

GRAFT AND CORRUPTION: THE PHILIPPINE EXPERIENCE

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I. INTRODUCTION

This paper will present a condensed report on graft and corruption in the Philippines. Information was compiled by the author from documents, articles, newspaper clippings and other data gathered from the reports and journals of the Ombudsman and the Sandiganbayan, two of the constitutional bodies mandated by Philippine law to investigate and act on complaints filed against public officials and employees for violations of graft and corrupt practices. More specifically, this report will cover input from an unpublished research paper prepared by scholars from the University of the Philippines, College of Public Administration, whom I will accordingly acknowledge in this work.¹

This report will generally follow the outline as provided. The first portion will introduce the theoretical perspective and context of corruption in the Philippines. It clarifies the national context within which corruption operates. It will look into the intersection of corruption and Philippine history and culture. It will likewise discuss some public perceptions of corruption. Estimates of the extent and losses of corruption in the Philippines will be briefly discussed. The history of the Philippine

fight against corruption will be taken up in terms of law, anti-corruption constitutional bodies, and other government agencies and non-government initiatives. Finally, there will be an assessment of the anti-graft and corruption programs, and recommendations on what might be done in the light of Philippine democracy, culture and development.

II. THEORETICAL PERSPECTIVE

We view corruption as an agent's departure from the principal's demand for the responsible use of power in society. As such, although it is centered on a public official's act and is indicated by a violation of law, it does not involve the state alone. Rather, it is embroiled in the accountability of public officials, and indeed of the state, to the people. Thus, in analyzing and combating corruption, we look beyond the state. Corruption shows up what the society views as the responsible use of power and thus what it will accept and support. In this light, any attack against corruption must come to terms not only with the law, but also with the country's history, ie what is accepted by the culture and the behavior of civil society as well.²

III. THE CONTEXT OF CORRUPTION IN THE PHILIPPINES

In the late 1980's, the Philippines entered the Guinness Book of World Records for allegedly the biggest corruption of all time, referring to the period of the dictatorship of the former President,

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¹ "Initiatives Taken Against Corruption: The Philippine Case"; unpublished paper prepared by Ledivina V. Cariño, University Professor and Dean, Gabriele R. Iglesias, Assistant Professor, and Ma. Fe V. Mendoza, Associate Professor, College of Public Administration, University of the Philippines.

² Ibid, "Initiatives Taken Against Corruption: The Philippines Case"; p.4

Ferdinand Marcos. Marcos was ousted from his twenty-year presidency by a bloodless people's power revolution in February 1986. To describe the corruption of his regime, "kleptocracy" and "plunder" became part of the Filipino's political vocabulary and discourse.³ "Government by thievery" did not stop with the enactment of the Republic Act No. 7080 in 1991, entitled "An Act Defining Plunder". Indeed, although both laws and agencies to combat corruption have increased in the post-Marcos period, it remains one of the prime problems complained of by the people. The currency and gravity of the problem are manifested in the following clippings from a September 7, 1998 issue of the Philippine Daily Inquirer:

"On board a Philippine Airlines chartered flight to Manila from Mindanao where he inspected on-going government infrastructure projects, President Joseph Ejercito Estrada... thought of a slogan reminding Filipinos that he is serious in fighting graft and corruption in the government. Dubbed "Supilin, pigilin ang pagnanakaw sa pamahalaan," ("Win over, stop thievery in government"), he thought of putting-up such a message on billboards, huge posters and the like to remind people in government and the private sector not to succumb to the "evils of stealing from government coffers." Stealing, if aggregated with other misdemeanors of public service and their "transactees," he said, would sum up to about 20 percent of the national budget. With a proposed budget of more than 500 billion in 1999, "this means roughly 100 billion

pesos will go to waste if corruption remains unchecked."

While the figure cited above is a ballpark figure that cannot be validated, the concern of President Estrada is certainly warranted by the findings of this research. It is also not a recent phenomenon but one that has been identified and decried since the Spanish colonization in the 16th century.

A. Filipino Culture and Corruption

Corruption has been viewed as a "cultural and psychological phenomenon in a country marked by incompatible legal and cultural norms" (Tapales 1995:407). The former emphasizes "rationality and universal principles of action" as against and in conflict with "reliance and obligation toward kinship, friendship and primary groups" (Bautista 1982). This conflict is highlighted in the use of the alibi of a gift-giving culture to justify bribery and extortion, or the Filipino regard for the other (*pakikipagkapwa-tao*) to justify giving benefits to unqualified but personally known recipients.

This is a real problem, but it can be overblown. For instance, both culture and law similarly define cases of corruption and rectitude. One's kin may ostracize a bureaucrat who chooses to stay within the law. The state may, however, leave them alone, provided they do not compromise their official role. Another case is when an official participates in a decision involving kin, even if they vote against that person's interest, that official (under the Republic Act 3019) can still be charged with corruption. For an official similarly situated, but who bends over backwards to make sure their kin gets a prized government contract engages in so called "favour corruption". This is indeed the quintessential conflict between culture and law.

³ Lengthy discussion on this is presented in "Politics of Plunder: The Philippines Under Marcos", Belinde Aquino, Great Books Trading and UP College of Public Administration, 1987.

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The idea of cultural acceptance of corruption also needs to be re-examined in the light of a string of public opinion polls where Filipinos decry it as a major problem. The media, church pastoral letters and other culturally valued sources likewise denounce this. Indeed, the long list of laws enacted against them manifest that graft and corruption are not colonial impositions but are desired by Filipinos themselves.

B. Public Perception of Graft and Corruption

In a speech in 1988, Jaime Cardinal Sin, Archbishop of Manila, stated that "*corruption was the biggest problem of them all*" (Murphy, October 9, 1988). In 1989, after months of declaring the rectitude of the government she heads, President Corazon C. Aquino despaired, "*Corruption has returned, if not on the same scale, at least with equal shamelessness (Cagurangan, 1989).*" Apparently, many Filipinos agree with her. In a survey conducted in July 1989 in Metro Manila by the Social Weather Station (SWS), a respected public opinion polling firm, as much as 58 percent of respondents agreed that given current conditions, corrupt government officials are a greater threat to the country than the NPA (New People's Army, communist guerrillas who lost ground after Aquino's assumption to office). Those who were satisfied with the performance of the Aquino administration in fighting graft and corruption decreased from 72 percent in March 1987 to 26 percent in July 1989 (Guidote, 1989). In her State of the Nation Address in July 1989, President Aquino shared the people's exasperation that she would leave as a problem the very issue that she wanted to leave as a legacy: a clean and accountable government.

Indeed, her successor, Fidel V. Ramos, ranked graft and corruption as third among the major problems that obstruct the

country's achievements in his development strategy for the Philippines 2000. The SWS poll of September 1993 validates this fear: 89 percent of the respondents felt that corruption would indeed be a big obstacle to attaining this vision.

