



Republic of the Philippines
PRESIDENTIAL COMMISSION ON GOOD GOVERNMENT

**PCGG YEAR END
ACCOMPLISHMENT REPORT
FY 2020**

MANDATE

The Presidential Commission on Good Government (PCGG) was created by President Corazon C. Aquino on 28 February 1986 through the issuance of Executive Order No. 1, s. 1986.

This law, predating even the 1987 Philippine Constitution and recognized as the first official act under the Aquino administration, is the symbolic first step in the transition from tyranny to democracy, and the institutionalization of the Filipino people's aspiration for genuine democracy and desire for good government.

The fact that the PCGG was created by President Corazon Aquino, in the exercise of her **executive and legislative powers**, puts it in a unique position. A rare confluence of factors in Philippine politics – enabling environment conducive to change, political will, and popular support – made its creation possible. The PCGG, a quasi-judicial agency, has three mandates

- (1) The recovery of ill-gotten wealth accumulated by former President Ferdinand E. Marcos, his immediate family, relatives, subordinates and close associates, whether located in the Philippines or abroad, including the takeover or sequestration of all business enterprises and entities owned or controlled by them, during his administration, directly or through nominees, by taking undue advantage of their public office and/or using their powers, authority, influence, connection or relationship.
- (2) The investigation of such cases of graft and corruption as the President may assign to the Commission from time to time.
- (3) The adoption of safeguards to ensure that the above practices shall not be repeated in any manner under the new government, and the institution of adequate measures to prevent the occurrence of corruption.

POWER AND AUTHORITY

These extraordinary circumstances places at the President's disposal, a quasi-judicial agency,

entrusted with impressive powers to:

- (a) Conduct investigations;
- (b) Provisionally take over business enterprises, until otherwise disposed of or privatized;
- (c) Enjoin or restrain acts that threaten or impair its efforts;
- (d) Administer oaths and issue both *subpoenas ad testificandum* (testimony of witnesses) and *duces tecum* (production of records and documents);
- (e) Cite persons in direct or indirect contempt, and impose corresponding penalties therefore;
- (f) Seek and secure assistance from any government agency, office, or instrumentality;
- (g) Promulgate such rules and regulations as may be necessary to fulfill its tasks.

In addition to these awesome powers, Executive Order No. 2, series of 1986, further grants the Commission personality and prerogatives of a diplomatic nature, by specifically authorizing it *"to request and appeal to foreign governments wherein any such assets or properties may be found to freeze them and otherwise prevent their transfer, conveyance, encumbrance, concealment or liquidation xxx."*

These circumstances taken together, the Commission can serve as a vehicle by which cases of graft and corruption can be investigated, filed, and prosecuted, upon the instructions of the President.

MISSION and VISION

The Presidential Commission on Good Government (PCGG) dedicates itself to restore the institution's integrity and credibility, aligning its organization and efforts by recalling the noble intentions for which it was created.

To secure its place in history, by creating a legacy built on transparency, integrity, and accountability - and, in so doing, become the People's Commission, and a model agency and exemplar for good governance.

To become the Commission on informed policy analysis and studies on techniques and methods to combat and prevent corruption.

FUNCTIONS

The PCGG's task involves four (4) major functions which constitute its areas of accountabilities, namely:

- Prosecution and litigation of cases involving the recovery of ill-gotten wealth in the Philippines and abroad.
- Preservation, administration and management of assets to prevent their dissipation.
- Disposition of surrendered assets, the proceeds of which are to be remitted with the Bureau of the Treasury, in trust for the Comprehensive Agrarian Reform Program (CARP).
- Continuing identification, investigation and conduct of research of ill-gotten wealth, and continuing efforts to solicit legitimate and credible evidence and information from well-meaning persons to help PCGG in its effort to recover ill-gotten wealth both domestic and abroad.

CORE VALUES

Our actions, decisions, and our work are enlightened by values and deeply-held convictions. Ours is a Commission that is *consultative, participative, and inclusive*.

- **COLLEGIAL.** We believe that collaboration, cooperation, and coordination are key to the successful operations of our organization.
- **MORAL.** We do not only do what is right, we strive to do what is good—for the country and the Filipino people.
- **RESPONSIBLE.** We welcome responsibility as an indicator of trust: the greater the responsibility, the greater the trust.
- **TRANSPARENT.** We follow established procedures that are clearly spelled out and known to everyone.
- **HONEST.** We serve the people with candor and for no consideration other than to meet the ends of truth.
- **COMPETENT.** We work hard to respond and to be responsive to the needs of the country and our people.
- **PROFESSIONAL.** We conduct ourselves in a manner that honors our office and positions as a public trust.
- **SYSTEMATIC.** We aim to be globally competitive and strive to be efficient, in order to be effective.
- **EFFICIENT.** We make every effort to save on costs, without sacrificing the high quality of our work.
- **PUNCTUAL.** We report for work on time, and respond to our stakeholders in a prompt and timely manner.
- **SELF-TRANSCENDENT.** We recognize that there is always room for learning and continuous self-improvement.

AGENCY GOALS AND OBJECTIVES

The PCGG, as the government agency tasked to recover and reconvey to the Filipino people all ill-gotten wealth accumulated by former President Ferdinand E. Marcos, his immediate family, relatives, subordinates and close associates, has the following goals and objectives:

1. To continue the search for the Marcos ill-gotten wealth. To implement this, the PCGG shall continue to link with all the foreign governments and their agencies involved in the International Mutual Assistance on Criminal Matters (IMAC), Mutual Legal Assistance Treaty (MLAT) and other applicable treaties. It shall likewise continue to initiate the necessary legal actions to recover unlawfully acquired properties abroad of the Marcoses and their close associates. PCGG shall also closely coordinate with its counterparts from the Office of the Solicitor General (OSG), Department of Justice (DOJ) and other government institutions;
2. To strengthen the information technology capability and resources of PCGG to access and retrieve relevant PCGG records and evidence related to all pending banner cases by using computer based programs and equipment;
3. To conduct periodic performance audit of special counsels and to hire competent and determined lawyers to assist in the speedy litigation of ill-gotten wealth cases pending before the Sandiganbayan and other courts;
4. To preserve, administer and manage assets under sequestration and/or subject of litigation; and surrendered and recovered through ocular inspection, physical inventory and monitoring preparatory to disposition;
5. To privatize surrendered assets under its control to augment the national budgetary requirement of CARP;
6. To pursue the filing of additional behest loans cases in accordance with Executive Order No. 432 which transfers the powers, functions and duties of the defunct Presidential Ad Hoc Fact Finding Committee on Behest Loans to the PCGG; and
7. To ensure that the Commission remitted back to the National Treasury more that what we spent.

ORGANIZATION

The Commission is a quasi-judicial body composed of a Chairman and four (4) Commissioners. It has four (4)

Departments, each headed by a Director and under the direct supervision of a Commissioner who reports directly to the Chairman.

2020 ORGANIZATIONAL SET-UP

ACTING CHAIRPERSON: **REYNOLD S. MUNSAYAC**
Commissioner-in-Charge
Research & Development Department

COMMISSIONERS :

JOHN A. AGBAYANI
Commissioner-in-Charge
Asset Management Department

RHODERICK M. PARAYNO
Commissioner-in-Charge
Finance and Administration Department

RAYMOND ANTHONY C. DILAG
Commissioner-in-Charge
Legal Department

DIRECTORS :

ROMULO A. SIAZON
Research & Development Department

LORNA U. REYES
Finance & Administration Department

JOHN SHERTWIN S. JAO
Surrendered Assets Group

MARK J. ABELON
Sequestered Assets Group

Vacant
Legal Department

Functions of the Different Departments

EXECUTIVE OFFICES (EO)

The Executive Offices are composed of the Office of the Chairman and Offices of the Commissioners, with the Commission en banc as the central policy making body. Under the Office of the Chairman is the Press Information Office, Message Center and Office of the Commission Secretary. Each Commissioner is assigned with a Department to supervise to ensure that the affairs of the Commission are prudently managed through reliable, adequate and effective organizational controls.

LEGAL DEPARTMENT (LD)

The Legal Department (LD) provides legal services to the Commission more particularly the prosecution of all cases filed by and against the Commission in the performance of its mandate under Executive Order Nos. 1, 2, 14, as amended, Series of 1986, and 432 Series of 2005.

RESEARCH AND DEVELOPMENT DEPARTMENT (RDD)

The Research and Development Department (RDD) identifies the ill-gotten assets of the Marcoses and their business associates that are located in the Philippines and abroad. It assists the Legal Department in the preparation, case build up, prosecution, litigation of civil and criminal cases for the recovery of the assets. It is the central repository of all financial and evidentiary records of the Commission which are maintained in a database. It conducts financial analysis and evaluation of documentary evidences and spear heads semi-annual assessment of all approved plans, activities and projects of the Commission, including annual operational planning.

ASSET MANAGEMENT DEPARTMENT (AMD)

The Asset Management Department (AMD) is composed of the Surrendered Assets Group and Sequestered Assets Group. It is in-charge in the monitoring of sequestered assets, including the preservation of assets under the control and supervision of the Commission to prevent their dissipation, concealment and disposition pending final determination by the courts of their lawful ownership. The AMD through the Surrendered Assets Group is responsible in the disposition of surrendered and/or recovered assets pursuant to privatization laws.

FINANCE AND ADMINISTRATION DEPARTMENT (FAD)

The Finance and Administration (FAD) provides the Commission administrative and financial management support services such as human resource, administrative services, accounting, collection, and budgeting.

CRITICAL LINKAGES

- A. ***The Department of Justice*** – The mother agency of the Commission, after the PCGG was placed under the administrative supervision of the DOJ pursuant to Executive Order No. 643, series of 2007.
- B. ***The Sandiganbayan*** – The court which has exclusive and original jurisdiction to decide on civil suits for restitution, reparation of damages, or indemnification from consequential damages, forfeiture proceeding provided for under R.A. 1379, and violations of R.A. 3019 known as the Anti-Graft and Corrupt Practices Act.
- C. ***The Office of the Ombudsman*** – Conducts preliminary investigation to determine the existence of probable cause for violations of R.A. 3019 (Anti-Graft and Corrupt Practices Act), R.A. 1379 (Law on Forfeiture) and other laws involving public officials.
- D. ***The Office of the Solicitor General*** –The statutory legal counsel of the PCGG which assist the Commission in the filing and prosecution of cases in accordance with its mandate.
- E. ***Privatization Council*** – The agency mandated to approve disposition of assets for privatization.

