



Republic of the Philippines  
COMMISSION ON ELECTIONS  
Intramuros, Manila

SECOND DIVISION

IN THE MATTER OF THE  
REGISTRATION OF MAGDALO  
PARA SA PAGBABAGO AS A  
REGIONAL POLITICAL PARTY  
BASED AT THE NATIONAL  
CAPITAL REGION (NCR),

REPRESENTED BY ITS  
CHAIRMAN SEN. ANTONIO F.  
TRILLANES IV AND SECRETARY  
GENERAL, MR. FRANCISCO  
ASHLEY L. ACEDILLO,  
Petitioners.

X-----X  
*Per Curiam:*

SPP Case No. 09-073 (PP)

~~Propagated:~~

OCT 26 2009

*[Handwritten signature]*

*Mr. Francisco B. Ashley L. Acedillo*

**RESOLUTION**

We resolve the verified Petition for Registration<sup>1</sup> of MAGDALO  
PARA SA PAGBABAGO as a Political Party.

The Petition filed on July 2, 2009 through its Chairman, Sen.  
Antonio F. Trillanes IV and its Secretary-General, Francisco Ashley L.  
Acedillo, stated the following:

- a) The full name of the political party;
- b) Its principal office address;

<sup>1</sup> Rollo, page 1.

- c) That in the organizational meeting held on July 27, 2007, its founding members unanimously elected Sen. Antonio F. Trillanes IV as Chairman and authorized him to select and nominate the other officers of the party who are to serve as such until their successors are elected and qualified in accordance with the party's Constitution and by-laws;
- d) The names and addresses of its elected officers;
- e) That Magdalo Para Sa Pagbabago is seeking to register as a regional political party limited to the National Capital Region (NCR).

The Petitioners further allege that:

*"11. The Party is not a religious sect or denomination or organization or association organized for religious purposes;*

*12. The Party does not advocate the use of force or violence or other unlawful means to achieve its goals;*

*13. The Party is not a foreign party or organization;*

*14. The Party does not receive support from any foreign government, foreign political party, foundation or organization whether directly or through any its officers or members or indirectly through third parties; and –*

*15. The Party commits to comply with the laws, rules and regulations relating to elections."*

Attached to the Petition are Magdalo Para Sa Pagbabago's Constitution and By-laws<sup>2</sup>, Program of Government<sup>3</sup>, and List of Executive Officers and Party Chapters<sup>4</sup>.

On July 14, 2009, this Commission issued an Order<sup>5</sup> directing the Regional Election Director concerned to verify the status and

---

<sup>2</sup> Rollo, page 8.

<sup>3</sup> Rollo, page 23.

<sup>4</sup> Rollo, page 40.

<sup>5</sup> Rollo, page 46.

capacity of the political party and the veracity of the allegations in the petition and its enclosures.

Another Order<sup>6</sup> dated August 24, 2009 was issued instructing petitioners to publish their Petition and setting the case for hearing on September 3, 2009.

Subsequently, the August 24, 2009 Order and the Petition for Registration were published in two (2) newspapers of general circulation, namely, "HATAW! No. 1 sa Balita"<sup>7</sup> and "Saksi sa Balita"<sup>8</sup>.

The Petition was heard as scheduled on September 3, 2009. Petitioners' counsel called to the witness stand 1<sup>st</sup> Lt. Francisco Ashley Acedillo, who testified and authenticated all the documentary exhibits submitted by petitioners.

Petitioners then filed their Formal Offer of Exhibits<sup>9</sup> on September 4, 2009.

This Petition must fail.

Magdalo Para Sa Pagbabago should be refused registration in accordance with Art. IX-C, Section 2 (5)<sup>10</sup> of the Constitution. It is

---

<sup>6</sup> Rollo, page 49.

<sup>7</sup> Rollo, page 74.

<sup>8</sup> Rollo, page 77.

<sup>9</sup> Rollo, page 56.

<sup>10</sup> "Art. IX-C, Section 2 (5) Register, after sufficient publication, political parties, organizations, or coalitions which, in addition to other requirements, must present their platform or program of government; and accredit citizens' arms of the Commission on Elections. Religious denominations and sects shall not be registered. Those which seek to achieve their goals through violence or unlawful means, or refuse to uphold and adhere to this Constitution, or which are supported by any foreign government shall likewise be refused registration.

