



NEWS EDITION

HAWAII'S ONLY WEEKLY FILIPINO-AMERICAN NEWSPAPER

SENATE ACCEPTS CJ BANK DOCUMENTS AS EVIDENCE

By **Marvin Sy** | March 7, 2012



MANILA, Philippines - The Senate impeachment court has denied the motion of the camp of Chief Justice Renato Corona to disallow the use of his bank records as evidence in his trial. Senate President and impeachment court presiding officer Juan Ponce Enrile said this was the consensus among the senator-judges during their caucus yesterday.

"The court has arrived at a decision and ruling that it will deny the motion to suppress, and accept the evidence for consideration of the court in connection with Article 2 of the Articles of Impeachment," Enrile said.

The bank documents show Corona's peso accounts with the Philippine Savings Bank (PSBank) branch on Katipunan Avenue in Quezon City. The defense panel led by former

justice Serafin Cuevas argued that the bank records had been illegally obtained and thus should not be used as evidence against the Chief Justice.

Based on what has been presented in court, there is a disparity between Corona's peso accounts with PSBank and his declared bank deposits in his statements of assets, liabilities and net worth (SALN).

Article 2 of the Articles of Impeachment alleges that the Chief Justice lied about his assets in his SALN.

The prosecution argued that the "fruit of the poisonous tree" principle invoked by the defense in blocking the presentation of Corona's bank records applies only to illegal searches and seizures conducted by the state or its instrumentalities.

"In the case of these particular matters where bank accounts of the respondent Chief Justice were revealed, disclosed to the public, there's no showing that it was done by the government," Enrile said.

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CORONA WILLING TO TESTIFY, OPEN DOLLAR DEPOSITS

from www.philstar.com

MANILA, Philippines - Chief Justice Renato Corona today said that he is now prepared to open his dollar accounts at the Senate impeachment trial next week.

"I said I will open it in due time and the due time is next week. I have always said there

is no problem with my dollar deposits because I can explain it," Corona said in an interview over radio dzBB.

The defense team is expected to start presenting its own evidence and witnesses when the impeachment trial resumes on March 12 to counter the

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P500-MILLION SECURITY UPGRADE EYED FOR NAIA



The Ninoy Aquino International Airport

By **Louella Desiderio**

MANILA, Philippines - Transportation Secretary Manuel Roxas II assured the people yesterday that security screening for passengers and baggage would be upgraded in the country's airports as the

government was set to bid out the installation and repair of the equipment worth P500 million by next month.

"We will install, upgrade and layer the security screening in all the 45 airports that presently have

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EDITORIAL

Closing of Sears Ala Moana Should Not Be Viewed As "Business As Usual"

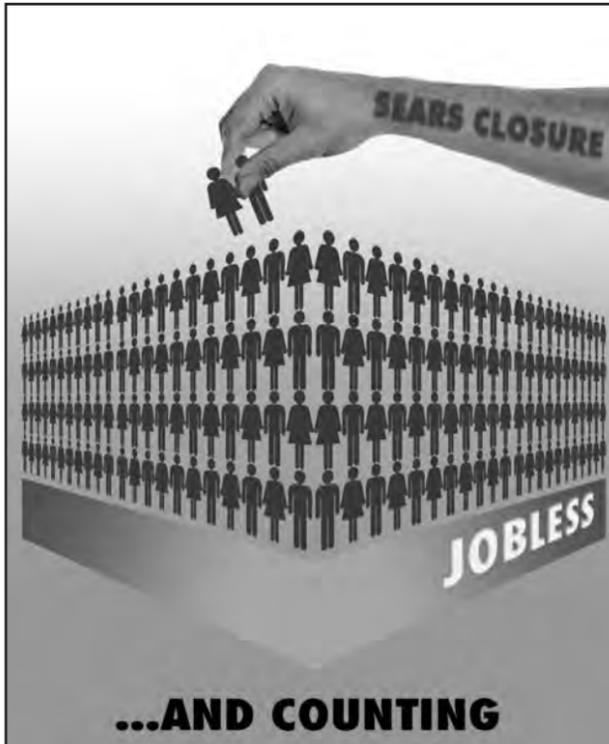
Guess what Honolulu residents, Ala Moana Center has just gotten less relevant to local residents with the closing of Sears. Already lined with luxury boutiques and department stores from the Diamond Head end to Ewa end of the mall, Ala Moana Center clearly is designed for the tourist market, catering primarily to visitors who have greater disposable vacation money at hand. Sears Ala Moana provided customers affordable prices and unique services found nowhere else in the mall like auto maintenance. Sears gave many local residents a reason to go to the upscale mall, browse around, and have lunch or dinner. It was an anchor store that drew in average income earners and supported the idea that Ala Moana Center cared for customers with varied income levels. Since the departure of JC Penny's, and now, Sears, perhaps the lure of greater profit margins for General Growth Properties, owners of Ala Moana Center, is far more significant than providing diverse shopping choices for the local community.

The announcement of the closing of Sears by both General Growth Properties and Sears Holding Corp. was a finely scripted public relations masterpiece, explaining the mutually beneficial business deal between the two companies as if there were no harmful ramifications, namely that many full-time, part-time employees, and vendors will lose their jobs. The deal may just very well be a "win-win" situation for both General Growth and Sears Corp. from a business perspective, but definitely the workers at Sears Ala Moana and many in the community view the closure with disappointment, and perhaps even more importantly, highlights an already prevailing belief that something is deeply wrong with big corporations overextending influence on local economies. When they fail, so do local communities.

THE DEAL

General Growth Properties will pay Sears Holding Corp's \$250 million to buy Sears' lease at the Ala Moana Center site that covers 340,000 square ft. General Growth will benefit by renting out that space at a higher price which may give it double, or even triple, the amount it is currently collecting from Sears.

Sears Holdings Corp., which has not made a yearly profit in almost



10 years, and reported a \$3.1 billion loss last year, is cash strapped. This deal will allow Sears Holdings Corp. to use the \$250 million to improve the company's overall balance sheet. While the company is struggling as a whole, it's not publicly known how well or poorly Sears Ala Moana had been performing. Based on Ala Moana Center's track record of being one of the highest earning malls in the country, it's reasonable to conclude that Sears Ala Moana is in the top tier of Sears Holdings retail umbrella. If this is in fact the case, which is most likely, the closing of Sears Ala Moana is an even bigger disappointment, which will be axed down in 2013 primarily to boost the company's overall liquidity caused by other underperforming Sears stores.

BUSINESS AS USUAL?

Apart from Ala Moana Center's stellar performance, its crown jewel of shopping malls, General Growth Properties has been reeling

from its own set of financial troubles. Just in 2009, the company filed for bankruptcy protection to restructure \$25-27 billion in outstanding debt.

Perhaps this one deal of closing Sears at Ala Moana may be a small boost for both Sears Holdings Corp., formerly the largest retail company in the country, and General Growth Properties, the second largest mall operators in the nation, to get back on track. Perhaps both companies have learned valuable lessons on limits of expansion and diversified investments.

But the public should not forget the thousands of job losses these companies cost in their quest for bottom line profits and expansion. The public also should not forget the pressure these ever expanding, large corporations, and others like them, have had in pushing smaller competition out of business. When storms hit the financial markets, too rough for large corporations to weather out, but better suited for smaller-to-medium size businesses to adjust to, consumers ought to remember the pattern: big corporations will cut jobs. The Ala Moana Center deal is just a part of Sears Holdings Corp.'s overall plan to close 79 stores amounting to about 4,000 to 9,600 job losses. General Growth Properties earlier reorganization efforts resulted in cutting 20 percent of its company's workforce.

Why do we as consumers continue to enrich and enable big corpo-

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So Rich and Yet So Poor Because of Bad Governance

FROM A DISTANCE by Carmen N. PEDROSA

Maybe, the Aquino government will listen this time. No less than the US Department of State has come out with a report that "the untapped mineral wealth of the Philippines is worth more than \$840 billion." The report adds the Philippines is "one of the world's most highly mineralized countries." Other reports by private research groups have said the same thing. Indeed the mineral wealth of the Philippines was known as far back as the Spanish colonization. National hero Jose Rizal said that this wealth, properly developed, is one of the ways it can stand up to other nations once independent.

With all that wealth why is the country so poor? The answer is "bad governance". We have a system that eludes good governance and not until we change the system it will continue giving us misfits as our leaders. The inability to manage the country's resources is the main reason why the Philippines has been left behind by other countries in the region.

This is most true with mining when no distinction is made between responsible and irresponsible mining. NGOs, both foreign and local have made it their cause citing environmental concerns. It is a political problem more than an environmental problem. Mining is not a walk in the park, it requires vigorous regulation and political will. We may have the wealth but we do not have the leaders who can make it work for the people. It is

a tragedy that all this opportunity for great wealth for this country is being set aside for political partisanship.

The Washington report added that the country is rich in gold, copper and chromate deposits, but these have not been worked on to its true potential. "The Philippine mining industry is just a fraction of what it was in the 1970s and 1980s when the country ranked among the 10 leading gold and copper producers." Whose agenda is it to keep us poor and therefore dependent?

It noted that "a December 2004 Supreme Court decision upheld the constitutionality of the 1986 Mining Act, thereby allowing up to 100 percent foreign-owned companies to invest in large-scale exploration, development and utilization of minerals, oil and gas" in the country.

Once again the local government is being accused as the stumbling block. It does not distinguish between ordinary people and their immediate local authorities. The local authority that puts blocks at least in one instance I know come from the provincial board.

Business in the Philippines since the impeachment trial began exacerbated the uncertainty. So it is good news that all stakeholders came together in a conference held yesterday at the Intercontinental. It will not only help resolve difference but guide the government on how to implement its mining policies.

EDITORIAL (CONT.)