The PCGG is also empowered *“to seek and secure the assistance of any office, agency or instrumentality of the government”* and is *“authorized to request and appeal to foreign governments wherein any such assets or properties may be found to freeze them and otherwise prevent their transfer, conveyance, encumbrance, concealment or liquidation by former President Ferdinand E. Marcos and Mrs. Imelda Romualdez-Marcos, their close relatives, subordinates, business associates, dummies, agents, or nominees, pending the outcome of appropriate proceedings in the Philippines to determine whether such assets or properties were acquired by such persons through improper or illegal use of funds belonging to the Government of the Philippines or any of its branches, instrumentalities, enterprise, banks, or financial institutions or by taking undue advantage of their office, authority, influence, connections or relationship.”*

MANPOWER RESOURCES

The manpower resources of the Commission as of **December 31, 2020** are as follows:

1.) Regular Plantilla Positions

Permanent	-	57
Co-Terminus	-	20
Temporary	-	0
Casual	-	17
Contractual	-	<u>39</u>
Sub-Total		133

2.) Others

Contract of Service	-	4
Special Legal Counsel/ Lawyers	-	6
Personnel Under Job Order (Office Based)	-	19
(Region 8)	-	<u>18</u>
Sub-Total		47

Grand Total **180**
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ACTUAL ACCOMPLISHMENTS

FY 2020

I. Cash Recoveries and Other Income

From January 01 to December 31, 2020, the PCGG has recorded a total of **₱333,712,340.06** cash recoveries and other income. (Annex "A").

The Commission has remitted to the Bureau of the Treasury (BTr) **₱193,645,672.60** cash receipts for CARP; **₱78.51 Million** from Mid-Pasig Land Dev't. Corp. as share from its FY 2020 income; and **₱38.7 Million** from SMC cash dividends, in escrow. In addition, **₱76.45 Million** ETPI deposits in escrow with the Sandigabayan was realized under Civil Case No. 009 entitled RP v. Jose L. Africa.

A portion of the recoveries for FY 2020 are from interest income/earnings in the amount of **₱137.244 Million** from the following sources:

- **Coco Levy fund in the amount of ₱107,377,530.69;**
- **Interest earned from escrow deposits with the BTr (net of forex loss) in the amount of ₱21,175,754.70; and**
- **Interest income from escrow deposits from ETPI, Kalawakan, MIPTI, etc. accounts with Sandiganbayan in the total amount ₱8,690,840.93.**

Likewise included in the recoveries is the escrow funds with Landbank, Pasig Capitol Branch in the amount of **₱2,822,541.14** from rental income collected from PCGG-administered sequestered properties such as the Galeria de Magallanes and Tacloban properties.

II. RECOVERIES

From its creation in 1986 up to 31 December 2020, the PCGG has recovered the total amount of **One Hundred Seventy-Four Billion, Two Hundred Thirty Million, Six Hundred Forty-Nine Thousand, Seven Hundred Sixty-Seven Pesos and 76/100** (**₱174,230,649,767.76,**) comprising the total collections and remittances to the BTr-National Government Funds and Escrow Funds. (Annex “B”).

Remittances to the Comprehensive Agrarian Reform Program (CARP)

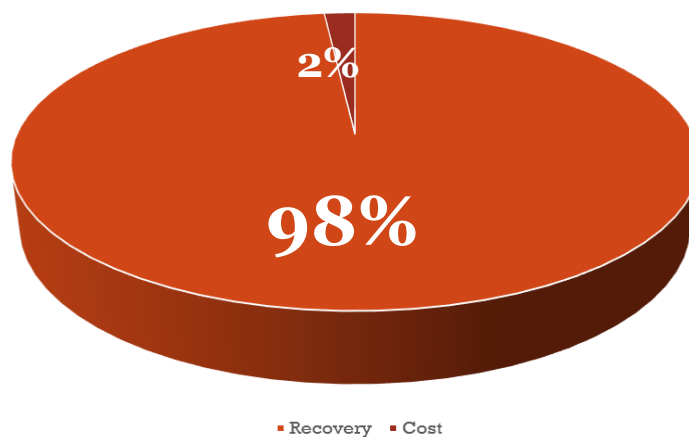
The PCGG has provided substantial funding for the CARP, one of the social justice measures of the 1987 Constitution.

Under Section 63(b) of Republic Act 6657 or the Comprehensive Agrarian Reform Law, among the sources of funds for CARP are receipts from assets recovered and from sales of ill-gotten wealth recovered through the PCGG. Pursuant thereof, the PCGG has remitted the net proceeds of the disposed surrendered assets, to the BTr for the account of CARP from 1987 to December 2020, the total amount of **Seventy-Eight Billion, Nine Hundred Thirty-Four Million, Five Hundred Forty-Nine Thousand, Ninety-Three Pesos and 15/100 (₱78,934,549,093.15)** (Annex "C").

These remittances were used to implement various CARP related projects, such as: *construction of farm to market roads, bridges, irrigation facilities, acquisition of post harvest facilities, rural electrification, potable water supply, school buildings, extension and training services, credit assistance, scholarships grants, creation of Agrarian Reform Communities nationwide, and farmer organizations*, and other related agricultural projects.

In addition, the PCGG has recovered and transferred to DAR **1,650 hectares of agricultural lands which were later distributed to farmer beneficiaries** of Cavite and Laguna. While another vast tract of land in Biliran Province consisting of **1,407 hectares was transferred** to the provincial government and distributed to legitimate farmer beneficiaries of the province.

Cost to Recovery Ratio (1986 - December 2020)



Total budget/obligations: **₱ 3.673 Billion pesos**
Total Recoveries: **₱ 174.230 Billion pesos**
(for the period of 1986 – December 31, 2020)

LEGAL DEPARTMENT

Accomplishment Report

Pending Civil and Criminal Cases Filed With Various Courts

Pursuant to E.O. Nos. 1, 2, 14 and 14-A s. 1986, the Commission, with the assistance of the OSG, filed actions for reconveyance, reversion, restitution, accounting and damages against former President Ferdinand E. Marcos, his immediate family, relatives, subordinates and close associates before the Sandiganbayan.

The cases that were filed pursuant to E.O. No. 1, Sec. 2 (a), s. 1986 were designated as banner cases. Thereafter, cases against other persons and those assigned by the President to the Commission were also filed such as forfeiture cases under Republic Act No. 1379 and the corresponding criminal cases. Also, behest loans cases were filed pursuant to Administrative Order No. 19, s. 1992 creating the Presidential Ad-Hoc Fact-finding Committee on Behest Loans headed by the PCGG. On the other hand, cases were filed against PCGG by adverse parties.

Notwithstanding the challenges it faces, the Commission remains steadfast in its mandate. With active collaboration with the OSG and other government agencies, it is confident that it will obtain more favorable decisions for the government.

REPORT ON THE 2020 MAJOR CASES HANDLED IN TERMS OF CASE BUILD UP, PROSECUTION AND CONVICTIONS:

1. CIVIL CASE NO. 0007

**RP vs. Fe Roa Gimenez et. al.
Defendants: Fe Roa Gimenez
Ferdinand E. Marcos
Imelda R. Marcos
Vilma Bautista joined by her husband
Gregorio Bautista
Oscar Carino**

On July 21, 1987, the Republic filed a complaint for Reconveyance, Reversion, Accounting, Restitution and Damages against Spouses Fe Roa Gimenez and Ignacio B. Gimenez, along with former president Ferdinand E. Marcos, former first lady Imelda R. Marcos, Vilma Bautista, Gregorio Bautista and Oscar Cariño. The complaint sought to recover the amount of public funds and the value of the properties including those which may have been wasted, and/or lost, plus interest, which the defendants acting in concert with their co-defendants and as close business associates of the Marcoses, unlawfully acquired, accumulated and misappropriated through theft, extortion, blackmail, bribery, embezzlement and other acts of corruption. With respect to Fe, she allegedly: (a) actively participated in the unlawful transfer of millions of dollars of government funds into several accounts in her name in foreign countries; (b) disbursed such funds from her various personal accounts for her and her co-defendants' own use, benefit, and enrichment; and (c) acted as conduit of the Marcoses in purchasing expensive works of art as well as properties located in New York, USA. Ignacio, on the other hand, purportedly acted as a dummy, nominee or agent of the Marcoses in certain corporations such as Allied Banking Corporation.

The Republic filed its Formal Offer of Evidence on 15 June 2006, which, after a series of interlocutory issues which reached the Supreme Court, was ordered reinstated by the Sandiganbayan on 16 January 2017.

Spouses Fe and Ignacio Gimenez filed their respective Demurrers to Evidence dated 17 April 2018 and 16 April 2018, pointing out the defects in the pieces of evidence submitted by the Republic.

In a Resolution dated 14 October 2019 the Sandiganbayan granted the Demurrer to Evidence filed by Ignacio B. Gimenez and Fe Roa Gimenez, respectively, and ordered

Civil Case No. 0007 dismissed for insufficiency of evidence. The Republic filed its Motion for Reconsideration dated 31 October 2019.

On January 23, 2020, the Sandiganbayan denied the Motion for Reconsideration filed by the Republic which seeks to reverse and set aside the Resolution dated October 14, 2019.

A Petition for Review on Certiorari was filed by the Republic dated March 17, 2020 which seeks to reverse and set aside the Resolution dated October 14, 2019 of the Sandiganbayan and the Resolution dated January 23, 2020 which denied the Republic's Motion for Reconsideration.

2. CIVIL CASE NO. 0008

RP vs. BienvenidoTantoco et. al.
Defendants: BienvenidoTantoco
Bienvenido R. Tantoco, Jr.
Gliceria R. Tantoco
Ma. Lourdes Tantoco-Pineda
Dominador Santiago
Ferdinand E. Marcos
Imelda R. Marcos

On 21 July 1987, the Republic filed a complaint for Reconveyance, Reversion, Accounting, Restitution and Damages against BienvenidoTantoco, Sr., Bienvenido R. Tantoco, Jr., Gliceria R. Tantoco, Maria Lourdes Tantoco-Pineda, Dominador Santiago, Ferdinand E. Marcos, and Imelda R. Marcos for the recovery of ill-gotten wealth consisting of funds and property acquired and accumulated in unlawful concert with one another, in breach of trust, and with grave abuse of power, resulting in their unjust enrichment during the presidency of Ferdinand Marcos, through the following acts, among others as stated in the complaint: 1) They acted as dummies for the Marcoses in acquiring ill-gotten wealth such as works of arts, jewelries, and real estate. Include Rustan's Investment, Inc; 2) Acquisition of franchise to operate Tourist Duty Free Shops ("TDFS") under dubious circumstances; 3) Manipulated draft acceptances in excess allowed by the Central Bank.

The Republic filed its Formal Offer of Evidence in 16 March 2007.

The Sandiganbayan in its Decision promulgated on 25 September 2019 dismissed the Complaint for insufficiency of evidence. Republic's Motion for Reconsideration filed

on 17 October 2019 was denied for lack of Merit. On 14 January 2020, the Republic filed its Petition for Review on Certiorari under Rule 45 before the Supreme Court.

G.R. No. 250565

A Petition for Review from the denial of the Motion for Reconsideration was filed on January 14, 2020. Respondents Tantocos filed their Comment on the Petition for Review.

