# Striking fear into hearts of the corrupt

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Efraim Genuino had been down this road before. In March 2023, the chair of the Philippine Amusement and Gaming Corporation (Pagcor) during the Gloria Macapagal-Arroyo administration was found guilty by the Sandiganbayan of graft—convicted, along with two other former officials of the gaming regulator, for the illegal release of P37 million in Pagcor funds to the Philippine Amateur Swimming Association (Pasa), supposedly for the training of Philippine National Team swimmers.

The law was clear that the money should not have gone directly to Pasa but to the Philippine Sports Commission (PSC), which had jurisdiction over Pasa. Section 26 of Republic Act No. 6847 specifies that “5 percent of the gross income of Pagcor should be automatically remitted to the PSC.” Why was the money funneled to Pasa instead? “No other organization or sports association received such distinct favor from the PSC,” said the Sandiganbayan,” noting the “peculiar arrangement” as an “unwarranted benefit” for the sports association.

It turned out that Pasa had then used the money to pay for the use of a swimming facility lent to the athletes for training. The alleged owners of the facility? Genuino’s family.

## Perpetual disqualification

Not only was Pagcor’s transfer of public funds to Pasa deemed illegal “as it directly contravened” the law, according to the Sandiganbayan, but the decision for it was also made “unilaterally,” without the approval of the PSC board. Genuino’s conviction for such acts was a sentence of up to 10 years in prison, plus perpetual disqualification from public office.

Just over two years from that verdict, Genuino has again been found guilty of graft, this time for an even more egregious case of fund misuse plus brazen conflict of interest. On May 9 this year, the same court found Genuino and four other ex-Pagcor officials guilty of graft and malversation for the illegal disbursement of some P45 million in public funds—money that was spent on an endeavor tied to Genuino’s Batang Iwas Droga or Bida Foundation. The antidrug abuse advocacy project, founded by Genuino, began receiving Pagcor money to fund its various events and activities, among them, as reported in this paper: a 2005 Christmas project; a 2006 barangay project; production, distribution and advertising expenses for “Bida Comics;” a “Bida Caravan” project; and a “Grand Bida March.”

## Political launchpad

The Bida Caravan alone cost P12.25 million, while the Grand Bida March was allotted P21.24 million. Part of the money also went to bankrolling the production and advertising for the movie “Baler,” an entry in the 2008 Metro Manila Film Festival.

Apparently, Genuino saw his foundation as an eventual political launchpad for his family members and associates. The Bida Foundation was fielded as a party list in 2010, seeking seats in the House of Representatives for its nominees—Genuino’s daughter, and two others who were said to be Pagcor suppliers during Genuino’s term. The bid failed, but all in all, from 2003 to 2010, over P186 million allegedly went to Genuino’s foundation, according to the plunder suit subsequently filed by Pagcor against its former chief.

While the recent Sandiganbayan decision saw Genuino and his four ex-colleagues acquitted in a number of specific counts, their conviction for the misuse of P45 million in Pagcor funds got them a sentence of more than 100 years in prison, covering five counts of graft and five counts of malversation for each. In addition, the five officials were ordered to return to the government the misappropriated P45 million.

## Gargantuan sums

Will the government ever recover that money? The Sandiganbayan, after all, had made the same demand for a government official to return pilfered money to the public till—in vain. Five years since the court made the perplexing decision to acquit now ex-Senator Ramon “Bong” Revilla Jr. of plunder but still order him to return P124 million in pork barrel funds, the government has seen neither hide nor hair of that money, and Revilla himself has not been punished for continuing to ignore the court order.

Nevertheless, in a country perpetually bedeviled by unchecked government excesses and corruption, Genuino et al.’s conviction is a welcome instance of reckoning and official accountability. A public weary of the continuing plunder in offices high and low can only wish for more such chastisements regularly thundering from the courts and striking fear among public officials.

That includes, not incidentally, the upcoming impeachment court that will hear the charges against the country’s Vice President, involving yet again gargantuan sums of money mysteriously spent. As with the justice meted out in the Genuino case, the looming impeachment trial carries with it the hope that it can provide at least the clarity and transparency needed to account for the use of government funds—and the reminder that the people’s money is at all times off-limits to looting hands.