(cont. from page 2; CLOSING...)

rations to get so big in the first place? - that should be the question we should be asking ourselves. Perhaps it's time that we re-think more carefully about where our money goes and how it contributes to building local communities in the long term. We ought to support small and mid-size businesses when possible and consider alternative shopping locations in addition to strip malls. We hope that

General Growth Properties will utilize the vacated site in 2013 having in mind new vendors that cater to varied income levels and give small local companies a chance to succeed. In this new era of economic stress, we hope large corporations like Sears Corp and General Growth Properties, can begin to lead by example a new culture of doing business that emphasizes loyalty to workers and local communities over risky expansion and a profit-to-no-end philosophy. ■



FACE-OFF. Business tycoon Manny V. Pangilinan and environmental advocate Gina Lopez exchange sharp words on mining issues during the open forum of the Conference on Mining's Impact on the Philippine Economy and Ecology at the Hotel Intercontinental in Makati City on Friday. A visibly peeved Pangilinan takes his seat as Lopez asks for more time to answer him. MVP retorts: I didn't say that. Now, you're lying. LYN RILLON

The Philippine government has not come around to enact its promised new mining policies as it had promised last week. It is good that the stakeholders are using the interim period for consultations that would be acceptable to both pro-mining and anti-mining groups.

A conference on Mining's Impact on the Philippine Economy and Ecology was held yesterday so both sides could air their differing views and hopefully they would come around to solutions for the benefit of the country.

Conference on Mining's Impact on Philippine Economy and Ecology
2 March 2012, Friday,
2 PM to 5 PM
Grand Ballroom,
Inter-Continental Manila

Among the speakers were Edgardo G. Lacson, vice president for Environment, Philippine Chamber of Commerce and Industry (PCCI), Engineer Leo L. Jasareno, director of Mines & Geosciences Bureau will give the government's perspective.

There will also be presentations from Gina Lopez, managing director of ABS-CBN Foundation, Gerry Brimo of the board of directors, Chamber of Mines of the Philippines.

Others in the conference are Clive Wicks, international

expert on conservation and development, Peter Wallace, chair and president of Wallace Business Forum, Atty. Christian S. Monsod, consultant, Manila Electric Company and Manny Pangilinan, chair for Philex Mining.

Questions and answers will be welcomed from the audience with the following prominent business people manning the forum: Eduardo V. Francisco, president, Management Association of the Philippines (MAP); Ramon G Oplencia, president, the Financial Executives Institute of the Philippines (FINEX); Benjamin Philip G. Romualdez, vice president for industry, PCCI; Dr. Corazon PB. Claudio, co-chair of MAP Climate Change and Sustainable Development Committee; Baltazar N. Endruga, vice chair, MAP National Issues Committee; Adele A. Jaucian, chair, FINEX Environment Committee; Eduardo H. Yap, chair, FINEX National Affairs Committee, chair, Map Land Use and Urban Development Committee; Grace Palma-Tiongco, chair PCCI Programs Committee, vice chair, Finex National Affairs Committee will be the moderator.

MISCELLANY: Everybody who worked or admired President Fidel V. Ramos joined the former president and his wife Ming at the Fort Bonifacio Arts Center to celebrate their birthdays and the launch of his new

book Towards Our Better Future (Seize the Opportunities). This aptly describes the failing of this administration obsessed with impeaching Supreme Court Chief Justice Renato Corona.

From the Instituto Cervantes comes an announcement that it will show how two different cultures interact and produce a unique culture and language. The Chabacano language is a clear manifestation of the Spanish contribution in Philippine culture.

The Spanish cultural center, presents a special four-film lineup that showcases unique independent shorts filmed in the only Spanish-based Creole in Asia: Chabacano. It opens Thursday (March 8), 7 p.m. at Instituto Cervantes' Salon de Actos.

Titled "Cine chabacano," this film cycle not only features compelling, original short films, but also the language that has survived for hundreds of years, thus making it one of the oldest creoles in the world.

"This film cycle is unlike other films coming from other regions of the Philippines and not only because of the language. Somehow it's like seeing films from another country," says Philippine cinema expert Teddy Co who is also the curator of this event.

The film cycle opens with "Placebo," a 22-minute short feature from the Zamboangan team behind the Cinemalaya award-winning film "Halaw." Directed by Dexter de la Peña, this film chronicles the life of Jim, a convenience store owner who months after his father's death mans the family business all by himself. His boring store routine is interrupted when a vixen comes into the store and befriends him.

It will be followed with the screening of "Boca," a story of a man with an oral fixation, presented by its director Zurich Chan. Following his film screening, Chan will then discuss the journey that led him to create this very personal short, and along the way demonstrate the singularly artistic style by which the film was crafted. (www.philstar.com) ■

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(cont. from page 1; SENATE...)

"There's no clear showing that it was done by the government and so far, as the facts indicate, there's no question that these alleged bank deposit account numbers exist," he added.

Enrile also noted that Republic Act 1405 or the bank secrecy law and Republic Act 6426 or the foreign currency deposit act have no exclusion provisions, "meaning a provision that expressly exclude or proscribe the admissibility of the records of bank deposits when they are illegally released to the public."

PSBank was able to secure a Supreme Court temporary restraining order (TRO) on the examination by the impeachment court of Corona's foreign currency deposit accounts.

The documents attached by the prosecution in the supplemental request for subpoena included the customer identification and specimen signature cards of Corona with PSBank, which lists various account numbers supposedly held by the Chief Justice.

The impeachment court voted to respect the TRO of the Supreme Court. But it filed a comment, through the Office of the Solicitor General, calling for the dismissal of the petition of PSBank.

While the prosecution panel has formally ended its presentation of evidence, it has informed the court that it is reserving its right to present evidence related to the foreign currency deposits in the future.

The prosecution hopes that



the Supreme Court would eventually rule in its favor and allow the opening of the foreign currency accounts of the Chief Justice.

It was not clear if Enrile was amenable to the prosecution's plan to present evidence later if necessary.

Sen. Panfilo Lacson said that the matter had already been settled and that the prosecution would be allowed to do so.

Lacson said Enrile had already issued a ruling allowing the prosecution to end its presentation of evidence – but with reservation to present new ones on the dollar accounts if and when the need arises.

"This issue is unique because there is a pending TRO. The main case has not been resolved," Lacson said.

"If the TRO is lifted then there will be no hindrance to the presentation of the dollar accounts," he added.

Sen. Miriam Defensor-Santiago defended the decision of her colleagues to deny the motion of the defense panel.

"The general rule is in case of doubt, just admit the evidence. Normally you have to

specify what is the purpose of admission. Normally the judge says, just for simplicity's sake, admitted for whatever it is worth. It does not necessarily mean that the case will turn on the admission of a particular piece of evidence," Santiago said.

But she stressed each of the 23 senator-judges will have his or her own standard of proof come voting time.

"It depends on the standard of proof. We have left the standard of proof to every single senator. When you choose your standard of proof, in effect you are already imposing judgment on the accused," she said.

She said her decision would be based on "overwhelming preponderance of evidence."

"In my case I will adopt the proposal of Prof. Charles Black of Yale University who wrote 'Impeachment: A Handbook.' His recommendation is overwhelming preponderance of evidence. It is very complicated because we might be operating on different standards of proof," she said.

"If you say that the standard of proof is proof beyond reason-

able doubt, it will be hard to convict because there will always be doubt. If it is substantial evidence, in all likelihood the prosecution will win because you just present a little bit of evidence that is already substantial," Santiago pointed out.

"What I want to do is propose that, in any impeachment proceeding, there should first be a seminar by UP College of Law or a similarly reputable law schools like Ateneo or San Beda for all the senators and maybe even the House of Representatives," she said.

Santiago noted that under the law, the presumption is that the accused is innocent.

"In effect, the prosecution has to work against that presumption. Remember the rule that he who alleges must prove his allegations. To allege is not to prove. You have to prove everything that you are saying," Santiago said.

"Whereas the job of the defense is to say 'no' the burden of proof is on the prosecution, and the rule is that the prosecution cannot depend on the weakness of the proof of the defense," she

added.

Santiago said Corona's lawyers should concentrate on presenting a more credible defense for their client.

"All the rules are in favor of the accused because our Constitution is very conscious of our Bill of Rights. In fact, the Bill of Rights is really the starting point for the entire concept of the Constitution. In the case of the defense, all they have to do is concentrate on the fact that the evidence is equivocal with respect to their client," she said.

The defense panel has until today to file its response to the formal offer of evidence of the prosecution.

It is expected to inform the Senate which of the exhibits offered by the prosecution it would accept and which it would object to.

The Senate would then make a ruling on what would eventually be admitted as evidence.

ELATED

Prosecutors have expressed elation over the decision of the Senate impeachment court to accept Corona's PSBank records as evidence.

Lead prosecutor Iloilo Rep. Niel Tupas described the decision of the senator-judges as "a very welcome development."

"We are moving closer to our objectives, which are the search for truth and to exact public accountability," Tupas

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(cont. from page 1; P500 MILLION ...)

commercial flights," Roxas said in a press briefing.

He said the Department of Transportation and Communications (DOTC) would purchase new screening equipment that detect guns, knives, explosives and drugs, while defective machines will be repaired.

"The bidding process for this will start first week of April which is about a month from now," he said.

He noted that of the country's 86 airports, only 45 can accommodate commercial flights.

Roxas said that of the 45 airports with commercial flights, only 21 have security screening devices being used for passengers and baggage.

He said that of the 21 airports with security screens, only three - the Ninoy Aquino Inter-

national Airport, the international airports in Cebu and Davao – have double-layer security systems in place or have security screens being used upon entry to the airport and prior to boarding the aircraft.

He said the DOTC would purchase 46 sets of screening equipment to upgrade and achieve double-layer security in the 45 airports.

He said the DOTC would also acquire nine X-ray machines for cargo, which will be placed in airports with high volume of traffic.

