



Republic of the Philippines
PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT

PCGG YEAR-END ACCOMPLISHMENT REPORT FY 2021

PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT (PCGG) 2021 YEAR-END REPORT

A. CASH RECOVERIES AND OTHER INCOME FOR FY 2021

The PCGG has recorded a total of ₱588,785,346.78 cash recoveries and other income from January 1 to December 31, 2021, as follows:

- \$3,549,179.79- DANY Case No.1:14cv-0089KPF;
- ₱71,692,571.14- IRC/Mid Pasig Land Dev't. Corp.;
- ₱38,690,874.60- SMC cash dividends;
- ₱290,262,009.67-Coco Levy fund (pursuant to RA#11524);
- ₱8,892,153.26-Interest earned from escrow deposits with the Bureau of the Treasury (BTr) (net of forex loss) for;
- ₱3,777,891.25-Interest income from escrow deposits from ETPI, Kalawakan, MIPTI, etc. with Sandiganbayan; and
- ₱2,910,500.06- rental income collected from fully administered and controlled sequestered properties, e.g., the Galeria de Magallanes and Tacloban properties in escrow with Landbank.

The details of the foregoing are stated in Annex A hereof.

With the 2021 Major Final Output (MFO) Target of P584,437,000.00, PCGG attained a Realization Rate of 100.7%. In the 06 April 2022 letter to the Secretary of Justice, the Department of Budget and Management (DBM) singularly lauded the PCGG for attaining all its targets. (Annex B)

P175 BILLION CASH RECOVERY FROM 1986 TO 2021 - The total cash remitted to the BTr from 1986 to 2021 is ₱174,831,821,308.25 as of 31 December 2021 (Annex D). This fund supported farmers and human rights victims. Thus:

- **P79 Billion for Agrarian Reform Fund under R.A. Nos. 6657 & 9700.** PCGG remitted to the BTr the amount of ₱78,934,549,093.15 to support the agrarian reform program of the government. (Annex C)
- **P11 Billion- Human Rights Victims Reparation and Recognition Law under R.A. No. 10368.** PCGG remitted to the BTr the amount of ₱10,533,000,000.00 as compensation to human rights victims.
- **P77 Billion Cash Coconut Levy Fund under R.A. No. 11524-** PCGG remitted to the BTr ₱77,047,582,183.86 for the development of the coconut industry and coconut farmers to provide for the 5-year funding program of ₱75 Billion under R.A. No. 11524 (CocoLevy Law).

**B. FY 2021 BUDGET EXECUTION, MONITORING, AND ACCOUNTABILITY.
THE BUDGET UTILIZATION RATE (BUR) STANDS AT 95%.**

A total of 1,219 allotment obligations were certified from January to December 29, 2021, exceeding the target of about 950 only. The obligations incurred from January to December translate to about a 95% budget utilization rate (Fund 101 and 151).

Monthly Status of Allotment, Obligations, and Balances (SAOB) and BAR No. 4 from January to December were submitted to DBM.

The Cash Unit was able to process a total of 1,567 approved disbursement vouchers from January to December 2021 with corresponding checks/ACIC/LDDAP-ADA issued.

The rate of disbursements from the Notices of Cash Allocations provided for FY 2021 are 98.41% for Fund 101 and 93.33% for Fund 151.

C. MANAGEMENT OF SURRENDERED ASSETS GROUP

1. Inventory of personal properties such as the shares of stock and Marcos Jewelry Collections as evidenced by Mission Orders issued by the Commission.



2. Presentation of the proposed privatization of the following assets to Privatization Council (PrC), for approval:
 - 2.1. Properties for Sales and Disposal
 - a. Puerto Galera Property
 - b. Calapan Property
 - c. Tagaytay Property
 - d. Caloocan Properties (Kingswood, Maligaya & Matahimik)
 - e. Makati Sports Club Share
 - f. Manila Polo Club Share
 - 2.2 Big Ticket Items for Sales
 - a. BREDCO
 - b. GMA Cavite
 - c. IRC-EDSA Property
 - d. Payanig
3. Agreement on the withdrawal of 7.6 M pesos deposit for the BBC Property (Between PCGG and Mr. Olivan) already settled.
4. Identified the Club Membership Share of Mr. Herminio Disini in Manila Golf and Country Club (Forwarded the decision of SC to the Club Membership Director).
5. Conducted ocular Inspection with TIEZA for the rehabilitation and replication of some portions of the property in Tacloba



6. Updating of appraisal/valuation of assets subject for disposal:
 - a. Puerto Galera Property
 - b. Calapan Property
 - c. Caloocan Properties
 - d. Tagaytay Property
 - e. Naga Property
 - f. Bredco Property
 - g. GMA Property
 - h. Manila Polo and Makati Sports Shares

7. Continuing monitoring, inspection and fencing of assets subject of the disposal:
- Tagaytay Property – for documentation
 - Caloocan Property – Done



D. MANAGEMENT OF SEQUESTERED ASSETS GROUP

1. Administration And Management

- Generated an annual income of P1,765,326.76 from entrance fees and rentals from the *Sto. Nino Shrine* and *People's Center & Library*.
- Conducted a physical inventory and appraisal, with Third Party appraisers, of the sequestered art collection located at Sto. Nino Shrine in Tacloban City.
- Conducted an ocular inspection on the People's Center and Library also located in Tacloban City.
- Processed the hiring of Book Binder I for the People's Center & Library.
- Completed the relocation/transfer of the MMMFI sequestered art collections inside the BSP vault. The big Italian painting (Oil on Canvas by Guiseppe Zais) was transported to the PCGG office for safekeeping and storage.
- Prepared a Memorandum of Agreement (MOA) for the safekeeping of the MMMFI sequestered artworks in coordination with the Legal Department. The said MOA is now with the UP Vargas Museum for comments/approval.
- Completed the appraisal of the Water Lily and Tourist Duty Free Shop paintings, ownership of which are still under litigation.
- Completed the appraisal of the nineteen (19) properties located in Tacloban, Paranaque, and Batangas under litigation before the Sandiganbayan.

2. Coco Levy Corporations



As member of the Coco Levy Task Force pursuant to Office Order No. 203 [RSM-03-01-2021] dated 01 March 2021, performed the following:

- Assisted the COA Teams in the conduct of audit and physical inventory.
- Assisted in the preparation of a report on the ownership structure and inventory of assets of the 69 coco levy corporations.
- Personal delivery of letters to coco levy corporations requesting for copies of the latest General Information Sheets (GIS), Audited Financial Statements (AFS), Physical Inventory of Assets, etc.
- Provided the members of the task force with copies of the latest 58 GIS, 60 AFS furnished by the SEC, and coco levy corporations.
- Scanned 58 GIS, 60 AFS, and 11 inventories from various coco levy corporations for backup.

3. Monitoring/Updating of Records

Gathered the latest General Information Sheet (69 of 102) and Audited Financial Statements (67 of 102) of sequestered corporations.

- Obtained the latest certified true copies of the certificates of title (46 of 99) of the NCR properties under sequestration and litigation.
- Obtained a certified true copy of the Tax Declaration covering the Marcos property in Pandacan, Manila. The property is registered in the name of the Heirs of Vicente Orestes Romualdez.

4. Research, Documentation and Other Activities

- Prepared a reply to the Office of the President's letter dated 29 January 2021 requesting PCGG's comments and recommendation regarding the consolidated bill, Senate Bill No. 1396/House Bill No. 88136 entitled "An Act Creating the Coconut Farmers and Industry Trust Fund, Providing for its Management and Utilization, Reconstituting for the Purpose the Philippine Coconut Authority Board, and for Other Purposes." The said bill was passed into law (RA 11524) on February 26, 2021
- Relative to the Sandiganbayan Resolution dated 12 July 2021 in Civil Case No. 0002 partially granting the Republic's motion for reconsideration, conducted research, gathered data, and submitted a report on the status of all properties listed in the addendum to the complaint.
- Submitted a report to the Commissioner-In-Charge, through the Director for Sequestered Assets Group, copy furnished the Legal Department on the status of Roman A. Cruz, Jr. properties subject of a pending case filed by PCGG before the Sandiganbayan, docketed as Civil Case No. 0006, RP vs. Roman A. Cruz, Jr., et al.
- In connection with the queries of the Office of the Solicitor General (OSG) in its letter to PCGG dated 05 January 2021 regarding Civil Case No. 0030 entitled, "RP vs. Alfonso Lim, et al.," coordinated and obtained a formal reply from PENRO-Cavite stating that Lot 2726 covered by T.D. No. AA-0016-00397 is not covered by any kind of Public Land Application.
- Attended, participated and provided inputs in the Legal-AMD joint weekly meeting regarding the status of PCGG banner cases.

- In connection with the letter dated 18 March 2021 from the Governance Commission for Government-Owned or Controlled Corporation (GCG), undertook research and obtained copies of the Articles of Incorporation of Planters Foundation, Inc. (PFI), and General Information Sheet and Credit Information Bureau report on Planters Products, Inc. (PPI). These were forwarded to the Legal Department for appropriate action/reply to PGCG.
- Updated the list of incumbent members of the Board of Directors of the PCGG administered corporations.
- On Herminio T. Disini properties subject of Civil Case No. 0013, RP vs. Herminio Disini, et al.: (1) Provided the Legal Department and Research and Development Department with a report on the status of Disini properties, (2) Performed asset tracing, and (3) conducted a regular meeting of the PCGG Task Force.
- Prepared updated valuation on Civil Case No. 0033, RP v. Eduardo M. Cojuangco, Jr. et al. and its amended complaints.
- As part of digitization, scanned all Writs of Sequestration issued by the Commission from 1986-1988.
- Participated and passed the ISO external audit.
- Assisted in the policy formulation on the Succession.
- As a member of the Bids and Awards Committee, assisted in the annual procurement of PCGG goods and services pursuant to existing procurement law.

5. Special Project and Investigation Division

Property Management and Preservation

- Settled all association dues, special assessments, and property realty tax of Galeria de Magallanes Condominium Units.
- Drafted Bidding Guidelines, Scope of Work, and Terms of Reference for the repair of 3 GDMC units in coordination with the BAC.
- Built perimeter fence of Caloocan City properties
- Supervised relocation survey and appraisal of IRC properties in Tagaytay City and Carmona, Cavite
- Conducted ocular inspections and in-house appraisals on Mindoro Properties, Tagaytay properties, Canlubang Twin Mansions, and Villamar Court Mansion
- Assisted on the conduct of Coco Levy Assets inventory.
- Coordinated with the Register of Deeds of Caloocan, Morong, Rizal, Cavite Province and Tagaytay City on issuance of TCTs in favor of the PCGG/RP.
- Conducted ocular inspection on the location of 6 sequestered aircrafts.
- Coordinated with TIEZA on the conduct of ocular inspection on Sto Nino Shrine and People's Center and Library.

6. Research, Records Management, and Investigation

- Conducted research and data gathering on PHILCOMSAT properties located at Baras, Rizal.

- Coordinated with LGU of Pinugay, Baras, Rizal on the current status of the above properties.
- Coordinated with the Provinces of Cavite, Laguna, and Rizal for the procurement of TCTs, TDs, TAX Maps, and Cadastral Survey Maps for the properties of IRC, Alfonso Lim, Jolly Bugarin, and PHILCOMSAT.
- Conducted covert investigation on Nipa Hut Complex, Tacloban City.