Other SWS polls since have produced consistent results. An August 1990 survey conducted in Metro Manila asked respondents to state their satisfaction with the activities of several agencies in reducing graft and corruption. The proportion of dissatisfied respondents is consistently higher than those satisfied, for each agency. They stated that graft and corruption is big in the Presidential Commission on Good Government (PCGG), the Bureau of Internal Revenue (BIR), the Cabinet as a whole, the courts of justice, the Bureau of Customs (BOC), and in the police force. They considered corruption in the courts and in the military as small. Very few thought that there was no corruption in any of these government institutions.

In November 1991, 41 percent of those polled agreed that most high-ranking government employees are not suited to their positions based on their knowledge and capabilities, and 62 percent noted that the performance of government employees has not improved from 1986 (SWB, July 1993). In a February 1992 nationwide poll on the attributes of high officials in government, 40 percent of its respondents stated that, based on personal observation, "most" of these high officials are corrupt, and another 27 percent said "some" of them were, a total of 67 percent weighing in on the positive side (SWB, July 1993).

The public verdict on the judiciary is mixed. In 1985, a Bishop-Businessmen's Conference poll revealed that 30 percent agreed and 29 percent disagreed with the statement that most judges could not be

bribed. In 1993, a similar split in half can be discerned. While 50 percent said none or few judges could be bribed or bought, 49 percent thought many or most could (SWB July 1994). However, one out of two Filipinos considered the degree of corruption in the judiciary serious (SWB July 1993).

Over the years, the performance of the government in fighting graft and corruption was evaluated more poorly than that of the overall performance. It indicated that the government performance in fighting corruption has indeed has been dismal. Philippine Ombudsman, Aniano Desierto, in a nationwide public affairs TV program, *Firing Line*, aired on September 14, 1998, stated that the Philippine anti-corruption landscape “*is improving as evidenced by the good marks the country is getting from international groups like Transparency International (IT) and the Political and Economic Risk Consultancy (PERC), Ltd*”. The Hong Kong based Political Economic Risk Consultancy Ltd, likewise graded 12 Asian countries and ranked the Philippines the 4th least corrupt country in its survey.

As PERC (1998:1) hinted, most survey grades deteriorated probably as a reflection of the change of sentiment in businessmen from “*turning a blind eye to corruption when economic times are good. As economic conditions worsened, however, such tolerance disappeared... Economic conditions were becoming more difficult and it was easier for businessmen to see the link between that deterioration and corruption.*” On the whole, the results of national and international surveys consistently depict the Philippines as riddled with corruption and unable to effectively fight corruption.

C. The Magnitude of and Losses due to Corruption

It is difficult to estimate the total losses due to corruption. The best measure is the amounts involved in cases filed with the Ombudsman. The Office of the Ombudsman (OMB) reported that about P9 billion was lost to government due to malversation, *estafa* (swindling) and violation of the provision of RA 3019 (the Anti-Graft and Corrupt Practices Act) for a period of eight and a half years (1990 to June 1998) (OMB 1998). In the Ombudsman’s report, 63 agencies and departments contributed to the losses. However, the top ten of these agencies alone accounted for almost P8.5 billion.

Large though these sums are, bigger amounts are involved in cases involving the Marcoses. From the Office of the Special Prosecutor under the Ombudsman, the money value of cases filed against the Marcoses involving the same offences (malversation, *estafa* and RA 3019 violations) for the same period was P1,117 billion. These cover cases of behest loans, both filed and under review and investigation, forfeiture cases, PCGG cases for recovery, criminal cases against Marcos cronies, and criminal cases against other public officials. The Ombudsman claimed that, “*the government lost P1.4 trillion and continues to lose P100M daily since the Office began investigating corruption in government since 1988.*”⁴ This is similarly pointed out by President Joseph Estrada when he said, “*at least P24.13 B of what the Philippine government spent last year for various projects was lost to graft and corruption, or barely 20% of all project funds are lost to grafters.*”⁵

⁴ Desierto, Philippine Daily Inquirer, July 10, 1999.

⁵ Estrada, Philippines Daily Inquirer, June 10, 1999.

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III. ANTI-CORRUPTION POLICIES AND PROGRAMS

Philippine initiatives against corruption have taken the form of law and anti-graft bodies created by the Constitution, law and executive orders. In addition to the state, others institutions have been active in the fight against graft and corruption.

A. Anti-corruption Laws

The accountability of public officials is enshrined in the Constitution of 1987, as it has been in the Malolos Constitution of 1898, the Commonwealth Constitution of 1935 and then the Constitution of 1973, the Martial Law period. Article XI of the 1987 Constitution, entitled "Accountability of Public Officers", states the fundamental principle of public office, as public trust. It requires full accountability and integrity among public officers and employees. The President, Vice-President, members of the Supreme Court, members of the Constitutional Commissions and the Ombudsman may be impeached for violations of the Constitution, treason, bribery, graft and corruption, other high crimes, and for betrayal of public trust. Other public officials committing such acts can be investigated and prosecuted through the regular judicial process provided by law.

The Philippine government is directed to maintain honesty and integrity in the public service, and to take action against graft and corruption (Section 27, Art. II). It is also directed to give full public disclosure of all transactions involving the public interest (Section 28, Art. II). This provision is complemented by the Bill of Rights within the Constitution, which gives people the right to information on matters of public concern, including official records, documents and papers pertaining to official acts, transactions or decisions, and to government research data used as the basis for policy development (Section 7, Art. III).

The Anti-Graft and Corrupt Practices Act (RA 3019) was passed in 1960. It enumerates what may be considered corrupt practices by any public officer, declares them unlawful and provides the corresponding penalties of imprisonment (1 month, 6 years and 15 years), perpetual disqualification from public office, and confiscation or forfeiture of unexplained wealth in the favour of the government. It also provides for the submission by all government personnel of a statement of assets and liabilities every two years. Considered landmark legislation at the time, it also elicited the following wry comment:

"The anti-graft law was passed not because there was a need for it but only to appease public opinion. There was no urgent need for anti-graft legislation because the Revised Penal Code and other laws were sufficient to bring the guilty to court" (Congressman Manuel Zosa, quoted in G.U. Iglesias, 1993:35).

B. Laws During the Martial Law Period (1972-1986)

Presidential Decree no.6, which took effect six days after the imposition of Martial Law, was the "legal" basis for the purge of almost 8,000 officials and employees in the first year of the dictatorship. The provision for summary proceedings was reiterated in Presidential Decree No. 807, the Civil Service Act of the period and was repealed by the Corazon Aquino administration. All other anti-graft presidential decrees remain in effect. This includes:

- (i) Presidential Decree No. 46 (1972), making it unlawful for government personnel to receive, and for private persons to give, gifts on any occasion including Christmas, regardless of whether the gift is for past or future

favours. It also prohibits entertaining public officials and their relatives.

- (ii) Presidential Decree No. 677 (1975) requires the statement of assets and liabilities to be submitted every year.
- (iii) Presidential Decree No. 749 (1975), granting immunity from prosecution to givers of bribes or other gifts and to their accomplices in bribery charges if they testify against the public officials or private persons guilty of these offences.