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|-----------|-----------------------------------|--------------------------------------|
| 3. | CIVIL CASE NO. 0009 | RP vs. Jose L. Africa et. al. |
| | Consolidated in this case: | Defendants: Jose Africa |
| | 0043 | Manuel Nieto, Jr. |
| | 0045 | Ferdinand Marcos |
| | 0051 | Imelda Marcos |
| | 0130 | Ferdinand Marcos, Jr. |
| | 0135 | Roberto S. Benedicto |
| | | Juan Ponce Enrile |
| | | Potenciano Ilusorio |

On 22 July 1987, the Republic filed a complaint for Reconveyance, Reversion, Accounting, Restitution and Damages against Jose L. Africa, Manuel H. Nieto, Ferdinand E. Marcos, Imelda R. Marcos, Ferdinand R. Marcos, Jr., Roberto S. Benedicto, Juan Ponce Enrile and Potenciano Ilusorio for recovery ill-gotten assets, such as the following properties, among others, shares of stocks in Easter Telecommunications Philippines, Inc. (ETPI), Philippine Overseas Telecommunications Corporations (POTC), Philippine Communications Satellite Corporation (PHILCOMSAT), Domestic Satellite (DOMSAT), Oceanic Wireless Network, Inc. (OWNI), and other funds and properties of defendants Africa and Nieto, Jr. enumerated in Annex A of the complaint.

Republic filed its Formal Offer of Evidence on 15 December 1999.

A Decision dated December 4, 2019 was rendered by the Sandiganbayan which declared the shares of (1) defendants Jose L. Africa and Manuel H. Nieto, Jr., in ETPI, which were acquired on June 10, 1974, (2) Polygon Investors and Managers, Inc. and Aerocom Investors and Managers, Inc., and (3) the so-called small individual shareholders, namely: Victor Africa, Lourdes Africa ITF Natalie Africa, Lourdes Africa ITF Jose Enrique Africa, Lourdes Africa ITF Paul Delfin Africa, Rosario Songco, RacquelDinglasan, Manuel V. Nieto III, Ramon V. Nieto, Victoria N. Legarda, Ma. Rita

N. Delos Reyes, Rosario N. Arellano, Angela N. Lobregat, Benito Nieto, Carlos V. Nieto, Carmen N. Tuazon, and Rafael Valdes, which were transferred to them by defendants Jose L. Africa and Manuel H. Nieto, Jr., are ill-gotten wealth of defendants Ferdinand Marcos; hence, should be reverted/reconveyed to the Republic of the Philippines.

A Motion for Partial Reconsideration dated December 20, 2019 of the Decision dated December 4, 2019 was filed by the Republic with respect to the liability of Juan Ponce Enrile, Imelda Marcos, Ferdinand Marcos, Jr., OWNI, Polygon and JAKA.

On February 7, 2020, the Court ordered the deposit of the Cash Dividends declared as of February 12, 2019 in a new and separate High Yield Savings Account (HYSA) under the name of "Sandiganbayan in Escrow for the Person/s, natural or Juridical, Who Would Lawfully be Adjudged to be Entitled Thereto and the Interest Earnings Thereof."

In a Minute Resolution dated June 8, 2020, the following was submitted for Resolution: Motion for Partial Reconsideration of the December 4, 2019 Decision filed by defendants Heirs of Jose Africa, the Motion for Partial Reconsideration dated December 20, 2019 filed by the Republic, the Opposition thereto filed by defendant Juan Ponce Enrile on January 10, 2020, and the Comment/Opposition thereto filed by defendant Heirs of Jose Africa on February 21, 2020.

The Sandiganbayan Third Division, on 11 September 2020, in a Minute Resolution directing ETPI to remit and deposit within 10 days the cash dividends declared as of May 29, 2020 with LBP COA Branch, Commonwealth QC in the amount of P76,446,826.45 representing the sequestered shares at 13.46 per share, in a HYSA under the name "**Sandiganbayan in Escrow for the Person/s, Natural or Juridical, Who Would Lawfully Be Adjudged to be Entitled Thereto and the Interest Earnings Thereof.**" The LBP-COA Branch was also directed to submit a report as of September 2020 pertaining to all money, interests and other earnings deposited in a) the Sandiganbayan in Escrow for the Person/s, Natural or Juridical, Who Would Lawfully Be Adjudged to be Entitled Thereto and the Interest Earnings Thereof; and b) the Sandiganbayan-PCGG-ITF-ETPI Class "A" Stockholders. A Compliance was filed by ETPI on October 19, 2020.

G.R. No. 250709

A Petition for Review on Certiorari dated January 15, 2020 was filed by Heirs of Manuel H. Nieto, Jr. et al. which seeks to reverse and set aside the Sandiganbayan's Decision dated December 4, 2019.

On February 17, 2020, the Supreme Court Second Division directed the Sandiganbayan to elevate the complete records of Civil Case No. 0009.

G.R. No. 250708

Victor Africa filed a Petition for Review on Certiorari dated January 18, 2020 which also seeks to reverse and set aside the Sandiganbayan's Decision dated December 4, 2019.

G.R. No _____:

On 23 November 2020, a Petition for Review was filed by the Republic for the reversal of the 4 December 2019 Decision and 22 September 2020 Resolution of the Sandiganbayan to grant the first, second, third and fourth causes of action in the Complaint dated 22 July 1987.

G.R. No. 253882:

On 23 November 2020, Heirs of Jose L. Africa filed their Petition for Review.

4. CIVIL CASE NO. 0014

**RP vs. Enriquez-Panlilio et. al.
Defendants: Modesto Enriquez
Trinidad Diaz-Enriquez
Rebecca Panlilio
Erlinda Enriquez-Panlilio
Leandro Enriquez
the Marcos Spouses
Don M. Ferry
Roman A. Cruz, Jr.
Guillermo Gastrock
Gregorio R. Castillo
Ernesto Abalos**

A Resolution dated February 26, 2019 was promulgated on December 10, 2019 denying the Demurrer to Evidence filed by the defendant heirs of Rebecca E. Panlilio

and Erlinda E. Panlilio. A Motion for Reconsideration was filed by the defendant Heirs of Panlilios on the said Resolution.

In a Resolution promulgated on July 1, 2020, the Motion for Reconsideration of the Resolution dated December 10, 2019 (denying the Demurrer to Evidence) filed by defendants Heirs of Rebecco and Erlinda Panlilio was denied.

- 5. CIVIL CASE NO. 0034** **RP vs. Roberto Benedicto, et al**
Defendants: Roberto Benedicto
Ordered incorporated **Zacacias Amante**
in this case: **Jose Africa**
0072 **Rodolfo Arambulo**
Cynthia Cheong
Roman Cruz, et al.
Don Ferry
Exequie1 Garcia
Placido Mapa
Estate of Ferdinand Marcos
Ramon Monzon
Ma. Luisa Nograles
Generosa O 1azo
Rafael Sison
Jose Tengco
Leopo1do Vergara
Cesar Zalamea

On 31 July 1987, the Republic filed a complaint for Reconveyance, Reversion, Accounting, Restitution and Damages against Roberto S. Benedicto, Ferdinand E. Marcos, Imelda R. Marcos, and many others. In particular, Benedicto held various important positions in government and in major corporations including PNB. Thus, the complaint sought to recover ill-gotten assets, which Benedicto acquired when he took undue advantage of his relationship, influence, and connection, acting by himself and/or in unlawful concert with the Marcoses, and with active collaboration, knowledge and willing participation of the rest of the defendants, wherein they used devices, schemes and strategems to unjustly enrich themselves at the expense of the Republic.

During the pendency of the case, the Republic and Benedicto entered into a Compromise Agreement dated 3 November 1990. Insofar as the remaining defendants not covered by the Compromise, trial ensued, and the, Republic filed its Formal Offer of Evidence on 3 August 2014.

The Sandiganbayan in its 5 August 2019 Decision dismissed the case against the remaining defendants for failure of the plaintiff to prove by preponderance of evidence any of the causes of action against them.

Republic filed its Motion for Reconsideration [to the 5 August 2019 Decision] dated 27 August 2019, which was denied due course by the Sandiganbayan in its 13 September 2019 Resolution for failure to set the Motion for Hearing. However, upon MR of the Republic [to the 13 September 2019 Resolution], the Sandiganbayan granted said MR, reversed and set aside its 13 September 2019 Resolution, and Republic's MR [to the 5 August 2019 Decision] was given due course.

Defendants Jose R. Tengco, Jr. and Victor Africa filed their Comment/Opposition to plaintiff's Motion for Reconsideration dated August 27, 2019 of the Court's Decision dated August 5, 2019.

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.

6. CIVIL CASE NO. 0141 Republic vs. Imelda Marcos

This is a petition for filed in 1991 against the Estate/Heirs of FM and Imelda Marcos docketed as Civil Case No. 0141. Among the innumerable assets being recovered among are the secret Swiss deposits of the Marcoses, Arelma Funds, valuable jewelry and paintings.

Swiss Deposits of 5 Marcos' Foundations:

RP filed a motion for summary judgment in March 2000 for the forfeiture of the Swiss deposits, which was granted by the Sandiganbayan in September 2000. This was

reversed later by the Sandiganbayan upon reconsideration sought by the Marcoses. Thus, RP appealed the case before the Supreme Court under **GR No. 152154**.

On 15 July 2003 the Supreme Court ordered the forfeiture in favor of the RP of the Swiss deposits in escrow at the Philippine National Bank (estimated at US\$658,175,373.60 as of 31 January 2002). In said decision, the Supreme Court established that the only known lawful income of then President F. Marcos and Imelda Marcos from 1965 to 1986 was US\$304,372.43.

A portion of the forfeited funds invested by PNB with WestLB AG was the subject of an interpleader suit filed by the latter with the Singapore court. The High Court earlier ruled that PNB held legal title to the Funds as its depositor and original account holder with WestLB prior to the commencement of the interpleader proceedings. This ruling was affirmed by the Singapore Court of Appeal. According to the Court of Appeal, it has no legal basis to decline if PNB chooses to perform its obligations under the Escrow Agreements and release the Funds to RP pursuant to the Writ of Execution in Civil 0141, what PNB chooses to do in accordance with the governing law of the Escrow Agreements is not subject to its intervention.

Thus, PCGG remitted to the National Treasury in February 2014 the WestLB funds consisting of ₱917,787,835.07 and ₱397,237,719.46 which were turned over by the PNB to the PCGG as per the aforementioned Singapore CA ruling.

Arelma Funds:

In a Decision dated 25 April 2012, the Supreme Court affirmed the Sandiganbayan Decision promulgated on 12 April 2009 which ordered the forfeiture of all assets, investments, securities, properties, shares, interests and fund of Arelma, Inc. presently under management of and/or in an account at the Merrill Lynch Asset Management, New York, USA, in the estimated aggregate amount of US\$ 3, 369, 975.00 as of 1983, plus all interests and all other income that accrued thereon until the time or specific day that all money or monies are released and/or transferred to the possession of the Republic.

In a Resolution promulgated on 8 August 2014, the Sandiganbayan granted PCGG's Motion for Execution of Partial Summary Judgment dated 22 July 2014 in view of the finality of the SC Decision in G.R. Nos. 189434 and 189505 and the recording thereof

in the Book of Entries of Judgments. The court then issued the corresponding writs of execution upon the PNB, the escrow agent of the Arelma assets, and the defendants.

