



The 19th Board of Governors Report

KEEPING AND REKINDLING THE FAITH AMID CRISIS AND ADVERSITY





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*Delivered by former IBP Executive Vice President and now President
Roan I. Libarios during the 13th IBP National Convention of Lawyers,
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Almost two years ago, the IBP was besieged with conflict and division that nearly resulted in prolonged paralysis.

At that time, our organization was wracked by partisan politics and factionalism that nearly transformed the IBP, the Integrated Bar of the Philippines, into the DBP, the “Disintegrated Bar of the Philippines.”

The conflict erupted in the wake of the May 2009 elections for governors and Executive Vice President, triggering a leadership crisis and vacuum that prompted the Supreme Court to step in and exercise its supervisory authority over the IBP.

But the organizational crisis has turned into a life-changing tonic for growth. It has brought a greater sense of unity and energy in carrying out the IBP’s mandates. Truly, the strength and character of an organization are tested in the crucibles of adversity. Like a tonic, adversity can be revitalizing. It makes the body stronger; the spirit, energized.

This year’s national convention, the biggest in its 38 year history, is a testament to IBP’s resilience and revitalization. The convention theme highlights this renewal of faith to the defining values of our organization -- -- “Living up to the Standards of Integrity and Competence in the Legal Profession.”

An organization in crisis

The term of office of the 19th IBP Board of Governors was supposed to start on July 1, 2009. But on that day, there was no Governing Board to speak of, no President, no Executive Vice President, not even a Governor from the IBP’s nine regions.

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The organizational crisis was an offshoot of the controversies that attended the May 2009 elections for governors and EVP. To address the paralysis, the Supreme Court designated retired SC Justice Santiago Kapunan as officer-in-charge to manage the day to day affairs pending resolution of AM No. 09-5-2-SC. The SC also issued a status quo order covering the executive officers but not the Board of Governors. Thus, Justice Kapunan ended up serving as caretaker without a governing board and EVP.



On August 4, 2009, after over a month of delay, the Supreme Court finally resolved to allow six of the nine Governors-elect to assume office, namely: Governors Milagros Fernan-Cayosa of Northern Luzon; Ferdinand Miclat of Central Luzon; Amador Tolentino of Southern Luzon; Jose Cabrera of Bicolandia; Roland Inting of Eastern Visayas; and Roan Libarios of Eastern Mindanao. Thus, on August 11, 2009, the said Governors took their oath before then Chief Justice Reynato Puno.

In the meantime, the election protest involving the three other IBP governors dragged for almost one year and a half. Finally, on December 14, 2010, or merely three months ago, the Supreme Court upheld the elections of the three governors, namely: Manuel Maramba of Greater Manila Region; Erwin Fortunato of Western Visayas; and Nasser Marohomsalic of Western Mindanao. In its resolution, the SC also directed the holding of a special election for EVP and President for the 2011-2013 term.



On December 27, 2010, the Governor for Eastern Mindanao was unanimously elected by the entire Board as the new EVP and incoming National President. On January 13, 2011, the three Governors and the new EVP took their oath before Chief Justice Renato Corona. With the installation of a complete board and an EVP, the IBP organizational crisis was finally put to rest.

Maintaining Relevance Amid the Crisis

Over the last 17 months, the 19th Board of Governors and Officers have convened 44 times, in regular and special meetings, and adopted over 950 resolutions, including bar discipline cases. While the BOG may have been outnumbered compared with its previous counterparts, it cannot be said that it was outclassed. It rose to the challenge of maintaining IBP's relevance by pursuing causes and issues that defined its character.

Promoting access to justice: In defining its program of action, the Board placed top priority to breaking the spell of disunity and partisanship. And what could be a more compelling non-partisan platform for a unifying action than promoting the mandate of legal aid and access to justice.



Thus, on September 18, 2009, two weeks after its first board meeting, the six proclaimed Governors jumpstarted the call for unity with a Walk for Legal Aid under the theme “IBP: Marching on in Unity” and

urged all chapters nationwide to hold similar activities in commemoration of the National Law Week. Hundreds of IBP officers, members and volunteers trooped to the streets of Manila to march for legal aid organized by the BOG. The march culminated with chapter awards for best slogan, mascot and biggest donor and delegation. The San Beda Legal Aid Bureau turned in the biggest financial donation while Quezon City, once the hotbed of partisanship, sent the biggest delegation in a fitting show of unity.



In addition, the IBP closed ranks with women advocates to facilitate access to justice for victims of human trafficking. The partnership was highlighted by the signing of a MOA with the Visayan Forum before a gathering at the IBP JBL Reyes Hall on November 17, 2010. Earlier, the IBP also sponsored a forum on the Magna Carta for Women to support the campaign against gender discrimination and violence with Sen. Pia “Compañera” Cayetano as main speaker.