E. MANAGEMENT INFORMATION SERVICES

On the second year of the pandemic, MISD's focus was to strengthen the new way of working in PCGG. With the continued implementation of the alternative working arrangement in varying degrees depending on the alert level, there was a need to enable more of our employees to work in the new normal.

1. ICT Fleet Replacement/Modernization

2021 is the first year of implementation of the Commission's second Information Systems Strategic Plan (ISSP). With the approved capital outlay for the year, MISD set out early on to procure the needed equipment to modernize the fleet of computers and other ICT equipment of more personnel to enable them to run newer software including participating in online meetings. During the course of the year, we were able to procure the following under capital outlay expenditure:

ICT Equipment via ICT Capital Outlay	Count
Desktop Sets (CPU, Monitor, Keyboard and Mouse)	35
Laptops	9
High-end Scanners	5
Mini-PC for the 3 conference rooms	3
Multi-media projectors	2
Conference Room Web Cameras	2
Network Attached Storage	2
Conference Room Microphone System	1
Document Camera	1
PVC ID Printer	1
AMD's Geo-Location Plotter Software	1

For 2021, MISD was able to consume 100% of its capital outlay budget. In addition, the following ICT semi-expendable items and supplies were also procured that accounted for 92.57% of our total ICT MOOE budget:

ICT Equipment/Supplies	Count
Laser Printers for shared printing	16
Monitors	10
High-Power Wifi Routers	1
Automatic Voltage Regulators	15
Uninterruptible Power Supply	7
Unmanaged Switch Hubs (24- & 16-port)	8
Sound bars	3



Projector ceiling mount	3
Hard disk drives (external and internal)	12

All the procured computers come with installed Windows 10 Pro operating system. In addition, we renewed our licenses for Microsoft Office 365 which we also installed on those computers and procured 4 Zoom licenses (3 for PCGG, 1 for COA).

All these procurements were in line with our fleet replacement/modernization program which aims to address our aging ICT equipment situation where many of them are still being used way beyond their useful life.

2. Application Systems

a. Case and Asset Profile System

Enhancements were made to the asset reports in this system to better present and standardize the look and feel of all Asset-related reports for this system. The directive from the Office of the President to conduct an updated inventory of coconut levy-related assets enabled us to update the details of those assets stored in this system. Also, regular semestral updates were made to the status of all active civil and criminal cases filed by and against PCGG and IRC, behest loans, and foreign cases.

b. Human Resource Information System

With the enhancements made in 2020, our service provided conducted two (2) sessions of parallel testing with actual payroll data as of November 1-15, 2020 to check if the payroll details are identical. Some program logic computations relating to how the individual deductions are processed and an updated report were made resulting from these sessions. In early 2022, stakeholders are scheduled for another round of parallel testing using the same pay period to check for any additional discrepancies.

c. Electronic National Government Accounting System (e-NGAS)

The team was able to configure the Windows server we procured for this purpose. And with technical assistance from our IT consultant, MISD was able to successfully install the application in Q4. This was shown to key employees of both the Accounting and Budget divisions. The next steps will be to configure their respective computers to be able to access a testing environment where they can re-familiarize themselves with the system prior to actual adoption.

d. Records Management System

This system is hoping to consolidate the digital documents and the summaries of previous scanning projects namely the Alchemy project in the early 2000s and the joint NHCP-PCGG Globodox project in 2015 into one system to speed up the process of document searching and retrieval in the Library & Records Division. As of the end of 2021, out of a total of 607,068 scanned pages, the number of summarized pages completed by PCGG is 148,003 or 24.38%. NHCP, on the other hand, has summarized 92,083 pages as of 23 November 2021. Together, this accounts for 39.55% of the total number of pages to be summarized. These complete summaries together with the partial summaries total around 574,418



pages which were consolidated representing almost 95% of the total scanned pages.

Scanned pages for the Alchemy project already included the creation of summaries when it was undertaken. These summaries contained in more than 280 databases of the Alchemy system have already been extracted as of end of 2021 and will undergo data cleansing and uploaded into a new database that is linked to the Records Management System starting Q1 of 2022.

The Digitization-Automation Project which began in February 2019 aims to digitize the physical documents from all departments and link them to a records management system. This will also enhance the capability of the Library & Records Division to integrate into their filing system the files of resigning/retiring executives. Assigned personnel from the different departments has so far scanned more than 331,000+ pages of documents or about 16.4% out of an initially identified and estimated 2M pages targeted for digitization.

e. Property Inventory Management System

Meetings and discussions with key personnel of the Administrative Services Division were completed to commence the development of this system as one of the systems identified in our current ISSP. The system is currently being designed and developed by our IT consultant.

3. Website & Portal Administration

a. Website

Updated reports were uploaded to the Transparency Seal page of our website including quarterly financial reports and QMS-related documents. The contents of this page were also limited to documents dated in the last 5 years and an archive page was created to house those documents dated 2015 and below. There were also updates made on the leadership change, updated profiles of the current leadership team, contact details of department heads, publication of the 2020 Annual report, procurement of various supplies and services and publication of vacancies. To gather feedback and complaints from the public, separate QR codes linked to Google Forms were published.

b. Portal

Changes to the PCGG portal this year include the following for the Home page: Updated PCGG cases status and incidents list as of 30 June 2021, Asset Profile reports with the updated coco levy data, the Artworks lists to incorporate changes due to the 2020 Salcedo appraisal of those located in IRC compound and the April, 2021 transfer from the Metropolitan Museum of Manila to the BSP vault, FY2020 Year-End and FY2021 Strategic Plans and FY2021 Mid-Year Assessment presentation slides.

For the Employee Portal page, updated Monthly Manpower complement, PCGG telephone directory, the publication of the DICT-created PCGG mail groups for all

departments, divisions, and units, internal Customer Feedback and Complaints QR links and the soon-to-be-launched MISD Requests link. Local and global news and the weather were moved to a newly created page.

F. POLICIES AND PERFORMANCE MONITORING

1. Policy Formulation

For 2021, PPD has sponsored three (3) policies for 2021 namely Guidelines on the Use of E-signature/Digital Signature for PCGG, Guidelines for the PCGG Succession Plan and Implementing Guidelines on the Allocation and Distribution of Personal Protective Equipment and Supplies.

The Guidelines on the Use of Electronic and Digital Signature aims to improve the delivery of services of the Commission by capitalizing on the latest information and communication technology tools and products. This initiative coincides with the national government effort to streamline government services and ultimately improve the competitiveness of and ease of doing business. The policy was harmonized with COA Circular issued last September 2021 on the Guidelines on the use of Electronic Documents, Electronic Signatures and Digital Signatures in Government Transactions. The policy was approved last December 10, 2021 and was officially cascaded to all employees for their information.

The Guidelines for PCGG Succession Plan, on the other hand, was completed by PPD last October 28, 2021 and was endorsed to the Succession Plan Technical Working Group for their review and additional inputs.

The Guidelines on the Allocation and Distribution of Personal Protective Equipment and Supplies is an unplanned policy formulated by PPD to protect the PCGG workforce amidst the pandemic. The policy is proposed to be the PCGG's response to the joint Memorandum Circular issued by CSC, DOH and DOLE that requires all government agencies to develop, implement, monitor, and evaluate the Occupational Safety and Health Program to protect all government employees from the hazards of injury, sickness or death through the adoption of safe and healthy working conditions. The policy was formally endorsed to the PCGG Co-Vid Task Force last September 28, 2021 for their review.

For 2021, PPD has actively participated in several Policy cascading activities to promote information dissemination. PPD together with the Admin Services Division jointly implemented the Training Course on the Preparation of Project Procurement Management Plan (PPMP) last September 14 and 16, 2021. The training team tapped the expertise of BAC members as its Resource Persons and was participated by 42 participants. The training has received 94% overall satisfaction rating among the participants.

On October 28, 2021, PPD co-implemented with the Library Division the Cascading Activity of Policy and Procedures Manual on Records Retention and Disposal of Records. The activity is designed for 2 days to discuss the concepts and procedures of Record Management System as well as to provide hands-on training on how to implement the project in the context of PCGG records. The 34

records custodians who joined last October 26, 2021 were oriented on Records Inventory, Appraisal and the Disposition as prescribed the National Archives of the Philippines.

On December 9, 2021, PPD was requested by QMS Policy Committee to cascade the Implementing guidelines on the use of Electronic/Digital Signature for PCGG employees. PPD discussed the salient points of the guidelines and explained the different types of documents covered by the policy.

2. Plans And Performance

In terms of Plans and Performance functions, PPD participated in the conduct of Mid-year Assessment last July 21-22, the Management Review last September 17 and October 15 and ISO Internal and External Audit last August 10, 2021 and November 3, 2021.

The Strategic Planning Workshop implemented last November 22-23 and December 6-7 was conducted in a hybrid mode of implementation, thus, through synchronous and asynchronous mode. The activity participated by the Chairperson, Department Heads, Division Chiefs, and some technical staff produced several significant outputs that will help in the formulation of the PCGG Strategic Plan for 2022-2025. The following are the outputs of the workshop:

- PCGG Stakeholders Map
- PCGG Strengths, Weaknesses, Opportunities and Threats
- PCGG SWOT Matrix
- Proposed Vision Statement
- Proposed Mission Statement
- Proposed Core Values
- Proposed Strategy RoadMap
- Identification of Strategic Objectives, Initiatives, and Performance Measures

G. HUMAN RESOURCE DEVELOPMENT DIVISION

1. Hiring And Appointments

a. Published Vacant Permanent Positions

For the calendar year 2021, there were a total of **27** permanent vacant positions opened and published. Of the **27** published vacant positions **12 (44%)** were completely processed by HRDD and the deep evaluation of the selection lineup candidates passed through the Human Resource Merit and Selection Board (HRMPSB) of the respective departments.

Out of the **12** completely processed vacant positions, **10** positions were already filled up and the respective appointments were submitted to the Civil Service Commission (CSC) for attestation.

Processing of the remaining **15 (66%)** vacant positions which were published the last quarter of 2021 are still ongoing.

2. Human Resource Information System

There were 6 meetings held with the provider for the purpose of customization of some features in the Payroll module of the procured HRIS. An initial parallel run of the November 2020 payroll was conducted in the first quarter of 2021. On-going meetings are being held for the testing of HRIS payroll system to check its accuracy in comparison with the existing DV Pro system that has been in use for more than a decade.

H. LIBRARY AND RECORDS DIVISION

1. MOA between PCGG & National Historical Commission of the Philippines (NHCP) for the digitization project of all Marcos related documents:

Total number of pages for encoding & indexing = 607,068 pages of Marcos related documents

- NHCP = partially encoded & indexed 92,083 pages
- PCGG = partially encoded 128,099 pages

2. Drafting of Policy & Procedure on Retention & Disposal of Records aligned with NAP Guidelines:

- PPM was approved on 27 April 2021
- Conducted cascading activity to all designated records custodians on 26 October 2021

3. Document Requests from different Department:

- Legal Department = Various documents & SEC records relating to Civil Case No. 0033

RP vs. Eduardo Cojuangco, Jr.

- Writ of Sequestration Re: Benjamin Romualdez for Civil Case No. 0035
- AMD – Sequestered Dept. – Various documents regarding Eduardo Cojuangco, Jr.