*Financial contributions from foreign governments and their agencies to political parties, organizations, coalitions, or candidates related to elections, constitute interference in national affairs, and, when accepted, shall be an additional ground for the cancellation of their registration*

common knowledge that the party's organizer and Chairman, Senator Antonio F. Trillanes IV, and some members participated in the take-over of the Oakwood Premier Apartments in Ayala Center, Makati City on July 27, 2003, wherein several innocent civilian personnel were held hostage. This and the fact that they were in full battle gear at the time of the mutiny clearly show their purpose in employing violence and using unlawful means to achieve their goals in the process defying the laws of organized societies. This appears to remain their propensity up to now, considering the following observations:

- a. The proposed political party limits the laws, rules and regulations to which it commits itself to comply with, as witness the statement in paragraph 15 of the Petition, quoted thus:

"15. The party commits to comply with the laws, rules, and regulations relating to election laws."  
(Emphasis supplied)

- b. The testimony of the Mr. Francisco Ashley Acedillo in the hearing held on September 3, 2009<sup>11</sup>, is worth noting as it contradicts the statement in paragraph 12 of the Petition ("The Party does not advocate the use of force or violence or other unlawful means to achieve its goals."), as shown in the following answers he gave to questions propounded by the Commission (2<sup>nd</sup> Division) referring to his statement that the MAGDALO PARA SA PAGBABAGO as a Political Party was founded on the 4<sup>th</sup> anniversary of the incident that took place on July 27, 2003<sup>12</sup> :

---

*with the Commission, in addition to other penalties that may be prescribed by law. (underscoring supplied)*

<sup>11</sup> Tsn, Sept. 3, 2009, 46 pages.

<sup>12</sup> Date when the incident publicly known as the "Oakwood Mutiny" took place, tsn, pp. 30-32. The Supreme Court, in the cases of 1Lt. Julius R. Navales, et al. vs. Gen. Narciso Abaya, et al., G.R. No. 162318 (2004), and In the Matter of the for Habeas Corpus of CPT. Ruperto L. Reaso, et al., G.R. No. 162341 (2004), gave a brief background of the Mutiny, part of which states:

"At past 1:00 a.m. of July 27, 2003, more than three hundred junior officers and enlisted men, mostly from the elite units of the AFP – the Philippine Army's Scout Rangers and the Philippine Navy's Special Warfare Group (SWAG) – quietly entered the premises of the Ayala

Comm. Ferrer:

And of course you would want to answer this and could you say that that incident that was fully covered by television and radio and written media was in the nature of an unlawful means to achieve your goal?

Witness:

I will answer that your honor to the extend (sic) that we have let it to the court to determine what constitute as illegal, or not and your Honor, we have submitted ourselves to the legal process and have in fact I myself your Honor, at that time was a member of the Armed Forces and I was incarcerated for five years, if that constitute what I would consider a sincere desire on my part to pursu (sic) of what I believe to pursue by any responsible citizen then I would submit to that extend (sic) your Honor.

Comm. Ferrer:

Of course this on record that you and your companions pleaded not guilty, by way of pleading not guilty, you assume that what was done then by your group is not illegal?

Witness:

Yes your Honor.<sup>13</sup>

- c. The record of the court martial hearing the case of the failed 2003 Oakwood Mutiny shows that the plea bargain offered by 54 junior officers involved therein was accepted by the military court wherein they pleaded guilty to charges of violating Articles of War 97 (conduct prejudicial to good order and military discipline) in exchange of dropping of four other more grave charges. **The plea bargain agreement,**

---

Center in Makati City. They disarmed the security guards and took over the Oakwood Premier Apartments (Oakwood). They planted explosives around the building and in its vicinity. Snipers were posted at the Oakwood roof deck.

"The soldiers, mostly in full battle gear and wearing red arm bands, were led by a small number of junior officers, widely known as the Magdalo Group. The leaders were later identified as including Navy LtSG. Antonio Trillanes IV, Army Capt. Milo Maestrecampo, Navy LtSG. James Layug, and Marie Capt. Gary Alejano. xxx"

<sup>13</sup> Tsn, pp. 34-37.

**however, excluded 29 other officers including the hardcore leaders of the Magdalo: former Navy Lieutenant Senior Grade ANTONIO TRILLANES IV, Army Captains Gerardo Gambala and Milo Maestrecampo, and Marine Capt. Nicanor Faeldon.**

All the foregoing show that the principal founders of the Magdalo Para Sa Pagbabago Party remain unrepentant and that they still harbor the propensity to engage in another illegal adventure similar to the failed 2003 Oakwood Mutiny, should they again fail to achieve their goal -- this time with the use of the political party that they are now applying for accreditation and which may very well be used by them to recruit and indoctrinate disciplined followers who may become their blind followers.

**WHEREFORE**, premises considered, this Petition is hereby **DENIED**.

**SO ORDERED.**

  
**LUCENITO N. TAGLE**  
*Commissioner*

  
**NICODEMO T. FERRER**  
*Presiding Commissioner*

  
**ELIAS R. YUSOPH**  
*Commissioner*

---

#### CERTIFICATION

I hereby certify that the conclusions in the above resolution were reached in consultation among the members of the Commission before the case was assigned to the writer of the opinion for the Commission's Second Division.

  
**NICODEMO T. FERRER**  
*Presiding Commissioner*