

# 1995 tax evasion case could send Bongbong Marcos to jail

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ILOCOS Gov. Ferdinand “Bongbong” Marcos Jr., only son of the late dictator Ferdinand E. Marcos, will face at least three years in jail. That is, if a recently unearthed Quezon City Regional Trial Court decision regarding his 1995 tax-evasion conviction will be executed.

This was disclosed by an October 30 letter addressed to Solicitor General Alfredo Benipayo and written by former senator Jovito Salonga, which was faxed to The Manila Times.

According to Salonga’s letter, the Quezon City Regional Trial Court in July 1995 found Marcos “guilty beyond reasonable doubt” of violating Sections 45 and 50 of the National Internal Revenue Code of 1977, as amended. The court decision rendered two six-month and two three-year sentences against him for failure to file and pay income-tax returns for the years 1982, 1983, 1984 and 1985. The same decision also ordered Marcos to pay the corresponding taxes, penalties, interests and surcharges due the Bureau of Internal Revenue.

Salonga’s letter to the Office of the Solicitor General also indicated that Marcos appealed the decision to the Court of Appeals but on October 31, 1997, the CA acquitted the accused of the charges of violation of Section 50 of the NIRC but “[found] him guilty beyond reasonable doubt of violation of Section 45 of the NIRC for failure to file income-tax returns for the taxable years 1982 to 1985.” The same CA decision also ordered Marcos to pay the BIR the deficiency income taxes due with interest at the legal rate until fully paid.”



“Thereafter, the accused manifested his intention to file with the Supreme Court a petition for review on certiorari. In fact he filed a motion for an extension of 30 days from July 4, 2001, within which to file the petition.

However, the records with the Supreme Court indicate that the motion was later withdrawn, so that, in point in fact, no such petition has actually ever been filed. These incidents were duly noted by the Supreme Court in its resolution dated August 8, 2001,” Salonga’s letter said.

An attached letter, signed by Virginia Ancheta-Soriano, the Supreme Court’s first division clerk of court, indicated that “the Court resolves to [a] note and grant the manifestation and urgent motion of petitioner to withdraw the motion for extension of time to file a petition for review on certiorari; and [b] note without action the said motion for an extension of 30 days from July 4, 2001, within which to file a petition for review on certiorari in view of the withdrawal of the motion.”

“In the light of all the foregoing,” Salonga said in this letter, “I would strongly suggest that immediate steps be taken so that the execution of the aforementioned judgment of conviction against Bongbong Marcos—which heretofore has evidently been brought into an unprecedented deep slumber—be now given effect.”

Meanwhile, there are unconfirmed reports that the Office of the Solicitor General is due to file a motion for execution of judgment, which indicate three possibilities: Marcos’ imprisonment, presidential pardon, or parole.

Despite numerous criminal and civil cases filed against the Marcoses since 1986, no member of the Marcos family has ever been imprisoned.

By Robert JA Basilio Jr.