Roxas said the agency would likewise purchase 59 closed-circuit television (CCTV) cameras to monitor the screening areas.

He said 22 non-operational X-ray machines would be repaired.

He said the agency would look for one firm to supply all the screens to have uniform technology and equipment in the 45 airports, while another firm could be granted the contract to handle the repair of the non-operational x-ray machines.

"The objective is, by the end of this year, all 45 of our airports will have the appropriate security screening facilities," he said.

He said the upgrade of the country's security systems is being pursued to ensure the safety of passengers and to comply with international standards.

"We are doing this for the safety of air passengers," he said.

"This is the standard in all airports in the world and so, we are having this regulation in our own airport," he said. (www.philstar.com) ■

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HEADLINES

MARCH 10, 2012

(cont. from page 4; SENATE ...)

said in a text message to reporters. "This is a good sign for the prosecution as we prepare for the defense's presentation of evidence."

Deputy Speaker Lorenzo Tañada III, spokesman for the prosecution panel, said the admission of evidence "is another nail added to the coffin of betrayal of public trust."

Marikina City Rep. Romero Quimbo, however, said it would be presumptuous to conclude that Corona would be convicted based on the impeachment court's decision.

"We're looking forward to the 16 votes – that's the one we're excited about," Quimbo said.

He also said the prosecution panel would accept the decision of the Senate to lengthen the trial proceedings.

Tañada warned the defense lawyers might again run to the Supreme Court to contest the decision of the senator-judges.

"That's (running to the SC) what they always do. It would not be a surprise to us that they would do the same to question the decision of the impeachment tribunal," he said.

"Now the Chief Justice would have to explain why he had more than P19 million in two PSBank accounts as of Dec. 31, 2010, in addition to more than P12 million in one account with Bank of the Philippine Islands," Quimbo said.

"He also has to explain why he did not declare his combined bank deposits of more than P31 million in his 2010 statement of assets, liabilities and net worth, in which he reported 'cash and investments' amounting only to P3.5 million" he said.

He said the prosecution did not offer as evidence the photocopies of bank records it received from an anonymous source and whose authenticity Corona's lawyers have questioned.

"What we offered as evidence were the testimonies of PSBank officers and the documents they presented," he pointed out.

Majority Leader Neptali Gonzales II, who is helping Cavite Rep. Joseph Emilio Abaya manage Corona's prosecution, said he and the rest of the 188 Corona impeachers welcome the Senate impeachment court's decision.

"Those bank records are not the fruits of a poisonous tree as the defense claims. There is no poisonous tree and there is no poisonous fruit," he said.

He said PSBank president Pascual Garcia III has testified that the information contained in the prosecution's photocopies of Corona's bank records was "mostly accurate" and that photocopies and the originals kept by the bank were "similar" documents.

He pointed out that the impeachment court's decision to accept the bank records as evidence "makes it more imperative for CJ Corona to testify when his trial resumes next week. Only he can explain those bank deposits," he said.

(www.philstar.com) ■

(cont. from page 1; CORONA...)

presentaion of the House prosecution team.

Corona will open his dollar accounts with the Philippine Savings Bank (PSBank) despite an existing temporary restraining order (TRO) on the Senate's subpoena on his foreign currency records.

Serafin Cuevas, the lead counsel of the Corona defense team, had said that there was no need to present the dollar accounts to disprove to the impeachment court that the embattled chief justice is hiding ill-gotten wealth with the PSBank.

Corona and the bank asked the Supreme Court to intervene after the Senate impeachment court issued the subpoena on all the bank accounts of Corona, including his dollar accounts.

The prosecution had asked the Senate impeachment court to subpoena the dollar accounts of Corona as part of its presentation of evidence on Article 2 of the impeachment complaint against the chief magistrate.

The prosecution had earlier presented leaked documents, which alleged that Corona has "\$700k" or \$700,000 in PSBank. The defense had said that the money in Corona's dollar accounts were part of his savings.

WILLING TO TESTIFY

In an interview with GMA News, Corona said that he is open to testifying before the impeachment court.

"Open ako dyan pero depende iyon sa mga abogado ko. Kung ano ang sasabihin ng mga lawyers ko, eh 'yun ang aking

gagawin," Corona said.

Cuevas had opposed suggestions to put Corona on the witness stand.

"I believe this is not good because the members of the impeachment court can examine him on all angles and Justice Cuevas cannot object," Cuevas said in an ABS-CBN News interview.

Cuevas made the statement after Senate President Juan Ponce Enrile, sitting as presiding judge of the impeachment court, said that it would be best if Corona would take the witness stand and explain his assets that have been questioned by the prosecution team.

Corona said he is prepared to explain to the senator-judges and the public as well, his Statement of Assets, Liabilities and Network and his bank accounts. ■

40th Year Reunion

March 25, 2012

3:00 - 8:00 pm
Dinner at 5:30 pm

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Please RSVP by
March 15, 2012

If you're unable to join us, please
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Donation to Friends of OM (optional)			\$
TOTAL AMOUNT ENCLOSED >			\$

*At the door, cost will be \$40.00 per person (all ages).
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Note: Tickets will not be mailed to you; they will be issued at the registration table upon arrival. Cost includes buffet dinner (to be served at 5:30), entertainment, exhibits, games, display of photos/videos, and a lifetime of memories.

PHOTOS & VIDEOS:

We will be collecting brief video recollections (like NPR's "StoryCorps" recordings) and photographs to be included in an OM/OMSS digital archives. Videotaping recollections and scanning images will be done during our reunion. Feel free to bring as many images as you want.

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Small Business Owners to Converge at State Capitol on March 14

IT'S ONE OF THE MOST CIRCLED DATES on the calendars of state lawmakers and this year's National Federation of Independent Business (NFIB)/Hawaii Small Business Legislative Reception will take place at the State Capitol on March 14, 2012.

The NFIB has been America's leading small-business association since 1943. It gives small and independent business owners a voice in shaping the public policy issues that affect their business.

Each year, NFIB/Hawaii hosts a Small Business Legislative Reception in part to remind lawmakers that small busi-

nesses are not smaller versions of bigger businesses but have uniquely different difficulties in remaining solvent. This is no small consideration because mom-and-pop enterprises employ the majority of Hawaii's workers and generate almost all new jobs.

"There's also a big difference in the collective message we send

to lawmakers," says NFIB/Hawaii State Director Melissa Pavlicek. "Every special interest group arrives at the Capitol to plead its case for more government funds, except small business, which pleads its case to be left alone in order to create jobs."

The reception is open to all small businesses, regardless if whether they are NFIB mem-

bers. The event is free but reservations are required and can be made with Lilly Ho at lho@hawaiiublicpolicy.com or by phone at 447-1840.

The event is organized by NFIB in partnership with Hawaii Business Magazine and the Chamber of Commerce of Hawaii's Small Business Committee. ■

MHA-Hawaii to Host 7th Annual Mahalo Awards Luncheon

MENTAL HEALTH AMERICA OF HAWAII WILL HOLD its 7th Annual Mental Health Mahalo Awards Luncheon on May 17, 2012 at the Ala Moana Hotel from 11:30 am to

1 pm. Honorees include Crystal Aguinaldo as Outstanding Adult Consumer Advocate and Kristina Maugalei-Nardo as Outstanding Youth Consumer

Advocate. Aguinaldo is a peer coach, a Network of Care peer educator, an active member of Friendship House Clubhouse, a Wellness Recovery Action program facilitator, a member of the Kauai Service Area Board, and co-chair of the Consumer, Family and Youth Hui on Kauai.

A recent graduate of Farrington High School, Maugalei-Nardo is a volunteer youth leader at Project Kealahou, a Child and Adolescent Mental Health program for girls who have experienced trauma. She also provides youth cultural liai-



son services and advocacy for young women. She was recently hired as a Peer Specialist at Hawaii Families As Allies.

MHA-Hawaii is a nonprofit organization that advocates for the needs of people with mental illnesses. Its mission is to promote mental wellness, prevent mental illnesses, reduce

stigma and improve the overall care, treatment and empowerment of those with mental illnesses—children, adults, elders—and their families.

The deadline to register is May 15, 2012. For more details, please call 521-1846 or go online and visit: www.mental-health-hi.org. ■

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Residents Urged to Conserve Water During Detect-a-Leak Week

THE STATE COMMISSION ON WATER RESOURCE MANAGEMENT (CWRM) is partnering with county water departments and the Hawaii Rural Water Association to launch Detect-A-Leak Week from March 11-17, 2012. The event encourages Hawaii residents to check for water leaks at their homes, properties and workplaces.

"Nurturing and protecting Hawaii's natural resources are ancient traditions in the islands, and water is the most valuable of these resources," says CWRM chair William J. Aila, Jr. "We must ensure that future generations have enough clean, fresh water to use. We can all do our part by conserving water and eliminating waste by finding and repairing leaks in our homes and places of work."

According to the EPA, running toilets, dripping faucets and other household leaks in the average American home can waste more than 10,000 gallons of water every year. This amount can be significantly reduced if all residents check

their plumbing fixtures for leaks.

"For more than 20 years, the Detect-A-Leak Week program has served as an excellent reminder to our customers to check for and repair leaks in their homes and on their properties, which helps preserve our water supply," says Ernest Lau, Board of Water Supply Manager and Chief Engineer. "Practicing water conservation by detecting and fixing leaks at home also helps to lower water and sewer bills."

"Leak detection is an important part of protecting our most precious resource. Join us in our efforts to find and fix leaks by doing your part at home and in your yard," says Quirino Antonio, Hawaii Department of Water Supply Manager and Chief Engineer. □□

"With water rates going up, it is ever more important to deal with the leaks while they are small," says David Craddick, Kauai Department of Water Manager and Chief Engineer.

Maui Department of Water Supply Deputy Director Paul Meyer offers more practical ad-

vice: "Is your toilet running needlessly? Flapper valves wear out and it's sometime hard to tell if you are wasting water."

