



FACT SHEET

EMBASSY OF THE UNITED STATES OF AMERICA, MANILA
U.S. DEPARTMENT OF JUSTICE



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Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT)

The Philippines justice system has a major opportunity for reform. President Aquino was elected in 2010 on a platform of fighting corruption and restoring the rule of law. He appointed a tough and respected lawyer, Maria De Lima, as the Secretary of the Philippine Department of Justice (PDOJ) and a respected former Supreme Court Justice, Conchita Carpio Morales, as the head of the Office of the Ombudsman (the Philippines's specialized anti-corruption body).

DOJ-OPDAT began work in the Philippines in 2010, and the second Resident Legal Advisor, Robert Strang, arrived in July 2011. The State/INL-funded program focuses on supporting the justice system through a combination of support for legislative initiatives; skills-based and substantive training for prosecutors, institutional reform, improved police-prosecutor cooperation; and more efficient use of existing tools. OPDAT partners with the Office of the Ombudsman, the PDOJ, the Philippine Judicial Academy (PHILJA), and the Ministry of Finance's Anti-Money Laundering Council (AMLC), among other justice sector institutions in support of the Bilateral Strategic Dialogue and the Partnership for Growth.

The RLA organized a pair of trial advocacy skills training programs with prosecutors from the Office of the Ombudsman focusing on concrete trial skills developed in small group exercises, followed by a mock trial. The RLA also brought leaders from the Ombudsman's Office to the USDOJ's National Advocacy Center to meet with to learn about the interactive, peer-driven learning strategies. These two visits set the stage for a leadership course with the Ombudsman in November 2012, which focused on establishing concrete work plans and building a leadership culture among senior Ombudsman managers. Most recently, the RLA led an Ombudsman delegation to Washington next month.

The RLA is also working with the Supreme Court in the area of revisions to the rules of criminal procedure. This initiative, held in partnership with the European Union's justice sector program, will be an opportunity for the Philippines to consider far reaching reforms to its criminal justice system that can address such issues of court congestion and preliminary investigation.

The RLA has also worked on issues of money laundering and bank secrecy. The Supreme Court previously interpreted the Philippines bank secrecy law to require notification to account holders if their banking records are sought and the Philippine Government lacked the authority to immediately freeze suspected terrorist assets. The RLA supported the passage of legislation in June 2012 that addressed these deficiencies. The RLA also held asset forfeiture roundtables with the judicial and executive branches to consider establishing an asset management authority, and a drafting session for a new asset management law this January. The RLA held a terrorist designation workshop with the Anti-Terrorism Council, three financial crimes training to the PDOJ to make use of these new tools and extended the program for financial crimes to the judiciary last year.

The RLA developed and conducted six substantive programs with the PDOJ and seven programs with the judiciary focusing on cybercrime and electronic evidence in different regions of the Philippines. The RLA worked with the Government on cybercrime legislation, which was signed into law on September 12, 2012. Experts believe this new law, if approved by the Supreme Court, will allow the Philippines to join the Budapest Cybercrime Convention.

The Embassy has made progress in combating TIP a top Embassy priority. OPDAT has organized fifteen training programs for police, prosecutors and judges over the past two years, including an innovative program that bring law students together with the police to assist them in drafting criminal complaints. The Philippines has made progress in TIP prosecutions, and moved up to Tier Two in the Trafficking in Persons Report.

The RLA also organized the first two LGBT programs with the judiciary, and supported the Public Affairs Section in a series of access to justice workshops with local Mindanao law schools that has led to the establishment of nine new legal aid clinics to serve marginalized populations.