Expert Group meeting
on Corruption involving Vast Quantities of Assets
December 3-5, 2018, Lima, Peru
The Marcos Case
Brief History

**September 21, 1972 - January 17, 1981**
President Ferdinand Marcos ruled as a dictator in the Philippines.

**February 22 – 25, 1986**
The Filipino people had continuous demonstrations for the ouster of the dictator.
February 25, 1986
Marcos family fled the country until President Marcos’ death.

November 4, 1991
Imelda Marcos and her children were allowed to return to the Philippines by the late President Corazon Aquino.

Cases were filed in the year 1991, 1993 and 1995. Several setbacks: re-raffling of cases, the inhibition of some justices, retirement of justices, the consolidation of cases, and other delays met.
November 9, 2018

After nearly 3 decades, the Philippine Anti-Graft Court called the SANDIGANBAYAN convicted Mrs. Marcos for violating the Anti-Graft Laws.

- Former President Ferdinand Marcos and his wife Imelda who held the position of Governor of Metro Manila and Minister of Human Settlements at that time formed and created numerous shell corporations and foundations and transferred millions of dollars to these foundations.

- Incidentally it is important for the Philippine Government to thank both the Swiss and US Governments for the assistance they have extended in pursuing this case.
Convicted in 7 counts sentenced to 6yrs (1) day to 11 years maximum for each count—on the civil liability as there is a separate case for civil forfeiture against the Macoses for the recovery of at least 200 Million Dollars of ill-gotten wealth.

Significantly while there was already a decision of conviction such in not yet final as the 89 year old Imelda Marcos has filed a Motion for Reconsideration with the Sandiganbayan and has already manifested her intent to elevate her case to the Supreme Court.
Carlos Flores Garcia is a Two Star General of the Armed Forces of the Philippines who holds the position as Comptroller.

His wife, Clarita, and the three children are all US Citizens. Per records, they are not employed and have not been filing any income taxes with the Philippine Government.

Investigation showed that Garcia and Family have accumulated assets in the amount of more or less P300 Million.
Sons of Gen. Garcia were caught in the San Francisco Airport bringing in US 100,000.00 undeclared.

Clarita Garcia in a statement explained that the money were from the income of her husband because of his work, benefits and other allowances, perks in connection to his work in the Armed Forces. In addition, she stated that she inherited money from her parents and that they have two corporations earning well.
Clarita Garcia further stated that the money will be used for down payment for a condominium unit that her son will use in New York City while studying in the said state.

US ICE Attache in Manila referred that matter to the Office of the Ombudsman which immediately conducted the investigation and the case build up. Unfortunately a newspaper got wind of the story and published it sometime in October 2004, Immediately without our knowledge Gen Garcia withdraw in four days October 5-8 a total of 128 million dollars from several banks.
October 15, 2004 the AMLC was able to get a freeze order from the Court of Appeals and as such we were able to freeze a total of P 52,510,980.05 in dollars and Philippines pesos

Several properties both real and personal were subjected to preliminary attachment, moreover thru the assistance of the US DOJ ICE and IRS agents, we were able to get information that Gen Garcia has a unit at the Trump Plaza New York valued at $800,000.
Republic Act (R.A.) No. 7080, otherwise known as *An Act Defining And Penalizing The Crime Of Plunder* provides:

Sec. 2. Definition of the Crime of Plunder; Penalties. – Any public officer who, by himself or in connivance with members of his family, relatives by affinity or consanguinity, business associates, subordinates or other persons, amasses, accumulates or acquires ill-gotten wealth through a combination or series of overt or criminal acts as described in Section 1(d) hereof in the aggregate amount or total value of at least Fifty million pesos (P50,000,000.00) shall be guilty of the crime of plunder and shall be punished by reclusion perpetua.
Garcia enters into Plea Bargaining

• He pleads guilty for Direct Bribery (Article 210 of the Revised Penal Code of the Philippines) and Facilitating Money Laundering (Section 4(a) of Republic Act 7080 and returns to the Philippine Government the assets, identified and proven in Court
• The Office of the Ombudsman has recovered about P55 Million in cash and 11 real properties.
• Through the assistance of the US government, the $100,000.00 seized from the Garcia sons were already turned over to the Office and in June 2015 the US government again turned over the amount of $1,384,940.38 which represents the proceeds of the Trump Tower Condominium and two dollar accounts in New York.
• These was achieved due to the close coordination between the US and Phil government.
How did the institutions react?

- More stringent measures have been adopted in the Philippines Procurement Laws and the several amendments introduced in the Anti Money Laundering laws of the Philippines.
Maraming Salamat po!