

Andy Bautista and core values

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'There is plenty to loot. The firms have been rehabilitated by the unified board such that it is now awash with cash.'

ANDY Bautista, chairman of the Presidential Commission on Good Government, created a website where he portrays what he calls core values of "truth, honesty and integrity."

Nice to hear, but he contradicted himself when he said that under his watch the good government body which miserably failed in its mission would be wound down in two years.

After 28 long years, the PCGG can only be ashamed, but does not feel so, of its dismal record.

One of the most recent is the suspension for six months of a former commissioner, Ricardo Abcede, for misconduct. Orlando Casimiro, deputy Ombudsman ordered the suspension on June 11. Abcede was no longer in the service.

Bautista does not seem to notice the "grand palabas."

The case of Abcede is a small one. The bigger offenses are the looting of sequestered companies, a direct violation of the mandate to preserve the assets of sequestered companies.

It is odd that Bautista is known to have written President Aquino a letter saying that the PCGG has nearly completed its job and that its commissioners have been thinking of drafting a bill proposing the transfer of its investigative powers to the Department of Justice.

Speak of contradiction in terms. Job completed but investigative powers remain.

Even before that letter was written, Justice Secretary Leila de Lima told media that it was time for the PCGG to wind down, disappear from the scene, go away, drop dead.

Of course, the quicker way is for President Aquino to issue an executive order abolishing the PCGG. Or somebody should go to the Supreme Court claiming that by precedence, the PCGG is abolished following the ruling on the Truth Commission.

There is utter confusion here. Executive Secretary Paquito Ochoa issued Executive Order No. 42 allowing the PCGG commissioners to pick their replacements. This does not sit with the plan of Bautista to wind down the PCGG.

Neither does it figure with the pronouncement of the Secretary of Justice that the PCGG should be abolished and its functions taken over by the DOJ.

Bautista now makes the mistake of lumping together sequestered companies with those which have been surrendered. The latter have been turned over to the Department of Finance for privatization.

POTC and its subsidiaries were removed from sequestration when the Securities and Exchange Commission allowed them to elect a unified board composed of private stockholders.

Now Bautista tells their officers they could live in harmony. Was there ever harmony at any time when the firms were under seques-

ANDY

tration? There was none. On the contrary there suits and counter-suits.

One case, involving the 35 percent ownership of POTC by the state was resolved with finality with the Supreme Court. Yet, Bautista thinks he has control over the shares. He has none.

The stock certificate has been written in the name of the Republic of the Philippines. The shares cannot be used as justification for Bautista to have a say in any of the companies least of all nominating directors to their boards of directors.

The clear and simple guide to the lack of authority of Bautista over the companies is a comparison of performance. Did the firms make money when they were under sequestration? Not a red cent as the record shows.

It is on record that in the Nineties, Philcomsat and POTC spent P300 million in unauthorized stock market purchases. In a few years the value of the stocks dwindled to P30 million.

In 1997, Philcomsat under the authority of the PCGG paid P200 million to rehabilitate Montemar Beach Club. The club remained rotten and made no money until the beneficial owners took over. Today the club's membership shares priced at P40,000 has gone up to P50,000. There are no sellers.

In 1997, Philcomsat loaned P390 million to a first cousin of a PCGG nominee. The loan has been in default. The company now has the trouble of collecting from the borrower because he claims his signature in the documents was forged. So where did the money go?

Philcomsat Holdings which is not even sequestered is 81 percent owned by Phicomsat. PCGG nominees dissipated around P600 million of the capital. If there had been no looting, the loss would not be possible since the main purpose of the PHC is to place its funds in the money market. There was no way it could lose. On the contrary it was supposed to make fat profits with a very lean staff.

Bautista wants to be back in the companies? There is plenty to loot. The firms have been rehabilitated by the unified board such that it is now awash with cash.