The Sheriff and Security Division of the Sandiganbayan directed the PNB to:

- a. **Turn over** certificates/muniments of title such as the bearer certificates of stock of Arelma, S.A., Inc.;
- b. **Render** an accounting of all assets, securities, properties, investments, shares, interests, and funds of Arelma presently under the management and/or in an account at the Merrill Lynch Asset Management, NYC, USA, in the estimated amount of US\$ 3,369,975. 00 as of 1983 plus all interest and all other income that accrued thereon, and **undertake** steps for its repatriation;
- c. **Physically turn-over** the same to the Republic.

In response, the PNB informed the court that it is coordinating with PCGG insofar as the above-enumerated instructions are concerned; that the subject funds are currently under *custodia legis* by the NYC Department of Finance pursuant to a Petition for Writ of Execution and Turnover filed by Osqugama Swezey and Jose Duran (on their behalf and as representatives of the human rights victims) against Merrill Lynch, New York City Department of Finance, et al. with the New York Supreme Court (and with Bank of America as intervenors); that the balance of the funds as of 30 June 2012 is in the amount of US\$40,320,541.95 and PNB has yet to receive the updated balance.

Also, the Estate/Heirs of former President Ferdinand E. Marcos and Imelda R. Marcos were ordered to **render** an accounting of all assets, investments, securities, properties, shares, interests, and funds of Arelma, and to physically **turnover** the same to the Republic of the Philippines. F Marcos, Jr. replied that he is not in a position to comply with the said order.

As the above-mentioned Arelma funds (approximately \$40 Million) are currently held in the custody of the New York City Commissioner of Finance (formerly held at Merrill

Lynch, Pierce, Fenner & Smith, Incorporated) the United States, RP formally requested thereafter the assistance of the US Department of Justice (US DOJ) to enforce the aforesaid judgment pursuant to the Treaty Between the Government of the United States of America and the Republic of the Philippines on Mutual Legal Assistance in Criminal in Criminal Matters (the US-Philippines MLAT, November 13, 1994).

Pursuant to 28 U.S.C. § 2467 (b) (2), the Assistant Attorney General for the Criminal Division of the US DOJ certified that the Republic's request for enforcement of said Arelma judgment was in the interests of justice and thus, on 27 July 2016, filed an Application to register and enforce the same before the US District Court for the District of Columbia (Washington DC) docketed as **Case No. 1:16-MC-01339-RJL**.

Pending to this date.

Malacanang Collection of Jewelry:

The Sandiganbayan, in a Resolution dated 11 June 2014, affirmed its Partial Summary Judgment promulgated on 13 January 2014 which declared as ill-gotten the Malacanang Collection of jewelry, and ordered the same forfeited in favor of RP.

Thus, Imelda Romualdez Marcos and Irene Marcos Araneta elevated the case before the Supreme Court via Petition for Review dated 11 August 2014 docketed as **G.R. No. 213253**. The Estate of Ferdinand E. Marcos (under **GR No. 213027**), represented by F. Marcos, Jr., manifested that it is adopting the Petition for Review filed by his co-executor, Imelda Marcos.

In a Decision promulgated 18 January 2017, the Supreme Court dismissed the appeal filed by the Marcoses and affirmed the Partial Summary Judgment rendered by the Sandiganbayan insofar as the Malacanang Jewelry Collection is concerned. A Motion for Reconsideration dated 28 February 2017 was filed by the Marcoses which was denied with finality in the Resolution dated 25 April 2017.

Entry of Judgment dated 31 July 2017 has already been issued.

Marcos' Collection of Paintings

In a Resolution dated 24 September 2014, the Sandiganbayan granted, upon RP's motion, a Writ of Preliminary Attachment dated 29 September 2014 against the said

paintings which may be found in the following known places of residence or office of Imelda:

1. Penthouse, One McKinley Place, 3rd Avenue corner 26th Street, Bonifacio Global City
2. 34-B Pacific Plaza Condominiums, Ayala Avenue, Makati City
3. Room NB-218, House of Representatives of the Philippines, HOR Complex, Constitutional Hills, Quezon City
4. Batac, Ilocos Norte
5. Don Mariano Marcos Street corner P. Guevarra Street, San Juan, Metro Manila

and such other places where they may be found, and for the attached paintings to be deposited with the BSP which shall serve as the custodian thereof.

The Sheriffs were able to attach fifteen (15) paintings and which were initially deposited with the BSP. The paintings were transferred to the National Museum on 1 February 2015.

The Estate/Heirs of FM and Imelda R. Marcos filed a Motion for Reconsideration thereof and Motion to Quash Writ of Preliminary Attachment dated 13 October 2014 which the Sandiganbayan **denied** in a Resolution dated 3 March 2015. Thereafter, the Marcoses filed a Petition for Certiorari before the Supreme Court dated 15 May 2015 docketed as **G.R. No. 217901**. In a Resolution dated 15 March 2017 the SC denied the Petition for Certiorari. The Marcoses filed a Motion for Reconsideration dated 17 May 2017.

On 4 March 2016, RP filed a Motion for Partial Summary Judgment praying, among others, the forfeiture of the valuable works of art listed in Annexes A to C inclusive of the paintings seized from Vilma Bautista in NYC and the Water-Lily already sold in 2010. A Motion for Intervention dated 11 April 2016 was filed by Zenaida Mique and Hilda B. Narciso. RP filed Opposition. Upon Ex-Parte Motion for Early resolution dated 9 June 2016 filed by movants-intervenors, the Motion for Intervention is submitted for Resolution.

GR No. 217901 (IRM et al vs. RP et al.) -
Resolution dated Sept. 11, 2017 :

The Court resolves to DENY with FINALITY petitioners motion for reconsideration of the Resolution dated March 15, 2017 which dismissed the petition for certiorari &

considering that the basic issues have already been passed upon and that there is no substantial argument to warrant a modification of the Court's resolution.

Entry of Judgment dated Feb. 21, 2018 :

Certifying that on March 15, 2017 a resolution rendered that the instant petition is DISMISSED. The assailed resolutions dated Sept 24, 2014 and March 3, 2015 rendered by SB Special Div. in CC0141 are AFFIRMED. The prayer for the issuance of a TRO is DENIED for lack of merit. And that the same has become final and executory on Sept. 11, 2017

The records were finally transmitted by the Supreme Court to the Sandiganbayan Special First Division sometime in early September 2018. Hence, in a COMPLIANCE dated October 5, 2018, Republic submitted the Judicial Affidavit of Ms. NELDA SANSAET dated October 4, 2018.

On October 10, 2018, RP's witness, former PCGG Commissioner Maria Ngina Teresa Chan-Gonzaga resumed and completed her testimony.

On Nov. 14, 2018, counsel for Republic called to the stand witness Nelda Sansaet, who completed her testimony.

On Jan. 9, 2019, called to the stand witness Crisostomo R. Pantoja, who completed his testimony.

In a Resolution dated January 30, 2019 the Court NOTES the Manifestation dated Jan. 16, 2019 with attached Memorandum dated Jan. 11, 2019 filed by the Republic, informing the Court that in a meeting held on Jan. 20, 2019 between OSG and PCGG, Comm. Rey S. Bulay informed that three (3) of the ill-gotten painting subject of the case (ClauseMonets "L'Eglise et La Seine a Vetheuil", Alfred Sisley's "Langland Bay" (1887) and Albert Marquet's "Le Cypres de Djenan Sidi Said" were sold by Christies in an auction by virtue of a New York court order. The OSG had no prior knowledge of the sale and the details thereof or the supposed court order. While counsel for petitioner has requested the PCGG for details, the documentation is still forthcoming.

In GR No. 213027 and GR No. 213253, the Court issued a Resolution dated January 16, 2019 granting OSG's motion to remand records of Civil Case No. 0141 and

directed the Chief of Judicial Records Office to remand the complete records of CC No. 0141 to the Sandiganbayan.

In a Resolution dated June 10, 2019, the Court ADMITTED ALL the exhibits offered by the Republic (in its Formal Offer of Evidence dated 26 February 2019), over the objection of the respondents. The Court, nevertheless, stated in the same Resolution its observations on the admitted exhibits.

A Partial Summary Judgment was rendered by the Court on December 19, 2019 which declared the following paintings and artworks as unlawfully acquired, and are therefore forfeited in favor of petitioner Republic: a) the artwork listed in the PCGG List of Missing Artworks; b) Grandma Moses Paintings; c) The artworks listed in A Report on the Metropolitan Museum of Manila's Art Collection; and d) Other similarly acquired valuable artworks which may also be found to be under the control and possession of respondents, their agents, representatives, nominees or persons acting on their behalf.

A Motion for Reconsideration dated January 6, 2020 was filed by respondents Imelda Romualdez Marcos and Irene Marcos Araneta on the Partial Summary Judgment dated December 19, 2019. Respondent Ferdinand R. Marcos, Jr. Filed a Manifestation dated January 13, 2020 to adopt the Motion for Reconsideration filed by Imelda Marcos and Irene Marcos Araneta. Plaintiff Republic filed its Comment dated March 6, 2020 on the said Motion for Reconsideration and Manifestation.

In a Resolution dated June 24, 2020, the Sandiganbayan denied defendants Marcoses Motion for Reconsideration.

G.R. No. 252823:

Imelda and Irene Marcos filed their Petition for Review on Certiorari dated September 11, 2020. Ferdinand Marcos adopted the Petition filed by defendants Imelda and Irene Marcos. The defendants, in the Petition for Review, claims that the Petition in Civil Case No. 0141 is limited to those alleged to be ill-gotten properties that are involved in other cases in the Sandiganbayan. They further claim that since the Petition for Forfeiture in Civil Case No. 0141 expressly states that assets involved in Civil Case No. 0002, specifically the paintings and artworks ordered by the

Sandiganbayan as forfeited in favor of the Republic in the 19 December 2019 Partial Summary Judgment, are excluded from Civil Case No. 0141.

7. CIVIL CASE NO. 0172

RP vs. Ramon Quisumbing et. al.
Defendants: Ramon Quisumbing
Johnny M. Araneta
Jaime A. Cura
Angel C. Sepidoza
Renato Paras

This is a complaint filed on 17 October 1996 by PCGG and PJI before the Sandiganbayan against Atty. Quisumbing and the PCGG-appointed Philippine Journalist, Inc. (PJI) members of the Board, namely Mr. Cura, Johnny Araneta, Angel Sepidoza and Renato Paras, and docketed as Civil Case No. 0172 for the reconveyance of the real properties of PJI in Mabini, Batangas (which said PJI Directors sold to Atty. Quisumbing).