Solidarity with victims of disaster: In times of major calamities, the IBP also responded with relief operations and assistance. When super typhoon Ondoy struck Metro Manila in September 2009, the IBP launched its own relief activities in worst-hit communities.



Similarly, when super typhoon Pepeng hit other parts of Luzon two weeks later, the IBP together with the Pangasinan chapter also delivered relief goods and clothing. The IBP also extended direct assistance to lawyer-members hit by calamity and tragedy.

Justice to victims of impunity: The campaign against impunity reached a high point in the wake of the gruesome Maguindanao massacre on November 23, 2009. The tragedy claimed the lives of 57 civilians, including two lady lawyers from Western Mindanao, Atty. Concepcion Brizuela and Cynthia Oquendo-Ayon.

In a resolution dated November 25, 2009, the BOG condemned the massacre and demanded the immediate arrest and prosecution of the perpetrators, the dismantling of private armies, full enforcement of gun ban, and end to the politics and culture of impunity. The BOG also unveiled a marker “IBP Countdown to Justice” at the IBP Building lobby to highlight its vigil for speedy justice to slain women lawyers Brizuela and Oquendo-Ayon and other victims of the massacre.



In commemoration of Human Rights Day on December 10, 2009, the IBP also launched an indignation march-rally to demand justice to the victims of the Maguindanao massacre.

The IBP also acted as lead convener of a multi-sectoral task force on Maguindanao. As lead convener, the IBP served as the venue in the early stages of the case build up and coordination with the lawyers, the DOJ, police, Commission on Human Rights, public prosecutors, relatives of victims, media organizations and other support groups. The IBP also provided the forum for case information sharing, updates and coordinated actions among the private lawyers and support groups.





Clean and credible elections: In answer to the call for an orderly and credible May 10, 2010 national and local elections, the IBP closed ranks with civil society groups to revitalize the Legal Network for Truthful Elections (LENTE). Serving as lead convenors were Gov. Roan Libarios of the IBP and Atty. Carlos Medina of One Voice with former Comelec Chair Christian Monsod and Senator Santanina Rasul as trustees.

On February 16, 2010, LENTE was formally re-launched at the IBP JBL Reyes Hall with the signing of a covenant by the following member-organizations: IBP, Namfrel, CBCP-NASSA, One Voice, NUJP, Code-NGO, WE-WATCH, Libertas, Pugadlawin and allied groups. Meanwhile, the IBP Boardroom hosted a series of planning and discussion meetings with leading experts on automated elections in firming up strategies against electoral fraud.

On March 4, 2010, the IBP also hosted a nationwide LENTE trainor's training seminar for lawyers. It was graced by technical and election experts from the Comelec, Smartmatic and the private sector. Subsequently, LENTE, upon IBP's petition with Comelec, was accredited as an official nationwide citizens arm for the May 10, 2010 elections. This boosted IBP's recruitment campaign for volunteer lawyers for nationwide election monitoring.

Meanwhile, the IBP, through OIC Justice Kapunan, signed a MOA with the Dep-Ed to provide free legal assistance to teachers in the performance of their election duties. On election day, the IBP became the headquarters of LENTE's nationwide election monitoring activities with IBP member-volunteers forming the nucleus.



Upholding human rights and rule of law: In a number of vital issues, the IBP also re-affirmed its commitment to human rights and the rule of law. When the government imposed martial law in Maguindanao ostensibly to expedite criminal justice, the BOG and officers marched on the streets and demanded for its immediate lifting. The IBP's rallying cry was "YES to speedy justice; NO to Martial Law." Imposing martial law is anathema to the rule of law and human rights.

Consistent with its adherence to the rule of law, the BOG accorded respect to the decision of the Supreme Court on the issue of the appointment of a Chief Justice during the election period. The IBP issued the call that since the Supreme Court has spoken, it was time to move forward in deference to the rule of law.



The BOG also made a strong stand on the Morong 43 case. It issued a resolution urging President P-Noy to release the detained doctors, nurses and health workers. The IBP also joined marches and rallies to press for the demand.

When the Chinese government scheduled the execution of three Filipinos convicted of drug trafficking, the IBP sought executive clemency or the lowering of penalty, citing respect for human life and dignity pursuant to international human rights norms.

Promoting public accountability: Similarly, the IBP also supported the demand for public accountability on issues of paramount national importance.

In the aftermath of the tragic hostage-taking of Hongkong tourists at the Luneta, the government formed an Incident Investigation and Review Committee (IIRC) with IBP (through Gov. Roan Libarios) as a member of the five-man panel. In the proceedings, the IBP batted to spare no one from the bar of public accountability, including the Ombudsman and her Deputy.