C. Laws of the Redemocratization Period (1986 to the present)

Immediately after Aquino's assumption to office, she promulgated the "Freedom Constitution" which, among other provisions, declared all government positions vacant unless otherwise identified (Section 3, March 28, 1986). This Freedom Constitution was the basic law of a revolutionary government and was superseded by the Constitution of 1987. Six new anti-corruption laws emerged under its operation.

The Administrative Code of 1987 (Executive Order No. 292)⁶ incorporates in a unified document the major structural, functional and procedural principles and rules of governance. It reiterates public accountability as the fundamental principle of governance. In 1989, the Republic Act No. 6713, the Code of Conduct and Ethical Standards for Public Officials and Employees was passed. It promotes a high standard of ethics and requires all government personnel to make an accurate statement of assets and liabilities, disclose net worth and financial connections. It also requires new officials to divest ownership

⁶ Executive orders promulgated by President Aquino during the revolutionary period when she was sole legislator (1986-87) have the force of the law.

in any private enterprise within 30 days from assumption of office, to avoid conflict of interest. The Ombudsman Act of 1989 (RA 6770) provides the functional and structural organization of the Office of the Ombudsman. The Act further defining the Jurisdiction of the Sandiganbayan (RA 8249) places the Sandiganbayan as a special court on par with the Court of Appeals.

D. Constitutional Anti-corruption Bodies

The 1987 Constitution established special independent bodies to support the principles of honesty, integrity and public accountability. These are:

- (i) the Office of the Ombudsman as the people's protector and watchdog;
- (ii) the Civil Service Commission as the central personnel agency;
- (iii) the Commission on Audit as the supreme body responsible for auditing the government's expenditures and performance; and
- (iv) The Sandiganbayan as a special court that hears cases of graft and corruption.

To ensure that these organizations and their commissioners can fulfill their duties without fear of reprisal from other agencies of the government, the Constitution grants them fiscal autonomy⁷ (Section 2, Article VIII). Their actions are appealable only to the Supreme Court.

The Office of the Ombudsman was created to investigate and act promptly on complaints filed against public officials and

⁷ Fiscal autonomy in that their approved annual appropriation shall be automatically and regularly released, so that there can be no undue delay in the execution of their duties. Their annual appropriation cannot be reduced from that of the previous years.

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employees, and to serve as the people's watchdog of the government. It is an institution with the biggest responsibility to prevent graft and corruption. It provides for a Deputy Ombudsman for the military, and at least one each Deputy for the geographical divisions of Luzon, Visayas and Mindanao.

The Civil Service Commission is the central personnel tasked to promote efficient and responsive public service delivery, to establish a career service, strengthen the merit system and human resource development, promote public accountability and enforce the Code of Conduct and Ethical Standards for Public Officials and Employees (RA 6713). It undertakes anti-corruption functions, such as values orientation workshops and employee voluntarism.

The Commission on Audit, while primarily regarded as an evaluator of the government's performance in handling funds, also has as a function on the input side, as it conducts audits on the income and revenues of government. Aside from ensuring financial accountability, the Commission may also inquire as to the effectiveness and impact of programs, and not alone into the economy, efficiency or the legality and regularity of government operations.

The *Sandiganbayan*, literally "the pillar of the nation", is a special court with jurisdiction over civil and criminal cases involving graft and corrupt practices.

E. Presidential Anti-corruption Bodies

Each president has appointed his or her anti-graft or investigating agencies "*as an exercise of the president's power to probe into the anomalous members of his/her administrative organization* (Alfiler, 1979: 329)". President Aquino broke tradition by

organizing a committee of cabinet officials rather than an agency with full-time personnel, the President's Committee on Public Ethics and Accountability (PCPEA). Its framework advanced the inseparability of accountability from other acts of governance, the idea that corruption can be tackled by management actions that increase its risks and decrease its benefits, and decentralized graft-busting.

President Fidel V. Ramos created the Presidential Commission against Graft and Corruption (PCAGC) under Executive Order No. 151 dated January 11, 1994. It was tasked to investigate presidential appointees charged with graft and corruption. Likewise, it functions as a coordinating body in the efforts of inhibiting the practice of graft and corruption, to expeditiously prosecute such practices by officials in the executive department, and to monitor the implementation of the Moral Recovery Program.

Unlike other presidents, President Estrada has not created his own anti-corruption body and has allowed the Ramos' created PCAGC to continue in office. He seemed to be inclined to use instead the Inter-Agency Anti-graft Coordinating Council, composed of the Commission on Audit, Civil Service Commission, the Ombudsman, the Department of Justice, the National Bureau of Investigation and the Presidential Commission against Graft and Corruption.

F. The Rank and File as Graft Busters (Cariño, 1992)

Because of their knowledge of the workings of both formal and informal processes, employees are natural sources of information about deviations from accountability. It was in the Aquino regime in 1986, that the potential of employees as

graft-busters was tapped. Several unions had tangled with their respective management on the issue of their accountability and performance. The union in the National Electrification Administration has unearthed anomalies and delays in the implementation of some projects such as the USD\$ 192 million rural electrification revitalization program, a joint project of the World Bank and the Office of Economic Cooperation Fund of Japan (Manila Chronicle, November 13, 1995:4). The most successful effort is still that as described by Gaffud (1994), which was able to remove the top administrators of an agency in 1990. The union questioned transactions worth P176 million, including overpricing, purchases made without being utilized, purchases made for non-existent projects, etc. After being ignored by the Department of Justice and the higher officials of the department to which it is attached, the union finally found a listening ear in an NGO (non-government organization), the Gising Bayan Foundation, which then filed complaints with the Ombudsman. After investigation, President Aquino dismissed three assistant administrators, but not the head administrator.

Since 1986, the leadership of at least seven other unions faced harassment, intimidation, and sometimes, removal from office for their anti-corruption stance. Nevertheless, they have succeeded in bringing cases of corruption, abuse and nepotism practiced by their superiors to the attention of control bodies such as the Commission on Audit, the Ombudsman and legislative committees for further investigation.

G. Participation of the Non-governmental Sector

People power energized in the EDSA inflamed non-government organizations (NGOs) to get concerned about issues of

integrity and corruption. Their initial approach centered not on punishing corruption, but in being involved in keeping government operations clean and effective. The Community Employment and Development Program (CEDP) of the late 1980s became the laboratory for this new partnership of government and cause-oriented groups. For instance, the National Movement for Free Elections (NAMFREL)⁸ branched from election cases to the monitoring of CEDP implementation in various local areas. Based on this virtual experiment, the government promulgated guidelines on the use of such volunteer groups for exception monitoring.

Some associations focused directly on preventing corruption. *Operasyong Walang Lagay* (OWL), its name connoting a movement to prevent bribery, assisted some departments and local governments in streamlining procedures and improving bidding committees. However, it folded in 1989 because the volunteers could not cope with the increasing demands on their time, a very real problem for volunteerism in a growth field such as corruption.