Report on the 2021 Major Cases Handled in Terms of Case Build-up, Prosecution and Convictions

Case No. Civil Case No. 0002

Title : *Republic of the Philippines vs. Ferdinand E. Marcos, Tomas Manotoc, Yeung Chun Ho, Imelda R. Marcos, Nemesio G. Co, Gregorio Araneta III, Imee Marcos-Manotoc, Yeung Chun Kam, Yeung Chun Fan, Irene R. Marcos-Araneta, Imelda Cojuangco, Prime Holdings, Inc., Ferdinand R. Marcos, Jr., Estate of Ramon Cojuangco, rep. by the Administratrix Imelda Cojuangco, Constante Rubio*

Nature Case: *Reconveyance, Reversion, Accounting and Damages*

Date Filed: *Original Complaint filed on July 16, 1987 ; Amended Complaint filed on October 11, 1987*

Status:

This is a case for reconveyance, reversion, restitution, accounting, and damages relative to the alleged ill-gotten wealth acquired by named defendants during the incumbency of Ferdinand E. Marcos (FM) as President of the Republic of the Philippines, estimated to amount to P200 Billion. The lawful income of FM as former Senator and President of the country (from 1960-1984) as declared in his tax returns amounted to P8,148,289.42. Imelda on the other hand acquired a net income of P2 Million. Contained in Annex "A" entitled List of Assets and Other Properties of Ferdinand E. Marcos, Imelda R. Marcos, and Immediate Family, is a list of properties being recovered for being allegedly ill-gotten wealth, among which are shares of stock in the Philippine Telecommunications Investment Corporation (PTIC): 76,779 shares in the name of Ramon U. Cojuangco, 21,525 shares in the name of Imelda O. Cojuangco, and 111,415 shares in the name of Prime Holdings Incorporated (PHI).

Cases against Nemesio Co, Tomas Manotoc, Gregorio Araneta III, Yeung Chan Kam, Yeung Chan Hu, Yeung Chan Fan, Imelda Cojuangco, the Estate of Ramon Cojuangco, represented by the Administratrix, and Prime Holdings, Inc. had been dismissed by the Sandiganbayan in separate Resolutions (G.R. No. 171701, Republic v. Ma. Imelda R. Marcos-Manotoc et al, 8 February 2012), leaving as defendants in Civil Case No. 0002, Estate of FM, Imelda, Imee, Irene and Marcos, Jr., and Rubio.

Specific Averments/Allegations of Defendants' Illegal Acts:

Spouses Ferdinand and Imelda Marcos – embarked upon a systematic plan to accumulate ill-gotten wealth throughout their incumbency as public officials of the Republic. The late Marcos ordered (1) the massive and unlawful withdrawal of funds, securities, reserves, and other assets and property from the National Treasury, the then Central Bank, and other financial institutions and depositaries of the Republic; and (2) the transfer of such funds, securities, reserves and other assets and property to payees or transferees of his choice and whether and in what manner such transactions should be recorded in the books and records of these institutions and other depositories of the Republic.

Constante Rubio – acted as the bagman of the defendant spouses on Japanese reparations kickbacks, receiving the same and depositing monies for the said spouses. **Imee Marcos-Manotoc, Irene R. Marcos-Araneta, Ferdinand R. Marcos, Jr., Tomas Manotoc, and Gregorio Araneta III** – actively collaborated with defendant spouses

Ferdinand and Imelda Marcos in confiscating and/or unlawfully appropriating funds and other property and in concealing the same. In addition, each of the said defendants took undue advantage of their relationship with the defendant spouses by unlawfully acquiring or receiving property, shares of stocks in corporations, illegal payments such as commissions, bribes or kickbacks, and other forms of improper privileges, income, revenue, and benefits.

Nemesio G. Co, Yeung Chun Ho, Yeung Chun Fan, and Yeung Chun Kam – acted as fronts or dummies, cronies, or otherwise willing tools of defendant spouses and/or the family, in the illegal salting of foreign exchange. They are also known as “Hongkong Investors.”

Case Status/Latest Court Incidents:

The Sandiganbayan, in its Decision dated 16 December 2019, dismissed the Complaint filed against the defendants for the failure of the Republic to prove its allegations by preponderance of evidence.

The Court held:

“The bulk of documentary evidence offered by the plaintiff are mere photocopies, most of which are barely readable. Thus, even if the Court were to defy the best evidence rule, it could still not fully ascertain the contents of these documents and make an intelligent evaluation therefrom.”

“It bears stressing that, despite Ms. Magno’s testimony and the stipulations made by the parties, majority of the plaintiff’s exhibits remained to be mere photocopies, in violation of the best evidence rule. The same cannot be considered as exceptions to the said rule under paragraph d, Section 3, Rule 130 of the Rules of Court precisely because Ma. Magno herself admitted that not all of the originals thereof were in the possession of the PCGG. Thus, it cannot be concluded that the originals are public records in the custody of a public officer. Be that as it may, *“the fact that these documents were collected by the PCGG in the course of its investigations does not make them per se public records xxx.”*

The Republic filed its Motion for Reconsideration on 26 December 2019.

On 03 February 2020, defendants Imelda R. Marcos and Irene Marcos-Araneta filed a Comment/Opposition to the Motion for Reconsideration filed by the Republic on 26 December 2019.

On 18 February 2020, defendant Ferdinand R. Marcos, Jr. also filed a Comment/Opposition to the aforementioned Motion for Reconsideration filed by the Republic.

In a Resolution of the Sandiganbayan Fourth Division, the Court partially granted the Republic’s Motion for Reconsideration of its Decision dated 16 December 2019 and partially dismissed the case insofar as the recovered properties are concerned in view of the principle of conclusiveness of judgment and ordered the review of the remaining properties listed in the Addendum to the Complaint stating that the same cannot be adjudged yet. Moreover, the Sandiganbayan ordered the **submission of a Status Report of all the properties listed in the Addendum to the Complaint**, including the amendments thereto, **within thirty (30) days** from receipt of the Resolution.

The PCGG, through the OSG, has complied with the said resolution and submitted the status report of the properties listed in the Addendum to the Complaint.

Case No. Civil Case No. 0033-B

Title : *Republic of the Philippines vs. Ferdinand Marcos (deceased), Imelda Marcos, Emmanuel Almeda, Edgardo Angara, Jose Aspiras, Eladio Chatto, Jose C. Concepcion, Avelino V. Cruz, Rolando Dela Cuesta, Manuel Del Rosario, Jose R. Eleazar, Jr. (deceased), Anastacio Emano, Sr., Eduardo U. Escueta, Domingo Espina, Jose Gomez, Sulpicio Granada, Paraja Hayudini, Maria Clara Lobregat (deceased), Bienvenido Marquez, Jose Martinez, Jr. , Inaki R. Mendezona, Jose Reynaldo Morente, Juan Ponce Enrile, Teodoro D. Regala, Celestino Sabate, Danilo Ursua, Rogelio Vinluan, Herminigildo C. Zayco, Phil. Coconut Producers Federation, Inc. (COCOFED), Coconut Investment Co. (CIC), COCOFED Marketing Corp. (COCOMARK), United Coconut Planters Life Assurance Corp. (COCOLIFE), and United Coconut Oil Mills, Inc.*

Nature Case: Reconveyance, Reversion, Accounting and Damages

Date Filed: Original Complaint filed on July 16, 1987 ; Amended Complaint filed on October 11, 1987

Status:

This is a case for reconveyance, reversion, restitution, accounting, and damages relative to the alleged ill-gotten wealth acquired by named defendants during the incumbency of Ferdinand E. Marcos (FM) as President of the Republic of the Philippines, estimated to amount to P200 Billion. The lawful income of FM as former Senator and President of the country (from 1960-1984) as declared in his tax returns amounted to P8,148,289.42. Imelda on the other hand acquired a net income of P2 Million. Contained in Annex "A" entitled List of Assets and Other Properties of Ferdinand E. Marcos, Imelda R. Marcos, and Immediate Family, is a list of properties being recovered for being allegedly ill-gotten wealth, among which are shares of stock in the Philippine Telecommunications Investment Corporation (PTIC): 76,779 shares in the name of Ramon U. Cojuangco, 21,525 shares in the name of Imelda O. Cojuangco, and 111,415 shares in the name of Prime Holdings Incorporated (PHI).

Cases against Nemesio Co, Tomas Manotoc, Gregorio Araneta III, Yeung Chan Kam, Yeung Chan Hu, Yeung Chan Fan, Imelda Cojuangco, the Estate of Ramon Cojuangco, represented by the Administratrix, and Prime Holdings, Inc. had been dismissed by the Sandiganbayan in separate Resolutions (G.R. No. 171701, Republic v. Ma. Imelda R. Marcos-Manotoc et al, 8 February 2012), leaving as defendants in Civil Case No. 0002, Estate of FM, Imelda, Imee, Irene and Marcos, Jr., and Rubio.

Specific Averments/Allegations of Defendants' Illegal Acts:

Spouses Ferdinand and Imelda Marcos – embarked upon a systematic plan to accumulate ill-gotten wealth throughout their incumbency as public officials of the Republic. The late Marcos ordered (1) the massive and unlawful withdrawal of funds, securities, reserves, and other assets and property from the National Treasury, the then Central Bank, and other financial institutions and depositaries of the Republic; and (2)

the transfer of such funds, securities, reserves and other assets and property to payees or transferees of his choice and whether and in what manner such transactions should be recorded in the books and records of these institutions and other depositories of the Republic.

Constante Rubio – acted as the bagman of the defendant spouses on Japanese reparations kickbacks, receiving the same and depositing monies for the said spouses.

Imee Marcos-Manotoc, Irene R. Marcos-Araneta, Ferdinand R. Marcos, Jr., Tomas Manotoc, and Gregorio Araneta III – actively collaborated with defendant spouses Ferdinand and Imelda Marcos in confiscating and/or unlawfully appropriating funds and other property and in concealing the same. In addition, each of the said defendants took undue advantage of their relationship with the defendant spouses by unlawfully acquiring or receiving property, shares of stocks in corporations, illegal payments such as commissions, bribes or kickbacks, and other forms of improper privileges, income, revenue, and benefits.

Nemesio G. Co, Yeung Chun Ho, Yeung Chun Fan, and Yeung Chun Kam – acted as fronts or dummies, cronies, or otherwise willing tools of defendant spouses and/or the family, in the illegal salting of foreign exchange. They are also known as “Hongkong Investors.”

Case Status/Latest Court Incidents:

The Sandiganbayan, in its Decision dated 16 December 2019, dismissed the Complaint filed against the defendants for the failure of the Republic to prove its allegations by preponderance of evidence.

The Court held:

“The bulk of documentary evidence offered by the plaintiff are mere photocopies, most of which are barely readable. Thus, even if the Court were to defy the best evidence rule, it could still not fully ascertain the contents of these documents and make an intelligent evaluation therefrom.” x x x

“It bears stressing that, despite Ms. Magno’s testimony and the stipulations made by the parties, majority of the plaintiff’s exhibits remained to be mere photocopies, in violation of the best evidence rule. The same cannot be considered as exceptions to the said rule under paragraph d, Section 3, Rule 130 of the Rules of Court precisely because Ma. Magno herself admitted that not all of the originals thereof were in the possession of the PCGG. Thus, it cannot be concluded that the originals are public records in the custody of a public officer. Be that as it may, *“the fact that these documents were collected by the PCGG in the course of its investigations does not make them per se public records xxx.”*

The Republic filed its Motion for Reconsideration on 26 December 2019.

