

'GMA, FG have divested from interests'

President Arroyo and First Gentleman Jose Miguel Arroyo have long divested from their business holdings and their financial records are always open to scruti-

ny to the public, their lawyers said yesterday.

Lawyer Ruy Rondain said the Arroyo couple has already divested from all the corporations men-

tioned in the report made by the Philippine Center for Investigative Journalism (PCIJ) that detailed the First Couple as incorporators or having business inter-

ests.

Romulo Macalintal also explained the names of incorporators of a corporation are on the

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records of the Securities and Exchange Commission (SEC).

This does not mean that they remain connected to the firm, he said.

"I checked, they've (First Couple) divested," Rondain told a news briefing at Malacañang.

Rondain and Macalintal made the effort to defend the First Couple amid the increasing calls for the Arroyos to explain their wealth as reported by the PCIJ over the weekend.

Opposition lawmakers have threatened to initiate a congressional investigation over the PCIJ report.

The controversy was sparked by the PCIJ report that showed Mrs. Arroyo's wealth supposedly doubled since 2001, based on her statements of assets, liabilities and net worth (SALN) that she filed annually.

The PCIJ report also indicated possible discrepancies or omissions in the President's SALN.

Rondain said the PCIJ should have made the effort to verify if the First Couple are still involved in the corporations before coming out with the article.

He explained the information on a corporation indicating its incorporators would also include the General Information Sheet (GIS) that contains the latest data on the company, including its present owners.

"This information is all in one file so maybe this could be solved by just a little more research," Rondain said.

Macalintal said Mrs. Arroyo reiterated her position that she stands by the truth and veracity of her SALNs.

He said Mrs. Arroyo authorized the Office of the Ombudsman to obtain and secure from all appropriate government agencies, including the Bureau of Internal Revenue, the documents that may show her assets, liabilities, net worth, and business interests in filing her SALN.

"In other words, her position as President does not exempt her from being investigated on any matter stated in her SALN," Macalintal pointed out.

"The law is very clear in that her obligation is to file her statement (SALN). It is now up for the concerned agency to look into any allegation of defect or irregularities in the preparation of this document or any issue that may be raised as to the contents thereof," he said.

Macalintal also said Mrs. Arroyo gave assurances that there has been no conflict of interest involved in the investments made by the First Couple in the stock market.

He said the SALNs that were made under oath, "only proves that she can defend all that is stated therein."

The two lawyers said the Arroyo couple have agreed to cooperate in any investigation

into their wealth that may come their way even though they questioned the possible motives and the basis for the probes.

"It's very clear it is the requirement of the law that anyone who submits his or her SALN certified that he or she authorizes the Ombudsman to undertake any investigation," Macalintal said.

When asked whether Mrs. Arroyo would be willing to face any probe and lift the bank secrecy over her accounts, Macalintal said: "I think the President would welcome that of course without waiving her immunity."

"But then, she should not be hampered by all these investigations. The investigation should be based on complete evidence and not based on speculation," he said.

Rondain, for his part, said the Arroyos would cooperate with any investigation on her wealth in accordance with fair play.

"For as long as the investigation is legitimate and in accordance with congressional rules, I see no reason why we should not cooperate," Rondain said.

Should explain further

Some lawmakers, on the other hand, believed there are enough grounds to warrant an investigation on the issue.

Even administration ally, Sen. Miriam Defensor-Santiago expressed belief that President Arroyo could be impeached on two grounds—the

lavish dinner at a restaurant in New York and the PCIJ report.

Santiago said if any evidence would be submitted to support the two issues against Mrs. Arroyo, this could be a ground for her impeachment.

Santiago though conceded the call should be initiated by the administration-dominated House of Representatives, where it could be eventually dismissed.

Senate President Juan Ponce Enrile, on the other hand, said he would not agree on any inquiry in the Senate to investigate Mrs. Arroyo's wealth.

"I will not encourage an investigation like that. The President is immune during her term," he said.

He stressed Mrs. Arroyo might have done something on her previous assets that caused the increase in her SALN.

But she still has to explain why, Enrile stressed.

"If there's an issue, I'm sure they (Arroyos) can explain why their SALNs have increased. I'm sure there's an explanation, they cannot just make up the figures," he said.

Enrile said the President

could speak through her accountant, her lawyers, or any other person that prepares her SALN.

Enrile noted the reports that the First Couple generated their wealth on the sale of their 29,630-square-meter property in Bulacan and used the proceeds for investments.

"If you bought a piece of land 10 years ago and today it has been urbanized, it can go up to 1,000 percent increase, it's not possible," he said.

Santiago, for her part, pointed out the need to establish if President Arroyo had a direct hand in the road improvements leading to her property in Bulacan that could have increased its value.

"If she directed the Department of Public Works to prioritize the road project leading to that property then *ipit siya* (she would be in trouble)," she said.

Santiago said it could be a ground for impeachment.

She also said Mrs. Arroyo could face impeachment over the New York dinner issue.

Under the Anti-Graft and Corrupt Practices Act, Mrs. Arroyo could be liable for "receiving any gift" including the act of accepting directly or indirectly a gift from a person other than her immediate family, "even on the occasion of a family celebration, if the value of the gift is under the circum-

stances manifestly excessive."

According to Santiago, the question is to determine whether the dinner was "manifestly excessive" or merely "nominal or insignificant" under the rules.

But this question becomes academic, she said, for two reasons: the President's immunity from criminal suit and the President's control of the majority in the House of Representatives.

"After all, an impeachment is not a judicial but a political process," she said.

Santiago also said those who were criticizing Mrs. Arroyo must prove that the dinner was an act of graft and corruption.

"No, it does not have to be a lavish dinner. It simply has to be manifestly excessive," she said.

But if the President spent P1 million for her dinner alone, that would be excessive under the law, she said.

Sen. Joker Arroyo, for his part, said the President should not be judged for her SALN but on the amount of taxes she pays.

Sen. Alan Peter Cayetano said the problem lies in the availability of SALN of public officials.

"We should allow certain government agencies to look into SAL of government officials," Cayetano said. — Paolo Romero, Aurea Calica, Christina Mendez