On the issue of plagiarism involving a Supreme Court decision, the BOG advocated the position that even if the lifted passages may not amount to plagiarism for lack of intent, the element of neglect or error may merit a call for accountability.



When the controversial plea bargain agreement with Maj. Gen. Carlos Garcia erupted, the BOG held a press conference, urging the Ombudsman to recall and scrap the deal for being improper and immoral. The IBP also expressed support to the embattled lawyer (Atty.

Noel Malaya) of a Senate star witness, who was receiving death threats.

Performing its Mandate, Discharging its Functions

Despite operating under an abnormal organizational setup for one and a half years, the IBP still managed to live up to its mandate and perform its regular functions and services.

Bar Discipline: While laboring under an incomplete board, the IBP has managed to resolve bar discipline cases with the same pace as in the past. To improve the operations and performance of the Commission on Bar Discipline held dialogues with the Commissioners to standardize the decision-making process.



Free Legal Aid: Legal Assistance to indigent clients has remained a major pillar of IBP services. The National Committee on Legal Aid (NCLA) has broadened the focus of its services to include OFW assistance and developmental legal aid through radio and television programs. The IBP BOG has also upgraded the allowances to legal aid clerks serving in local chapters to improve performance.



Legal education: As part of its regular program to enhance professional competence of members, the national IBP conducted year round MCLE seminars and assisted local chapters in sponsoring their own MCLE seminars. The IBP Journal and Bar Tribune continue to be staples in IBP's legal education publications.



House-keeping: Improving IBP's internal house-keeping also earned priority from the BOG. For the first time in several years, an external auditor was engaged by the BOG, through Finance Chair Gov. Fernan-Cayosa, to examine IBP's financial status and recommend measures to improve fiscal operations.



International Solidarity: As part of its objectives, the IBP also strengthened its ties with international bar associations. It partnered with foreign and local lawyers during the staging of COLAP 5 or the Conference of Lawyers in Asia-Pacific. It also participated in other important international gatherings such as the annual POLA, LAWASIA and ABA conventions.

National House of Delegates: During its term, the BOG also convened the National House of Delegates in Puerto Princesa City, with the theme "IBP: Revitalizing for the New Decade." Topping the agenda were the proposed amendments to the IBP By-laws and the modified version of Bar Matter 22, now renamed CLAS (Comprehensive Legal Aid Services). The CLAS version was crafted by the NCLA after subjecting the original MLAS to public hearing.



Regional Conventions: As in the past, the Regional Governors also led the holding of regional conventions in their respective areas.

- For IBP Northern Luzon, the venue was Tuguegarao, Cagayan (Feb. 18-20, 2010) with the theme “A Solid North in Advancing the Rule of Law.”



- For IBP Central Luzon, it was Clark, Pampanga, February 25-27, 2010, with the theme: “The IBP: Advocates of Justice, Law and Order in these Challenging Times.”

- For IBP Eastern Visayas, it was Tagbilaran, Bohol, March 11-13, 2010, with the theme: “IBP: Leading Society’s Moral Regeneration.”



- For Bicolandia, it was Legaspi City, April 5-9, 2010, with the theme: “IBP Bicolandia: United in Transcending the Challenges of the New Decade”

- For Southern Luzon, it was Kawit, Cavite, April 15-17, 2010, with the theme: “IBP Southern Luzon: Responding to the Challenges of the New Decade.”



- For the entire Mindanao, it was Cagayan de Oro City, September 30 to October 2, 2010, with the theme “Mindanao Lawyers: Towards a Responsive Justice System in the New Decade”

- For Greater Manila Region, it was Manila Hotel, February 19, 2011, with the theme: “IBP: Maintaining Its Relevance Amidst Controversies”



National Convention: Our culminating national activity is the holding of this year's 13th National Convention of Lawyers in Subic, April 7-10, which promises to build a new standard in attendance and relevance. To drum up attendance and support, the board earlier conducted consultations with private and public law firms as well as bar leaders in the regions and province.



Moving forward

While the incumbent set of BOG and Officers was a child of crisis and adversity, it has managed to keep and rekindle the faith. And much of the credit for this resurgence goes to the core values upon which the IBP was founded. In this year's convention, we honor and uphold our core values by enshrining them in our theme – integrity, competence, and public responsibility. In moments of distress and adversity, they serve as our North Star.

As the term of the incumbent Governing Board and Officers is about to expire, we humbly find comfort in the thought that we have weathered the storm and emerged much stronger. What did not destroy us strengthened us. Now we can look forward to an Integrated Bar that we can all support and be proud of -- an IBP that lives up to the exacting standards of integrity, competence and public responsibility in the legal profession.

Maraming Salamat at Mabuhay ang IBP!