On 03 February 2020, defendants Imelda R. Marcos and Irene Marcos-Araneta filed a Comment/Opposition to the Motion for Reconsideration filed by the Republic on 26 December 2019.

On 18 February 2020, defendant Ferdinand R. Marcos, Jr. also filed a Comment/Opposition to the aforementioned Motion for Reconsideration filed by the Republic.

In a Resolution of the Sandiganbayan Fourth Division, the Court partially granted the Republic's Motion for Reconsideration of its Decision dated 16 December 2019 and partially dismissed the case insofar as the recovered properties are concerned in view of the principle of conclusiveness of judgment and ordered the review of the remaining properties listed in the Addendum to the Complaint stating that the same cannot be adjudged yet. Moreover, the Sandiganbayan ordered the **submission of a Status Report of all the properties listed in the Addendum to the Complaint**, including the amendments thereto, **within thirty (30) days** from receipt of the Resolution.

The PCGG, through the OSG, has complied with the said resolution and submitted the status report of the properties listed in the Addendum to the Complaint.

Case No. Civil Case No. 0033-C

Title : *Republic of the Philippines vs. Eduardo Cojuangco, Jr., Ferdinand E. Marcos, Imelda Marcos, Rafael Abello, Enrique Cojuangco, Marcos Cojuangco, Maria Clara Lobregat, Jesus Pineda, Juan Ponce Enrile, Agricultural Investors, Inc.*

Nature Case: *Reconveyance, Reversion, Accounting and Damages*

Date Filed: Original Complaint filed on July 31, 1987 ; Subdivided Complaint filed on March 24, 1999

Status:

This case is against Eduardo M. Cojuangco, Jr. and 8 individual defendants including the Marcos spouses and Agricultural Investor, Inc. involving the development, improvement, operation and maintenance of the Bugsuk Island Seed Garden (Bugsuk). The Republic claims that Cojuangco, Jr. misused, misappropriated, and dissipated P840 Million of the Coconut Industry Development Funds (CIDF) deposited with the UCPB; sold the coconut seed nuts produced at Bugsuk at exorbitant prices him being the Chief Executive Officer of the UCPB and, at the same time, beneficial holder and controller of Agricultural Investors, Inc. (All), the appointed developer of Bugsuk; and the UCPB allowed a decision of the Board of Arbitrators to lapse into finality, making the UCPB liable for the payment of almost P800 Million in arbitration fees to the All.

In a Resolution dated 10 September 2015, the Sandiganbayan denied the Motion for Summary Judgment filed by RP on 4 November 2013. The court found that trial has to be conducted to determine if defendants' properties and other assets, as alleged in the 3rd amended complaint and contested in turn by the defendants, have been unlawfully acquired, or were so acquired through the use of relatives, agents. RP timely moved to reconsider the same but was, however, denied by the Sandiganbayan on 8 March 2016. This was elevated to the Supreme Court in July 2016.

ECJ filed a Motion to Dismiss dated 30 April 2015 on the alleged ground that his right to a speedy disposition of his case has been violated. RP filed opposition on 13 May 2015. This is yet to be resolved by the court.

In G.R. No. 225281, the SC in its Entry of Judgment certified that on September 14, 2016, a Resolution was rendered, which reads as follows:

“Considering the allegations, issues and arguments adduced in the petition for certiorari assailing the Resolutions dated 10 September 2015 and 8 March 2016 of the Sandiganbayan in Civil Case No. 0033-C, the Court resolves to DISMISS the instant petition for failure to sufficiently show that the questioned resolutions are tainted with grave abuse of discretion.” and that the same has on February 8, 2017 become final and executory and is hereby recorded in the Book of Entries of Judgment.”

In a Decision promulgated in G.R. No. 247982 on April 28, 2021, which the PCGG was notified of on December 8, 2021, the Supreme Court granted the Petition for Prohibition filed by Eduardo M. Cojuangco, Jr., enjoined the Sandiganbayan from taking further proceedings in Civil Case Nos. 0033-B, 0033-C, 0033-D, 0033-E, 0033-G and 0033-H, and ordered the dismissal of the said cases for violation of the constitutional rights to due process and speedy disposition of cases of Eduardo M. Cojuangco, Jr. A Motion for Reconsideration on the dismissal was filed by the Office of the Solicitor General on January 11, 2021.

Case No. Civil Case No. 0033-D

Title : *Republic of the Philippines vs. Eduardo Cojuangco, Jr., Ferdinand Marcos (deceased), Imelda Marcos, Emmanuel Almeda, Jose Concepcion, Mohammad Ali Dimaporo, Jose R. Eleazar, Jr. (deceased), Eduardo Escueta, Maria Clara Lobregat (deceased), Douglas Lu Ym, Inaki Mendezona, Juan Ponce Enrile, Teodoro D. Regala, Danilo Ursua, Cagayan De Oro Oil Company, Inc., Legaspi Oil Co., Inc., Lucena Oil Factory, Inc., PCY Oil Manufacturing Corp., Southern Luzon Oil Mills, Inc., Thilagro Edible Oil Mills, Inc., United Coconut Oil Mills, Inc.*

Nature Case: *Reconveyance, Reversion, Accounting and Damages*

Date Filed: *Original Complaint filed on July 31, 1987 ; Subdivided Complaint filed on March 24, 1999*

Status:

This case is against Cojuangco, Jr. and 21 individual defendants including the Marcos spouses and 7 corporations for the reconveyance to the Government of the United Coconut Oil Mills, Inc. (UNICOM) and other oil mills created and funded out of the Coco-Levy Funds, their affiliates and subsidiaries, and their assets and properties.

Republic's Motion for Partial Summary Judgment dated 09 October 2002 was denied in a *Joint Resolution* promulgated on 02 June 2016. The Republic filed a *Motion for Reconsideration* on 08 July 2016. In a *Joint Resolution* promulgated on 09 May 2017, the court denied the Motions for Reconsideration filed by the Republic in Civil Case No. 0033-B and Civil Case No. 0033-D. The Republic filed a *Petition for Review on Certiorari* dated 07 July 2017 under G.R. No. 232423 which was dismissed in a *Resolution* dated 14 August 2019 due to Republic's failure to show any grave abuse of discretion in rendering the challenged joint resolutions issued by Sandiganbayan. The Republic filed a *Motion for Reconsideration* dated 12 November 2019 which the Supreme Court denied with finality on March 3, 2021 in G.R.No. 232423.

ECJ filed a Motion to Dismiss dated 30 April 2015 on the alleged ground that his right to a speedy disposition of his case has been violated. In a Joint Resolution dated 18 April 2017, the Sandiganbayan denied the Motion to Dismiss Civil Case Nos. 0033-B; 0033-D and 0033-H.

In a Decision promulgated in G.R. No. 247982 on April 28, 2021, which the PCGG was notified of on December 8, 2021, the Supreme Court granted the Petition for Prohibition

filed by Eduardo M. Cojuangco, Jr., enjoined the Sandiganbayan from taking further proceedings in Civil Case Nos. 0033-B, 0033-C, 0033-D, 0033-E, 0033-G and 0033-H, and ordered the dismissal of the said cases for violation of the constitutional rights to due process and speedy disposition of cases of Eduardo M. Cojuangco, Jr. A Motion for Reconsideration on the dismissal was filed by the Office of the Solicitor General on January 11, 2021.

Case No. Civil Case No. 0033-E

Title : *Republic of the Philippines vs. Eduardo Cojuangco, Jr., Ferdinand E. Marcos (deceased), Imelda Marcos, Rolando De La Cuesta, Jose R. Eleazar, Jr. (deceased), Maria Clara Lobregat (deceased), Juan Ponce Enrile, Herminigildo C. Zayco, The United Coconut Oil Mills, Inc.*

Nature Case: *Reconveyance, Reversion, Accounting and Damages*

Date Filed: *Original Complaint filed on July 31, 1987 ; Subdivided Complaint filed on March 24, 1999*

Status:

Defendant Cojuangco, Jr. and 8 individual defendants including the Marcos spouses and one (1) corporation are held liable for the dissipation of coconut levy funds by means of donations made to various projects of Imelda Marcos, unearned Income from CIDF Deposit with the UCPB and US AntiTrust Suit against the UNICOM.

With the denial of RP's Motion for Reconsideration (on the denial of its Motion for Partial Summary Judgment filed on 26 January 2006), a Petition for Certiorari (with Prayer for the Issuance of a TRO and/or Writ of Preliminary Injunction) was filed before the Supreme Court on 8 October 2012 under **GR No. 20353** still pending as to this date.

ECJ filed a Motion to dismiss on 3 February 2014 for failure of the Republic to prosecute the case for an unreasonable length of time. This was DENIED in a Resolution promulgated by the Sandiganbayan on 2 June 2014.

In a Decision promulgated in G.R. No. 247982 on April 28, 2021, which the PCGG was notified of on December 8, 2021, the Supreme Court granted the Petition for Prohibition filed by Eduardo M. Cojuangco, Jr., enjoined the Sandiganbayan from taking further proceedings in Civil Case Nos. 0033-B, 0033-C, 0033-D, 0033-E, 0033-G and 0033-H, and ordered the dismissal of the said cases for violation of the constitutional rights to due process and speedy disposition of cases of Eduardo M. Cojuangco, Jr. A Motion for Reconsideration on the dismissal was filed by the Office of the Solicitor General on January 11, 2021.

Case No. Civil Case No. 0033-G

Title : *Republic of the Philippines vs. Eduardo M. Cojuangco, Jr., Ferdinand E. Marcos (deceased), Imelda Marcos, Ernesto O. Escaler (deceased), Ernest Escaler*

Nature Case: *Reconveyance, Recovery of Possession, Accounting and Damages*

Date Filed: *Original Complaint filed on July 31, 1987 ; Subdivided Complaint filed on March 24, 1999*

Status:

Cojuangco, Jr. and 4 individual defendants including the Marcos spouses are impleaded in this case for having actively collaborated with one another to unjustly enrich

themselves by misusing the coconut levy funds to buy certain Pepsi Cola assets, including the ECI Challenge Corporation, the Pepsi Cola Bottling Group and the Pepsi Cola Distributors, Inc.

RP's Petition for Review dated 31 January 2009 (G.R. No. 185800) filed by RP before the Supreme Court (on the denial by the Sandiganbayan of its Motion for Judgment on the Pleadings or for Summary Judgment for lack of merit) is pending consideration to this date.

In a Decision promulgated in G.R. No. 247982 on April 28, 2021, which the PCGG was notified of on December 8, 2021, the Supreme Court granted the Petition for Prohibition filed by Eduardo M. Cojuangco, Jr., enjoined the Sandiganbayan from taking further proceedings in Civil Case Nos. 0033-B, 0033-C, 0033-D, 0033-E, 0033-G and 0033-H, and ordered the dismissal of the said cases for violation of the constitutional rights to due process and speedy disposition of cases of Eduardo M. Cojuangco, Jr. A Motion for Reconsideration on the dismissal was filed by the Office of the Solicitor General on January 11, 2021.

