

MALACAÑANG  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 355

CREATING A COMMITTEE TO RE-INVESTIGATE THE CHARGES  
AGAINST BENIGNO S. AQUINO, JR., ET. AL.

WHEREAS, criminal charges were filed against Benigno S. Aquino, Jr. and others with Military Commission No. 2 by the Chief, Prosecution Staff, Judge Advocate General's Office, AFP, docketed therein as follows:

1. People of the Philippines vs. Benigno S. Aquino, Jr., Crim. Case No. MC-2-19 for illegal possession of firearms, ammunitions, explosives and accessories.
2. People of the Philippines vs. Benigno S. Aquino, Jr. and Benjamin Bie, Jr. Alias Comdr. Melody, Crim. Case No. MC-2-20 for violation of RA 1700.
3. People of the Philippines vs. Benigno S. Aquino, Jr. and Benjamin Sanguyo Alias Comdr. Pusa, Crim. Case No. MC-2-21 for violation of RA 1700.
4. People of the Philippines vs. Benigno S. Aquino, Jr., Bernabe Buscayno Alias Comdr. Dante, Peter Doe Alias Peter Ilocano, Joseph Doe Alias Puriok, Crim. Case No. MC-2-22 for murder.
5. People of the Philippines vs. Benigno S. Aquino, Jr. and Bernabe Buscayno Alias Comdr. Dante, Crim. Case No. MC-2-23 for violation of RA 1700.
6. People of the Philippines vs. Benigno S. Aquino, Jr., Benjamin Sanguyo Alias Comdr. Pusa and PC Lt. Victor Corpuz, Crim. Case No. MC-2-24 for violation of RA 1700.

WHEREAS, said charges were filed after due investigation by the Prosecution Staff of the Judge Advocate General's Office;

*Lead 3-1 Benigno S. Aquino*

WHEREAS, Benigno S. Aquino, Jr. and his counsel have repeatedly complained, orally and in writing, that the accused has been denied his constitutional right to due process and have openly questioned the regularity and fairness of the application to him of the established procedure sanctioned by law and practice;


WHEREAS, although the Prosecution Staff is assumed to have conducted a fair and impartial initial investigation, it is desirable to reassure the accused that he continues to enjoy his constitutional right to due process and to remove any doubt whatsoever in the mind of anybody that only after finding a prima facie case against him were charges filed;

WHEREAS, it is necessary for the above purpose that a Committee be created to conduct a re-investigation of said charges to demonstrate that everything is being done to insure utmost fairness, impartiality and objectivity in the prosecution of the charges against the accused and to determine whether really there is reasonable ground to believe that the offenses charged were in fact committed and the accused is probably guilty thereof.

NOW, THEREFORE, there is hereby created a Committee to be composed of five (5) members as follows: A retired Justice of the Supreme Court to be designated by the Chief Justice as Chairman and four (4) members to be designated, respectively, by the accused himself, the President of the Integrated Bar of the Philippines, the Secretary of Justice and the Secretary of National Defense, all of whom must be learned in the law, reputed for probity, integrity, impartiality, incorruptibility and fairness and must have had no previous connection in this matter either as counsel or investigator. Should the accused decline to designate a representative to the Committee, the Chief Justice shall designate someone in his stead. In case of the death or incapacity of any member of the Committee, the vacancy shall be filled by designation by the same official who designated the deceased or incapacitated member.

The Committee shall have all the powers vested by law in officials authorized to conduct preliminary investigations and the accused shall enjoy all the rights of an accused person under the Constitution.

The Committee shall convene immediately, conduct the preliminary investigation in the most expeditious



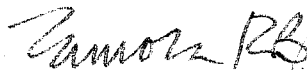
manner and submit its findings to the Secretary of Justice.

To prevent a failure or delay of justice, any testimonial evidence presented before the Committee may be used in any proceeding or action before any court or tribunal, civil or military, without need of presenting the witness or witnesses who testified in case such witness or witnesses have died or left the country or become unable to testify.

The Committee may call upon any Department, Bureau, office, agency or instrumentality of the Government for such assistance and facilities as it may need in the accomplishment of its task.

Done in the City of Manila, this 28th day of August, in the year of Our Lord, nineteen hundred and seventy-three.

By the President:



RONALDO B. ZAMORA  
Assistant Executive Secretary