The National Coalition of Transparency was launched in 1989 to show that public support for measures to enhance accountability could still be mustered. Composed of over thirty NGOs, including Bishop-Businessmen's Conference (BBC), NAMFREL, and other groups that were in the forefront of the anti-Marcos struggle, it put forward a comprehensive approach to the problem as it recognized the private sector's incrimination in the continuation of governmental corruption. Lacking self-righteousness, its first campaign was for its membership to pay the proper taxes, and thus be morally capable of censuring the dissipation of public revenues by

⁸ NAMFREL is now active in sponsoring seminar-workshops on Japan's *koban* system of policing.

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government. It was in meeting with them that the President admitted the return of shameless corruption in her administration (Cagurangan, 1989).

Anti-corruption organizations associated with religious groups include the BBC, the *Gising Bayan* Foundation⁹ and the religious right, calling itself Citizens Battle Against Corruption (CIBAC)¹⁰. The Nationalista Party, a political party, also formed an anti-graft panel, composed largely of former officials of the Marcos regime (Manila Bulletin, June 4, 1989), making it suspect as a political neutral body.

Meanwhile, the Anti-Police Scalawag Group (APSG) is focused on police corruption. It recently called on the Philippine National Police (PNP) to curb rampant "*tong*" and *payola* collection from operators of illegal gambling, ironically perpetrated by members of the PNP's own illegal gambling task forces. An APSG spokesperson disclosed that in Metro Manila alone, there were about 30 to 45 gambling "maintainers" of vice dens such as video *karera*, *sakla*, *hi-lo*,¹¹ lottery, bookies, and prostitution dens who give goodwill money ranging from P500, 000 to P1 million, aside from the monthly "*payola*" for protection of P100, 000 to P500, 000 (Philippine Daily Inquirer, August 10, 1998:22).

⁹ "*Gising Bayan*" means "Wake Up Nation." It was originally the title of a radio program under Radio Veritas, the Catholic station.

¹⁰ CIBAC is coined from the Tagalog word "*sibak*" which means to cut down.

¹¹ These are local gambling practices considered illegal.

IV. THE OMBUDSMAN'S STRATEGY AGAINST GRAFT AND CORRUPTION

In this portion, I will present some data from the Ombudsman and the *Sandiganbayan* that can provide us with insight on the results of the Philippine anti-corruption effort. These efforts are focused on the intriguing causes of corruption:

- (i) Individual causes which are attributed to weak moral fiber and distorted values among bureaucrats, such as materialism, lack of integrity and nationalism;
- (ii) Organizational causes refer to deficiencies, in the bureaucratic apparatus such as low salary, poor recruitment and selection procedures, and red tape in government; and
- (iii) Societal causes where corrupt behavior is itself the norm of society.

A. Programs of the Office of the Ombudsman

The OMB is mandated under the Constitution to protect the people from abuse or misuse of power by government, its agencies or functionaries. It must fight for justice for all citizens, prevent loss of government funds and bring the culprit to justice. It faces a gigantic challenge in carrying out the government's determination to rid itself of undesirables in the public service. The conferment of this extensive authority by the Constitution insulated the Office from political influence or interference by:

- (i) Stating that the Ombudsman is removable from office only by impeachment;
- (ii) Prescribing a fixed term of office for seven years without reappointment;
- (iii) During the term, his/her salary cannot be diminished;
- (iv) Leveling the Ombudsman's rank with

that of a Supreme Court justice.

B. Five (5) Major Functions¹²

The Ombudsman performs five major functions, such as investigation, graft prevention, public assistance, prosecution, and administrative adjudication. It is invested with corresponding authority to be able to carry out these functions. The investigative function of the Office involves determination of violations of the anti-graft laws by public functionaries through fact-finding or evidence gathering. It also includes the finding of probable cause through formal preliminary investigation for the purpose of prosecution.

In graft prevention, the Office has the authority to prevent the commission of graft by ordering or stopping the implementation of government contracts that are found to be disadvantageous to the government. In the exercise of its public assistance, the Office of the Ombudsman extends assistance to citizens in getting basic public services from the government. In prosecution, the Office may file charges or prosecute cases in court against erring public officials and private citizens found to have connived with them. The Office of the Special Prosecutor may prosecute the case in the *Sandiganbayan*. In the regular courts, regular prosecutors are deputized by the Office of the Ombudsman to handle prosecution.

Under its administrative adjudication function, the Office has the authority to conduct administrative penalties where the erring public official or employee, including Cabinet Secretaries, may be suspended or dismissed from public service. It holds disciplinary authority over all government functionaries, except the president and members of congress and the judiciary and other impeachable officials. In all other

criminal cases, however, all public officials and employees, without any exception, are under the Ombudsman's investigative jurisdiction.

In consonance with all these functions performed by the Ombudsman, s/he shall act on all complaints, but not limited to acts or omissions which:

- (i) are contrary to law or regulations;
- (ii) are unreasonable, unfair, oppressive or discriminatory
- (iii) are inconsistent with the general course of an agency's function, though in accordance with law;
- (iv) proceed from a mistake of law or an arbitrary ascertainment of facts;
- (v) are in the exercise of discretionary powers but for an improper purpose; or
- (vi) are otherwise irregular, immoral or devoid of justification.

In its effort to solve the twin evils of graft and corruption, the Office of the Ombudsman employs a two-pronged strategy: confrontational and psychological approaches.

The confrontational approach involves the administrative and criminal investigation and prosecution of erring members of the bureaucracy. In this regard, a number of criminal cases were filed in the *Sandiganbayan* involving high-ranking officials and about 2,500 cases referred to the ordinary courts involving low-ranking members of the bureaucracy. To complement this capability, the Inter-Agency Consultative Committee with the Commission on Audit (COA), Civil Service Commission (CSC), Philippine Commission Against Graft and Corruption (PCAGC), and the National Bureau of Investigation (NBI) have been formed and organized for effective coordination.

¹² The Ombudsman Primer, p.2.

