# The P612.5-million question

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After the impeachment case against Vice President Sara Duterte was declared unconstitutional by the Supreme Court and subsequently archived by the Senate, the prospect of putting the second highest official of the land to a trial appears dim for now.

While the House has filed a motion for reconsideration, the high court has little incentive to overturn its unanimous ruling. After all, the Senate has loudly telegraphed its punches against the impeachment of Duterte and professed obedience to the Supreme Court as the last arbiter of our laws.

Absent a reconsideration, the House will have to wait for February next year when, according to the Supreme Court, the one-year bar on filing a new impeachment case will lapse. Whether the House will take another stab at that remains to be seen.

In this perilous interregnum, what happens to the serious allegations of corruption against the Vice President? That is the P612.5-million question.

The Articles of Impeachment, transmitted to the Senate after it was signed by 215 members of the House, accused Duterte of culpable violation of the Constitution, betrayal of public trust, graft and corruption, and other high crimes. Of seven articles cited as grounds, the most serious are charges of graft and corruption from the alleged misuse of funds of the Office of the Vice President (OVP) and the Department of Education (DepEd).

## “Ghost expenses”

In Article II of the complaint, the House charged Duterte for the “misuse and malversation of confidential funds”: “In these two (2) years as Vice President of the Republic, respondent Duterte has managed to gain direct control of at least six hundred twelve million five hundred thousand pesos (P612,500,000.00) of confidential funds, all of which were wantonly and questionably spent in exorbitant, if not fictitious, expenses.”

Citing testimonies of DepEd officials during the House investigation, the complaint said the P612.5 million in confidential funds were spent on nothing more than “ghost expenses,” and that the money “vanished into thin air” after it was taken out of the bank, in cash, and turned over to a Duterte aide.

The complaint cited the controversial spending by the OVP of P125 million from Dec. 21-31, 2022—a period of 11 days which meant that Duterte spent more than P11.3 million per day ostensibly for rental of safehouses.

Duterte was likewise accused of malversation of funds, with liquidation documents found to have unreadable, incomplete, or fictitious names such as Mary Grace Piattos. Of 1,992 named recipients of the OVP’s confidential funds, at least 1,322 names were found to have no birth records with the Philippine Statistics Authority, it said.

## Unexplained wealth

“Based on a thorough review of the DEPs (documentary evidence of payment), the total amount indicated to have been disbursed from the OVP confidential funds to such fictitious persons was at least two hundred fifty-four million eight hundred ninety-eight thousand pesos (P254,898,000.00),” the complaint said. Fictitious names were also reportedly used to disburse at least P43.2 million from the DepEd’s confidential funds. Duterte was also accused of corruption over the distribution of cash gifts to DepEd procurement officers.

Article IV of the complaint said Duterte committed culpable violation of the Constitution and betrayal of public trust “In Amassing Unexplained Wealth And Failing To Disclose All Her Properties And Interests In Properties In Her SALN” or the statement of assets, liabilities, and net worth.

It said her bank deposits were “grossly disproportionate to her legitimate income as vice mayor and mayor of Davao City,” which ranged from P2.0 million to P2.6 million a year.

## Narrowly framed

“Among others, it has been discovered that the amount of more than TWO BILLION PESOS was transacted from 2006 to 2015 across several joint accounts maintained by respondent Duterte and her father, former president Rodrigo R. Duterte, with the Bank of the Philippine Islands and Banco De Oro Unibank. Respondent Duterte herself received at least one hundred eleven million six hundred thirty-four thousand one hundred fifty-four and 05/100 pesos (P111,634,144.05) during the same period of 2006 to 2015, when she was a sitting public official of Davao City, either as vice mayor or as mayor of the said city,” it said.

The complaint noted that Duterte “deliberately failed and repeatedly refused to account for the expenditure of confidential funds of the OVP and DepEd…” A trial at the Senate, sitting as an impeachment court, would have been her chance to rebut these grave charges.

But with the impeachment now effectively shelved, will these charges likewise vanish into thin air? Will the new Ombudsman have the wherewithal to investigate and prosecute those liable for plunder of over half a billion pesos in taxpayer money?