

Former Marcos Aide Is Convicted in Attempted Sale of Missing Paintings

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Vilma Bautista was patient. She waited more than a quarter of a century before discreetly trying to sell the paintings she had in her New York apartment: Impressionist masterpieces that had once hung on the walls of a townhouse used by Imelda Marcos.

How those paintings came into the possession of Ms. Bautista, who was Ms. Marcos's longtime confidante and personal secretary, and whether she had a right to sell them, were open questions — ones that a jury in Manhattan did not take long to answer.

It took jurors only three hours on Monday morning to convict Ms. Bautista on conspiracy and tax fraud charges stemming from the sale or attempted sale of the paintings, which disappeared in the 1980s, when Ferdinand Marcos was ousted as president of the Philippines.

When the jury forewoman read the verdict, Ms. Bautista, who is 75 and has a heart ailment, was not even in court. Her lawyers said she was still resting at home after being taken to a hospital on Friday with chest pains and nausea.

The reappearance of the four masterpieces — two by Monet, including one from his famous water lily series — was another recent example of dubious dealings in the art world. [This month](#), the existence of the biggest trove of missing 20th-century European art discovered since the end of World War II emerged in Germany.

Though Ms. Bautista was the one facing charges, the monthlong trial focused attention on the struggle of Philippine authorities to track down and recover millions of dollars' worth of missing artwork that was purchased with public money during the Marcos era.

The trial also shed light on a complex \$43 million transaction in September 2010 that transferred one of the Monets — the majestic “Le Bassin aux Nymphéas” — from Ms. Bautista to a Panamanian company, then to a London gallery and finally to Alan Howard, a hedge fund manager in Switzerland.

That deal had gone forward even though the only evidence Ms. Bautista possessed that she was authorized to sell the painting was a single-page document from 1991, purportedly signed by Mrs. Marcos.

“Everyone held their noses and closed their eyes because it was in their shared financial interest to do so,” one of the prosecutors, Ted Starishevsky, said during summations on Friday.

The jury found Ms. Bautista guilty of conspiracy for having plotted with her two nephews, Chaiyot Jansen Navalaksana and Pongsak Navalaksana, to sell four paintings on the Asian black market.





Vilma BautistaCredit...Eric Thayer/Reuters

All the works had been taken in late 1995 from the walls of an Upper East Side townhouse, owned by the Philippine government, where Mrs. Marcos stayed and threw lavish parties when in New York.

Mrs. Bautista was also convicted of criminal tax fraud for failing to report to state and city tax officials on the \$28 million she received from the sale of the painting. She faces up to 25 years in prison on the top charge.

“We all agreed the evidence was damning,” one juror, who asked that her name not be used, said as the jury left the courtroom. “It was just good evidence.”

Cyrus R. Vance Jr., the Manhattan district attorney, likened the conviction to a “white-collar cold case” that came to light only because prosecutors had analyzed Ms. Bautista’s finances and tax returns. He said the case also highlighted the darker side of the art market. “We have solved the mystery of a painting that has been missing for decades,” he said.

Ms. Bautista’s lawyers, Susan and Fran Hoffinger, had argued to the jury that their client was authorized to act as Mrs. Marcos’s agent and had intended to send some of the proceeds to her, but could not because the district attorney’s office had seized the money.

Prosecutors never accused Ms. Bautista of stealing, but they presented evidence that she had hidden the paintings at her apartment on East 64th Street. Beginning in July 2009, as she was running short of money, she enlisted her nephews to find a private collector willing to buy the work.

The jury was shown more than a dozen emails sent between Ms. Bautista’s nephews outlining their plans to sell the paintings on her behalf. The two men expressed worries about being caught and going to jail.

Prosecutors presented evidence raising questions about the document authorizing Ms. Bautista to sell the painting. The notary who signed it admitted under oath that Mrs. Marcos was not present when he notarized it, and that he had done it as a favor to one of Ms. Bautista’s sisters.

Still, in the summer of 2010, a London Gallery — Hazlitt, Gooden & Fox — agreed to buy the painting and then resell it to Mr. Howard.

The gallery deposited \$28 million into Ms. Bautista’s bank account. In April 2011, she failed to report the \$28 million windfall on her state tax return and paid about \$80 in taxes.

“This transaction was never intended to see the light of day,” Mr. Starishevsky said.

*Correction: Nov. 18, 2013 ****