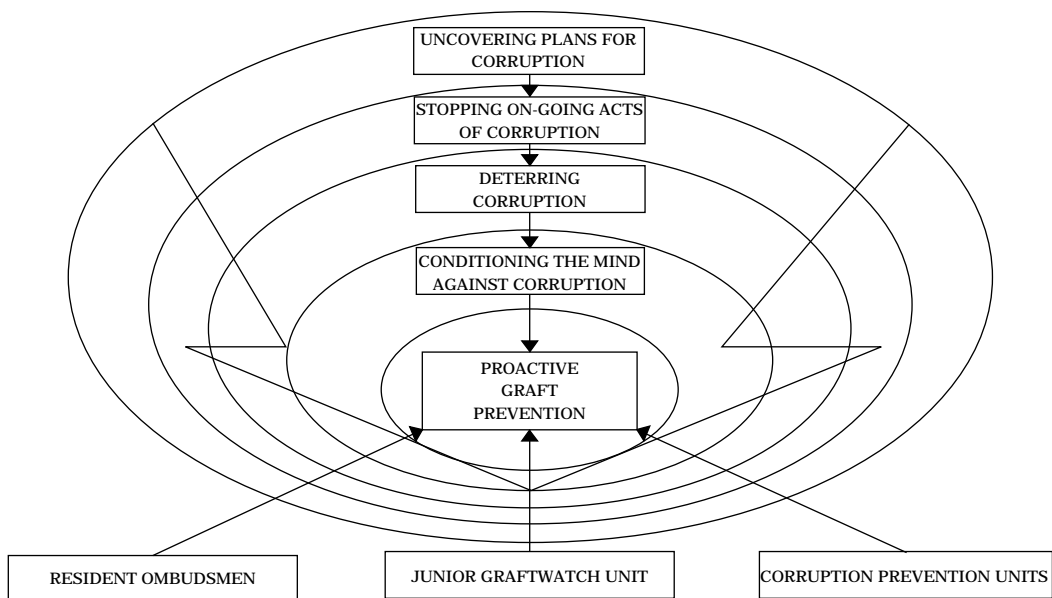
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As part of the strategy, the tripod system was adopted to enforce honesty and efficiency. This system includes the establishment of Corruption Prevention Units (CPUs), Junior Graftwatch Units (JGUs) and installation of the Offices of the Resident Ombudsman. The CPU's were organized to broaden community participation and serve as the Ombudsman's eyes and arms, closely monitoring critical and substantially funded government projects and/or transactions in their respective areas of concern. They also serve as a front desk to receive and facilitate requests for assistance, complaints, or reports of any anomalous or corrupt practices. In addition, the CPU's work hand-in-hand with the Office of the Ombudsman in promoting the objectives of the latter through the conduct of various activities involving community participation, such as consultative workshops, symposia, seminars and conferences, developing

moral values of honesty, as well as educating the public on preventive measures in its fight against graft and corruption. At present, about 200 CPU's have been already organized from among civic-minded non-governmental organizations.

The Junior Graftwatch Units (JGU's) have been organized to mobilize the youth (both at high school and college level, including the out-of-school youth) in the fight against graft and corruption, by encouraging them to become the primary coordinating arm of the Ombudsman with respect to the educational and motivational projects involving youth, and as an effective ally of the Office of the Ombudsman. All over the country, there are already seven hundred and seventy-four (774) Junior Graftwatch Units accredited by the Ombudsman. These are organized to develop and strengthen their instinct of goodness and idealism which is anchored

**Figure I. THE POLICY OF GRAFT PREVENTION
Stages of Graft Prevention**



in the principle that a child who grows up in an environment of honesty will be difficult to corrupt when s/he attains maturity.

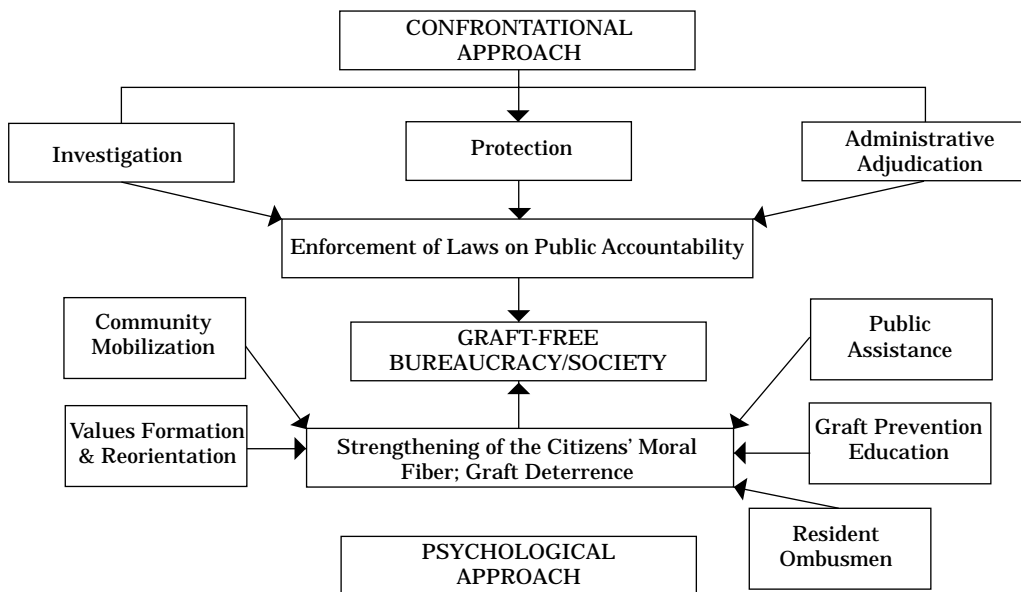
The Office of the Ombudsman believes that in empowering the citizenry to practice their innate virtues of honesty and uprightness, and getting them involved in the Ombudsman's struggle for the right values, we can expect a citizenry with even stronger moral fiber in the future. The Office's graft prevention efforts are directed at sustaining the support of all sectors of Filipino society, which is a healthy sign of empowering the citizenry in nation building. It has likewise installed Resident Ombudsmen (ROs) in 22 important departments of the government to serve as watchdogs and guardians of integrity and efficiency. They closely monitor the performance of government functionaries, thereby producing strong deterrence to bureaucratic corruption and inefficiency.

See Figure I for the stages of graft prevention as conceived by the Ombudsman.

The psychological approach adopted has been designed to create and nurture an environment of integrity in the Philippine society. This proceeds from the principle that corruption cannot thrive in a milieu of honesty. This approach, which has a long-range objective, is expected to have a lasting effect because it aims to develop a strong moral fiber for the citizenry.

For this purpose, the Office has worked with the Education Department on introducing graft prevention modules that will teach students old Filipino values of honesty and integrity. It has forged an agreement with the Movie and Television Review and Classification Board (MTRCB) to ascertain that corrupt practices pictured in movie films and television programs have redemptive values or punishment of

Figure II. THE OMBUDSMAN'S TOTAL STRATEGY AGAINST GRAFT AND CORRUPTION



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the corrupt. Orientation seminars for new government entrants are also conducted to provide a deeper understanding of public service values and of the accountability attached to their positions in the government. It has continuously conducted values orientation seminars/workshops to enhance organizational effectiveness and strengthen the moral fiber of the personnel. The totality of the Ombudsman's strategy against graft and corruption is shown in Figure II.

C. Focus on New Initiatives: Dealing with "Graft-prone Agencies"

Given the fact that stolen money is usually never recovered, even if a conviction is obtained, the Ombudsman decided that the problem must be confronted before it is committed. A psychological approach was developed to address the social environment within which graft and corruption occur. The approach as previously mentioned attempts to strengthen the citizen's moral fiber and deter the opportunities for graft.

In determining the graft-prone agencies of the government, the Ombudsman adopts three criteria:

- (i) the size of the budget of the agency,
- (ii) the number of its personnel; and
- (iii) the number of cases filed in the Office of the Ombudsman.

