

Title: FAROUK B. ABUBAKAR, ULAMA S. BARAGUIR, and DATUKAN M. GUIANI vs.
PEOPLE OF THE PHILIPPINES

Facts:

This consolidated case deals with anomalous infrastructure projects within the Autonomous Region of Muslim Mindanao (ARMM). It involves the transfer of P615,000,000 for regional and provincial projects which raised suspicions of irregularities that led to a special audit by a team headed by Heidi L. Mendoza. Findings of overpayments, advance payments not allowed by law, unauthorized early contractor mobilization, and other bidding irregularities gave rise to the indictment of Abubakar, Baraguir, and Guiani, among others, for violation of Republic Act No. 3019 or the Anti-Graft and Corrupt Practices Act. They were charged with awarding projects without required bidding, advancing huge sums for materials not yet delivered, and causing overpayment due to bloated accomplishment reports. Throughout the trial, various defenses were raised including the insistence on following procedures, a shift of blame to subordinates, allegation of prosecution selectivity, and invocation of the Arias doctrine. After the Sandiganbayan's conviction of the petitioners on multiple counts, the case was elevated to the Supreme Court.

Issues:

1. Whether petitioners Abubakar and Baraguir should be granted a new trial for alleged incompetence of their former counsel.
2. Whether there was selective prosecution violating the petitioners' right to the equal protection of the laws.
3. Whether the prosecution established the petitioners' guilt beyond reasonable doubt for violating Section 3(e) of Republic Act No. 3019.
4. Whether the Arias doctrine applies to exonerate the petitioners from criminal liability.

Court's Decision:

The Supreme Court denied the consolidated petitions, affirming the Sandiganbayan's decision and holding the petitioners guilty. The Court ruled that:

1. Abubakar and Baraguir were not entitled to a new trial as they failed to prove that their former counsel's incompetence resulted in the loss of a meritorious defense that would likely alter the judgment's outcome.
2. The claim of selective prosecution failed without evidence of "clear and intentional discrimination" by the Ombudsman.
3. The prosecution convincingly established the petitioners' guilt beyond reasonable doubt based on the transaction irregularities.

4. The Arias doctrine does not apply, as petitioners could not claim the defense of good faith considering the glaring irregularities in contract procedures and public bidding.

Doctrine:

The case reiterated the principle that parties are bound by the actions of their counsel, and a claim to the contrary must substantiate gross negligence resulting in a deprivation of due process. It also highlighted the standard that selective prosecution claims must show discriminatory intent with extrinsic evidence. The case defined the requirements for conviction under Section 3(e) of Republic Act No. 3019, which necessitates the concurrence of certain elements, including causing undue injury to the government or giving unwarranted benefits through partiality, bad faith, or negligence.

Class Notes:

1. In the Philippines, a claim for a new trial based on the alleged incompetence of counsel must demonstrate that the inadequacy of legal representation resulted in a lack of opportunity to present a meritorious defense that could change the outcome (U.S. v. Umali).
2. Selective prosecution requires the defendant to show intentional discrimination using extrinsic evidence, and claims cannot be based solely on allegations or speculation (Dela Piedra).
3. For criminal cases involving public officers, good faith can be a defense unless there is knowledge of facts prompting greater inquiry and the application of due diligence (Arias doctrine).
4. Violation of Section 3(e) of Republic Act No. 3019 has specific elements, including the requirement that the act must be committed with manifest partiality, evident bad faith, or inexcusable negligence, causing injury or giving unwarranted benefits.

Historical Background:

This case is within the context of systemic corruption historically found within various government institutions in the Philippines, which necessitates stringent legal measures and diligent prosecution. The case demonstrates the continuous efforts of the judicial system to uphold integrity in public service and the accountability of public officers.