DECISION promulgated on April 2, 2019:

- Adjudging RP and the PJI as the legal owners of the PJI Properties located in Bagalangit, Mabini, Batangas covered by Tax Dec Nos 0915 to 0918
- Declaring def Ramon Quisumbing a builder in good faith with respect to the improvements, valued P40M) he introduced on the PJI Properties and is entitled to the rights granted him under Articles 448, 546, 547 and 548 of the New Civil Code
- Plaintiff RP and the PJI are given the right to avail of the alternative rights and remedies provided under Article 448 of the New of the New Civil Code and established jurisprudence against def. Ramon Quisumbing, who is considered a builder in good faith
- Ordering def. Jaime A. Cura, Johnny M. Araneta and the respective estates of the late Angel C. Sepidoza and Renato L. Paras to jointly and severally pay plaintiff PJI the amount of (P500,000) in actual and compensatory damages and;
- Dismissing all of the defendants counterclaims against the plaintiffs for lack of merit

Republic filed a Motion for Partial Reconsideration dated May 12, 2019

Quisumbing filed a Reply with a Motion to Admit dated 20 June 2019, which was denied by the Court on June 24, 2019. To which, Quisumbing filed for reconsideration dated 10 July 2019. Further, the Republic was ordered by the court on 12 July 2019 to file comment/opposition.

The Court on July 29, 2019 granted the Motion for Extension of time to file Comment/Opposition (re: Motion for Reconsideration of the Resolution dated 24 June 2019 filed by def. Ramon J. Quisumbing) filed by the Rep thru OSG dated July 26, 2019. They are given additional 15 days or until August 13, 2019 to file its comment/Opposition.

A Resolution was issued on August 20, 2019 denying 1) Plaintiff's Motion for Partial Recon dated April 22, 2019; 2) Defendant Ramon J. Quisumbing's Motion for Recon [of Decision] dated April 15, 2019; 3) Defendant Jaime A. Cura's Motion for Recon dated April 17, 2019; and 4) Defendants Johnny M. Araneta's and the Heirs of the Late Renato L. Paras' Motion for Recon [of the Decision dated April 2, 2019] dated April 22, 2019

G.R. No. 249141

A Petition for Review dated October 10, 2019 was filed by Jaime A. Cura.

G.R. No. 248919 (*Ramon Quisumbing vs. Republic and PJI*)

In a Resolution dated December 4, 2019, the Supreme Court Second Division denied Quisumbing's petition for review assailing the Decision dated April 2, 2019 and Resolution dated August 20, 2019 of the Sandiganbayan in Civil Case No. 0172. A Motion for Reconsideration was filed by petitioner Quisumbing from the said Resolution.

G.R. No. 248939

Petition for Review for Certiorari filed by the Republic, through the OSG.

G.R. No. 248939 and G.R. No. 248919 were consolidated in a Resolution dated February 12, 2020.

8. 08-CVL-0001

RP vs. Aerocom Investors & Managers, Inc.

RP's Petition for Review dated 10 March 2010 docketed as **G.R. No. 191038** on the dismissal of the case by the Sandiganbayan is pending consideration by the Supreme Court.

A Manifestation was filed by OSG on 28 June 2010 informing the SC that ISM was declared in default in a Resolution dated 12 January 2009 for its failure to file a responsive pleading which has attained finality, and thus, it could not file a comment anymore much less file extensions of time to file comment.

In a Resolution dated 20 September 2010, the court granted the motion of respondent Aerocom Investors for leave to file attached counter-manifestation. Still pending.

A Resolution was rendered in G.R. No. 191038 on July 22, 2019 which affirmed the Sandiganbayan's Resolutions dated October 7, 2009 and January 18, 2009. The same has become final and executory on January 29, 2020.

9. Civil Case No. 0093

Ortigas & Co., Limited Partnership vs. PCGG, Asset Privatization Trust, Anchor Estate Corporation and Mid-Pasig Land Devt. Corp.

Ricardo C. Silverio and in behalf of Anchor Estate Corporation vs. PCGG, Asset Privatization Trust, Mid-Pasig Land Development Corp. and Ortigas & Company Limited Partnership

This is a complaint for annulment/declaration of nullity of documents, deeds and titles and recovery of possession over the 18.4 hectare (covered by TCT No. 337158 - 16 hectares and TCT No. 469702 -2.4 hectares) Payanig Properties which were surrendered by Jose Y. Campos to the government.

The basis of the complaint was that the threats of President Marcos on Don Paco Ortigas constituted intimidation which vitiated consent in the execution of the contract of sale (between Ortigas & Co. and Maharlika Estate Corp.) and the dictated price of P40 per sqm. was grossly unconscionable therefore the act of Jose Y. Campos

of surrendering the property to the government is null and void because Mid Pasig Dev't. Corp. the corporate entity to which Marcos and Campos transferred the properties to had no valid right to acquire the same.

OCLP filed its Memorandum dated January 16, 2020.

In a Decision promulgated on March 13, 2020, the Complaint for Annulment/Declaration of Nullity of Documents, Deeds and Titles, and Recovery of Possession with Preliminary injunction filed by OCLP was dismissed for lack of merit.

A Motion for Reconsideration was filed by OCLP from the decision which was denied in a Resolution issued on 6 October 2020.

G.R. No. 221729:

OCLP filed a Petition for Review from the dismissal of the complaint in Civil Case No. 0093.

10. MC12-6498

Northstar Transport Facilities, Inc. vs. BASECO, Andres Bautista, Nelson Acebo, Antonio P. Otayza, et al.

Northstar Transport Facilities, Inc. (NTFI) leases an area in Port Area, Manila owned and controlled by the Bataan Shipyard and Engineering Company, Inc. (BASECO). NTFI has substantial rental arrears dating back to 2009. Preparatory to the filing of an ejectment case, BASECO served demand letters upon NTFI. NTFI, in an effort to pre-empt BASECO's ejectment case, sued for specific performance and alleged that BASECO was in violation of its lease contract (up to 2016) and the corresponding extension (up to 2026).

Northstar filed a case for specific performance to compel BASECO to honor and abide by the terms of the October 20, 2006 Contract of Lease, the February 2010 Supplemental Contract of Lease and the Release, Waiver and Quitclaim between Northstar and BASECO.

NTFI filed a Motion to Dismiss on the ground that a payment arrangement of the balance of the unpaid rentals in the amount of P32,632,682.49 plus 6% per annum has been agreed upon by the parties.

Baseco file a Comment dated September 24, 2019 on Plaintiff's Motion to Dismiss stating that the dismissal of the case against the defendants is one of the conditions for the approval of the proposed payment arrangement of NTFI's unpaid rentals and rental payments from March 2019 until 2026.

In a Manifestation dated October 15, 2019, the OSG stated that BASECO, notwithstanding its status as a sequestered corporation, is in the best position to decide on matters concerning their affairs and the BASECO board action/decision in the dismissal of the case is part of the officers' management prerogative.

An Order was issued on February 21, 2020 by the RTC Branch 209 of Mandaluyong City granting the Motion to Dismiss.

11. Civil Case No. SB-17-CVL-0002 C & O Investment and Realty Corp. and Miguel O. Cojuangco vs. The PCGG

On the premise that the property is not ill-gotten wealth acquired during the Marcos regime by Marcos cronies, dummies, etc, and that said property was acquired by Spouses Ramon and Imelda Cojuangco in 1955, or about ten (10) years before Ferdinand Marcos was elected president of the Republic, the said petitioners are challenging PCGG's act of issuing and annotating a Sequestration Letter dated 20 May 1986 on the back of TCT No. T-3034, issued by the Registry of deeds of the City of Baguio. Briefly, Petitioners are praying for the nullification and/or cancellation of the said annotation.

Petitioners filed their Memorandum dated October 18, 2017.

A DECISION was promulgated on March 13, 2020 granting the Petition filed by C & O Investment Realty Corp., and Miguel O. Cojuangco and lifting the sequestration over the property covered by TCT No. (T-3034) 018-2018002208 issued in the name of Ramon Cojuangco married to Imelda O. Cojuangco. The Register of Deeds of Baguio City was also directed to cause the CANCELLATION of Entry No. 134387-16-50

in TCT No. (T-3034) 018-2018002208 issued in the name of Ramon Cojuangco married to Imelda O. Cojuangco.

A Motion for Reconsideration from the said Decision was filed by PCGG through the OSG on July 8, 2020.

12.

<p>MISC. NO. 19-412-LAK-GWG</p> <p>(Formerly: Misc. No. 1:16-mc-01339-RJL)</p> <p>“The Arelma Enforcement Proceedings”</p>	<p>In re: Enforcement of Philippine Forfeiture Judgment Against all Assets of Arelma, S.A., formerly held at Merrill Lynch, Pierce, Fenner & Smith, Incorporated, Including But Not Limited To, Account Number 165-07312, and All Interest, Income or Benefits Accruing or Traceable Thereto</p>
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On June 27, 2016, the United States filed the an Application to Register and Enforce a Foreign Forfeiture Judgment Pursuant to 28 U.S.C. § 2467 to register and enforce the judgment against all assets in the name of Arelma S.A. issued by the Sandiganbayan in Civil Case No. 0141, Republic v. Heirs of Marcos, et al. as affirmed on appeal by the Supreme Court on April 25, 2012, and March 12, 2014.

Pursuant to the Treaty between the Government of the United States of America and the Republic of the Philippines on Mutual Legal Assistance in Criminal Matters (US-Philippines MLAT), the RP formally requested the assistance of the United States to enforce this forfeiture judgment against Arelma, and all its assets and properties. The Assistant Attorney General for the Criminal Division of the U.S. Department of Justice certified that the request for enforcement of the Philippine judgment was in the interest of justice.

On August 2016, the Duran class (HRVs), represented by Robert Swift moved to intervene in the proceedings, stating that their claim to the Arelma assets is based on the two federal court judgments entered against the Estate of Ferdinand E. Marcos. Roxas also filed intervention.

The Philippine National Bank, as escrow agent of the Republic, and in order to protect the latter’s interest, entered its appearance in the case.

In 2018, Duran filed a Motion to Change Venue, praying that the case be transferred to the Southern District Court of New York.

After the meeting with the US DOJ and lawyers from Mayer Brown LLP on March 26, 2019, Commissioner Bulay and Atty. Supapo have sought out percipient and expert witnesses to be presented on trial.

After almost (2) years, the judge did not act on the case. So much so, that on June 2019 Robert Swift filed a Petition for Mandamus praying that the US Court of Appeals direct the DC Federal Court to act on the case. The US DOJ responded thereto.

Thus, on July 15, 2019, Judge Leon issued an order where he granted Duran's Motion to Intervene and Motion to Change Venue to the SDNY. But denied Roxas' intervention without prejudice to the SDNY deciding on the matter.

On July 18, 2019, Commissioner Bulay and Atty. Supapo held a teleconference meeting with Mayer Brown LLP lawyers to discuss Judge Leon's Order. On July 19, 2019, an inter-agency meeting among representatives from the DOJ, State Counsels, OSG, US DOJ and PCGG was held to discuss the recent development in the case, and how to move forward.

The case has been raffled to a judge in the SDNY Federal District Court and docket number has been updated to Misc. No. 19-412-LAK-GWG. The case is set for oral arguments on the pending motions of the parties on 14 January 2020, and to address the queries of court, including the Motion to Strike PNB's Answer filed by Swift, questioning among others PNB's participation in the case. Currently, the US DOJ is coordinating with the Philippine DOJ to address Jose Duran's Second Request for Production of Documents, served upon the US DOJ by the Duran Class, represented by Mr. Swift.