Case No. Civil Case No. 0033-H

Title : *Republic of the Philippines vs. Eduardo M. Cojuangco, Jr., Ferdinand E. Marcos, Imelda Marcos, Jose D. Aspiras, Antonio Carag, Manuel (Manda) Elizalde, Jr., Don M. Ferry, Jose R. Guerrero, Juan Ponce Enrile, Alice Li Reyes, Jose M. Tengco, Jr., Bernardo Vergara, Cesar C. Zalamea, Rolando M. Zosa*

Nature Case: *Reconveyance, Recovery of Possession, Accounting and Damages*

Date Filed: *Original Complaint filed on July 31, 1987 ; Subdivided Complaint filed on March 24, 1999*

Status:

The defendants in this case are Cojuangco, Jr. and 13 other individual defendants who are being held liable for the following behest sale/loans contracts:

- a) DBP loan accommodation in the amount of P603,343,470.00 for the use and benefit of the Northern Cement Corporation, a corporation beneficially held and controlled by defendant Eduardo Cojuangco, Jr. despite manifestly inadequate collaterals and under terms and conditions grossly disadvantageous to the DBP, Plaintiff and the Filipino people;
- b) acquisition of plant, machineries and facilities of Alpha Integrated Textile Mills, Inc., a DBP foreclosed asset, in favor of Southern Textile Mills, Inc., a corporation beneficially held and controlled by defendant Eduardo M. Cojuangco, Jr. under terms and conditions grossly disadvantageous to DBP, Plaintiff and the Filipino people; and
- c) loans and credits in the amount of P70 million from Philippine Tourism Authority in favor of the Holiday Villages Philippines, Inc., and Coral Island Resort and Development Corporation, a corporation beneficially held and controlled by defendants Manuel (Manda) Elizalde, Jr., Jose D. Aspiras, and Eduardo M.

Cojuangco, Jr., to finance a village resort complex project at San Juan, Batangas which never materialized.

The Motion to Dismiss filed by ECJ was denied by the Sandiganbayan in Resolution dated 24 June 2013 finding no basis in the former's assertion that plaintiff has no cause of action against him.

ECJ filed another Motion to Dismiss dated 30 April 2015 on the alleged ground that his right to a speedy disposition of his case has been violated. In a Joint Resolution dated 18 April 2017, the Sandiganbayan denied the Motion to Dismiss Civil Case Nos. 0033-B; 0033-D and 0033-H.

The Sandiganbayan promulgated a Resolution on 17 April 2017 denying the Republic's Motion for Reconsideration of the Resolution dated 20 December 2004 dropping the name of Juan Ponce Enrile as defendant in this case pursuant to Section 3 rule 3 of the Revised Rules of Civil Procedure. A Petition for Review on Certiorari dated 5 June 2017 was filed by the Republic under docket No. **GR No. 23117**.

In a Decision promulgated in G.R. No. 247982 on April 28, 2021, which the PCGG was notified of on December 8, 2021, the Supreme Court granted the Petition for Prohibition filed by Eduardo M. Cojuangco, Jr., enjoined the Sandiganbayan from taking further proceedings in Civil Case Nos. 0033-B, 0033-C, 0033-D, 0033-E, 0033-G and 0033-H, and ordered the dismissal of the said cases for violation of the constitutional rights to due process and speedy disposition of cases of Eduardo M. Cojuangco, Jr. A Motion for Reconsideration on the dismissal was filed by the Office of the Solicitor General on January 11, 2021.

Case No. Civil Case No. 0034-A

Title : Republic of the Philippines vs. Heirs of Roman Cruz, et al.

Nature Case: Reconveyance, Reversion, Accounting, Restitution and Damages

Date Filed: Original Complaint filed on July 31, 1987; Amended Complaint filed on August 20, 1987

Status:

A separate trial was granted insofar as the Heirs of deceased defendant Roman Cruz are concerned. The Heirs are negotiating for a compromise settlement.

During the hearing held on November 25, 2019, the Court directed the parties to be ready for the presentation of their respective evidence on March 16, 2020 should the approval by the Office of the President of the proposed compromise agreement be not secured or made available.

A Resolution was issued on February 13, 2020 denying the Motion for Reconsideration filed by the Republic which sought to reverse and set aside the Court's decision dated August 5, 2019.

The Republic presented its witness, Ms. Inday Magno, in November 2020. During the hearing on May 5, 2021, the heirs of Roman A. Cruz manifested that they will not present defense evidence and is submitting the case for decision.

The heirs of Roman Cruz filed a Demurrer to Evidence on April 15, 2021.

In a Resolution dated November 2, 2021, the Sandiganbayan granted the Demurrer to Evidence and dismissed the Amended Complaint for Reconveyance, Reversion, Accounting, Restitution and Damages for insufficiency of evidence.

A Motion for Reconsideration was filed by the PCGG, through the OSG, from the dismissal.

Case No. *Civil Case No. 0181*

Title : *Republic of the Philippines vs. Traders Royal Bank, et al*

Nature Case: *Sum of Money, Reconveyance, Enforcement of Foreign Judgment*

Date Filed: *November 24, 1997*

Status:

Between the years 1974 up to 1986, the late President Ferdinand E. Marcos acquired and exercised ownership and control over TRB through his close friend and classmate, then Ambassador Roberto S. Benedicto which the latter exercised through layers of front corporations. Consequently, defendant TRB became one of the bank depositaries of ill-gotten funds of Mr. Marcos and his associates and served as a conduit of said funds.

All properties constituting ill-gotten wealth were subsequently claimed by the new Philippine government before the US customs service. Among the properties claimed were (bank instruments) certificates of time deposits, documents and bearer certificates.

An action for interpleader was instituted by the government of USA before the district court of Honolulu, Hawaii in order to settle the conflicting claims of ownership over the confiscated properties.

Imelda Marcos, after the death of her husband, entered into several agreements with the Philippine government on October 25, 1991 by virtue of which she voluntarily assigned in favor of the latter all of her interests, as well as the interests of her deceased husband, in all the properties subject matter of the interpleader case.

As a consequence thereof, the district court of Hawaii rendered a judgment on December 18, 1992 adjudging plaintiff Republic to be the owner and is legally entitled to the possession, custody and control of the properties. The aforesaid judgment is already final and executory.

First Cause of Action

Among the properties and papers included in the judgment are banking instruments issued by defendant TRB in the ordinary course of its banking operations from 1974 to 1979, wherein TRB categorically and equivocally acknowledged receipts of funds from Mr. Marcos, denominated in Philippine pesos and US dollars.

On February 26, 1993, after the originals of the aforementioned banking instruments were turned over to the PCGG, the banking instruments were presented for payment by PCGG to defendant TRB. However, TRB refused payment without just and valid cause.

Second Cause of Action

In 1974, when defendant's name was still Traders Commercial Bank, the Royal Bank of Canada (RBC) invested in the defendant by buying equity consisting of 278,488 shares of the common stock thereof.

In 1976, RBC sold all its 278,488 shares of stock in defendant to Marcos/Benedicto but ostensibly to Banque de Paris et des Pays Bays (Suisse) SA (Banque de Paris). Notwithstanding that the purchaser on record was Banque de Paris and as glaring proof that the purchase in favor of Banque de Paris was a mere sham, the stock and transfer book of defendant reflected the aforesaid transfer in the name of 2 of Benedicto's front corporations, FEMII and UEC, apparently forgetting that the transferee on record was Banque de Paris. Subsequently, realizing the error, the entries of transfer to FEMII and UEC in the stock and transfer book were later caused to be canceled on the ground that the sale to FEMII and UEC "did not materialize".

The said shares sold by RBC constitute ill-gotten wealth of the late President Marcos and should be reconveyed to the plaintiff. However, despite repeated demands, defendant failed and refused to honor plaintiff's right over the subject shares.

On October 17, 2000, the name TRB was changed to Royal Traders Holding Co., Inc. by virtue of the amendment of its Articles of Incorporation. The amendment was ostensibly in preparation for TRB's sale to Bank of Commerce (Bancom) for the purpose of mingling its assets with the latter bank to escape its obligations with the government. On November 11, 2001, TRB was acquired/purchased by Bancom by virtue of a purchase and sale agreement.

Thus, on January 3, 2005, the Republic filed an Amended Complaint to include Royal Traders Holding Co., Inc and Bank of Commerce as defendants therein.

In a Decision promulgated on September 24, 2021, the Sandiganbayan ordered the Royal Traders Holding Co., Inc. (RTHCI), formerly Traders Royal Bank (TRB)/Traders Commercial Bank (TCB), to pay the Republic the amounts representing the peso and dollar denominated bank certificates (P65,978,870.00, \$5,435,362.90 and P30,050,000.00) plus 12% interest **thereon** per annum from February 1993 until full payment.

A Motion for Partial Reconsideration was filed by the Republic of the decision as to the liability of Bank of Commerce which was denied in a Resolution dated December 16, 2021.

Case No. G.R. No. 207619

Title : *ECH and SONS Agricultural Enterprises, Balete Ranch, Inc., Christensen Plantation, Inc., Autonomous Development Corporation, Metroplex Commodities, Inc., Lucena Oil Factory, Inc. and PCY Oil Manufacturing Corporation vs. Presidential Commission on Good Government*

Nature Case: *Petition for Review on Certiorari*

Date Filed: August 8, 2013

Status:

A Petition for Review on Certiorari was filed by the petitioners assailing the Resolutions of the Sandiganabayan which upheld the sequestration of the UCPB shares of stock of ECJ and Sons Agricultural Enterprises, Balete Ranch, Inc., Christensen Plantation, Inc., Autonomous Development Corporation, Metroplex Commodities, Inc., Lucena Oil Factory, Inc. and PCY Oil Manufacturing Corporation (collectively called ECJ and Sons, et al.)

In a Decision promulgated on April 26, 2021, the Supreme Court confirmed the finality of decision on the true ownership of the shares of the alleged fronts, nominees and dummies (ECJ and Sons Agricultural Enterprises, Balete Ranch, Inc., Christensen Plantation, Inc., Autonomous Development Corporation, Metroplex Commodities, Inc., Lucena Oil Factory, Inc. and PCY Oil Manufacturing Corporation) of Eduardo M. Cojuangco, Jr. which was previously ruled by the Court to belong to the Republic of the Philippines and form part of the 72.2% shares of the FUB/ UCPB paid for by the PCA with public funds later charged to the coconut levy funds.

With the finality of the said ruling, the Supreme Court said that the sequestration of the shares has ended.

Case No. Civil Action No. 14-cv-890-KPF “The DANY Interpleader Action/DANY Case”

Title : District Attorney of New York County (DANY) vs. Republic of the Philippines, Jose Duran, on his behalf and as representative of a class of judgment creditors of the estate of Ferdinand E. Marcos, Imelda Marcos, and Ferdinand R. Marcos, Vilma Bautista, Ester Navalksana, Leonor Hernandez, Aida Hernandez, Imelda Marcos, Jorge Y. Ramos, the Metropolitan Museum of Manila Foundation, Inc., Golden Budha Corporation, and the Estate of Roger Roxas

Nature Case: Interpleader Action Pending before the United States District Court for the Southern District of New York (SDNY)

Date Filed: February 11, 2014

Status:

Upon receiving news of the District Attorney of New York’s (DANY) seizure of properties from Imelda Marcos’ former secretary, Vilma H. Bautista, Mr. Robert A. Swift, Lead Counsel for the Human Rights Victims (HRV) class, in seeking to enforce the \$2 Billion Hawaii Court Judgement in favor of the HRVs, filed turn-over proceedings before the NY State Supreme Court so that the DANY will turn over the seized properties. Among the seized properties were the three (3) impressionist paintings subject of litigation in Civil Case 0141 and the proceeds of the Vilma Bautista’s sale of the Monet Water-Lily Pond Painting. Asserting sovereign immunity, the Republic did not enter its appearance in the said turn-over proceedings. Upon Motion by the DANY, the NY State Supreme Court stayed the proceedings.