"The DWS has free dye tablets with instructions for testing for leaking toilets. It's easy to test for leaks and takes just a few minutes. Just turn off all your water and check your meter. If the dial is spinning, you have leaks that can be wasteful and expensive."

There are three types of leaks that residents should check for: toilet, property and underground leaks. For more information on how Detect-A-Leak Week or for more tips on how to check for leaks at home, visit the Honolulu Board of Water Supply website at: www.boardofwatersupply.com; the County of Hawaii Department of Water Supply at: www.hawaiidws.org; the County of Kauai Department of Water at: www.kauaiwater.org; the County of Maui Department of Water Supply at: www.maui-water.org and the Hawaii Rural Water Association at: www.hawaiiwa.org. ■

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by Atty. Emmanuel Samonte TIPON

Adultery, Immigration and the Academy Awards

Immigration processing delays are sometimes blamed for the growing incidence of adultery committed by a wife who is left abroad waiting for the availability of a visa. But cuckolded husbands should ask themselves if they are not the ones at fault. Did they rush into marriage? Are they romantic enough? Are they caring enough? Can they make the wife laugh? Do they punctuate every overseas call with "I love you?"

The sister of a lawful permanent resident called an Ilocano lawyer saying that her brother was very distraught and could not call directly because he found out upon returning to the Philippines that his wife had been going out with another man. He had petitioned for her and he had returned to the Philippines to accompany her to a visa interview after which they would come to the U.S. with their minor child. The lawyer

suggested that the brother should be the one to call when he was not so distressed.

While visiting with a Caucasian lawyer in his office, the Ilocano lawyer asked what was the best advice to a husband who had discovered that the wife he was petitioning had betrayed him. The Caucasian lawyer said that he had just received an e-mail on adultery and proceeded to read it: "I found out that my wife was unfaithful. So I turned to religion. I converted to ___ (a Middle Eastern religion). Then I asked my brethren to stone my wife to death."

In the Philippines, the legacy that the Spanish conquistadores gave us is that when you catch your wife in the act with her paramour, you can kill both of them and suffer only the penalty of destierro (banishment) by being barred for 25 kilometers from the scene of the crime. That is still a part of the Revised Penal Code. But the cuckolded husband must catch them in the act. If they are caught while engaged in what the Filipino Supreme Court justices call "actas preludeis" or foreplay, that is not encompassed in the statute and the cuckold will

be prosecuted for homicide.

Since the alien who went to the Philippines is from Hawaii, he ought to consider seeing the movie "The Descendants" which is a tale of adultery with a Hawaiian setting and how the cuckolded husband handled the situation. The husband, Matt King, a lawyer, played by George Clooney, was a descendant of the royal family, and a trustee of the estate of his ancestors, tasked with disposing of the property and distributing the proceeds among his relatives to avoid the rule against perpetuities. He was too engrossed in his practice to attend to his wife who strayed from the straight and narrow path into the arms of a real estate agent. His wife was seriously injured in a boating accident and became comatose. Her father chided Clooney saying that maybe he did not give her any thrills at home, that is why she sought thrills outside the home.

Their daughter became rebellious and hated her mother which her father found inexplicable until she disclosed that she had caught her mother cheating on him. He then searched for

his wife's paramour and found him on the island of Kauai. Instead of killing him as most Filipinos who have been cuckolded would do, they had a strangely civil discussion about how the paramour had met the lawyer's wife, whether he loved her, whether she loved him, and whether they had sex in their conjugal bed. He even suggested that the paramour should go and visit the lawyer's dying wife. As he left the paramour's vacation cottage, he kissed on the lips the wife of the paramour. Nakaganti'ng kaunti. Many people in Hawaii were rooting for "The Descendants" which was a strong Academy Award con-

tender, but probably they did not see "The Artist" which was a more entertaining movie and really deserved the award. True love triumphs over illicit love. ■

(ATTY. TIPON has a Master of Laws degree from Yale Law School and a Bachelor of Laws degree from the University of the Philippines. Office: 800 Bethel St., Suite 402, Honolulu, HI 96813. Tel. (808) 225-2645. E-Mail: filamlaw@yahoo.com. Websites: www.MilitaryandCriminalLaw.com, and www.ImmigrationServiceUSA.com. Listen to the most witty, interesting, and informative radio program in Hawaii on KNDI at 1270, AM dial every Thursday at 7:30 a.m., rebroadcast at www.iluko.com.)

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HAWAII-FILIPINO NEWS

Care Home Operator Gets One Year Prison Term

NORA BELL, 46, OF EWA BEACH WAS SENTENCED TO A ONE-YEAR prison term for her part in a financial exploitation scam that cost an 84-year old Oahu man more than \$200,000.

Bell ran the "Classic Residential Care Home" on Hookele Street in Waianae. The victim, who suffers from age related dementia, entered the care home in 2004. Over a one-year period beginning in April 2007 and as the victim's dementia worsened, Bell and an accomplice, Joel Tacras, carried out a scheme to systematically withdraw cash from the victim's bank accounts and redeem his treasury bonds, all without his knowledge. By July 2008, Bell had taken nearly all of the victim's savings and cashed in his treasury bonds.

The case came to the Department of the Attorney General when certain wire transfers made by Bell caught the attention of American Savings Bank personnel, where the victim held his ac-

counts. The bank notified Adult Protective Services, which reported the suspicious activity to the Department of the Attorney General.

Bell was indicted last May and charged with two counts of theft in the first degree and money laundering. In addition to her one-year prison term, Bell was ordered to repay the victim \$135,000 and to serve five years probation when released from prison.

In December 2011, Judge Richard Pollack sentenced Tacras to a six-month term jail for his part in the scam. In addition, he was sentenced to 200 hours of community service and must repay the victim \$66,000.

"Criminals who prey on our most vulnerable populations will be held accountable for their actions to the fullest extent under the law," says Attorney General David Louie.

The case was investigated by Terrence Miyasato and prosecuted by Deputy Attorney General Gary Senaga of the Medicaid Fraud Control Unit. ■

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A TASTE OF LIFE by Heny SISON

A people without the knowledge of their past history, origin and culture is like a tree without roots. — Marcus Garvey

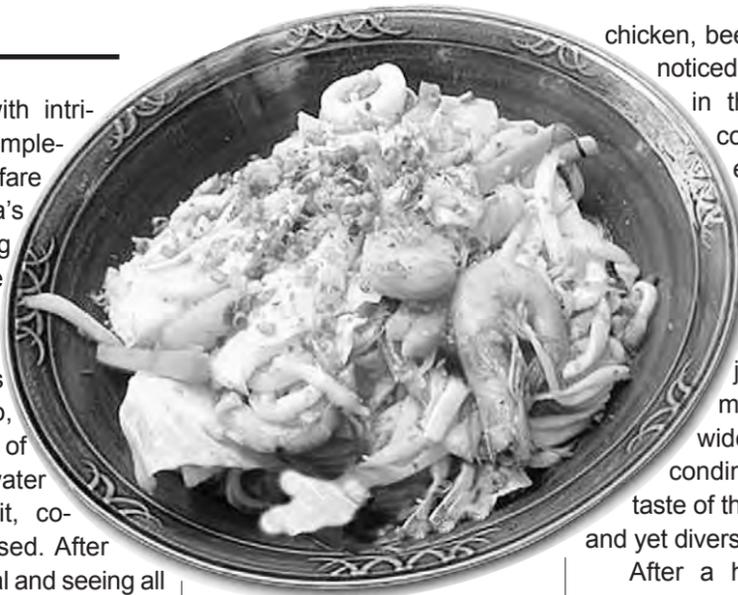
Every year, San Miguel Corporation invites a select group of people to engage in a culinary tour. This year I was blessed to be invited to their Kulinarya Tagala Tour, a food and heritage tour that would take us through the provinces of Laguna, Batangas and Quezon.

Boarding a chartered Crystal Bus with familiar faces such as chefs Ed Quimson and Rosemarie Lim, we were greeted by our tour guide Lina Decal.

Our first stop was the picturesque sanctuary of Patis Tito Garden Cafe, owned by no less than iconic designer Patis Tesoro, where we were enthralled by the indigenous Philip-

pine interiors with intricate details complemented by local fare such as Laguna's famous kesong puti with pan de sal, longganisang Laguna, and the infamous antigong adobo, where instead of using plain water when cooking it, coconut juice is used. After such a filling meal and seeing all the wonderful décor, I could not help purchasing a handmade back pillow from a store within the garden café that featured all kinds of Philippine-made products as a souvenir to remind me of this memorable experience long after our tour was done.

And off we ventured into the turn-of-the-century mansions lo-



The pancit buko at Patis Tito Garden Café in Laguna

cated in Sariaya, Quezon, where we entered the colossal Rodriguez house, where every corner had intricate decorations adorning them. There we were welcomed in pure Tagalog galantry by Chuchay Marasigan, the caterer for the day, with the old folks being sung and danced to shots of fermented coconut wine, more popularly known as lambanog. Needless to say, the old stone houses took us back in time; adding to the nostalgia, costumes were made available for the general public to use in order to fully experience the lives of the coco hacenderos in the heyday of the Quezon province. I opted for a Maria Clara ensemble, while chef Ed became the center of attraction as he fit the friar costume like hand to glove. After a quick pictorial with the whole gang decked in period costume, we were then ushered into a buffet like no other, featuring authentic Quezon cuisine such as small pickled mangoes called pajo, sinigang na hipon in a coconut shell, and the infamous beef minanok, which is a stew cooked very much like our traditional tinola, but instead of

chicken, beef is used. Here, I noticed a slight difference in the usage of coconut as an ingredient. While in Bicol, most fare is cooked using rich coconut milk, here in Quezon, coconut juice, as well as its meat, is more widely used as a condiment, making the taste of their dishes familiar and yet diverse in texture.

