

apnews.com

Court Convicts 16 in Murder of Mrs. Aquino's Husband

OLIVER TEVES

5-6 minutes

MANILA, Philippines (AP) _ A court on Friday convicted 16 people of murdering President Corazon Aquino's husband at the Manila airport and acquitted 20 others in the 1983 slaying.

"I think not only I but the entire Filipino people have been waiting for the decision of the court," Mrs. Aquino told reporters afterward. "So I believe that finally the court has decided who are the guilty and who are the innocent."

The assassination of Sen. Benigno "Ninoy" Aquino in broad daylight on his arrival home from self-imposed exile in the United States had enraged this nation and set the stage for former President Ferdinand Marcos' ouster in a popular uprising.

The verdict in the 3 1/2 -year trial was announced on the first anniversary of the death of Marcos, who many Filipinos believe ordered the slaying of the Aquino, considered his chief political rival.

The anti-graft court sentenced the 16 to life imprisonment and ordered them to pay \$300,000 to the late senator's heirs.

Those convicted included Brig. Gen. Luther Custodio, former chief of the airport security command who is terminally ill with cancer.

Among those acquitted was Rep. Jose Aspiras, former tourism minister, former Air Transport Minister Jose Singson and Col. Arturo Custodio, former commander of Villamor Air Base.

Aquino was shot to death on Aug. 21, 1983, as he stepped from a China Airlines jet that brought him back to Manila after three years' exile in America, mostly in the Boston area.

Marcos claimed Aquino was slain by an alleged Communist assassin, Rolando Galman, who was himself shot to death moments after Aquino. Aquino had returned to the Philippines to challenge Marcos for leadership of the country.

The 16 were also convicted of killing Galman.

Aquino's killing galvanized the fragmented opposition against Marcos and set the stage for the February 1986 "people power revolution" that toppled the Marcos administration and propelled Mrs. Aquino into the presidency.

Marcos died in exile in Hawaii on Sept. 28, 1989.

One of the defendants died during the trial and three others, including former military Chief of Staff Gen. Fabian Ver, have fled the country. Philippine law does not permit trials in absentia.

Chief defense lawyer Rodolfo Jimenez said those convicted would appeal to the Supreme Court.

Before the verdicts were announced, Jimenez asked the three-member court not to convict any defendants because of the special circumstances surrounding the case.

He noted the Supreme Court includes two justices who were involved in the investigation and that the pardoning authority - the president of the nation - was the widow of the victim.

Chief Judge Regino Hermosisima rejected the motion.

The decision failed to determine who pulled the trigger and who ordered the assassination. During the trial, the prosecution alleged the triggerman was Constable 1st Class Rogelio Moreno, who was among those convicted.

"I cannot accept it because I am not at fault," Moreno said of the verdict. "Only God knows."

Following the verdict, Aquino's sister, Rep. Teresita Oreta, said she was disappointed by the verdict.

"I would have wanted a clearer statement on who ordered the killing," she said. "These are soldiers who will not move without any orders."

She also urged the arrest and return to the country of Ver, who fled the Philippines with Marcos in 1986. His whereabouts are unknown.

Twenty-six people, including Ver, were originally charged with the killing but were acquitted in December 1985 by a court appointed by Marcos.

But six months after Marcos was ousted, the Supreme Court overturned the acquittals and ordered a new trial, saying Marcos engineered the original verdict.

During the second trial, the prosecution produced a surprise witness, airport employee Jessie Barcelona, who said he saw a soldier fire his gun at Aquino as they left the jet.

Barcelona did not testify at the first trial because he said he feared for his life.

The Aquino case is often cited as an example of the country's inefficient judiciary and highlights the ordinary Filipino's distrust of the court system.

In a twist, the Supreme Court disbarred chief prosecutor Raul Gonzalez midway through the trial after he publicly charged justices were misappropriating funds.

During a coup attempt last December, more than 12 of the defendants escaped from a military stockade, but all eventually surrendered.