Filed by the DANY on 11 February 2014, this time impleading the Republic, the DANY Interpleader Case was first handled by Atty. Kenneth C. Murphy of Simon Partners LLP for the Republic. On 13 May 2014, with authority from former PCGG Chairman Andres Bautista and Commissioner Ma. Ngina Chan-Gonzaga, the Republic filed its Answer to

the Interpleader Complaint, exercising a limited waiver of sovereign immunity over the assets seized from the possession of Vilma H. Bautista.

Given the marching orders of the OSG in the 7 September 2016 Memorandum addressed to President Rodrigo R. Duterte to Executive Secretary Salvador C. Medialdea, PCGG with its then newly-constituted members abided strictly by the OSG Memorandum. PCGG hired new foreign counsel, Mr. Salvador E. Tuy, Jr. to represent the Republic in the DANY Case and instructed the latter to file a Motion to Dismiss for the Republic to walk away from the proceedings, essentially asserting the withdrawal of the limited waiver of sovereign immunity for being invalid. Nevertheless, the SDNY Court denied the Motion to Dismiss due to the Republic's prior participation in the case.

Hence, trial dates and a mandatory settlement conference were set by the Court. Following the settlement conference, counsels for the parties came out with a draft Stipulation and Order. The said draft on the settlement of the DANY case was also submitted by PCGG to the OP, DOJ and OSG for review and approval.

In an 8 January 2019 Memorandum, the Office of the Executive Secretary declared that it interposes no objection to the PCGG entering into a settlement agreement over the Water-Lily Pond Painting and the DANY case provided that the PCGG secures the approval of the DOJ and OSG.

Atty. Tuy submitted the ES Memorandum to the SDNY Court and the same was considered as authority for Atty. Tuy to enter into a settlement on behalf of the Republic. On 17 January 2019, the SDNY Court approved the Stipulation and Order signed by counsels of all parties. In the Stipulation and Order, US\$4 Million was allotted to the Republic.

After securing the approval of the US District Court of Hawaii, notwithstanding the Republic's objections, the Court proceeded with disbursement to the other parties who have filed claims over the amounts pertaining to them in the Stipulation and Order.

Upon knowledge of the issuance of the Stipulation and Order, Atty. Murphy filed his claim for his Attorney's Charging Lien, which includes a claim for unpaid legal fees and expenses, and a contingency fee amounting to 7% of the US\$4 Million.

Asserting that his contract also includes a contingency fee amounting to 7% of the amount to be awarded to the Republic, and hence faced with a conflict of interest against his client, Atty. Tuy withdrew as counsel of the Republic. Anticipating this, the Republic through PCGG filed an application to appear Pro Se – a litigant for himself. In its Pro Se Application, the Republic stated its position against Atty. Murphy and Atty. Tuy's charging liens.

In an Order dated 10 June 2019 signed by Hon. Katherine Polk Failla, presiding judge of the SDNY Court, Atty. Tuy's motion to withdraw as counsel was granted and the Republic was given 90 days to retain new counsel and to submit a status letter on or before 8 September 2019.

PCGG sent letters to the Office of the President and the Office of the Solicitor General seeking the latter's' approval and acquiescence, respectively, for the hiring of new counsel for the Republic.

Atty. Arvin G. Amatorio, Esq. filed Entry of Appearance dated 1 August 2019 as Republic's counsel pro bono. The Republic's status letter was filed on 7 August 2019.

On 7 November 2019, PCGG sought the OSG and DOJ's guidance on the final decision for the Republic. Pressed for time, there is a strong need to decide on the Republic's next course of action. At this point, the Republic has the following options: withdraw the US\$ 4 Million or file a Motion to Vacate the Joint Stipulation and Order. The filing of the Motion to Vacate the Joint Stipulation and Order expires on 17 January 2020, or one (1) year after the approval of the court. OSG replied that they stand by their opinion in their previous letters, that the Republic should assert sovereign immunity.

Atty. Amatorio's letter requesting leave of court to file a Motion to Vacate was granted by the Court in its Order dated 13 January 2020.

A Motion dated February 11, 2020 to Vacate the Joint Stipulation and Order was filed by the Republic. In an Order dated May 28, 2020, Judge Failla denied the Republic's Motion to Vacate.

A court conference was held on December 2, 2020 regarding Messieurs and Tuy's fees where the court awarded Mr. Murphy three (3%) percent (in addition to his outstanding billing hours for hours and costs) and that Mr. Tuy is entitled to seven (7%) percent of the \$4M.

In an Order dated January 29, 2021, Judge Katherine Failla directed the disbursement of \$3,549,179.79 to the Republic of the Philippines as a consequence of the Stipulation and Order filed on January 17, 2019.

ANNEXES

Annex A – Summary of Cash Recoveries and Other Income

Annex A			
SUMMARY OF CASH RECOVERIES AND OTHER INCOME			
<u>From JANUARY 1, 2021 to DECEMBER 31, 2021</u>			
<u>CASH RECOVERIES</u>			
Remittance from Mid Pasig Land Development Corp.		P	71,692,571.14
<i>(share of FY 2021 MPLDC income)</i>			
San Miguel Corporation cash dividends-Qtrs 1,2, 3 & 4 2021			38,690,874.60
<i>(for Coconut Farmers and Industry Trust Fund/R.A.No.11524)</i>			
DANY Case No. 1:14cv-00890KPF direct remittance to			
Bangko Sentral ng Pilipinas - March 5, 2021 (ESCROW)			
<i>(\$3,549,179.79 @P48.6195 [3/5/21])* Peso equivalent</i>			172,559,346.80
Total Cash Recoveries			282,942,792.54
<u>OTHER INCOME</u>			
Sandiganbayan Escrow Accounts - Interest earned			
<i>1st Qtr. 2021 - interest earned</i>	1,249,953.68		
<i>2nd Qtr. 2021 - interest earned</i>	1,280,280.91	*	
<i>3rd Qtr. 2021 - interest earned</i>	1,247,656.66	*	3,777,891.25
Bureau of the Treasury (BTr) Peso Account Interest Earnings			
<i>1st Qtr 2021 - interest earned</i>	4,407,328.17		
<i>2nd Qtr 2021 - interest earned</i>	4,345,145.56		
<i>2nd Qtr 2021 - Dollar Acct. interest earned</i>	139,679.53	*	8,892,153.26
Coco Levy Fund - Interest Income pursuant to R.A. #11524 (2/26/21)			
<i>Net Interest (Q1 2021)</i>	36,560,588.55		
<i>Adjustment of Q1 2021 interest</i>	9,445,436.88		
<i>Net Interest Q2 2021)</i>	<u>244,255,984.24</u>		290,262,009.67

Total Other Income			302,932,054.18
TOTAL CASH RECOVERIES AND OTHER INCOME			585,874,846.72
ADD: Escrow Funds Still with Land Bank Pasig			
(for remittance to the BTr)			
1. Galeria de Magallanes Account (January 2021-December 2021)			1,145,203.30
2. Tacloban Collections Account (January 2021-December 2021)			1,765,296.76
TOTAL Escrow Funds Still w/ LBP			2,910,500.06
TOTAL RECOVERIES		P	588,785,346.78
<i>*recorded by the BTr in US\$</i>			
<i>** interests computed by Acctg. 1/20/22</i>			
	2021 MFO Target	P	584,437,000.00
	Accomplishment		100.7%

Annex B: DBM Letter re: Annual Monitoring and Review of Agency Performance



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF BUDGET AND MANAGEMENT
GENERAL SOLANO STREET, SAN MIGUEL, MANILA

APR 06 2022

SECRETARY MENARDO I. GUEVARRA

Department of Justice (DOJ)
Padre Faura St. Ermita, Manila

Dear **Secretary Guevarra**:

In compliance with the provisions under Book VI of the Executive Order No. 292 (Administrative Code of 1987) dated July 25, 1987, as cited in Chapter 2 - Budget Policy and Approach (Section 9 - Performance and Financial Review) and Chapter 6 - Budget Accountability (Section 55 - Review of Budgetary Programs), the Department of Budget and Management (DBM) conducts annual monitoring and review of agency performance, particularly on agency utilization of government fund vis-à-vis plans/targets.

Relative thereto, after due coordination with your staff to clarify/secure documentary support, we have completed the review of your Department's performance covering the physical, financial and income performance for the period January to December of CY 2021, with findings and recommendations as shown in the attached individual agency performance review report (APRR) for your Department and attached agencies, summarized as follows:

Physical Performance:

The Department was able to significantly accomplish most of the physical targets appearing in its Performance Informed Budget (PIB) for FY 2021. In summary, below are the FY 2021 unmet targets:

- For the Witness Protection Program, only 84.62% out of the 98.50% target for successful prosecution was met.
- The National Prosecution Service (NAPROS) handled 75.81% out of the targeted 86% successful prosecution in FY 2021.
- Only 5,569 law enforcers and service providers were trained in FY 2021.

Page 1 of 6



- 94.65% of claims for victims compensation were acted upon.
- 96.15% out of the targeted 98% of requests for legal services were acted upon within the prescribed period while 93.80% out of the targeted 99.10% of requests for legal services were acted upon in FY 2021.
- The overall congestion rate in national prisons under the Bureau of Corrections (BUCOR) is 303% due to influx of new committals from city, municipal and provincial jails. As of December 31, 2021, the number of PDL reached 48,501.
- The Bureau of Immigration (BI) processed 2,952,601 passenger entry and exits in all ports of the country, of which only 1,841,578 or 62.37% is processed within 45 seconds. Thus, failing to accomplish by 36.63 percentage points on its target of 99% for the year. In addition, the agency disposed 116 cases out of 129 cases within 60 days.
- The Land Registration Authority (LRA) was able to achieve 99.85% of titles issued and deeds annotated without errors. However, the indicator that measures client satisfaction only posted 73.59% against the target of 75.07%.
- The National Bureau of Investigation (NBI) has acted a total of 35,569 cases or only 62.40% from its 57,000 cases target. Nevertheless, this is significantly higher than the previous year acted cases by 12,271 cases.
- On the other hand, the NBI only received 5,580,072 clearance applications for various purposes which is non-controllable since this is highly dependent on the number of applicants applying for NBI clearances.
- Out of the 228 cases with decision handled by the Office of the Government Corporate Counsel (OGCC), 157 cases won for FY 2021. In addition, only 66% of contracts and legal opinions was reviewed and rendered within the prescribed period.
- The Office of the Solicitor General (OSG) acted upon 21,691 cases, out of which 20,466 or 94% were acted within the prescribed period of 30 days.
- The Parole and Probation Administration (PPA) failed to sustain its posted accomplishment as the total investigation reports submitted within the prescribed period only reached 63.24% or 67,675 out of 107,014 submission.
- The Public Attorney's Office (PAO) administered a total of 21,281 disputes, of which 19,031 cases were resolved/settled. In this scenario, PAO falls short of its target by 3.32 percentage points.

