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Sealed accounts and mystery sources blur Filipino impeachment trial

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Chief defense counsel Serafin Cuevas questions Enriqueta Vidal, Supreme Court clerk of court, on Chief Justice Renato Corona's statement of assets and liabilities and net worth during the third day of Corona's impeachment trial. (Joseph Vidal)

The text message from a lawyer flashed on my phone Sunday: "Tonight at 7 p.m. Defense Panel will hold a presscon at the Club Filipino. Inviting everybody to come for an important announcement."

At a sports club packed with journalists and TV and radio crews, impeached Philippines Chief Justice Renato Corona's nine lawyers interrupted their Sunday evening routine to tell the media they received "very reliable information" that Malacañang, the office of President Benigno Aquino, was offering 100 million pesos ($2.356 million) for projects to every senator who would defy the Supreme Court's temporary restraining order to stop the opening of Corona's dollar accounts.

Attorney Dennis Manalo, reading the Corona defense team's statement [1] at the Feb. 12 press conference in San Juan City, Metro Manila, said the team received information that Aquino's executive secretary, Paquito Ochoa, "acting on behalf of the president was personally phoning the senator-judges to persuade or pressure them to defy the temporary restraining order issued by the Supreme Court in favor of Philippine Savings Bank (PSBank)."

The lawyers condemned these "efforts of the president to undermine the constitutional process that he himself initiated." Reporters pressed lawyers for their source's identity, but the lawyers kept mum.

They said Corona cooperated and participated in the trial in good faith, believing he would have a fair trial. The impeachment case is but a plan to subjugate the Supreme Court, Manalo said.

Ochoa, in a statement issued the same evening [2], said: "I deny the unsubstantiated, unattributed allegations by the Defense team of Chief Justice Renato Corona that I have been calling members of the Philippine Senate to convince them to defy the TRO the Supreme Court has issued with regard to allowing access to the dollar accounts of the Chief Justice."
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Edwin Lacierda, Aquino's spokesman, described the press conference [3] as more "loose talk" and "malicious speculation." He said these were part of "squid tactics" aimed to derail the president's "advocacy for accountability and reform." People should know better not to fall for every "conspiracy theory," he told reporters.

Defense lawyers led by former Supreme Court Justice Serafin Cuevas, who was absent at the Sunday press conference, are defending Corona against eight charges, including betrayal of public trust, culpable violation of

the Constitution, graft and corruption, misstatement of his assets and misuse of judiciary funds.

The last 16 days, they have been listening with senator-judges and television and radio audiences to witnesses' testimonies, questioning witnesses and arguing prosecutors. Recent deliberations focused on allegations that Corona failed to truthfully disclose assets as mandated by the 1987 Constitution.

PSBank and Bank of the Philippine Islands officials were testifying on Corona bank accounts in their institutions when the Supreme Court on Feb. 9 voted 8-5 to grant PSBank's petition for the temporary restraining order preventing the impeachment court proceedings from revealing information on Corona's US dollar bank accounts. Philippine law does not allow the bank to disclose details of depositors' bank accounts in foreign currency.

By then, however, PSBank President Pascual Garcia III said under oath that Corona owned almost 20 million pesos in savings at the end of 2010. Congressmen prosecutors also alleged that the chief justice maintained dollar accounts in PSBank totaling at least $700,000 (roughly 30 million pesos). However, Garcia stopped short of revealing details about Corona's five US dollar accounts with PSBank. The bank sought the restraining order to avoid criminal liability.

The Senate impeachment court Monday voted 13-10 to uphold the restraining order on the Corona dollar accounts but said it would probe the accounts in local currency.
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Senators scolded defense lawyers for spreading rumors on presidential intervention in the case that they said also threatened to tarnish the reputation of senator-judges. Lawyers apologized [4] and explained concerns they raised at the press conference.

By the end of day 16, however, it looked like the prosecution might have its own apologizing to do. PSBank Katipunan Branch Manager Anabelle Tiongson, testifying Monday, told the impeachment court the alleged Corona bank records supposedly handed to a congressman prosecutor by an unknown "small lady" and submitted to the court appeared to be fake.

Senate president and presiding judge Juan Ponce Enrile asked Tiongson to compare the bank records closely and return to court to verify whether the documents provided by the prosecution match bank records or not.

The presiding judge also ordered lead prosecutor Congressman Niel Tupas Jr. to explain to the court in writing within 24 hours how his team got hold of the possibly fake records, which may have been obtained illegally.

Fake or not, it doesn't seem to matter to some Corona trial watchers.

Outside the impeachment court, journalists and bloggers are computing on their own [5] Corona's supposed statement of assets using reports of government and bank documents.

While exact bank amounts and number of properties have not and might not be established, some Corona trial watchers believe [6] he under-declared his assets.

Defense lawyers in their press conference took the Catholic Bishops' Conference of the Philippines (CBCP) as an ally, citing their "call to all concerned to respect the rule of law by respecting the processes of the judiciary most especially by the Supreme Court." [7] Shifting to Filipino, Manalo told the Sunday press conference that democracy in the Philippines is endangered.

However, CBCP president Archbishop Jose Palma of Cebu stressed in an interview over church-run Radio Veritas 846 that the CBCP has not issued a collective statement taking any side in the trial.

Bishops hold varied views. Bishop Deogracias Iniguez of Kalookan told the same radio station the trial should continue so the truth could surface, while Archbishop Ramon Arguelles wants it to stop so the judiciary is spared from being dragged into "disaster."

For retired Archbishop Oscar Cruz, Corona's impeachment trial is lopsided in favor of the executive department.

"It's about the Hacienda Luisita," he told *NCR*, referring to the case involving land belonging to Aquino's family, which the Supreme Court ordered to be distributed to farmers under the government's land reform program.
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"The whole legislative department and the executive are behind [impeachment]. The money that they need is there. It's not fair. They have all the resources, all the personnel helping to provide resources for their case," Cruz said.
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Archbishop Luis Antonio Tagle of Manila on Tuesday compared the impeachment trial to an "invitation" [8] for Filipinos to "purify our culture." He pointed out the chance it presents the people to build integrity regardless the trial's outcome.

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