As may be noted, the first two criteria relate to the presence of opportunities for corruption, while the third relates to actual cases uncovered by complaints and investigation. The agencies meeting these criteria are the following:

- (i) Department of Education, Culture and Sports (DECS)
- (ii) Department of Public Works and Highways (DPWH)
- (iii) Department of Environment and

- Natural Resources (DENR)
- (iv) Department of Agriculture (DA)
- (v) Department of Health (DOH)
- (vi) Department of Transportation and Communication (DOTC)
- (vii) Department of Interior and Local Government (DILG)
- (viii) Department of National Defence (DND)
- (ix) Department of Foreign Affairs (DFA)
- (x) National Irrigation Administration (NIA)
- (xi) National Power Corporation (NPC)
- (xii) Bureau of Immigration and Deportation (BID)
- (xiii) Philippine Economic Zone Authority (PEZA)
- (xiv) Philippine Ports Authority/Bureau of Customs (PPA/BOC)
- (xv) Bureau of Internal Revenue (BIR)
- (xvi) Board of Investment (BOI)

For these agencies, the Resident Ombudsmen reviews processes to cut red tape, and inspects bidding requirements and contracts for evidence of graft.

This program appears to be a worthwhile initiative to the extent that the Ombudsman assists an agency in improving policies and programs to prevent corruption. In that sense, it is proactive, and views corruption from a systemic perspective. However, the work that the Resident Ombudsman is given should not duplicate or take away the responsibility of the management, through a working internal control unit, in supervising the performance of the functions assigned to that agency. To transfer this responsibility to an outside agency may enmesh the Ombudsman in implementation problems, as well as corruption opportunities, and decrease its capacity for enforcement and provision of sanctions. This seems to us similar to the pre-audit functions that used to be performed by the Commission on Audit, until it recognized that management

should wield this important power, for which it is responsible.

Another problem may be in the labelling of agencies as graft-prone. Bigness alone is not necessarily a prelude to corruption. Besides, the third criteria of the number of cases may be misleading if they primarily consist of cases still under investigation, rather than resolved. A litigation-prone agency may not be equivalent to a corruption-prone one. We may point out that this issue shows the urgent need for the Ombudsman to expeditiously dispose of cases brought to its jurisdiction.

VI. CONCLUSION AND RECOMMENDATIONS

The Philippines has unleashed many weapons against irresponsible behavior in the government. It has a comprehensive set of laws that may have ascertained all the possible instances of graft and corruption that can be devised. The anti-corruption agencies have been given ample powers to identify and punish offenders. They recognize the burden of power, with special agencies to give priority to catching the “big fish” and grave offences, over the acts of lower ranking personnel. They started on their own to coordinate with each other for greater over-all effectiveness. They approach corruption in both a preventive and punitive way. They recognize that the task is not only with the government, and have enlisted civil society in the struggle. For their part, citizens have also volunteered, in cooperation with state agencies or by themselves, in fighting corruption. On the whole, the Philippine approach has used democratic means, relying on due process, transparent procedures, and volition in effecting many of its aspirations. Yet corruption continues. What else needs to be done?

A. Re-examination of Existing Laws

The Philippines does not need any more laws against corruption. If anything, what it needs is a re-examination of anti-corruption laws not only to remove duplication, but also to ensure that those existing are accepted by the populace and enforceable by the anti-corruption agencies. We can only cite a few areas for further study. There are at present some provisions that, in their strictness, may encourage their breach:

- (i) The Anti-gift Decree has never been implemented, but it can conceivably be used against a completely innocent, generous person, who (being a devout Christian) cannot help but give gifts on Christmas day, an act sanctioned by PD 46 and ignored by almost everybody immersed in Philippine culture.
- (ii) The statement of assets and liabilities, a simple but potentially strong mechanism to find unexplained wealth, is submitted yearly by all public officials, but no one ever studies them. In any case, any well-paid accountant can hide unexplained wealth, and so the only people potentially at risk are civil servants that cannot afford to have others write their statements.
- (iii) Other provisions may work against getting good people in government, for example, by the requirement for divestment. This approach to possible conflicts of interest will be met by well-qualified people entering into the highest reaches of the state apparatus. The current divestment procedure may be too harsh, since it could effectively mean that no top industrialist for instance can be Secretary of Trade and Industry, and no top banker may be Central Bank

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Governor. That would be denying the government valuable human resources.

A possible alternative is to put more trust in transparency and the press (which requires an amendment of existing law). When a president chooses a person who shows reluctance because of the divestment requirement, exemption must be made for that person, provided that he or she discloses in detail and publicly all personal interests that have public implications. This could mean that the citizenry could keep track of the development of the relevant businesses and industries, while a valued member is in public office. Conversely, the problem of conflict of interest must be tackled head on by removing persons whose personal interest prospered while they were in office. This is amply provided for in RA 3019 and RA 6713, even without the divestment requirement.

- (iv) The schedule of penalties may also be looked into. In some cases the penalty may be too low, e.g, the maximum imprisonment for corruption under RA 3019 is 15 years. In others, it may be too high, e.g, the sole penalty for grave misconduct on first offence is dismissal from the service. Extreme penalties do not encourage prosecution of offences, even when they are blatant, because of the cultural trait of "*sayang*" (waste of time) for those who will merit only low penalties and "*awa*" (pity) for those who will be hit by harsh punishment.

B. Enforcement

The Philippines has an impressive number of laws to tackle practically all

cases requiring fast actions. However, enforcement of these laws leaves much to be desired. The retention of officials whom the President's anti-graft agency itself recommended to be removed suggests a lack of political will, and the priority of partisanship over the public interest. This would have provided an occasion for articulating the Administration's ethical vision, catching a big fish, and warning everyone that the leadership means business.

The people expect not only equal enforcement of the law, but even more strictness on persons perceived to be in the President's inner circle. Decisiveness would also be perceived if the public is informed of a clear connection between the official's misdeed and his/her removal. Part of the popular dissatisfaction with the conduct of accountability is the lack of closure of cases. The number of investigations that were not finished, or have "softer" findings and conclusions when no longer laboring under the public eye, does not increase public confidence in the anti-corruption programs.

C. Leadership in the Anti-corruption Drive

Leadership of the organizations primarily focused on fighting corruption requires higher qualifications than what is normally demanded. This applies particularly to the Ombudsman and to the heads of other agencies specifically created for this purpose. The very concept of an Ombudsman requires a person of high integrity whose very presence provokes respect and rectitude. The Philippines has not been blessed with the appointment of such persons to this office. Instead, they have been controversial, such that they raised questions about the Office, itself not only about its head. The President who appoints the Ombudsman should be cognizant of the high expectations of the

people to bring to the Ombudsman's office persons known for their ethical role modeling, non-partisanship, and good judgement.

D. More Resources for Enhancing Accountability

Resources for enhancing accountability and attacking corruption must be provided. This is an investment that will pay off in the long run. Guardians must be supported in their programs and given incentives not to stray from accountability. The funds, personnel, technology, and other resources of the Ombudsman and the *Sandiganbayan* must allow them to keep in step with the corrupt they are trying to catch. The personal income of such officials should be competitive with the private sector, subject to the conscientious performance of their duties. Their organizations should be provided with the necessary equipment high-tech devices like hidden cameras, etc and mundane matters such as paper clips, envelopes, filing cabinets as is needed in their work. Incumbents should be imbued with a sense of mission early, via a well-planned orientation program, and keep them going with peer group and leadership support, and a hotline for counseling on the problems they meet.