After a hearty lunch, we journeyed on to the grounds of Graceland Estates and Country Club, a place aptly named by the owners, who are fans of the late Elvis Presley. Here we were treated to delicious dishes like the Doña Aurora, an egg stuffed with minced seasoned pork and coated with more egg. It is named after President Manuel Quezon's wife Doña Aurora because it was claimed to be her favorite.

The second one was a variation on meatloaf called hardinera, where it is garnished with colorful vegetables to make it look like it's resting on a lush garden. After a demonstration of how their famous Pansit Habhab is made, it was good to know that Pansit Habhab and Pansit Lucban are one and the same: it's just that Pansit Lucban is served on a plate rather than being wrapped in a leaf.

After dinner our tour guide explained to us how much thought is behind all the intricate presentation. We relived the glorious past of Quezon in the Tagayan ritual, a practice with its fair share of negative publicity. Unknown to most people — myself included — a tanggero is the man who pours out the labanong, a fermented liquor derived from tuba, or coconut nectar, which must be harvested in the morning, making it sweet with a distinctive fermented taste. I discovered that a tanggero must first and foremost be a man of good repute, one known to be fair and wise as well as accurate, since he would need this crucial skill if he was to pour this precious liquid, store it in a glass jug, and balance it over his shoulder in order to dispense it skillfully. He has to make sure that he swings it just enough just to fill a cupita without any spillage; once perfected, this skill would earn a man respect and renown in the

Tagayan ritual. Back in the day a tanggero was not merely a bartender; in fact, a tanggero would even have command over who within the circle got to drink first, meaning it would be the gentleman to his left or to his right, setting the rotation of the drink either clockwise or counterclockwise. At special occasions, he would have to become an arbiter that would serve as a go-between two feuding parties; with his position as the tanggero he would have the authority to settle domestic disputes and misunderstandings among the men in his community. and yet this tradition is on the brink of extinction, owing to the fact that most tanggeros are in their twilight years and the young are not so easily fascinated with their artistry.

After this enchanted evening we were shuttled off to Calle Budin, where every native delicacy local to the Quezon province is yours for the taking (for a price, of course), to bring home to your loved ones. Our tour then took us to a road paved by the artist known as Ugu Bigyan, a former banker who has found his calling in pottery, where aside from the stunning architecture of the property, his contemporary and practical works of art are seen in the various pottery products available in his store. The cuisine is uniquely profound as well. Take, for example, the pako salad — his own concoction was remarkably succulent, the secret of which, he divulges, is really quite simple: he insists on buying the freshest ingredients on his daily trips to the market. Locally available produce as well as traditional and simple ways of preparing them are the keys to making his flavorful life more tangible through food as well.

My gratitude goes out to San Miguel Corporation for giving us this memorable tour. I learned and experienced so many things in this culinary adventure that it is not enough to say that the Philippines — in my bird's-eye view of three provinces alone — is beautiful. Rather I am amazed by all the magnificent things that surround us and, just like the dying traditions of Tagay and ancestral recipes, it would be great to take a slice of life from our own country and explore all the beautiful things it has to offer.

(www.philstar.com) ■



Calamares with sweet chili sauce



The author Heny Sison (right) with chefs Rosemarie Lim and Ed Quimson at the Rodriguez house in Sariaya, Quezon.

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Lawmakers Propose Higher Monthly Pay for Public School Teachers

from www.philstar.com
Tuesday, March 6, 2012

MANILA, Philippines - TWO MEMBERS OF THE HOUSE OF REPRESENTATIVES HAVE FILED similar bills seeking to increase the salaries of public school teachers.

Aurora Rep. Juan Edgardo Angara, chairman of the House committee on higher and technical education, filed House Bill 397, which calls for the public school teachers' exemption from the coverage of Republic Act 6758 or the Salary Standardization Law and an upgrade of the teachers' salary level.

"Poorly paid mentors do not equate to quality education," said Angara, adding that the teachers' salary grade levels must be increased "to a scale that will allow them to cope with the rising cost of living."

The House leadership said that the committee on Basic Education chaired by Sorsogon Rep. Salvador Escudero III has referred the measure to stakeholders, including the Department of Budget and Management (DBM), to thresh

out any implications related to the funding requirement for the upgrade of the teachers' salaries.

"The Escudero committee is now just awaiting the necessary comments and suggestions that may be incorporated in the bill, especially from the DBM," Angara said.

The lawmaker said that teachers with proper employment documents in the government service, with a Bachelor's Degree in Education and that have passed the Professional Board Examinations for Teachers are considered eligible to be covered by the proposed exemption.

Laguna Rep. Maria Evita Arago, meanwhile, filed House Bill 5787, which proposes to upgrade the present minimum salary grade level of teachers in public elementary and secondary schools from Grade 10 to Grade 15, which is equivalent to a P25,000 monthly salary.

Arago said that the current starting salary grade, equivalent to P15,948, is "insufficient and not competitive with those who

attained similar training and abilities. It is also hardly sufficient to afford teachers the standard of life commensurate to their skills and stature."

Arago, a vice chairperson of the House Committee on Appropriations, said their low

monthly pay have forced many teachers to work abroad.

She said public school teachers are indispensable instruments and one of the backbones in the formation of the youth and in nation building. "Article XIV of the Constitution

provides that the State shall assign budgetary priority to education and ensure that teaching will attract and retain its rightful share of the best available talents through adequate remuneration and other means of job satisfaction and fulfillment." ■

DepEd to Start Mother Tongue Learning in June

MANILA, Philippines - The Department of Education will be using 12 major local languages as media of instruction when classes begin in June as part of its Mother Tongue-Based Multilingual Education (MTB-MLE) program.

"We are institutionalizing the teaching of MTB-MLE as one of the subjects from Grade 1 to Grade 3 and as the medium of instruction from kinder to Grade 3," Education Secretary Armin Luistro said.

Studies have shown that using the language used at home, or the mother tongue, inside the classroom during the learners' early years of schooling produce better and faster learners who can easily learn a second (Filipino)

and third language (English).

The 12 major languages are Tagalog, Kapampangan, Pangasinense, Iloko, Bikol, Cebuano, Hiligaynon, Waray, Tausug, Maguindanaoan, Maranao, and Chavacano.

Based on DepEd Order No. 16, the MTB-MLE will be implemented in two modules - as a learning/subject area; and as medium of instruction.

The mother tongue as a subject will focus on the development of reading and speaking from Grades 1 to 3.

As medium of instruction the mother tongue will be used in all learning areas from kinder to Grade 3 except in the teaching of Filipino and English subjects.

Filipino will be introduced in

the first semester of Grade 1 for oral fluency (speaking). It will also be taught for reading and writing in the second semester of Grade 1.

The four other major skills, which are listening, speaking, reading and writing in Filipino will continuously be developed from Grades 2 to 6.

English as a subject will be introduced in the second semester of Grade 1 while reading and writing in English will start in the first semester of Grade 2.

At present, there are 921 schools which have been pioneering the MTB-MLE including the children of indigenous peoples.

DepEd has organized a team of MTB-MLE trainers for each region composed of education supervisors. (www.philstar.com) ■

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Palace: Military, Police Loyal to Commander-in-Chief

by Marvin SY

Wednesday, March 7, 2012

MANILA, Philippines - **THE MILITARY AND THE POLICE ARE LOYAL** to their commander-in-chief and rumors of power grab through coup "are all noise," Malacañang said yesterday.

"Our belief is that it's all noise. We are not bothered by any rumors of a coup. The AFP (Armed Forces of the Philippines) has already issued a statement to that effect – that it is a professional organization," Presidential Spokesman Edwin Lacierda said. "We are 101 percent confident of the AFP's loyalty to the President. The rank and file recognizes the efforts made by the administration," Lacierda stressed.

He added President Aquino has "regular meetings" with AFP and PNP (Philippine National Police) officials who have assured him that there is no plot to unseat him.

He added that the Aquino administration has been responsive to the needs of soldiers and policemen and that there is no reason for them to feel disgruntled.

"How can it be successful? Assuming, for the sake of argument, if there is one, when the President has launched his several programs for the benefit of the soldiers and the policemen. We've got the housing programs going on," Lacierda pointed out.

"We have increased the combat pay of the soldiers and we are providing housing benefits not only for the soldiers. We are extending the housing benefits to also the PNP, also to the Bureau of Fire Protection personnel and will extend to beyond Luzon. This year we extend it to Visayas and Mindanao," he said.

"All these programs necessary to ensure the benefits of those who are protecting and serving us are being ensured by the President in his various programs towards the AFP and the PNP," Lacierda pointed out.

He added it would be up to Sen. Antonio Trillanes IV to prove his allegation that some retired senior officers associated with the previous Arroyo administration were recruiting forces for an operation to oust Aquino.

"We will leave it with him. We are not bothered by this coup rumors so the economy is not bothered by it," Lacierda said.

The other day, former constabulary chief Ramon Montano disclosed that several politicians, in cahoots with retired military officials and businessmen, were indeed plotting to oust Aquino. Montano claimed that members of the elite who are unhappy with Aquino's reforms are behind the supposed ouster plot.

Lacierda, for his part, suggested that retired military officers – whom Trillanes had claimed were behind the plot – might be thinking that AFP is still under a corrupt administration.

"The retired officers have forgotten that this is already a professional organization. This is no longer the organization that they were used to. This administra-

tion is focused on improving the economy, improving the plight of its countrymen," Lacierda said.

Administration lawmakers also dismissed the alleged coup plot saying it would not succeed.

"It will remain as that – just a rumor. Any plot against President Noy will not take off because he continues to enjoy wide and unprecedented support from the people," Majority Leader Neptali Gonzales II said.

He said that whoever is behind the rumor, "should stop his foolishness because it is sending jitters to some sectors of the business community."