On 27 February 2020, District Judge Kaplan, upon the report and recommendation of Magistrate Judge Gorenstein, granted the motion of Jose Duran to strike the Answer filed by PNB, and thus, effectively dismissed PNB as respondent from the Enforcement Proceedings.

Intervenor Duran Class submitted a Letter Motion dated June 1, 2020 seeking an Order to compel the United States to produce witnesses indicated in his Notice of

Depositions dated March 31, 2020 for depositions which was granted. A Revised Notice of Depositions was submitted on August 3, 2020 to take the depositions of Brigido Artemon Luna II, John Emmanuel Madamba, Danilo Daniel and Leila De Lima on the week of September 7, 2020.

Former PCGG Commissioner Ruben Carranza was deposed via videoconference on July 30, 2020.

- 13. CIVIL ACTION NO. 14-CV-890-KPF**
- “The DANY Interpleader Action/DANY Case”**
- 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**

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 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\$4Million was allotted to the Republic.

Upon issuance of the 23 January 2019 OSG letter on the Settlement of the DANY Case, PCGG filed letters to the SDNY Court dated 30 January 2019 and 16 March 2019 objecting to the approval of the Stipulation and Order. On March 24, 2019, Commissioner Bulay and Atty. Supapo hand-delivered the letters and sought audience with the court.

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, over and above the Republic's objections.

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 addition, during the 9 May 2019 hearing, Commissioner Rey E. Bulay and Atty. Rebekah Supapo appearing before the SDNY Court placed on record the Republic's objection against the said attorneys' 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.

Beating the court's deadline to retain new counsel and submit a status letter, 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.

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\$4Million 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.

Considering the 16 December 2019 Partial Summary Judgment of the Sandiganbayan forfeiting in favor of the Republic the paintings subject of the DANY Case, PCGG instructed Atty. Amatorio to file the Motion to Vacate.

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. In said Order, the Court required the Republic to file a letter brief not exceeding 10 pages by 13 February 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 Murphy 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.

**Total Number of Pending PCGG Cases
As of 31 December 2020**

<p>I. Banner Cases or Mandate Cases</p> <p>Recovery of ill-gotten wealth cases filed against President Ferdinand E. Marcos, his immediate family, relatives, subordinates and close associates (pursuant to E.O. No. 1, s. 1986, Sec. 2 (a))</p>	24
<p>II. Special Mandate Cases</p> <p>Cases filed against cronies, and other persons as the President may assign to the Commission from time to time (pursuant to E.O. No. 1, s. 1986, Sec. 2 (a) and (b))</p>	11
<p>III. Behest Loans Cases</p> <p>Cases filed pursuant to the results of the investigation of the Presidential Ad-Hoc Fact-finding Committee on Behest Loans, created by President Fidel V. Ramos through the issuance of Administrative Order No. 19, s. 1992</p>	22
<p>IV. Cases filed against the PCGG/Republic</p> <p>Cases filed against PCGG in the performance of its powers and functions, i.e., TRO, lifting of sequestration, etc.</p>	28
<p>V. Cases pending in foreign jurisdictions</p> <p>Pending cases/incidents for recovery of ill-gotten wealth filed in the United States of America and Switzerland</p>	3
TOTAL	88

Estimated Valuation of Assets Under Litigation

Twenty Three (23) Banner Cases Pending with the Sandiganbayan

As of 31 December 2020

Civil Case No.	Defendants	Personal Properties	Real Properties	TOTAL
0002	Marcos, et al.	935,624,656.08	1,808,240,907.00	2,743,865,563.08
0004	Genito, et al.	-	798,476,379.00	798,476,379.00
0005	Tan, Lucio, et al.	41,058,402,339.00	-	41,058,402,339.00
0006	Cruz, Jr., et al.	-	181,141,620.00	181,141,620.00
0007	Gimenez, et al.	103,349,673.07	51,546,864.00	154,896,537.07
0008	Tantoco, et al.	80,000,000.00	3,684,882,900.00	3,764,882,900.00
0009	Africa, Nieto, et al.	4,149,198,241.38	2,598,169,000.00	6,747,367,241.38
0010	A Romualdez, et al.	637,971,531.00	1,827,120,780.00	2,465,092,311.00
0011	Silverio, et al.	-	1,279,550,819.97	1,279,550,819.97
0013	Disini, et al.	2,134,602,118.75		2,134,602,118.75
0014	Enriquez, et al.		2,040,697,750.00	2,040,697,750.00
0016	Cuenca, et al.	3,400,448,408.00	-	3,400,448,408.00
0017	Ver, et al.	-	2,564,632,800.00	2,564,632,800.00
0019	Ar Romualdez, et al.	150,000.00	1,472,954,129.75	1,473,104,129.75
0024	Sabido, et al.	1,249,794,000.00	-	1,249,794,000.00
0026	Argana, et al.	-	1,622,434,734.40	1,622,434,734.40
0033	Cojuangco, et al.	3,146,294,577.00	2,855,245,626.00	6,001,540,203.00
0033-B	Cojuangco, et al.	269,979,481.00		269,979,481.00
0033-D	Cojuangco, et al.	1,869,813,811.00		1,869,813,811.00
0033-E	Cojuangco, et al.	-	-	-
0033-G	Cojuangco, et al.	206,598,513.00		206,598,513.00
0033-H	Cojuangco, et al.	673,343,470.00		673,343,470.00
0035	B. Romualdez, et al.	14,875,920,492.59	2,101,788,050.00	16,977,708,542.59
	Grand Total	74,791,491,311.87	24,886,882,360.12	99,678,373,671.99

Please see **Annex "D"** for Status Of Pending PCGG Recovery And Other Related Civil Cases as of December, 2020; **Annex "E"** for the List of Cases Filed Against PCGG; **Annex "F"** for the PCGG Criminal Cases; **Annex "G"** for Status of Pending Behest Loans Cases; **Annex "H"** for the PCGG Foreign Cases; and **Annex "I"** for the Status of IRC Group Cases.

ASSET MANAGEMENT DEPARTMENT

Accomplishment Report

ADMINISTRATION AND MANAGEMENT

1. Collected net income of P4,051,468.00 from the operation of Tacloban sequestered properties under PCGG administration.
2. Collected proceeds from matured Agrarian Reform Bonds for Investment Unlimited Inc. (IUI) amounting to P2,290,138.56
3. Collected proceeds from matured Agrarian Reform Bonds for Universal Equity, Inc. (UEI) amounting to P916,582.28
4. Collected P 1,743,941.71 from the rental payments of 6 units in Galleria de Magallanes Condominium Complex. Magallanes, Makati City.
5. Conducted regular inspection on 6 units in Galeria de Magallanes Condominium Complex, Magallanes, Makati City.
6. Prepared renewal of Lease Contracts for 2 units in Galeria de Magallanes Condominium Complex for P562,839.90 inclusive of 5% increase.
7. Coordinated with the Bgy. Mabolo, Naga City Officials for a dialog with Informal Settlers in BBC Naga City Property for the intent of the Commission to clear the property in view of its privatization that resulted to signing of Agreement between the Representatives of Informal Settlers and the PCGG witnessed by the Bgy. Chairperson of Mabolo that the Informal Settlers recognizes the ownership of the Republic by the PCGG and shall voluntarily vacate the property.
8. Managed and administered for conservation and preservation of fully taken-over sequestered properties:
 - a. Tacloban Properties, and
 - b. Galeria de Magallanes Condominium Units

9. Conducted ocular inspection and assessment of damages at the Sto. Nino Shrine and Heritage Museum and People's Center and Library from earthquake (occurred sometime in April) in Tacloban City in coordination with the Local Government of Tacloban City.

10. Prepared memoranda regarding the non-renewal and termination of lease contract of Mr. Sham Pajlah Chugani and letter-request of Mr. Gilbert Pelayo for not increasing his rental and the repair of condominium unit.

11. Prepared Terms of Reference for the repair and rehabilitation of 2 units in Galeria de Magallanes Condominium Complex.

12. Prepared Terms of Reference for the appraisal of RP-C610 Gate Learjet 55A SN 338.

MONITORING AND PRESERVATION

1. Caused the registration/annotation of the Writ of Execution dated 19 February 2018 (implementing the 14 December 2015 Decision of the Sandiganbayan in Civil Case No. 0030, RP vs. Alfonso Lim, et al.) in the certificates of title of title covering real properties in the name of Alfonso Lim and/or Taggat Industries, Inc.
2. Undertook ocular inspection and investigation on the properties of Lianga Bay Logging Co., Inc. (LBLCI) located in Surigao del Sur in connection with the Sandiganbayan Resolution promulgated on 3 January 2019 in Civil Case No. 0024, RP vs. Peter Sabido, et al.
3. Conducted physical inventory of all paintings and/or artworks located within the PCGG/IRC premises and Sto. Nino Shrine & Heritage Museum.
4. Conducted ocular inspection and bench on RP-C 755 Beechcraft Super King Air and prepared Flight Clearance for the aircraft.
5. Undertook inventory of the Legaspi Towers Condominium furniture and fixtures stored at IRC Annex Building.
6. Secured updated copies of the certificates of title with the Land Registration Authority (LRA) re: properties registered in the name of the coco levy corporations.
7. Secured exemption from the Real Properties Taxes of Alejo Ganut properties located in Caloocan City.
8. Transferred TDs in the name of Republic of the Philippines of recovered assets from Alejo Ganut in Caloocan City.
9. Transferred TCTs in the name of the Republic of the Philippines of recovered assets from Alejo Ganut in Caloocan City.

10. Assisted the Commission on Audit- Technical Services Office (COA-TSO) and the external appraisers in the ocular inspection and research on Ganut properties in Caloocan City that are subject for Privatization.
11. Conducted ocular inspection on the IRC properties located in Silang, Cavite and Bgy. Tolentino, Tagaytay City.
12. Conducted ocular inspection on Alfonso Lim properties in Angono, Rizal.
13. Conducted ocular inspection on Alfredo Romualdez in Olot Island , Tacloban City, Javier, Leyte and Mahaplag, Leyte.
14. Secured TCTs and TDs of Alfredo Romualdez's properties in Olot Island, Tacloban City, Javier, Leyte and Mahaplag, Leyte.
15. Collated and secured tax declaration, tap map with Tagaytay LGU, obtained TCT from Tagaytay City RD;
16. Obtained Certification from Provincial Agrarian Reform Office (PARO) in the Provinces of Cavite and Laguna not covered by CARP in relation to the properties of Independent Realty Corporation (IRC).
17. Obtained Tax Declaration, tax map and related documents for the properties of IRC reconveyed to the PCGG.
18. Wrote the LGUs on the real property tax assessments concerning real properties under litigation.
19. Assisted in asset profiling of the 68 corporations where IRC has investments in shares of stock.