Civil servants who perform exceptionally well should be recognized. The Civil Service Commission program to this effect is a step in the right direction, but it honors too few people. The increase of salaries across the board through the Salary Standardization Law is a way to keep up with inflation, but it has had the pernicious effect of eating up any resources that may be given competitively. Merit increases and promotion can signal that an agency recognizes that one official is doing better work than the others are.

E. Better Public Administration

The management approach started under the Aquino administration should be continued and improved. Persons in decision-making positions should be trained and encouraged to think strategically. The challenge is to use whatever capacity there is towards work that is focused on enhancing the public interest. There is also a need to institutionalize some of the efforts that have been put into enhancing accountability since 1986. This means the support of agency reform measures, as well as the establishment of new procedures, to pave the way for cleaner administration.

F. Encouraging Public Sector Unions

Democracy is developed in the bureaucracy as the rank and file are given the chance to air their grievances, press for better working conditions, and demand responsibility and rectitude from the management. Even with Civil Service Commission encouragement, unions still face an uphill battle in being heard by their bosses. An arrangement where the union keeps its independence while remaining open to a partnership for service with management would provide the best avenue not only for policing how accountable management is, but also for improving the performance of everyone at all levels of the organization.

G. Reform of Politicians and Business People

Changes should also focus on the main corrupters, the politicians and the private sector. The NGOs that require their members to pay the right taxes and conduct activities towards corruption prevention within their ranks should be encouraged. Political parties should reform themselves, primarily through the continuous training of their members on party principles and policies, and their acceptance of the

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principle of political neutrality among civil servants. Pending that, the passage of the law required by the Constitution against political dynasties, and increased recourse to and encouragement of the activities of the Ethics Committees of both Houses would be more immediate steps. Cause-oriented groups and public sector unions may assist politicians, especially those who regard themselves as non-traditional, in developing support groups to re-enforce their desire for true public service, not mere patronage.

H. Transparency and Accountability

Make transparency real, allowing civil servants and the public to access information in government. A question hour in Congress, or a radio-TV program with questions and comments to be answered by executive officials may help inquiries into any aspect of their policies and performance. Reports of investigations should be made available to the public. The support of the mass media in these endeavors, accompanied by their own efforts at reforming their ranks, would be crucial to the success of these efforts.

Accountable performance would be supported if the public is informed about what the agency does and why. It is a means of ensuring that the personnel themselves know its mission. At the same time, both they and the public would also then understand the reasoning behind what seem to appear only as red tape. Information sharing - particularly of steps in service delivery - also makes it unnecessary for the client to seek out a 'fixer'. Open transactions can build a sense of partnership between the government and the people the agencies serve.

I. Moral Reform

Having role models, a code of ethics and value formation exercises speak of a desire for moral reform within the government.

While cultures cannot be changed overnight, support for value changes must be developed through a system of rewards and punishments that becomes regularized in standard operating procedures. Also, the meting out of positive and negative strokes must be swift but fair, and even-handed. Value development seminars should be case-oriented, thought provoking, and able to encourage innovative behavior, while raising alarm about continued violations.

J. Role of the People

There is a need for popular involvement in ethics and accountability. Paying the proper taxes, obeying regulations, being well informed about government services - these are only the first steps in moving to a disciplined but democratic society. In addition, support for politicians who promote causes rather than just their charm and personality would also make the line of accountability clearer. The development of parties with coherent platforms should then be a focus of people's participation, to tie up with the reforms suggested above. These are all in addition to the encouragement of NGOs that are non-partisan in exposing corruption and bringing violators to justice. The start of many of these measures has already been made. They are in tune with democratic principles, as well as the culture. One hopes that many more financial, human and moral resources will be placed at the service of accountability in the country.

Table 1
OFFICE OF THE OMBUDSMAN
STATISTICAL REPORT ON CRIMINAL/ADMINISTRATIVE CASES
From 1988 to 1998

	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998
OMB Cases Received during the year	57	3,722	3,997	5,142	5,303	8,172	9,454	6,122	8,117	8,150	8,551
Cases received back to pending								19	92	28	18
Old Tanodbayan Cases	1,811	2,814	998	145	314	105	154	46	552		
Carry-over from the previous yeaar		6	3,536	6,403	8,805	9,928	12,789	14,652	12,975	12,473	9,159
Total Workload of Criminal/											
Administrative Cases/ Complaints	1,868	6,592	8,511	11,690	14,422	18,205	22,397	20,839	21,736	20,651	17,728
Disposed of	1,862	3,056	2,108	2,885	4,494	5,416	7,772	7,864	9,263	11,492	10,816
Dismissed/ Closed and terminated	1,862	2,996	1,908	2,278	3,839	3,605	4,851	4,262	5,109	8,986	8,397
Penalty Imposed						73	93	95	179	296	253
Prosecution		60	200	607	655	1,738	2,828	3,507	3,975	2,210	2,166
Regular Courts				405	393	1,378	2,198	2,988	3,734	1,722	1,700
Pending	6	3,536	603	8,805	9,928	12,789	14,625	12,975	12,473	9,159	6,912

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Table 2
WORKLOAD AND STATUS OF CRIMINAL AND ADMINISTRATIVE CASES
(as of December 31, 1997)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received during the year	1,246	1,494	2,075	1,150	2,185	8,150
Referred by the other OMB office	8	13	0	49	0	445
Disposed cases reverted back to pending	0	0	0	28	0	28
Carry-over from 1996	3,980	2,460	1,932	3,244	857	12,473
Total workload of criminal and administrative cases	5,234	3,967	4,007	4,471	3,417	21,473
Less cases recalled to central office / transferred to OMB office	186	68	177	9	5	445
Net workload of cases	5,048	3,899	3,830	4,462	3,412	20,651
Disposed	3,249	1,772	2,094	2,034	2,343	11,492
Dismissed / exonerated	2,812	1,337	1,527	1,520	989	8,185
Prosecution	254	383	357	451	765	2,210
Penalty imposed	148	15	86	47	0	296
Closed and terminated	35	37	124	16	589	801
Pending	1,799	2,127	1,736	2,428	1,069	9,159

Table 3
WORKLOAD AND STATUS OF CRIMINAL CASES
(as of December 31, 1997)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received during the year	880	1,125	1,242	847	1,370	5,454
Referred by the other OMB offices	7	13	0	46	255	321
Disposed cases reverted to pending	0	0	0	25	0	25
Carry-over from 1996	2,989	1,997	1,281	2,765	756	9,788
Total workload of criminal cases	3,876	3,125	2,523	3,683	2,381	15,855
Less cases recalled to central office / transferred to OMB offices	179	2	132	6	3	321
Net workload of criminal cases	3,697	3,123	2,391	3,678	2,378	15,267
DISPOSED	2,749	1,480	1,440	1,746	1,643	9,058
Dismissed	2,460	1,097	1,070	1,295	878	6,800
Closed and Terminated	35	0	13	0	0	48
Prosecution	254	383	357	451	765	2,210
with regular courts	176	244	291	309	752	1,772
with Sandiganbayan	78	139	66	142	13	438
Pending	948	1,643	951	932	735	6,209

