

### Title: Placido L. Mapa, Jr., and J. Lorenzo Vergara vs. Sandiganbayan

### Facts:

The case revolves around Placido L. Mapa, Jr., and J. Lorenzo Vergara, among others, charged under the Anti-Graft and Corrupt Practices Act (R.A. 3019), specifically for promoting and facilitating the sale of public utility assets of the Pantranco Express, Inc., to North Express Transport, Inc. under allegedly disadvantageous terms. Mapa and Vergara, accused in the Sandiganbayan (a special appellate collegial court), were later involved in the US trial against Imelda Marcos under the Racketeer Influenced and Corrupt Organization Act (RICO) by providing information to ensure the Marcoses' conviction. They were promised immunity from further criminal prosecution by the Philippine Government through the Presidential Commission on Good Government (PCGG) in exchange for their testimony. Even though they were prepared to testify, the US prosecutors ultimately did not call upon them, leading to Imelda Marcos's acquittal. Back in the Philippines, utilizing the granted immunity, they sought the dismissal of their charges in the Sandiganbayan, which was subsequently denied, sparking the present petition.

### Issues:

1. Does the immunity granted by the PCGG apply to Criminal Case No.11960 even if the information provided did not directly refer to this case?
2. Is the presentation of the information or testimony in the Sandiganbayan necessary for the grant of immunity to be effective?
3. Does the non-presentation of the petitioners as witnesses in the RICO cases affect the validity of their immunity?
4. Was the immunity grant to the petitioners too late, given that it was extended after the prosecution in Criminal Case No. 11960 had rested its case?

### Court's Decision:

The Supreme Court found merit in the petition, holding that the Sandiganbayan committed grave abuse of discretion in denying the motion for dismissal based on immunity granted by the PCGG. The Court clarified that:

- The PCGG has the authority under Executive Orders Nos. 1, 2, 14, and 14-A to grant immunity from criminal prosecution to individuals who provide valuable information or testimony in relation to the commission's objectives.
- The non-presentation of Mapa and Vergara as witnesses in the US does not nullify their immunity as their readiness, and willingness to testify fulfilled their part of the agreement.
- The Supreme Court emphasized that such immunity grants are part of the prosecutorial

power and discretion, which are usually not subject to judicial review beyond assessing procedural regularity.

- The Court ruled that the immunity should stand, leading to the dismissal of the charges against Mapa and Vergara in Criminal Case No. 11960.

### ### Doctrine:

This case reiterates the doctrine that prosecutorial discretion includes the authority to decide on the grant of immunity to certain individuals in exchange for their cooperation or testimony in cases involving public interest. It affirms that the courts have limited jurisdiction to review the exercise of this discretion, focusing only on assessing the procedural correctness rather than substituting the discretion itself.

### ### Class Notes:

- **Prosecutorial Discretion and Immunity:** This case illustrates the prosecutorial power to grant immunity and its implications on ongoing litigation. It delineates the scope of judicial review over prosecutorial decisions concerning such grants.

- **Requirements for Immunity:** For immunity under Executive Orders related to PCGG's function to apply, the individual must offer valuable information/testimony for the government's cause, regardless of the stage of the ongoing case.

- **Judicial Review Limitation:** Courts can only assess the procedural aspects of the exercise of prosecutorial discretion in granting immunity, avoiding involvement in the merits or rationale behind the discretion.

### ### Historical Background:

This case is set against the backdrop of efforts by the Philippine government to recover ill-gotten wealth accumulated during the Marcos regime. It involves the interplay between international legal cooperation (in the form of the RICO case against Imelda Marcos) and domestic efforts to prosecute graft and corruption through the Sandiganbayan and the PCGG, highlighting the complexities and challenges in such endeavors.