Eastern Samar Rep. Ben Evardone said any coup against Aquino is unlikely to succeed for lack of valid cause.

"Although I believe that any attempt to state a coup will not succeed for lack of a valid cause, it is still important that this report is looked into," Evardone said.

"There is no compelling confluence of events to warrant a coup against PNoy," he said.

Evardone though urged the military leadership to look into Trillanes' information, which he described as reliable.

He urged soldiers to be wary of the "selfish and political interests" of those trying to talk them into going against the Aquino administration.

NON ISSUE

Muntinlupa City Rep. Rodolfo Biazon, chairman of the House committee on national defense and security, said he received information in November last year on alleged plan of some retired generals identified with Arroyo to agitate active officers.

"I got this information as the administration's tuwid na daan (straight path) was in high gear and these generals were concerned that they might be investigated, I didn't publicly announce what I learned because it (alleged destabilization plot) won't progress at all," Biazon said.

"There's no issue against PNoy coming from the soldiers. Nobody's going to follow them (retired generals). It's simple as that," said the former AFP chief.

Biazon said one of the meetings took place somewhere in Batangas. Biazon however advised the intelligence community to continue monitoring the situation.

The Catholic Bishops Conference of the Philippines (CBCP) also dismissed the coup reports against Aquino.

"Normally, I do not believe in these rumors. I don't know where they came from and what is the purpose of the report. But I think these kinds of reports, if there are indeed such plans, we should not easily believe them and not to be susceptible in believing that there really is (a coup plot)," said CBCP president Cebu Archbishop Jose Palma.

Palma said the coup rumors would only create uncertainty in the country and would not be beneficial to the people.

(continued on page 11)

No Need for Uniform Traffic Fines - MMDA

by **Mike FRIALDE**
Tuesday, March 6, 2012

MANILA, Philippines - **THERE IS NO NEED FOR A UNIFORM SET OF PENALTIES FOR TRAFFIC** violations under the single ticketing system now being implemented across Metro Manila, the Metropolitan Manila Development Authority (MMDA) said today.

MMDA chairman Francis Tolentino said that while the traffic ticket now being issued to motorists caught violating a traffic rule will be honored by traffic enforcers and the Land Transportation Office across the Metro, the penalties do not need to be uniform.

"Sa single ticketing, ibig sabihin honored ito sa lahat

pero hindi naman ibig sabihin pare-pareho ang penalties," he said.

According to Tolentino, some cities, which host large business districts such as Quezon City, Pasig City or Makati, the penalty for traffic violations, such as those imposed for obstruction, may be higher than in other cities.

"Pag tumirik ka sa Ayala Avenue, mas malaki dapat ang bayad mo kaysa pag tumirik ka sa isang side street sa Pateros," he said.

"Ang pinaguusapan dito ay yung impact kung saan ka tumirik. Kung tumirik ka sa Ortigas, dapat mas malaki ang bayad mo kasi mas marami kang inabala kaysa kung tumirik ka sa Malabon," Tolentino

added.

Tolentino added that it is similar to paying real estate taxes.

"Gaya ito ng bayad sa buwis sa lupa. Di ba mas mataas ang bayad sa Quezon City at Makati kaysa sa ibang lugar?" he said.

The new "single" traffic violation tickets, called the Unified Ordinance Violation Receipts (UOVR) and bear the logos of the MMDA, the Land Transportation Office (LTO) and the 17 Metro Manila LGUs, are designed to be tamper-proof and will have several security features to prevent forgery.

Tolentino said with the use of the UOVR, a motorist who gets apprehended for a traffic violation and gets his driver's license confiscated, can use the

single traffic violation ticket as temporary license. Should the motorist be flagged down in another city, he will no longer be issued another traffic violation ticket for driving without a license upon presentation of his UOVR.

Tolentino however said that the UOVR is valid only for a single common offense. Should a motorist be issued an UOVR in one city for speeding, he could be issued another UOVR for

committing another violation, such as beating the red light, in another city.

At present, a motorist can pay the penalty and redeem his license at the traffic office in the city where he was apprehended.

"We are still working on the inter-connectivity of settling the fines. Our concern now is to implement this single ticketing system," said Dorotan.

The MMDA said the UOVR is also recognized by traffic enforcers of the LTO. ■

Senate Urged to Expand Probe on BSP Documents Leakage

by **Perseus ECHIMINADA**
Monday, March 5, 2012

MANILA, Philippines - **FORMER SECURITIES AND EXCHANGE COMMISSION CHIEF PERFECTO YASAY**, now vice chairman of Banco Filipino, urged the Senate to expand the investigation on the alleged leak of bank documents from the Bangko Sentral ng Pilipinas (BSP), which could have led to the closure of Banco Filipino.

"I request the Senate to expand the probe on BSP officials with respect to leaks of confidential information related to secrecy of bank deposits to include the matters of Banco Filipino," he told reporters during the media forum at the Rembrandt Hotel in Quezon City over the weekend.

Yasay said that BSP officials at the height of the Banco Filipino controversy had leaked to the media information that led to closure of the bank.

He said the Senate probe should also include officials of the monetary board and the Philippine Deposit and Insurance Corp. who allegedly connived to fast-track the closure of the bank on March 17, 2011.

Yasay said the BSP has announced that the decision of Court of Appeals to reopen Banco Filipino is already moot.

He said because of the extraordinary power of the BSP, the central bank has denied the shuttered bank of their right to property because bank assets were being sold to favored constituents at a bargain.

"Such practice amounts to grabbing of valuable land and other assets in violation of the constitutional protection depriving anyone of their rights to property without due process," Yasay said.

He said the Senate probe in aid of legislation could result to the clipping of powers of the BSP particularly on the illegal closure of banks. (www.philstar.com) ■

(cont. from page 10; SENATE ...)

SUBSTANTIATE REPORTS

AFP spokesman Col. Arnulfo Burgos, on the other hand, called for more information about the reports of a coup plot.

"My appeal for those who provided the information is to substantiate this report so that this would help the concerned agencies in further promoting peace and stability in our country," he said. Burgos also asked Montano to name the soldiers allegedly behind the supposed ouster plot so they could be investigated.

Burgos maintained the military would always follow the chain of command and would not join any ouster plots.

Former President Fidel

Ramos said that instead of worrying about the coup plot against Aquino, the administration should focus on the reported increase in military spending by China.

Ramos said he is more worried about the acceleration of the arms race between China and the United States.

Ramos expressed hope that the aspirations of countries in the Asia Pacific region for peace and stability would prevail and that no armed conflict would break out. "Because it (war) will destroy everything we have built up, it might even destroy mankind, for what analyst call – if there is such a war – MAD, mutually assured destruction," he said. (www.philstar.com) ■

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Luisita Farmers Ask SC to Start Land Distribution

by **Edu PUNAY**
Tuesday, March 6, 2012

MANILA, Philippines - A GROUP OF FARM WORKERS OF THE CO-JUANGCO-AQUINO-CONTROLLED Hacienda Luisita asked the Supreme Court (SC) yesterday to execute its decision ordering the distribution of the 4,915.75-hectare sugar estate in Tarlac to the beneficiaries.

In their motion for clarification and partial reconsideration, the farm workers said Hacienda Luisita Inc. (HLI) had not contested the order for land distribution and only raised issues on just compensation and stock distribution option.

"Apropos of the foregoing disquisition, the matter with respect to the placement or acqui-

sition of the subject land under the CARP (Comprehensive Agrarian Reform Program) through the compulsory or mandated land acquisition scheme is no longer a bone of contention so to say," read the motion.

"Absent any question about the acquisition and redistribution of the land under the CARP, the matter is therefore deemed resolved and it can now be considered executory."

Seventeen farm workers signed the motion, which was filed in the absence of a lawyer.

A bigger group of farm workers belonging to the Alyansa ng mga Manggagawang Bukid sa Asyenda Luisita (Ambala) has been regularly holding a rally in front of the SC to call for the dismissal of HLI's appeal.

The SC had recalled and set



aside the option granted to farm workers to remain as stockholders of HLI in a decision in July last year.

The justices had unanimously agreed that the contested land should be distributed to the original 6,296 farm workers pursuant to an order of the Presidential Agrarian Reform Council (PARC) in December 2005.

The SC also directed HLI to pay the original farm workers more than P1.33 billion the firm earned from the sale of 500 hectares of the estate.

On appeal, HLI sought clarification on the amount to be paid to the farmers and asked the SC to return to the original farm workers the individual option to choose whether they want to re-

main stockholders of HLI or lift the 10-year prohibition on the sale of the awarded lands.

Through lawyer Maria Estela Ares, HLI said the reckoning period for the computation of just compensation on the agricultural lands should be at the time of the taking or at least at the issuance of the Department of Agrarian Reform's (DAR) notice of coverage on Jan. 2, 2006 pursuant to PARC's resolution recalling the approval of the SDP.

Alternatively, they asked the SC to leave it up to the Land Bank and the DAR the determination of the reckoning period, which is necessary in fixing just compensation.

The DAR, through Solicitor General Francis Jardeleza, has yet to file its comment. (www.philstar.com) ■

AFP Urges Montaña to Prove Ouster Plot vs Noy

by **Alexis ROMERO**
Tuesday, March 6, 2012

MANILA, Philippines - THE MILITARY YESTERDAY URGED FORMER CONSTABULARY CHIEF Ramon Montano to substantiate his claim that those who want to oust President Aquino have allies in the military and other sectors.

"My appeal for those who provided the information (about the supposed ouster plot) is to substantiate this report so that this would help the concerned agencies in further promoting peace and stability in our country," said Armed Forces of the Philippines (AFP) spokesman

Col. Arnulfo Burgos Jr.

He also asked Montano to name the soldiers allegedly behind the supposed ouster plot so they could be investigated.

Burgos maintained that the military would always follow the chain of command and would not join any ouster plots.