✓ We laud the Presidential Commission on Good Government (PCGG) for attaining all of its targets for FY 2021.

Page 2 of 6



Financial Performance:

We commend the Department for posting an overall obligation rate of 95.40% and disbursement rate of 94.48%. Summarized below is the DOJ's FY 2021 Obligation and Disbursement Budget Utilization Rates (BUR):

Agencies	Obligation Rate		Disbursement Rate		
	Obligation vs Allotment	Obligation vs Financial Plan	Disbursement vs Obligation	Disbursement vs MDP	Disbursement vs Disbursement Authorities Issued
OSEC	96.75%	96.54%	98.39%	94.99%	95.45%
BUCOR	97.73%	97.73%	93.64%	91.52%	83.39%
BI	84.06%	81.81%	79.69%	65.19%	89.10%
LRA	96.87%	96.87%	84.85%	82.20%	58.72%
NBI	84.05%	83.40%	85.05%	70.94%	82.61%
OGCC	98.54%	98.38%	96.59%	95.02%	83.00%
OSG	96.17%	92.81%	92.89%	83.22%	95.83%
PPA	93.28%	93.28%	94.24%	87.91%	93.15%
PCGG	93.49%	90.27%	98.85%	89.24%	93.97%
PAO	100.00%	100.00%	100.00%	100.00%	100.00%
TOTAL, DOJ	95.40%	94.92%	94.48%	89.53%	89.96%

As can be gleaned from the above table, PAO posted 100% obligation and disbursement BURs. The agencies that registered the lowest obligation and disbursement BURs are BI and NBI.

May we also point out that the DOJ's overall obligation BUR of 95.40% shows an improvement over the FY 2020 obligation rate of 93.31%. In addition, the disbursement BUR of 94.48% is a significant increase from the FY 2020 disbursement rate of 88.55%.

However, the disbursement rates, measured against the FY 2021 Monthly Disbursement Program and total disbursement authorities issued are both below 90% which are mainly due to the late receipt of claims and/or lack of supporting documents to complete the payment process.

DOJ Major Programs:

Out of the ₱28.926 Billion allotment released to the DOJ, ₱14.936 Billion represents releases for identified DOJ Major Programs. The two-year comparative Obligation and Disbursement BURs is shown below:

AGENCY/OPERATIONS	FY 2020					FY 2021				
	Allotment	Obligation	Disbursement	Oblig BUR	Dis BUR	Allotment	Obligation	Disbursement	Oblig BUR	Dis BUR
OSEC Law Enforcement Program	6,056,768	5,963,864	5,791,254	98.47%	97.11%	6,480,967	6,450,061	6,430,098	99.52%	99.69%
BUCOR Prisoners Custody And Safeguarding Program	3,419,444	3,219,801	2,795,394	94.16%	86.82%	2,796,445	2,733,414	2,568,842	97.68%	93.98%
BI Border Control And Management Program	1,256,334	1,052,455	877,088	83.77%	83.34%	1,186,676	1,097,472	972,510	92.53%	88.61%
NBI Crime Detection And Investigation Program	1,111,453	1,045,316	1,012,065	94.05%	96.81%	66,138	41,478	16,877	62.70%	40.70%
PAO Public Legal Assistance Program	3,938,588	3,938,588	3,938,588	100.00%	100.00%	4,404,997	4,404,997	4,404,997	100.00%	100.00%
TOTAL	15,782,587	15,220,024	14,414,339	96.44%	94.71%	16,936,623	14,727,434	14,393,324	98.60%	97.73%

We have noted that the NBI has reported zero percent (0%) disbursement BUR for Capital Outlay items which were only obligated during the latter part of FY 2021. Such items remain payable (not yet due and demandable) and awaiting the deliveries and billing statements which were not received as of the closing date for FY 2021.

Income Performance:

Presented below is the FY 2021 revenue performance of the DOJ.

PARTICULARS	FY 2021 Target	Actual Level	% of Target
DOJ-OSEC Victims Compensation Fund (Board of Claims) - award for victims of unjust imprisonment or detention and victims of violent crimes	48,115	4,277	8.89%
BUCOR Revolving Fund (agro-industrial projects)	323,853	272,908	84.27%
BI Various Immigration Fees and Express Lane Fees	9,147,023	5,572,798	60.92%
LRA Land registration fees/collection of the Register of Deeds of LGUs and LRA	5,567,864	8,414,503	151.13%
NBI Clearance Fees and Other Service Income	679,748	584,190	85.94%
OSG Certification fees, oath-taking fees, filing fees, and other fees	3,227	1,006	31.17%
PCGG Share from Proceeds from Sale of Property/Cash Dividends/Rentals from sequestered assets	584,437 43,869	585,785 2,911	100.23% 6.64%

The LRA's effort to improve revenue collection is commendable with the establishment of third party-operated extension offices which contributed to exceeding its target income in FY 2021. On the other hand, the shortfall on revenue targets by BI, NBI and OSG can be attributed to the slowdown of transactions as a result of intermittent lockdown and adoption of health safety measures brought about by the COVID-19 pandemic.

Overall Recommendation:

We are providing the following recommendations to support the Department's commitment in delivering its financial and physical performance targets:

- While most of the performance indicators have been met, there is still a need for regular monitoring of all programs and projects to be implemented as scheduled and planned.
- To maintain the high level of budget utilization rates, the DOJ should continue the practice of early procurement activities to ensure that contracts are awarded at the start of the year and improve the coordination among concerned offices, i.e. Accounting and Budget to facilitate the timely submission of documentary requirements for processing of payments.
- The DOJ should exercise due diligence in the submission of requests to DBM, which should be timely and supported with complete documentary requirements to facilitate the issuance of the necessary release documents. Delay in the release of funds constitutes delay in the delivery of services. The documentary requirements for each type of requests to be submitted to the DBM can be found in the DBM Citizen's Charter.
- The DOJ is also encouraged to explore strategies on how to improve its revenue collections for the next fiscal year.
- We suggest the timely and accurate submission of reportorial requirements pursuant to DBM Circular Letter (CL) No. 2016-9 dated October 27, 2016, as amended under DBM CL No. 2017-12 dated October 19, 2017, and DBM CL No. 2018-10 dated November 18, 2018 and COA-DBM Joint Circular No. 2019-1 dated January 01, 2019, with due prudence, consistency, and accuracy on the information provided for an effective reporting, monitoring and evaluation of the agency's performance.
- The DOJ is also reminded to comply with the monthly updating of e-Personnel Services Itemization and Plantilla of Personnel pursuant to National Budget Circular No. 549 (Monthly Updating of the PSI POP) Under the Web-based Application System).

The details of the aforementioned findings, comments and recommendations are shown in the individual agency performance review reports for DOJ and its attached agencies per **Attachments I to X**.

The government appreciates the efforts of your agency in delivering its commitments in terms of the performance indicators reflected in Volume II of the FY 2021 General Appropriations Act.

The DBM shall be pleased to provide any clarification/additional information on the findings contained in this letter as needed.

We hope the results of this review will guide you in ensuring a fruitful performance in the coming years.

Very truly yours,


TINA ROSE MARIE L. CANDIA
Officer-in-Charge



cc: **DIRECTOR GENERAL GERALD Q. BANTAG**
Bureau of Corrections
NBP Reservation, Muntinlupa City

COMMISSIONER JAIME H. MORENTE
Bureau of Immigration
DOJ Building, Padre Flaura St.
Ermita, Manila

ADMINISTRATOR RENATO D. BERMEJO
Land Registration Authority
East Ave., cor. NIA Road, Quezon City

ATTY. ERIC B. DISTOR
Director
National Bureau of Investigation
NBI Building, Taft Avenue, Ermita, Manila

ATTY. ELPIDIO J. VEGA
Government Corporate Counsel
Office of the Government Corporate Counsel
MWSS Administration Bldg., Katipunan Ave.,
Balara, Quezon City

ATTY. JOSE C. CALIDA
Solicitor General
Office of the Solicitor General
OSG Bldg., 134 Amorsolo St., Legaspi Village,
Makati City

COMMISSIONER JOHN A. AGBAYANI
Officer-In-Charge
Presidential Commission on Good Government
#85 IRC Building, EDSA, Mandaluyong City

MR. JULITO M. DIRAY
Officer-In-Charge
Parole and Probation Administration
DOJ Agencies Bldg., NIA Road, Diliman,
Quezon City

DR. PERSIDA V. RUEDA-ACOSTA
Chief Public Attorney
Public Attorney's Office
DOJ Agencies Bldg., NIA Road, Diliman,
Quezon City

Page 6 of 6



AGENCY PERFORMANCE REVIEW (APR) REPORT
DEPARTMENT OF JUSTICE - PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT
For the Period January 1 to December 31 2021

A. Physical Performance	Annual Target	Actual	Remarks
OO 1: Ill-gotten wealth effectively and efficiently recovered Amount of remittance to the Bureau of the Treasury; income generated from surrendered/sequestered assets including rental and interest income from recovered assets under escrow with the BTr Bulk of the recovered amounts is attributed to: a) escrow funds from sequestered assets which are still pending before the courts; b) share from coco levy fund to be earmarked for the coconut farmers and c) interest income from bank deposits.	₱ 584,437 Million	₱ 588,785 Million	<p>The PCGG has one (1) Outcome Indicator and two (2) Output Indicators in the FY 2021 Performance Informed Budget. All of its performance targets has been met.</p> <p>For this output indicator, it is emphasized that the PCGG was able to recover a total amount of ₱588,785 Million which surpassed their target recoveries of ₱584,437 Million for the year. This amount is 76.43 percentage points higher than the ₱333,712 Million recovered in FY 2020.</p> <p>The amounts recovered are then deposited in the National Treasury consistent with the Special Provision No. 1 of PCGG, wherein, not more than 10% of such proceeds may be used by PCGG for the payment of lawful claims, which include recovery expenses, selling expenses, custodianship and other related costs attributable to the sold or administered assets.</p> <p>Since its inception in 1986, the Commission has recovered the total amount of ₱174.832 Billion.</p>
B. Financial Performance	Amount (P'000)	% of Accomplishment	Remarks
1. Obligation Rate Actual Obligation (FAR No. 1) Allotment Releases Actual Obligation (FAR No. 1) Financial Plan (BED No. 1)	160,486 171,663 160,486 177,780	93.40% 90.27%	<p>The bulk of the unobligated amount is due to the following:</p> <p>a. Suspension/deferral of the activities such as ocular inspection and inventory of sequestered and surrendered assets within and outside the NCR, appraisal of sequestered artworks stored at the vault of the Bangko Sentral ng Pilipinas and roof repair and repainting of buildings due to health and safety considerations under Covid-19 pandemic.</p> <p>b. Deferred privatization/disposal of surrendered assets due to unfavorable market.</p> <p>c. Deferred PCGG on Tour Against Corruption Exhibit and Lecture Series, upon request of the targeted university due to sudden change of school administration.</p> <p>d. Non-availability of TCTs in the vault of the QC Register of Deeds gutted by previous fire incident.</p> <p>e. Realization of savings for water and electricity expenses and for procurement of ICT equipment due to reduced consumption because of limited on-site reporting and the procurement being awarded to lowest responsive supplier.</p> <p>On the other hand, the bulk of unpaid obligations, represents expenses incurred in FY 2021 but were not paid as of the year end due to late receipt of claims, statement of accounts/billings and/or lack of supporting documents to complete the payment process.</p>
2. Disbursement Rate Actual Disbursement Actual Obligation (FAR No. 1) Actual Disbursement Monthly Disbursement Program Actual Disbursement (FAR No. 4) Total Disbursement Authorities Issued	158,647 160,486 158,647 177,780 164,609 175,180	98.85% 89.24% 93.97%	
C. Revenue Performance	Amount (P'000)	% of Accomplishment	
Actual Revenue as of December 31, 2021 Programmed Revenue (BESF)	588,696 628,306	93.70%	Only ₱2,911 Million has been recorded for FY 2021 which corresponds to escrow funds, i.e., rental income and other fees.

