

RE: REQUEST FOR TRAVEL AUTHORITY ON OFFICIAL TIME/OFFICIAL BUSINESS FOR PHILIPPINE JUDGES PARTICIPATING IN TRAINING AT THE HAGUE UNIVERSITY FROM MARCH 9 TO 16, 2019.

A.M. No. 19-02-11-SC. January 28, 2020

Ponente: INTING, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a-m-no-19-02-11/>

INTING, J.:

This refers to the expenses incurred by the 10 participants from the Supreme Court of the Philippines to the judicial training on the Rome Statute of the International Criminal Court (ICC) conducted by The Hague University of Applied Sciences (The Hague University) from March 9 to 16, 2019.

The following Court official and judges were given travel authorities to visit and attend, on official business, the training conducted by The Hague University in the Netherlands per Resolution of the Court dated February 19, 2019:

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)
- (7)
- (8)
- (9)
- (10) Deputy Court Administrator Raul Bautista Villanueva;
Judge Cecilyn B. Villavert;
Judge Mary Charlene V. Hernandez-Azura;
Judge Caesar C. Buenagua;
Judge Wilhelmina J. Wagan;
Judge Jonel S. Mercado;
Judge Macaundas M. Hadjirasul;
Judge Mercedita G. Dadole-Ygnacio;
Judge Wenida M. Papandayan; and
Judge Peter V. Eisma

In the same Resolution, it was stated that the subject training is organized and hosted by The Hague University in cooperation with the Philippine Judicial Academy (PHILJA) and will focus on the Rome Statute and the ICC. Furthermore, it indicated that travel expenses, including accommodations, of the above-named participants would be shouldered by The Hague University.

After the training, the delegation submitted a Report about the activities undertaken during the event.

However, billings in the amount of €37,651 were thereafter sent by The Hague University for the payment of the share of the Philippine Judiciary in the expenses incurred for the subject judicial training. Apparently, the PHILJA and the Office of the Court Administrator (OCA) were of the impression that the training for the Philippine Judiciary was "for free" or at "no expense" when in fact the expenses incurred for travel and accommodation costs relative to the training program were only advanced by The Hague University.

Confronted with this scenario, the PHILJA, through Chancellor Adolfo S. Azcuna (Chancellor Azcuna), and Court Administrator Jose Midas P. Marquez, in a Memorandum dated October 9, 2019, justified the settlement of the amount for the following reasons:

1. The judicial training was the first of its kind that The Hague University organized and hosted with the cooperation of the PHILJA so that this partnership should continue as there are future programs or training options where we can further collaborate on for our mutual benefit. Evidently, the goodwill generated from this first collaboration between The Hague University and the PHILJA should not be put to waste but, rather, be nurtured and further enriched;
2. The amount spent for the judicial training, and now shouldered by the PHILJA, went to very good use. In a letter dated April 24, 2019, The Hague University expressed its genuine interest "to continue our fruitful collaboration in the future" and, more importantly, it assessed that the "training was successful" and declared that "(i)t would not be an exaggeration to state that the ten participants were the best ambassadors of the Philippines to the (ICC)" so much so that "they demonstrated that the Philippine Judiciary subscribes to the highest standards of judicial professionalism" and "left the best possible impressions to everyone"; and,
3. The PHILJA has sufficient funds to shoulder the amount being collected from it as its share for the holding of the "successful program" that The Hague University organized and hosted in The Hague, The Netherlands.

Thus, PHILJA recommended that it be authorized to pay the amount of €37,651, or its peso equivalent of P2,141,588.06 (based on an exchange rate of P56.88 for every €1), to defray the travel and accommodation costs incurred by the Court official and judges who participated in the judicial training.

Thereafter, PHILJA Chancellor Azcuna, through a letter dated October 14, 2019, transmitted Board of Trustees' (BOT) Resolution No. 19-34 dated October 10, 2019, wherein the PHILJA agreed to pay €37,651 or P2,141,588.06 to The Hague University as it had sufficient funds to shoulder the amount, and recommended the approval thereof by the Court En Banc.

In the Agenda of November 12, 2019, the Court resolved to direct PHILJA to coordinate with The Hague University to produce a breakdown of the invoice/billing covering the 10 delegates to the training program and submit a report thereon within 30 days from notice thereof.

In compliance therewith, PHILJA submitted a Manifestation and Compliance with the following breakdown as received by email from The Hague University:

Table Cost

Air Fare

12,000

Based on Airfare of €1,200 per person

Accommodation

7,800

€130,-p/n/p x 6 nights (including breakfast)

Meals & Receptions

5,300

Including lunch and daily allowance for dinner

Transportation Costs (including to and from the airport)

1,200

Airport - hotel and daily transport hotel - venue

Administration Costs, Materials Program Management & Expert Fees

11,200

Total

37,500 Euros/3.750-p/p

Finding the Manifestation and Compliance to be in order, the Court APPROVES the Philippine Judicial Academy Board of Trustees' Resolution No. 19-34 dated October 14, 2019 as to the payment to The Hague University of the total amount of €37,651 or P2,141,588.06.

SO ORDERED.

Peralta, (C.J.), Perlas-Bernabe, Leonen, Caguioa, Gesmundo, J. Reyes, Jr., Carandang, Lazaro-Javier, Zalameda, Lopez, Delos Santos and Gaerlan, JJ., concur.

A. Reyes, Jr., and Hernando, JJ., on official leave.

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