"Ever since, there is no truth (to the claim) that there is a brewing (ouster) plot within the military organization," the military spokesman said.

"I can assure (the public) that the Armed Forces of the Philippines is a professional organization and is solidly behind the leadership of the President," he added.



Ret. Gen. Ramon Montaña

Montano had earlier said that members of the elite who are unhappy with Aquino's reforms are behind the supposed ouster plot against him.

While Aquino himself revealed the supposed ouster plot against him, Montano said the reports were orchestrated by corrupt persons and their allies.

"P-Noy ouster reports are orchestrated by political/economic (groups) who are extremely unhappy with the

unwavering, straight narrow path P-Noy is pursuing," the retired major general said.

"Their (elite) allies in the military, in the criminal justice system, in the courts, in civic organizations, in media and in almost the whole gamut of society are now reacting vigorously against a President who is determined to fight this culture of corruption," he added.

Last week, Aquino claimed that those opposed to his reforms want him out before his term ends so they could continue their corrupt ways.

But retired Lingayen-Dagupan Archbishop Oscar Cruz yesterday doubted the claims of Aquino that he has been receiving death threats as well an alleged ouster plot.

"If someone is angry with him, I don't think it would reach the point that they would have him killed. I think that is too

much to ask because he is not the real enemy, the real enemy is his incompetence," Cruz told the Church-run Radio Veritas.

He wondered why people would exert effort to assassinate the President.

"Only those who are very good and really competent are targets of assassination plots," he added.

The prelate issued the statement after Aquino admitted that there are those who wanted him out of office to stop his administration's efforts to run after those who committed wrongdoings in the past.

After news about the alleged plot to kill the President spread, some 200 lawmakers signed a resolution urging the Department of Budget and Management (DBM) to purchase a bulletproof and bombproof vehicle for Aquino.

(www.philstar.com) ■



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'Closure of Consular Offices Not to Affect Diplomatic Ties'

MANILA, Philippines (Xinhua) - THE GOVERNMENT ASSURED TODAY THAT THE CLOSING DOWN of the country's Consular offices in selected countries will not affect its diplomatic relations with them.

Presidential Spokesperson Edwin Lacierda, in a news briefing, said that the Department of Foreign Affairs (DFA) has to shut down some of its offices abroad because of the Aquino government's austerity measures and low activities at these offices.

"There will be no effect, closing down of Consular offices is internal to us, so there is no effect on them (concerned countries), as long as we have presence there...we have diplomatic relations. The diplomatic relations is not diminished by the cutting down of Consular offices in their countries," he said.

Lacierda made it clear that despite the closure of the Consular offices, the government will still prioritize its efforts on attending to the overseas Filipino

workers' (OFW's) concerns in foreign lands, and "we're going to have more mobile consular officials" in areas with a large number of Filipino overseas workers.

The DFA has said that 10 foreign service posts will be closed down this year, which include Philippine Consular Offices in Koror in Palau; Caracas in Venezuela; Barcelona in Spain; Stockholm in Sweden; in Dublin, Ireland; Frankfurt, Germany; Havana, Cuba; Saipan; Bucharest, Romania and Helsinki in Finland. (www.philstar.com) ■



by Reuben S. SEGURITAN

Deportation Remedies

and withholding of removal, either grant or offer a path to permanent residence. If the respondent alien is not eligible for these forms of relief, he should certainly consider other options before he loses all hope and gives up.

Deferred action is one of the remedies available to an alien under deportation which is granted for humanitarian reasons. It is a form of relief granted not by the judge but in the exercise of prosecutorial discretion by the district director with the approval of the regional commissioner.

The alien must demonstrate that his removal is not a priority of the government. Some of the factors to be considered include the likelihood of ultimately removing the alien; the presence of sympathetic factors; likelihood of a large amount of adverse publicity because of those sympathetic factors; the alien's continued presence is desired by law enforcement for an ongoing

investigation or review; and whether the alien is a member of a class that is a high enforcement priority.

A grant of deferred action means that the government would not take steps to remove the alien from the United States. He becomes eligible for employment authorization in the meantime. However, deferred action is only a temporary stay of removal and does not confer any positive immigration status.

Another type of relief that may be available is voluntary departure. This allows an alien who would otherwise be deported to leave the U.S. at his own expense but within the time period ordered by the judge, which can be as long as 120 days if requested at the beginning of the proceedings.

An alien who is ordered removed may be barred from reentering the U.S. for at least several years, but one who voluntarily departs is not subject to the penalties of removal. Volun-

tary departure may be requested before or at the master calendar hearing, after the individual hearing, or at the conclusion of the proceedings.

If the alien has a matter pending with the USCIS, typically an I-130, I-140 or I-360 petition, the judge may order an administrative closure of the removal proceedings. This is to allow the USCIS to adjudicate the petition since the judge does not have jurisdiction over it. If the petition is approved by USCIS, the alien may apply for permanent resident status before the immigration judge.

A little-known type of relief, perhaps because it is rarely resorted to, is the private bill. It involves convincing a U.S. Senator or Representative to sponsor a bill providing one with permanent residence, and thereafter to have that bill passed in both houses of Congress and then signed by the President. As one can imagine, getting a private bill passed is

nothing short of a miracle, but miracles do happen: in the 108th Congress, three private bills were passed.

The rules of both houses require the alien to establish particularly compelling circumstances and hardship. Even the mere sponsorship of a bill by a member of Congress already gives the alien relief. This is what happened to one of our clients years ago. The pendency of the private bill enabled him to remain in the U.S. until he obtained his employment-based green card.

Deferred enforced departure (DED) is a relief given to nationals of certain countries as determined by the President in his power to conduct foreign relations. If an alien is covered and is eligible for a DED, his removal is temporarily stayed and he may get employment authorization and advance parole. ■

REUBEN S. SEGURITAN has been practicing law for over 30 years. For further information, you may call him at (212) 695 5281 or log on to his website at www.seguritan.com

MAINLAND NEWS

Officials in US State Charge for Counterfeiting

from www.philstar.com
Saturday, March 3, 2012

NEWARK, New Jersey (AP) — **TWO GROUPS OPERATING PRIMARILY OUT OF CHINA** smuggled counterfeit UGG boots, fake designer handbags, cigarettes and other items worth more than \$300 million to the U.S. in a ring that's one of the largest such scams ever uncovered, federal officials said Friday.

Twenty-nine people were charged in the operation, which involved sneaking goods through the busy Port Newark-Elizabeth Marine Terminal as federal agents secretly watched, authorities said.

"The cost of counterfeit goods is not limited to the massive financial harm it causes to American businesses and consumers," U.S. Attorney Paul Fishman said at a news conference. "The same channels and criminal networks that allow the entry of these goods provides the opportunity for the importation of other materials that threaten our health and safety."

Aside from UGG boots and cigarettes, the groups are accused of smuggling counterfeit Nike sneakers; fake Burberry, Gucci, Louis Vuitton and Coach



handbags; and other clothing items. Three defendants are also charged with conspiring to import 50 kilograms of crystal methamphetamine.

Twenty-five people, mostly in the New York-New Jersey region, were arrested by Friday night and the others were being sought, Fishman said. Some of the defendants were scheduled to make initial court appearances in Newark on Friday afternoon.

The defendants face a smorgasbord of charges including conspiracy, trafficking in counterfeit goods, evading financial reporting requirements, money laundering and importing methamphetamine. The drug charges carry maximum

penalties of life in prison.

According to indictments unsealed Friday, the counterfeit items were manufactured in China, then shipped to the U.S. in boxes that were deliberately mis-

labeled to keep shipping costs down. The goods came through the Port Newark-Elizabeth Marine Terminal, the busiest port on the East Coast.

From there, the goods were

taken to warehouses in the area where co-conspirators would remove generic outer labels to expose the counterfeit brand name labels, according to the indictment. The goods were then sold to wholesale and retail outlets.

A tip received by Immigration and Customs Enforcement in northern Virginia led to an undercover effort that ultimately led to the arrests.

According to the U.S. attorney's office, federal agents set up a shipping company that presented itself as having connections at the New Jersey port to help the smuggling scheme. The conspirators allegedly paid

more than \$900,000 to the fictional company between August 2008 and February 2012.

Authorities say a key player was Ning Guo, who allegedly served as a nexus between the two smuggling groups. Nicknamed "The Beijing Kid," Guo is portrayed in the indictments as having his hand in smuggling, warehousing and distributing the counterfeit goods. The Chinese citizen, who resides in Canada, faces conspiracy, counterfeit goods trafficking and money laundering charges. Guo was arrested and made an initial appearance in federal court in Newark on Friday. He remained in custody. ■

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The Fab and Fashionable Filipino

by **Cynthia DE CASTRO**
AJPress Los Angeles

THE 11TH ANNUAL MIAMI FASHION WEEK (MFW) was held last March 19-22, 2009 in Miami Florida. More than 10,000 designers, buyers, models, celebrities, VIPs, fashion aficionados and fashion media from around the world took part in what they said was the most globally diverse Miami Fashion Week ever. During the past eleven years, MFW has evolved into one of the world's premier fashion events spotlighting designers from Europe, USA and Canada, the Caribbean, Middle East and Asia as well as the largest showcase of Latin American design talent in the world. The star-studded event featured personal appearances by 60 designers from all four corners of the globe. And among the handful of designers who took home the coveted Miami Moda and Music Awards was Filipino designer Furne Oné who received the Designer Choice Award.

A Cebuano who has been based in Dubai for more than 10 years now, Furne (short for Fernando) One studied Bachelor of Fine Arts at the University of San Carlos in Cebu, Philippines.