DISPOSAL/PRIVATIZATION

1. Recommended approval of the Commission and the Privatization Council (PrC) of the Privatization Plan for 2019.
2. Requested re-appraisal of Puerto Galera, Mindoro, Oriental property.
3. Prepared Privatization Plans for 2020-2022 of Disposable Properties with approximate total value of P18.9B.
4. Published disposable properties for 2019 as approved by PrC.
5. Conducted Marketing and Sales Activities for 16 real properties with approximate value P59M for 2019.
6. Assisted the Privatizations Division in Marketing to reach the potential buyers of the PCGG Properties.
7. Posted Notices of Sale for disposable properties in different government offices bulletin boards.
8. Undertake ocular inspection and marketing of properties located in Calapan City and Puerto Galera in Provinces of Oriental Mindoro.
9. Coordinated with PCGG-SBAC in the conduct of public bidding on 16 properties approved by Privatization Council for disposal.
10. Prepared documents and plans for the privatization of disposable jewelries and shares of stocks.
11. Revised Joint Memorandum Order for the creation of Joint Selection Committee for the appraisal and sale of Marcos Jewelry Collections.
12. Prepared documents/communications and attended PCGG- BOC meetings re: Sale of jewelry collections.

13. Prepared documents, materials, logistics for the presentation of international auctioneers held in the PCGG Conference Room, participated by Bonhams, Christie's, Sotheby's Jewellers and Astoca Phils.
14. Coordinated with Manila Polo Club for the settlement of outstanding account and transfer of certificate of membership to the Republic and sale of the membership.
15. Coordinated with IBC 13 for the turn-over of its assets and properties.
16. Conducted negotiated sale for the disposal of Naga Property and Makati Sports, Club, Inc. share.
17. Recommend approval/confirmation of Commission en banc and Privatization Council – disposal of Naga Property and Makati Sports Club, Inc. share thru negotiated sale.
18. Coordinated with the Legal Department regarding issues on the disposal of recovered assets.
19. Attended Privatization Council's meetings

RESEARCH, DOCUMENTATION, AND OTHER ACTIVITIES/ACCOMPLISHMENTS

1. Responded to the query of Tolosa Development Corporation regarding Tacloban property.
2. Attended a meeting with the informal settlers occupying the Angono properties of Alfonso Lim.
3. Attended to the urgent request/query of the President's Personnel Group Secretariat, Presidential Management Staff (PPGS-PMS) regarding the current composition of the Board of Directors of the United Coconut Planters Life Assurance Corporation (COCOLIFE) and UCPB General Insurance Company, Inc. (UCPB Gen).
4. Prepared documents on RP-C610 Gates Learjet 55A, S.N. 338
5. Researched on the status of 6 PCGG Civil Cases as regards to Tri Island Holdings's landholdings located in Cebu City.
6. Researched for corporate profiling of Tri Island Holdings Inc.
7. Undertook study on the corporate landholdings of defendant Gregorio Araneta III in Asialand Development Corporation with relevance in PCGG Civil Case No. 0002.
8. Provided Judicial Affidavits in Argana Case Civil Case No. 0026.
9. Conducted researched on Argana properties.
10. Assisted the IRC personnel to locate their properties and conduct research in relation to the present status of the said properties.
11. Conducted research and secure document in Land Bank of the Philippines – Los Banos in relation to the collection and proceeds from CARP.

12. Secured and obtained documents from Library and Legal Department.
13. Provided Technical Assistance to IRC Management relative to its assets.
14. Coordinated with Tourism Infrastructure and Economic Zone Authority (TIEZA) relative to sequestered properties for tourism utilization and management.
15. Scanned all AMD updated TCTs, Tax Declarations, and SEC documents for digitization project.
16. Updated the database of real properties under sequestration and/or litigation.
17. Maintained Local Area Network (LAN) of every computer within AMD.
18. Participated in PMT meetings
19. Active participation in QMS audit/meetings.

RESEARCH AND DEVELOPMENT DEPARTMENT

Accomplishment Report

RESEARCH AND INVESTIGATION

1. Review and Evaluation of the additional coco levy assets investigated and identified, including the assessment of documents of ownership of the properties so far gathered, proposed appraisal of coco levy assets identified, and identification of non-cash assets for privatization.
2. Submitted to Hon. Michael T. Defensor, Vice Chairperson, House Committee on Good Government and Public Accountability House of Representatives a certified copies of the following:
 1. Lease Agreement by and between Banahaw Broadcasting Corporation and ABS-CBN Broadcasting Corporation
 2. DWWW List of Assets
 3. List of Equipment Used by BBC Channel 2
 4. List of Equipment of DWOK-FM.
3. Submitted a report addressed to Salvador C, Medialdea & Usec. Jennifer Joy C. Ong, regarding the investigation of the alleged irregularities in DBP Loan transactions with BayanTel, Benpres Holdings, Central CATV, Inc. and Maynilad Water.
4. Submitted a report gathered from Securities and Exchange Commission and SEC-iView online on query re: IRC Owned Corporations. Office Order No. 119 (RSM-04-22-2019)
5. Submitted Backgrounder of Civil Case Nos: 002, 007, 008 and 0034.
6. Conducted profiling and financial analysis of 40 sequestered corporations.
7. Forwarded to Ms. Agatha Guidaben of GMA Network the following requested information:
 - Summary of recoveries from 1986 to present

- Latest Summary of CARP
 - Latest Valuation of Estimated Valuation of assets under Litigation
 - Estimated Valuation of Malacanang jewelry collections
 - List of PCGG Chairpersons and Commissioners and Statistical Overview of PCGG Cases.
8. Drafted a letter-reply to Secretary Wendel E. Avisado of Department of Budget Management (DBM) thru: Ms. Jeanne Galamay, AO 25 Secretariat re: PCGG Final Assessment of the Commission's Eligibility for FY 2018 PBB.
 9. Submitted a briefer on the status of Puerto Azul.
 10. Submitted a report on the request assistance to re-established ownership of Ms. Nina Coronel Jimenez, an heir of Antonio Coronel of their share of the Gold Deposits of Marcopper.
 11. Letter-reply to PNP/Col. Mario A. Reyes of MCQ 30A, Camp Crame requesting documents regarding Civil Case No.10 filed with the Sandiganbayan.
 12. Submission to Department of Justice of a Comparative Budget Justification Document by Program/Project/Activity for FY 2020.
 13. Presided and attended Bids and Awards Committee (BAC) meetings.
 14. Submitted to Atty. Rowena Candice M. Ruiz, Executive Director of Government Procurement Policy Board-Technical Support Office the Agency Procurement Compliance Indicator (APCPI).
 15. Spearhead online and onsite seminar-workshops on the following:
 - Strategic planning
 - Technical Writing
 - Forensic Accounting
 - Knowledge Management
 16. Conducted PCGG 2020 Year-End Performance Assessment and Strategic Planning for FY 2021.
 17. Submission of Annual Plan of Action for Fiscal Year 2020.

18. Prepared Reply letter to DBM re: Amendment of the PCGG's Performance Indicators.
19. Presided meetings of the Performance Management Team (PMT) on:
 - a. PBB 2018 Requirements and Compliance Status
 - b. PBB 2018 System of Ranking Guidelines
 - c. Ranking of Delivery Units based on SPMS.
 - d. Other relevant matters.
20. Attendance and participation in PCGG's Quality Management System ISO Certification.
21. Submission of the Revised Policy and Procedures Manual of the Research Department.
22. Attendance and participation in the Budget Hearing on the proposed Budget of the DOJ and attached agencies.
23. Consolidation and submission of the Year-End Accomplishment Report of PCGG for Fiscal Year 2019.

FREEDOM OF INFORMATION PROGRAM

Pursuant to Executive Order No. 2 entitled “Operationalizing in the Executive Branch of the People’s Constitutional Right to Information and the State Policies to Full Disclosure and Transparency in the Public Service and Providing Guidelines Therefor”, signed on July 23, 2016 by President Rodrigo Roa Duterte, PCGG continued the implementation of the FOI program through its Freedom of Information Team, equipped with sufficient institutional knowledge of historical evidences, references, and documented facts and figures defining the nature, scope and extent of the recovery efforts of the Commission under Executive Order Nos. 1 & 2, series of 1986.

Without losing sight of its sensitive quasi-judicial role of being the only government agency tasked to recover the ill-gotten wealth of the Marcoses and their business associates, PCGG acted, decided and responded to the people’s constitutional right to information on matters of public concern. It continued to be transparent, consultative and participative in order to ensure the quality of information obtained by the requesting public is legitimate, timely, truthful, honest, direct, relevant and useful to their immediate concerns and needs.

PCGG’s FOI Team sustained these achievements through continuous process improvement implemented in 2019. It has streamlined the FOI process by reducing the number of steps necessary to complete the service that resulted to the reduction of turnaround time and completion of the transaction within 15 days.

Received and immediately responded to requests for information under FOI:

1. Received and immediately responded to requests for information under FOI.
2. Request of Police Col. Mario Reyes for documents re: Civil Case No. 0010.

3. Letter from Mr. Guilling "Gene" Mamondiong, National Chairman of MRRDNECC re: "Immediate Recovery of the Marcos Wealth and Justice and Fairness".
4. Letter-reply to Ms. Aly Cayaba re: Inquiry on disposal of sequestered assets.
5. E-mailed reply to Greg Espinosa re: Granexport Stock Certificates.
6. E-mailed reply to Mr. Joseph Emmanuel Garcia re: Russian Tiara of First Lady Imelda Marcos.
7. Letter-reply to VP Edward Tan of Dolmar Property Ventures, Inc. re: sold lot with TCT # T-390162, located in Edsa corner Berkeley Street, Wack-Wack Subd., owned by IRC.

TRACKING OF DEFENDANTS and WITNESSES

Maintained continuous linkages with other government agencies such as the Bureau of Immigration and Deportation (BID), National Bureau of Investigation (NBI), Department of Foreign Affairs (DFA), Philippine Statistics Authority (PSA), Land Registration Agency (LRA), Registers of Deeds, Assessors' Offices, Securities and Exchange Commission (SEC), local government units and other possible sources of information.

Requested various government agencies for information and documents such as last known addresses/present addresses, records check, and certified copies of birth/death certificates of individuals involved in ill-gotten wealth cases.

Likewise, we also requested General Information Sheets, Articles of Incorporation, and Financial Statements of corporations under investigation by the Commission.

1. Sent letter-request to Undersecretary Dr. Claire Dennis S. Mapa, Ph.D. of National Statistician and Civil Registrar General for issuance of the Death Certificate of Reynaldo S. Guiao.
2. Submitted Post Mission Report re: Mission Order No. CRSM/CREB-2020-003 re: Civil Case NO. 0030, RP vs Alfonso Lim, et al.
3. Submitted a report on the whereabouts of Ambassador Jaime Salcedo Bautista.
4. Submission of a post mission report on the details of Bernardo A. Lagazo, Civil Case No. 0030, Republic vs Alfonso Lim, et al. and present status of the parcel of land located at Claveria, Cagayan with an area of 8,618 sq.m.