AGENCY PERFORMANCE REVIEW (APR) REPORT
DEPARTMENT OF JUSTICE - PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT
For the Period January 1 to December 31 2021

D. Summary of Findings/Comments/Recommendations

- 1) The PCGG was able to accomplish all its physical targets for the period. Accordingly, the agency is advised to revisit physical targets and should represent a balance between challenging and current levels of physical performance given the budgetary support provided by the national government.
- 2) Relative to the financial performance, PCGG is advised to evaluate and closely monitor the procurement and the delivery of services. In addition, frequent coordination with the suppliers or contractors so that supporting documents for billings can be easily complied with, otherwise, delayed compliance may hamper the disbursement program of the agency.
- 3) Ensure the timely and accurate submission of reportorial requirements pursuant to DBM Circular Letter (CL) No. 2016-9 dated October 27, 2016, as amended under DBM CL No. 2017-12 dated October 19, 2017, and DBM CL No. 2018-10 dated November 18, 2018 and COA-DBM Joint Circular No. 2019-1 dated January 01, 2019, with due prudence, consistency, and accuracy on the information provided for an effective reporting, monitoring and evaluation of the agency's performance.
- 4) The PCGG is reminded to comply on the monthly updating of e-Personnel Services Itemization and Plantilla of Personnel pursuant to National Budget Circular No. 549 (Monthly Updating of the PSiPOP) Under the Web-based Application System).

ANALYSIS OF FINANCIAL PERFORMANCE FOR THE PERIOD JANUARY TO DECEMBER 2021
 Department/Agency: DEPARTMENT OF JUSTICE - PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT
 In Thousand Pesos

Particulars (a)	Adjusted Appropriation (b)	Adjusted Allotment (c)	Obligation (d)	Disbursement (e)	Financial Plan (BED No. 1) (f)	Monthly Disbursement Program (BED No. 2) (g)	Obligation Rate		Disbursement Rate *	
							Obligation vs Allotment (h = e/c)	Obligation vs Financial Plan (i = d/f)	Disbursement vs Obligation (j = e/d)	Disbursement vs MDP (k = e/g)
Appropriations	146,969									
Transfer From	-									
Transfer to	-									
Adjusted Appropriations	146,969									
Current Appropriations	146,969	146,969	138,949	138,110	133,086	133,086	98.27%	91.42%	98.89%	98.22%
PS	91,984	96,744	96,638	96,331	102,861	102,861	99.89%	93.95%	99.88%	93.65%
MOOE	52,888	47,928	41,139	39,677	47,928	47,928	95.84%	85.84%	96.45%	82.78%
Finex	-	-	-	-	-	-	-	-	-	-
Capital Outlay	2,297	2,297	2,172	2,102	2,287	2,287	94.56%	94.56%	96.78%	91.51%
Automatic Appropriations	6,338	6,338	6,338	6,338	6,338	6,338	100.00%	100.00%	100.00%	100.00%
RLIP	6,338	6,338	6,338	6,338	6,338	6,338	100.00%	100.00%	100.00%	100.00%
SAGF (Fund 151 - 03 104 322)	23,000	23,000	22,996	16,115	23,000	23,000	0.07%	0.00%	0.00%	0.00%
MOOE	-	-	-	-	-	-	-	-	-	-
CO	-	-	-	-	-	-	-	-	-	-
Special Purpose Funds	9,339	9,339	9,339	9,339	9,339	9,339	100.00%	100.00%	100.00%	100.00%
PGF	3,215	3,215	3,215	3,215	3,215	3,215	100.00%	100.00%	100.00%	100.00%
MPSF	6,124	6,124	6,124	6,124	6,124	6,124	100.00%	100.00%	100.00%	100.00%
Contingent Fund	-	-	-	-	-	-	-	-	-	-
Continuing Appropriations	28,482	9,017	4,960	4,960	9,017	9,017	53.96%	53.90%	100.00%	53.90%
PS	2,582	2,582	2,582	2,582	2,582	2,582	100.00%	100.00%	100.00%	100.00%
MOOE	19,555	6,347	2,278	2,278	6,347	6,347	0.00%	0.00%	0.00%	0.00%
Finex	-	-	-	-	-	-	-	-	-	-
Capital Outlay	6,345	88	-	-	88	88	0.00%	0.00%	0.00%	0.00%
GRAND TOTAL	191,128	171,663	168,486	158,647	177,780	177,780	93.49%	90.27%	98.85%	89.24%

* Additional Information:
 Total Disbursement (FAR No. 4) (i)
 Total Disbursement Authorities Issued (m)
 Disbursement Rate (n = i/m)

ANALYSIS OF INCOME PERFORMANCE FOR THE PERIOD JANUARY TO DECEMBER 2021
Department/Agency: DEPARTMENT OF JUSTICE - PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT
In Thousand Pesos

Nature of Income (a)	FY Target (b)	Actual Level (c)	% of Target (d = c / b * 100)
GRAND TOTAL	628,306.00	588,696.00	93.70%
NON-TAX REVENUE WITH BTr			0.00%
Other Permit Fees	-	-	
Registration Fees			
Other... (please specify)			
EARMARKED REVENUES	584,437	585,785	100.23%
Special Account in the General Fund			
10% of the proceeds from the sale of assets, compromise agreements, and rental from PCGG property for the payment of lawful claims	584,437	585,785	
OFF-BUDGET ACCOUNTS	43,869	2,911	6.64%
Trust Receipts (Escrow Funds)			
Rental income and other fees/dividends/other income	43,869	2,911	

Annex C - Summary of Cash Remittances to CARP

PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT					
Summary of Cash Remittances to CARP					
as of DECEMBER 31, 2021					
	YEAR			AMOUNT	
	1987		P	228,012,547.86	
	1988			1,099,394,492.41	
	1989			343,625,322.82	
	1990			781,572,132.14	
	1991			670,010,219.71	
	1992			199,230,261.20	
	1993			117,856,359.82	
	1994			15,177,211,555.60	
	1995			621,559,487.56	
	1996			290,030,604.23	
	1997			226,680,844.56	
	1998			1,217,374,320.91	
	1999			382,287,838.72	
	2000			36,346,622.16	
	2001			498,270,893.29	
	2002			165,849,962.81	
	2003			116,472,677.75	
	2004			24,627,188,411.67	
	2005			56,905,111.17	
	2006			48,013,512.35	
	2007			25,270,589,031.19	
	2008			2,051,468,564.59	
	2009			758,463,032.10	
	2010			488,767,838.83	
	2011			287,353,673.52	
	2012			460,240,307.31	
	2013			413,462,466.29	
	2014			1,315,100,883.97	
	2015			151,113,980.36	
	2016			297,464,445.56	
	2017			234,839,335.81	
	2018			30,395,143.71	
	2019			146,042,356.75	**
	2020			125,354,854.42	
	TOTAL		P	78,934,549,093.15	*
*Net of 10% Special Provision, etc.					
**excluding collection receipted on 12/27/19 but remitted to the BTr on 1/3/2020					

Annex D – Cash Recoveries

ANNEX D			
TOTAL RECOVERIES			
From 1986 to DECEMBER 31, 2021		P	174,831,821,308.25
Total Collections and Remittances to BTr-National Government		P	<u>171,919,023,283.41</u>
Comprehensive Agrarian Reform Program (CARP)			78,934,549,093.15
PCGG- Special Provision (1999-2021)			847,349,781.98
Human Rights Victims			10,533,000,000.00
Office of the Solicitor General (RA9417)			151,724,582.73
General Fund (Rental- Globe (Dec. 2004-2012)			3,662,966.17
Office of the President (Sale of Meralco shares/Meralco cash dividends)			4,401,154,675.52
SAGF For COCO Levies/CIIF 14 Holding Companies (12/31/2021)			
Special Account in the General Fund (SAGF)	P	61,651,756,543.23	
SMC Dividends (from BTr Escrow)		854,923,965.15	
BTr Ross Account (Gov't. Securities + interests)		13,580,743,395.38	
Sept. 19, 2018 remittance by UCPB (Time Deposits)		276,356,145.67	
Remittance from UCPB 12/5/2019		2,871,149.91	
Government securities transferred by UCPB- 12/27/2019+int.2020		104,506,380.78	
<i>Transferred to the Coconut Farmers and Industry Trust Fund</i>		(10,000,000,000.00)	
Interest Income pursuant to RA#11524 -2/26/21+net ints.(Q1&2 2021)		<u>290,262,009.67</u>	66,761,419,589.79
*Coconut Farmers and Industry Trust Fund			
Transferred from SAGF Coco Levies		10,000,000,000.00	
R.A.No.11524, credited on 6/30/2021 per PCGG Reso.			
#2021-015-015/PCGG letter dtd. 6/11/2021 from Escrow Fund		266,817,156.77	
Sept and Dec. 2021-deposits (SMC cash dividends)		<u>19,345,437.30</u>	10,286,162,594.07
Total Escrow Fund		P	<u>2,912,798,024.84</u>
Bureau of the Treasury (June 30, 2021 schedule)*			

Total Peso Deposits	1,327,895,073.61	
Dollar - \$7,378,282.50 x P48.922 (June 30, 2021)	361,576,858.74	
(includes DANY Case No.1:14cv-00890KPF thru BSP - 3/5/2021)		
Gain/Loss-Dollar Acct. due to exchange rate 12/31/2019	1,280,396.03	
Interest earned 1st Qtr. 2021	4,407,328.17	
Interest earned 2nd Qtr. 2021	<u>4,345,145.56</u>	1,699,504,802.11
Remittance from Mid Pasig Land Development Corp.		
Share of FY 2021 MPLDC income		71,692,571.14
Sandiganbayan - Q.C.		
PCGG OWNI/MIPTI/ETPI/Kalawakan Resort, etc.	1,085,047,836.34	
Interests earned as of 12/31/2019 of the above	37,909,795.76	
Interests earned as of 5/20/2020 of the above	3,917,626.14	
Interests earned as of Sep. 2020 of the above	2,727,444.36	
Interests earned as of Dec. 2020 of the above	2,045,770.43	
Interests earned-1st Qtr. 2021 of the above	1,249,953.68	
Interests earned-2nd Qtr. 2021 of the above	1,280,280.91	
Interests earned-3rd Qtr. 2021 of the above	<u>1,247,656.66</u>	1,135,426,364.28
Land Bank of the Philippines		
Pasig (Galeria Account) Bal. as of December 31, 2021	2,685,288.02	
Pasig (Tacloban Properties Acct.) Bal.as of December 31, 2021	<u>3,488,999.29</u>	6,174,287.31
<i>*Btr latest schedule</i>		