman</p>	<ul style="list-style-type: none"><li>✓ Coordinate donor resources to avoid gaps &amp; overlaps</li><li>✓ Involve business &amp; civil society groups in lobbying to Congress more budget for the Ombudsman</li></ul>
<p>Sustaining inter-agency convergence efforts</p>	<ul style="list-style-type: none"><li>✓ Learn from previous inter-agency cooperative efforts</li></ul>

To intensify the momentum in anticorruption,  
we need to

- Enforce the law
- Fast track activities
- Converge
- Monitor & evaluate

Thank you.