

PNP- CISC,
Complainant,

I.S. NO. 91-24834

-versus-

FOR: MULTIPLE
MURDER

Jose Ma. Sison,
Monico Atienza,
Herminigildo Garcia IV,
Manuel Collantes,
Roque Magtanggol,
John Doe Alias Ka Donald, and,
Robert Doe Alias Ka Daniel,
Respondents.

x-----x

R E S O L U T I O N

This refers to the infamous Plaza Miranda bombing which occurred in the evening of August 21, 1971 wherein several persons were killed and others severely injured.

At the instance of the PNP- CISC, the leaders of the CPI NPA led by respondent Jose Ma. Sison were charged of Multiple murder in connection with the same.

Based on the report of the PNP- CISC, earlier that day, Jose Ma. Sison called for a conference attended by the party's top officers and among them were respondents Monico Atienza, Herminigildo Garcia IV, Manuel Collantes, Roque Magtanggol, John Doe alias Ka Donald, and Robert Doe alias Ka Daniel. Accordingly, the prime purpose of the meeting was to discuss a scheme to bring chaos between the two political parties (Liberal Party and Nacionalista Party) and in effect increase the sympathizers for the CPP/NPA and its manpower. Presumably this was the bombing of the Liberal Party's political rally which would create a showdown between the Liberal Party and the Nacionalista Party. The actual bombing was allegedly implemented by Danny Cordero, alias Ka Danny or Ka Kris.

In support of the foregoing, the PNP- CISC submitted sworn statements of former members of the party who claimed to have knowledge of the bombing and further implicated the above respondents as the supposed planners of the bombing incident. Nothing shows clearly however, that the aforesaid meeting ~~delayed~~ delayed on the planning of the Plaza Miranda Bombing. If at all only inferences were made in the statements. In other words the supposed participations of the respondents as planners or masterminds are mere speculations. And if the only evidence against them consist, merely of the said statements, the same is not sufficient to charge them of multiple murder. Moreover, the implicated persons who supposedly have carried out the carnage are no longer around or nowhere to be found in order to shed light on the incident or dispute them.

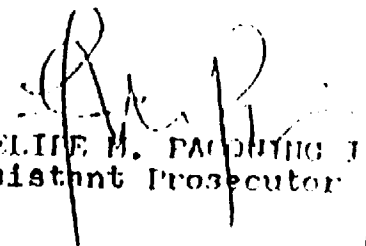
To indict the respondents, therefore based solely on the submitted sworn statements is tantamount to a hasty, malicious and oppressive prosecution which is precisely what is being avoided through a preliminary investigation. There has to be

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mere than what was submitted to establish probable cause.

The undersigned therefore recommends the DISMISSAL of the instant case against all the respondents for lack of sufficient basis.

Manila, March 2, 1994.

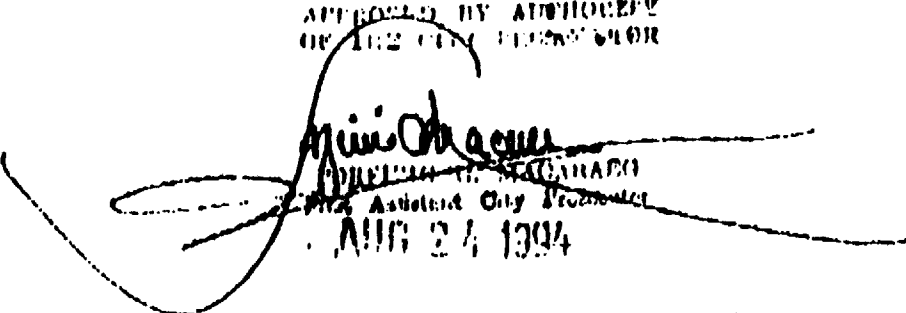

FELIPE M. PACHUNG, I
Assistant Prosecutor

RECOMMENDING APPROVAL:


CECILIA SIOCO-FERNANDEZ
CHIEF, INVESTIGATION DIVISION

MAR 26 1994

APPROVED BY ATTORNEY
OF THE CITY PROSECUTOR


FELIPE M. PACHUNG, I
Assistant City Prosecutor

MAR 24 1994

TRUE COPY

OFFICE OF THE CITY PROSECUTOR
M A N I L A

PNP-CISC

I.S. NO. 91-24854

-versus-

FOR: MULTIPLE
MURDER

Jose Ma. Sison,
Moncio Atienza,
Herminigildo Garcia IV,
Manuel Collantes,
Roque Magtanggol,
John Doe Alias Ka Donald, and
Robert Doe Alias Ka Daniel.
Respondents

X-----X

RESOLUTION

This refers to the infamous Plaza Miranda bombing which occurred in the evening of August 21, 1971 wherein several persons were killed and others severely injured.

At the instance of the PNP-CISC, the leaders of the CPP-NPA led by respondent Jose Ma. Sison were charged of Multiple Murder in connection with the same.

Based on the reports of the PNP-CISC, earlier that day, Jose Ma. Sison called for a conference attended by the party's top officers and among them were respondents Monico Atienza, Herminigildo Garcia IV, Manuel Collantes, Roque Magtanggol, John Doe alias Ka Donald, and Robert Doe alias Ka Daniel. Accordingly, the prime purpose of the meeting was to discuss a scheme to bring chaos between the two political parties (Liberal Party and Nacionalista Party) and in effect increase the sympathizers for the CPP/NPAS and its manpower. Presumably this was the bombing of the Liberal party's political rally which would create a showdown between the Liberal Party and the Nacionalista Party. The actual bombing was allegedly implemented by Danny Cordero, alias Ka Danny or Ka Kris.

In support of the foregoing, the PNP-CISC submitted sworn statements of former members of the party who claimed to have knowledge of the bombing and further implicated the above respondents as the supposed planners of the bombing incident. Nothing shows clearly however, that the aforesaid meeting delved on the planning of the Plaza Miranda Bombing. If at all, only inferences were made in the statements. In other

words, the supposed participations of the respondents as planners or masterminds are mere speculations. And if the only evidence against them consist, merely of the said statements, the same is not sufficient to charge them of multiple murder. Moreover, the implicated persons who supposedly have carried out the carnage are no longer around or nowhere to be found in order to shed light on the incident or dispute them.

To indict the respondents, therefore, based solely on the submitted sworn statements is tantamount to a hasty, malicious and oppressive prosecution which is precisely what is being avoided through a preliminary investigation. There has to be more than what was submitted to establish probable cause.

The undersigned therefore recommends the DISMISSAL of the instant case against all the respondents for lack of sufficient basis.

Manila, March 2, 1994.

(Sgd) FELIPE M. PACQUING
Assistant Prosecutor

RECOMMENDING APPROVAL:
(Sgd) CECILIA SIOCO FERNANDEZ
Chief, Investigation Division