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Table 4
WORKLOAD AND STATUS OF ADMINISTRATIVE CASES
(as of December 31, 1997)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received during the year	366	379	833	303	815	2,696
Referred by the other OMB offices	1	0	0	3	120	124
Disposed cases reverted back to pending	0	0	0	3	0	3
Carry-over from 1996	991	463	651	479	101	2,865
Total workload of administrative cases	1,358	842	1,484	788	1,036	5,508
Less cases recalled to central office /transferred to other OMB offices	7	66	45	4	2	124
Net workload of administrative cases	1,351	776	1,439	784	1,034	5,384
DISPOSED	500	292	654	288	700	11,492
Dismissed / exonerated	352	240	457	225	111	1,385
Penalty imposed	148	15	86	47	0	296
Closed and terminated	0	37	111	16	589	753
Active / awaiting final disposition	851	484	785	496	334	2,950

Table 5
TOTAL WORKLOAD OF CRIMINAL AND ADMINISTRATIVE CASES
(as of December 31, 1996)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received	1,342	1,525	2,026	1,140	2,084	8,117
Referred by other OMB offices	19	13	1	16	243	292
Disposed cases reverted back to pending	0	0	5	87	0	92
OSP / TBP transferred cases	6	1	1	544	0	552
Carry-over from 1995	4,718	2,063	2,062	3,079	654	12,576
Total cases received	6,085	3,602	4,095	4,866	2,981	21,629
Less cases recalled to central office /transferred to other offices	65	7	210	6	4	292
Net workload of cases	6,020	3,595	3885	4,860	2,977	21,337
Disposed	2,974	1,135	1,765	1,219	2,121	9,214
Dismissed	2,063	879	1,472	909	741	6,604
Prosecution	350	185	201	221	549	1,506
Penalty imposed	21	65	46	39	8	179
Closed and terminated	0	6	46	50	823	925
Pending	3,046	2,460	2,120	3,641	856	12,123

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Table 6
WORKLOAD AND STATUS OF CRIMINAL CASES
(as of December 31, 1996)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received	1,028	1,213	1,424	828	1,228	5,761
Referred by other OMB offices	18	13	1	10	178	220
Disposed cases reverted to pending	0	0	4	76	0	80
OSP/TBP transferred cases	6	1	1	544	0	552
Carry-over 1995	3,402	1,657	1,342	2,605	605	9,611
Total criminal cases received	4,454	2,884	2,772	4,103	2,011	16,224
Less cases recalled to central office /transferred to other offices	60	7	144	5	4	220
Net workload of criminal cases	4,394	2,877	2,628	4,098	2,007	16,004
DISPOSED	2,339	880	1,159	936	1,252	6,566
Dismissed	1,989	695	941	701	703	5,029
Closed and terminated	0	0	17	14	0	31
Prosecution	350	185	201	221	549	1,506
with Regular Courts	195	181	153	194	542	1,265
with Sandiganbayan	155	4	48	27	7	241
Pending	2,055	1,997	1,469	3,162	755	9,438

Table 7
ADMINISTRATIVE CASES / COMPLAINTS
(as of December 31, 1996)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received	314	312	602	272	856	2,356
Referred by the Central Office	1	0	0	6	65	72
Disposed cases / reverted back to pending	0	0	1	11	0	12
Carry-over 1995	1,316	406	720	474	79	2,965
Total administrative cases received	1,631	718	1,323	763	970	5,405
Less cases recalled to central office /transferred to other offices	5	0	66	1	0	72
Net workload of administrative cases	1,626	718	1,257	762	970	5,333
Disposed	635	255	606	283	869	2,648
Dismissed / exonerated	614	184	531	208	38	1,575
Penalty imposed	21	65	46	39	8	179
Closed and terminated	0	6	29	36	823	894
Active / awaiting final disposition	993	463	651	479	101	2,685

Table 8
TOTAL WORKLOAD AND STATUS OF CRIMINAL AND
ADMINISTRATIVE CASES (as of December 31, 1995)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received	1,203	0	1,159	1,354	617	4,333
Referred by the Central Office	0	1,142	109	137	248	1,636
Disposed cases / reverted back to pending	0	0	0	19	0	19
Referred by the other OMB offices	27	18	6	19	285	355
OSP / TBP transferred cases	9	0	0	1	36	46
Carry-over 1994	5,855	1,692	2,257	3,459	602	13,865
Total criminal / administrative cases received	7,094	2,852	3,531	4,989	1,788	20,254
Less cases recalled to central office /transferred to other offices	30	2	85	231	7	355
Net workload of criminal / administrative cases	7,064	2,850	3,446	4,758	1,781	19,899
Disposed	1,984	1,416	1,475	1,834	1,155	7,864
Dismissed	1,637	1,140	1,143	1,311	473	5,704
Prosecution	307	252	246	379	336	1,520
Penalty imposed	1	24	15	55	0	95
Closed and terminated	39	0	71	89	346	545
Pending	5,080	1,434	1,971	2,924	626	12,035

Table 9
CRIMINAL CASES
(as of December 31, 1995)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received	955	0	710	1,135	295	3,095
Referred by the Central Office	0	852	85	100	217	1,254
Disposed cases reverted back to pending	0	0	0	11	0	11
Referred by the other OMB office	21	15	4	10	250	300
OSP / TBP transferred cases	9	0	0	1	36	46
Carry-over 1994	4,372	1,272	1,446	2,796	559	10,445
Total criminal cases received	5,357	2,139	2,245	4,053	1,357	15,151
Less cases recalled to central office /transferred to other office	26	2	64	206	2	300
Net workload of criminal cases	5,331	2,137	2,181	3,847	1,355	14,851
Disposed	1,576	1,105	929	1,397	775	5,782
Dismissed	1,266	853	648	987	439	4,193
Closed and terminated	3	0	35	31	0	69
Prosecution	307	252	246	379	336	1,520
Pending	3,755	1,032	1,252	2,450	580	9,069

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Table 10
ADMINISTRATIVE CASES / COMPLAINTS
(as of December 31, 1995)

Particulars	Central Office	Luzon	Visayas	Mindanao	Military	Total
Cases received during the year	248	0	449	219	322	1,238
Referred by the Central Office (CO)	0	290	24	37	31	382
Disposed cases / reverted back to pending	0	0	0	8	0	8
Referred by the other OMB office	6	3	2	9	35	55
Carry-over from 1994	1,483	420	811	663	43	3,420
Total administrative cases received	1,737	713	1,286	936	431	5,103
Less cases recalled to CO /transferred to other office	4	0	21	25	5	55
Net workload of administrative cases	1,733	713	1,265	911	426	5,048
Disposed	408	311	546	437	380	2,082
Dismissed	371	287	495	324	34	1,511
Prosecution	1	24	15	55	0	95
Closed and terminated	36	0	36	58	346	476
Active / awaiting final disposition	1,325	402	719	474	46	2,966