5. Verification of the current addresses of the following.

1. Eleuterio Lumapas Camarote
2. Juliet Custodio Betuben
3. Bernardo A. Lagazo
4. Cenon S. Cervantes
5. Ignacio D. Debuque
6. Rodrigo A. Silverio
7. Leonardo Godinez

6. Sent letter request to the Security and Exchange Commission (SEC) for certified copies of Article of Incorporation (AI) General Information Sheet (GIS) and the latest Financial Statements (FS) of some IRC Owned Corporation.

7. Submission of a report on the addresses of various respondents in Civil Case No.0181, R.P. vs Trader's Royal Bank, Royal Trading Co., Inc., and Bank of Commerce.

LIBRARY AND RECORDS DIVISION

A. Request for Certified Copies of documents from the Office of the Solicitor General thru the Legal Department as evidentiary exhibits to cases pending at the Sandiganbayan:

- Civil Case No. 0181 – RP vs. Traders Royal Bank
- Civil Case No. 0034-A – RP vs. Heirs of Roman Cruz, Jr.

B. Sandiganbayan appearances as witness to the following cases:

- Civil Case No. 0181 – RP vs. Traders Royal Bank
- Civil Case No. 0034-A – RP vs. Heirs of Roman Cruz, Jr.

C. Encoding of scanned Malacañang/FM diaries & various related documents:

- 93, 735 pp

D. Office Order No. 171 dated 11 August 2020 – Creation of Special Task Force to Investigate Irregularities in the DBP Transactions & Lopez Group of Companies:

- Final report was submitted to Acting Chairperson Reynold S. Munsayac and to Commissioner John A. Agbayani last 27 November 2020.

E. Goal and Targets:

- Scanning & encoding of various records/documents for Digitization & Automation project of the Commission;
- Consolidation of computerized documents (Inmagic & Alchemy)

into one application for the Digitization & Automation project;

- Migration of encoded files to Globodocs system.

MANAGEMENT INFORMATION SYSTEM DIVISION:

TYPE	PROJECT	ACTIVITY
AD-HOC	Human Resource Information System	<ul style="list-style-type: none"> • Completed rollout of HRIS functionalities ready to be used by HRDD • PCGG, thru HRDD, submitted list of enhancements and additional customizations needed to use payroll module. • Service provider completed enhancements to HRIS requested by PCGG and presented to HRDD and Accounting key personnel.
	Case and Asset Profile System	<ul style="list-style-type: none"> • Created system using MS Access to include data entry and reporting functionalities • Generated case reports using active cases update from Legal Department and uploaded the same to PCGG portal. • Updated status and other of cases and other details as of July, 2020 and uploaded the updated reports in the PCGG internal portal.
	Email Domain Migration	<ul style="list-style-type: none"> • Due to change in DICT provider, migrated email system from Zimbra to Google Suite. • Received and distributed new email accounts to users • Deactivated e-mail accounts of resigned/retired employees
	Digitization and Automation	<ul style="list-style-type: none"> • Scanned 3.6% of total pages initially identified for scanning as of December 8, 2020. Consolidated copy of scanned images deposited with MISD.
	Profile of all art works	<ul style="list-style-type: none"> • Completed database update using 2019 inventory of Sto. Nino shrine. • Created updated reports of profiles of paintings and other artworks uploaded to the PCGG portal.
	Information System Strategic Plan (ISSP)	<ul style="list-style-type: none"> • Completed addressing DICT review points on PCGG's Information Systems

		<p>Strategic Plan (ISSP) for 2021 – 2023. DICT signed off on plan. Awaiting DICT endorsement letter to DBM.</p> <ul style="list-style-type: none"> • DBM already allocated IT capital outlay for FY2021 as indicated in the ISSP based on soft copy of DICT sign-off provided to them. • ISSP 2021-2023 endorsed by DICT and submitted to DBM
	Consolidated Internet Connection	<ul style="list-style-type: none"> • Completed negotiated bidding. Awarded winning provider. Completed installation of consolidated internet connection with higher bandwidth in the Commission in collaboration with internet service provider.
	DICT Fiber Optic Cabling	<ul style="list-style-type: none"> • Continued coordination with DICT during this period for the installation of fiber-optic cable to PCGG premises. As of Oct. 22, 2020, per DICT, fiber optic supplies undergoing bidding. Awaiting installation of fiber-optic cable to PCGG premises.
TYPE	PROJECT	ACTIVITY
	PCGG portal	<ul style="list-style-type: none"> • Completed setup of PCGG portal containing links to reports and documents needed for PCGG work. • PCGG portal includes Employee portal containing links to official e-mail, PCGG calendar and links to relevant websites (Landbank, GSIS, Philhealth, Pag-ibig, etc.)
	User Training	<ul style="list-style-type: none"> • Created user manual for G Suite applications available for use. Distributed PDF copy of manual for employees with official PCGG e-mail accounts. • Created user manual for basic Office365 manual for proposed user training.
RECURRING	Network administration	<ul style="list-style-type: none"> • Perform network administration activities for the Commission including troubleshooting and coordinating network-related issues.
	IT Support	<ul style="list-style-type: none"> • Attended to 2 requests for assistance on IT-related issues (computer, printer, software) • Completed 3 PCGG ID-related requests, 2 design/printing requests
	PCGG Website Maintenance	<ul style="list-style-type: none"> • Completed 3 requests for website uploads due to various reportorial requirements and update website content.

		<ul style="list-style-type: none"> • Perform website administrator functions for the period including removal of completed/lapsed content and notices on e-mail provider changes.
	IT Equipment Provisioning	<ul style="list-style-type: none"> • Completed provisioning of 21 units of procured desktop computers (installation of Microsoft Office and other productivity and security software). • Received and tested 4 units of high-speed scanners. • Turned-over these units to the Administrative Services Division for the property number and distribution to intended recipients. • Received and tested 1 mini-tower server, 3 high-power wi-fi routers and 4 HD webcams to improve connectivity in the 3 conference rooms as well as ground floor lobby
	IT Equipment Procurement	<ul style="list-style-type: none"> • Completed preparation of Procurement Requisitions (PRs) for 2020 Q1, Q2 Q3 and Q4 as provided for in ISSP 2018-2020. Carried over some proposed procurements in 2019 due to non-availability of capital outlay last year. All IT procurement requests are with Administrative Services for fulfillment.
OTHERS	Quality Management System	<ul style="list-style-type: none"> • Completed update of MISD Policies and Procedures Manual (PPM). For integration with RDD PPM.
	Gender and Development	<ul style="list-style-type: none"> • Completed updated report on October 2019 SDD survey and presentation material. • Created online survey to determine GAD compliance of agency
	Meeting set-up and support	<ul style="list-style-type: none"> • Completed requests for assistance to setup laptop and projector during meetings and workshops for the period
	Strategic Planning	<ul style="list-style-type: none"> • Collaborated with Plans and Policies Division on the preparation and conduct of the Mid-Year and Year-End Assessments and Strategic Planning for FY2021

**PCGG GENDER AND DEVELOPMENT ACCOMPLISHMENT
FY 2020**

DATE	ACTIVITY	REMARKS
February 20, 2020	Only one (1) GAD Technical Working Group meeting conducted. Attended by 29 TWGs, M-13 & F-16	Partially Done. Temporary set aside due to pandemic (exigency of circumstances, restriction of movement and national emergency).
March 02, 2020	2020 National Women's Month Celebration - Opening Ceremony attended by 151 PCGG employees, M-77 & F-74	Partially Done.
March 03, 2020	One (1) session of Health & Wellness: Zumbabae attended by 29 participants, M-6 & F-23	The rest of scheduled activities was cancelled by the resource speakers.
March 05, 2020	Meat Processing Seminar with TLRCe attended by 33 participants, M-15 & F-19	To abide IATF protocol/guidelines, TWG decided to set aside NWMC line-up of activities due to pandemic (exigency of circumstances, restriction of movement and national emergency).
August 19 and 20, 2020	Conducted the Mid-Year Assessment of 2020 GAD Activities drafted via Google Meet, attended by 33 participants, M-14 & F-19.	Implemented. Scheduled by 2nd Quarter. Temporary set aside due to pandemic (exigency of circumstances, restriction of movement and national emergency). Deferred on 3rd Quarter.
October 30, 2020	Conducted the 2021 GAD Plan and Budgeting. Attended by 32 TWG members, M-15 & F-17 (on-site and off-site via Google Meet).	Implemented. 2021 GPB drafted and submitted last November 03, 2020.
December 11, 2020	Observance of the 18-Day Campaign to End VAW (Closing Ceremony)	Partially Done. Scheduled activities was limited and/or was set aside due to pandemic (exigency of circumstances, restriction of movement and national emergency).

Challenges and Constraints

Despite these efforts and initiatives, there remain issues that constrain and impinge upon the ability of the Commission to perform its functions:

Privatization. Apart from obtaining relief in court, the Commission is able to realize proceeds from the privatization of assets under its management. The Commission needs the support of the Privatization Council to pursue its privatization plan. At the same time, market forces (*e.g.* availability of interested bidders, real estate prices, timing, *etc.*) affect the prices that these properties can command.

Asset Management. Supervision and close monitoring of the surrendered and/or sequestered assets, with particular regard to the past administration's practice of patronage politics (in the appointment of directors to boards of sequestered/surrendered corporations).

Due Process Requirements. The slow pace of justice that hinders the resolution of cases. Due process requirements under the Constitution vis-à-vis incessant employment of delaying tactics being employed by the defendants. Strict application of the rules of procedures considering that the PCGG cases are *sui generis*.

Contentious Issues. Thorny issues, both legal and political abound, with regard to matters like Payanig sa Pasig, Philcomsat, and properties disposed by defendants despite their sequestration.

Wavering Political Capital And Support. As a special agency created for a specific purpose, the Commission has had to fall back on its "personalized" leadership. Whereas institutions ought to be divested of the personalities and characters of their leadership, the Commission has, for the most part, been identified

based on the character, reputation, and integrity of its Chairman. In some ways, this “reputational” form of organizational control worked to its advantage, in instances when the Chairperson is of unimpeachable character and integrity (*e.g.* Sen. Pres. Jovito Salonga and the late Chairperson Haydee Yorac). In instances, however, when such virtues appear to be lacking, political capital and support for the Commission wanes and wavers together with the tides of politics.

Knowledge Management. The Commission has a wealth of institutional learning which, unfortunately, are deeply personalistic. Although the Commission is not short of competent personnel, there is a challenge to transmogrify “institutional memory” (reposed in these persons) into tangible and rigorous data.

Communicating Success. Among the most neglected aspects of “change management” and reform in the public sector is the agency’s public relations vis-a-vis its open and transparent disclosure of its processes, as well as its outputs. More than just having data, it is important to translate them into a form, and using a medium (*e.g.* web site) that is accessible and made available to the general public.

Abolition. The threat of PCGG abolition by both Houses of Congress.

Budget. Low budget given by Congress.

Lack of cooperation by other government agencies.

Locating witnesses and securing testimonies of witnesses.