While in Los Angeles after the Miami Fashion Week, Furne Oné graciously accepted the invitation from Asian Journal for an exclusive interview, before he



Furne Oné shows his portfolio during an interview with Asian Journal. AJPress Photo by Mikko Santos

goes back to Dubai. "It was my first time to join the Miami Fashion Week. You see, you can't just come and join the competition. You have to be invited," Furne explained to Asian Journal. "But the organizers of the event went to Dubai and attended the Dubai Fashion Fiesta where I participated. They liked my collection and invited me to join the MFW. And I'm so happy I did," said Furne who never expected to come home with the Designer's Choice Award. Furne's collections turned out to be the most anticipated show in the competition and the judges found Furne's collections "original and nice".

Describing his 39-piece collection, Furne said, "It is a fusion of styles from the East and the West. The clothes are fun, flirty, very ready-to-wear for parties. The gowns are lacy and

adorned with colorful Swarovski jewels which reflect the vibrancy of the city of Miami."

A favorite designer of the rich and famous in Dubai and surrounding Arabic cities, Furne One revealed that he started to entertain the idea of designing clothes when he was ten years old. "My grandmother and mother were both fashionistas. They loved to wear beautiful clothes. Looking at them, I would sketch designs and I kept sketching as I grew older. Unfortunately, when I went to college in Cebu, there was no course on Fashion Design yet. So I took up Fine Arts," he recalled.

In 1994, Furne joined the 1st Mega Magazine Young Designers Competition and he got the top prize. The judges were big names in the global fashion industry like Filipina fashion designer Josie Natori, CEO and founder of New York-based The Natori Company, and Stephen Gan, co-founder of the fashion and art magazine, Visionaire.

The prize was a trip to Paris where Furne trained for a while. Then, Josie Natori invited Furne to New York where he worked as an apprentice in The Natori Company.

Upon his return to Cebu, Furne joined another fashion competition, sponsored by the government, where he once again got the top prize – a trip to

Japan. While in Japan, Furne's collections won for him the coveted Japan's Women's Wear Award.

After his stint in Japan, Furne knew he wanted to be based abroad. The question was where. "I initially thought of New York since I've been there. Then, a friend suggested Dubai. I thought hard about it and realized that in Paris and in New York, there are many good fashion designers and the competition was going to be tough. So, I tried out Dubai. And I liked it there. It's a melting pot of races; in fact, there are more expats there than locals – lots of Euro-

peans. It's also an open city; not as strict as other Arabic cities," shared Furne.

In Dubai, Furne started working for a company, designing and making clothes for wealthy Arabic women who love going to parties and weddings. After a few years, he was able to establish a loyal circle of clientele which encouraged him to move on with a fashion house of his own. "I wanted to concentrate on designing so I partnered with someone who will take care of the management/business side. And that's Rashid Ali. His company was one of my suppliers for fabrics," said Furne. ■

IMF Sees Positive Signs for PHL Amid Global Gloom

WASHINGTON, March 5 (Xinhua) - **THE INTERNATIONAL MONETARY FUND** said Monday that despite global uncertainty, overall macroeconomic conditions for the Philippines have held steady.

"The outlook for the near term is broadly favorable, but subject to significant external risks," the Washington-based global lender said in a report released after its consultation with Philippine authorities.

"In this context, the key policy challenge is to safeguard macroeconomic stability while building the foundations for stronger and more inclusive growth over the medium term," the report noted.

The IMF lauded Philippine economic policies, saying pru-

dent policies have underpinned a strong recovery and supported confidence.

Philippine monetary policy is "appropriately supportive" of economic activity and inflation is "firmly in the middle of the target range", the IMF said, adding that the fiscal policy is "appropriately focused" on supporting growth in the near term while aiming for consolidation over the medium term.

The lender expressed support for the Philippine central bank's policy of allowing orderly adjustments of the exchange rate to market pressures.

The IMF expected the Philippine economy to expand by 4.2 percent this year and 4.7 percent in 2013. (www.philstar.com) ■

GLOBAL NEWS

Domestic Workers in Singapore to Get Weekly Day of Rest

THE DECISION BY SINGAPORE'S MANPOWER MINISTRY to grant foreign domestic workers a weekly rest day is an important reform but still falls short of international standards, according to officials from Human Rights Watch.

The changes take effect only for new contracts beginning in January 2013 and do not address the exclusion of domestic workers from other key labor protections in Singapore's Employment Act.

"The Singaporean government's recognition of a weekly

rest day as a basic labor right will make the lives of migrant domestic workers better," says Nisha Varia, senior women's rights researcher at Human Rights Watch. "But this important reform should go into effect this year and apply to all domestic workers and their current contracts."

Manpower Minister Tan Chuan-Jin says employers will be able to give a domestic worker monetary compensation in lieu of a rest day with the domestic worker's permission. But given the imbalance of power

(continued on page 15)

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GLOBAL NEWS

Biggest Drop of Year for Dow as US Market Slumps

(AP) - **STOCKS SUFFERED THEIR BIGGEST LOSSES OF THE YEAR** yesterday as a sell-off spread west from Europe ahead of a critical deadline in the Greek debt crisis. The Dow Jones industrial average fell more than 200 points.

The Dow has not closed down more than 100 points this year, and its biggest one-day decline had been 159 points, on Jan. 13. It fell sharply from the opening bell yesterday and was down as much as 208.

Just before 1 p.m. EST, the Dow was down 199 points, or 1.5 percent, at 12,763. The Standard & Poor's 500 index was down 20 points at 1,344, and the Nasdaq composite index was down 43 points at 2,908.

Stocks fell more than 3 percent in Germany, Spain and France, and 1.9 percent in Britain. Thursday is the deadline for private investors to sign up to swap their Greek government bonds for replacements with a lower face value and interest rate.

Major banks and investment funds have signed on for the swap, but it remains unclear whether hedge funds, which had already bought the bonds at a steep discount and may profit from bond insurance payouts if Greece defaults, will agree.

The swap is vital for Greece to cut its debt and get a bailout of €130 billion, or \$172 billion, from other countries and the International Monetary Fund. Without the bailout, Greece

could default on its debt later this month and rattle markets around the world.

In the US, worries about Greece come on top of concerns about a recession in Europe and slowing economic growth in China. Some investors also believe the rally in US stocks this year — the Standard & Poor's 500 is up almost 7 percent — has come too far too fast.

The Dow has not closed down 100 points in 45 straight trading sessions, the longest streak since 2006. On yesterday, all but one of the 30 stocks that make up the average, Kraft Foods, declined as the Dow appeared ready to break the streak.

Caterpillar, which makes heavy equipment and depends heavily on China for profits, fell 4.2 percent, the worst of the Dow 30. All 10 industry groups in the S&P 500 were lower, with materials stocks and banks leading the decline.

Bill Stone, chief investment strategist for PNC Wealth Management, called yesterday's decline "fairly rational," considering how much the market has climbed and the economic worries in Greece and the rest of Europe.

"You need the pullback to give people opportunities to want to get involved again," Stone said.

Oil prices slipped \$1.71 to \$105.01 per barrel on the New York Mercantile Exchange. New York crude

has risen from \$96 last month amid fears of a disruption in global oil supplies driven by the potential for military conflict with Iran.

The price of gold fell \$36 per ounce, or 2.1 percent, to \$1,668 per ounce. Silver, platinum and copper all fell more than 2 percent, because of concerns about Europe and weaker economic demand in China.

"Global growth fears now are hitting home, and we're seeing selling across the board," said Matt Zeman, a market analyst for Kingsview Financial.

Yields on US government debt also fell as investors moved their money into what they perceive to be a safer asset. The yield on the benchmark 10-year Treasury note fell to 1.94 percent from 2.01 percent late Monday. Bond yields fall when their prices rise.

Among stocks making big moves:

— Weight loss company Nutrisystem Inc. fell 11 percent after it reported a bigger-than-expected fourth-quarter loss and a disappointing outlook.

— General Motors fell 5.5 percent after saying it will pay €304 million, or \$402 million, for a 7 percent stake in Peugeot, which will make it the French carmaker's second-largest shareholder after the Peugeot family.

— VeriFone Systems Inc. rose 5.4 percent after the maker of electronic payment systems predicted a bigger-than-expected 2012 profit.

— Apple fell 1.1 percent one day before the expected release of its iPad 3 tablet computer. (www.philstar.com) ■

(cont. from page 14; DOMESTIC ...)

between employers and domestic workers, there is significant risk of abuse that employers may coerce workers to sign away their day of rest, Human Rights Watch says.

Families in Singapore employ approximately 206,000 foreign domestic workers, primarily from Indonesia, the Philippines, Sri Lanka and India. Many of these workers labor long hours seven days a week, turn over several months of pay to settle charges imposed by employment agencies and face restrictions on leaving the workplace even during their time off. Varia is urging the government to close the monetary loophole and ensure that domestic workers will get a minimum number of rest days.

Singapore has introduced reforms in recent years to improve the

conditions of foreign domestic workers, including mandatory orientation programs and stronger regulation of employment agencies. State prosecutors have also been increasingly vigilant in prosecuting employers responsible for physically abusing domestic workers, resulting in fines and prison terms.

However, Singapore's labor protections still lag behind those of other migrant-receiving countries, including Hong Kong, which covers domestic workers in its main labor laws. Singapore's protections also fall short of the standards set by the International Labor Organization's (ILO) Convention No. 189 on Decent Work for Domestic Workers, adopted in June 2011.

The ILO Convention establishes the first global standards for the estimated 50 million to 100 million do-

mestic workers worldwide. Key elements of the convention require governments to provide domestic workers with labor protections equivalent to those of other workers, including for working hours, minimum wage coverage, overtime compensation, daily and weekly rest periods, social security and maternity protection. Singapore was one of only nine countries that did not support adoption of the convention.

"Singapore's reforms are only a fraction of the change needed to protect women workers, who are too often undervalued and overworked," Varia says. "Singapore should join countries around the world that have recognized the injustice of discrimination against domestic workers and are making comprehensive reforms to guarantee them the same rights as other workers." (www.philstar.com) ■

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