

PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. NELIA CORONACION Y NOQUE AND EDUARDO AQUINO Y AQUINO, ACCUSED-APPELLANTS.

G.R. No. 97845. September 29, 1994

Ponente: KAPUNAN, J.

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KAPUNAN, J.:

Once again, the pernicious practice of illegal recruitment is the matter at hand. Nelia Coronacion, Eduardo Aquino, and June Mendez were charged with the crime of illegal recruitment in large scale and by a syndicate for falsely representing themselves to have the capacity to contract, enlist and transport Filipino workers for employment abroad. We are now asked to adjudge them guilty or not.

The information was filed on July 29, 1987 before the Regional Trial Court of Manila, Branch XII, and was docketed as Criminal Case No. 87-56415.[1] The indictment reads:

The undersigned accuses NELIA CORONACION y NOQUE, EDUARDO AQUINO y AQUINO and JUN MENDEZ also known as ANTONIO MUNOZ DELA ROSA of a Violation of Article 33(a) Presidential Decree 1412, amending certain provisions of Book I, Presidential Decree 442, otherwise known as the New Labor Code of the Philippines, in relation to Article 13(b) and (c) of said code as amended by Presidential Decree 1693, 1920 and 2018 (ILLEGAL RECRUITMENT), committed in a large scale by a syndicate, as follows:

That in (sic) or about and during the period comprised between June 18, 1987 and July 5, 1987, inclusive, in the City of Manila, Philippines, the said accused, representing themselves to have the capacity to contract, enlist and transport Filipino workers for employment abroad, did then and there willfully and unlawfully, for a fee, recruit and promise employment/job placement in Saudi Arabia to the following persons, namely: ARISTOTLE HILARIO y COLOCADO, ANDRES RAMOS y PEREZ, SOLEDAD TADEO y HILARIO, ROLANDO LAED y TABISOLA, ZOILO RADAN y RODA and RANDI HILARIO y ALCANTARA, without first having secured the required license or authority from the Ministry of Labor.

Contrary to law.[2]

However, only Nelia Coronacion and Eduardo Aquino were apprehended. Accused June Mendez is still at large. Hence, on August 11, 1987, the former were arraigned and each entered a plea of not guilty.[3] Trial on the merits proceeded with respect to them.

In its decision promulgated on October 8, 1990, the trial court found Nelia Coronacion and Eduardo Aquino guilty as charged and decreed as follows:

WHEREFORE, in the light of the foregoing considerations, the Court finds the two (2) accused, NELIA CORONACION y NOQUE and EDUARDO AQUINO y AQUINO, guilty beyond reasonable doubt of the crime of Illegal Recruitment, committed in large scale, as defined in Article 38 (a) & (b) of Presidential Decree No. 442, otherwise known as the Labor Code of the Philippines, as amended by Presidential Decrees Nos.

1693 and 1920 and further amended by Presidential Decree No. 2018, in relation to Article 13 (b) and (c), and penalized under Article 39 (a), same Code, and as charged in the information and, accordingly, hereby sentences each of them to suffer the penalty of life imprisonment (reclusion perpetua), with the accessory penalties provided for by law; each to pay a fine of ONE HUNDRED THOUSAND PESOS (P100,000.00), without subsidiary imprisonment in case of insolvency; to jointly and solidarily return and pay to Randie Hilario the amount of THIRTEEN THOUSAND PESOS (P13,000.00); to Rolando Laed the amount of FIFTEEN THOUSAND PESOS (P15,000.00); to pay to Zoilo Radam the amount of FIFTEEN THOUSAND PESOS (P15,000.00); to Aristotle Hilario the amount of TEN THOUSAND PESOS (P10,000.00) and to Soledad Tadeo the amount of TEN THOUSAND PESOS (P10,000.00), also without subsidiary imprisonment in case of insolvency, and each to pay one-third (1/3) of the costs.

Trial as against the third accused, JUNE MENDEZ aka ANTONIO MUNOZ y DE LA CRUZ, shall be held the moment he shall be apprehended.

In the meantime and in order that this case as against him will not appear pending for an indefinite period of time in the criminal docket of this Court, as he has not been arrested from the time a warrant for his arrest was issued last August 3, 1987, let the record of this case as against said accused be sent to the files for archiving without prejudice to its revival and subsequent prosecution the moment he shall have been apprehended.

SO ORDERED.[4]

The narration by the People of the prosecution's evidence as found by the trial court concerning the recruitment activities of herein accused-appellants is hereby adopted, it being fully supported by the testimonies of the complaining witnesses:

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2. RANDIE HILARIO, 21 years old, single, tricycle driver and a resident of 195 Poblacion, Bustos, Bulacan testified that he came to know the two accused, Nelia Coronacion and Eduardo Aquino, when on July 2, 1987, he, together with Andres Ramos, Aristotle Hilario, Rolando Laed and Soledad Tadeo, went to Room 1110, 11th Floor, Producers Bank Bldg., Dasmarias corner Nueva Sts., Binondo, Manila, where the two accused held office. June Mendez, who gave them said address, was also in the office at that time. They were there, per earlier instructions of Mendez, to bring the documents needed to support their applications to work abroad. [TSN, September 9, 1987, pp. 5-6]

At the office, Nelia Coronacion and June Mendez told them to sign certain papers like their bio-data and they were told to prepare their passports, NBI and police clearances. Once they can secure these documents, they were told to come back and each to pay P10,000.00 as placement fee. [Ibid., p. 7]

On June 18, 1987, he gave to June Mendez the amount of P3,000.00 as documentation fee in the office of the accused at Producers Bank Bldg. Nelia Coronacion, sitting at her table, saw it. Mendez issued a receipt for it (Exhibit 'E') and told him that the amount will be used for the processing of his papers, after which Mendez and Coronacion told him to come back after two weeks. When he returned, Mendez showed him some documents which made him happy because he was assured they will leave after two weeks. Coronacion and Eduardo Aquino, who was introduced to them that day by Mendez, were also in the office. Some documents shown to him are (sic) the Travel Exit Pass (TEP) and the Medical Referral (Exhibit 'F') bearing the signature of Eduardo Aquino. He was told by Mendez that each must raise P10,000.00 and deliver it at their EAAALCO office. When he gave said amount at a date he can no longer recall, the three accused were present. Actually, it was Mendez who received the P10,000.00 from him and, in turn, Mendez delivered/handed it to Nelia Coronacion who kept the money in her desk. No receipt was issued and he did not ask for one because he was confident he can already leave to work abroad just as his cousin, Fe Julian was able to work abroad through the efforts of the accused. But he was not able to leave on July 5, 1987 as promised. Hence, when they failed to leave, they filed their complaint with the Western Police Department because the amount of P13,000.00 he

gave to the accused was never refunded or returned to him. [Ibid., pp. 7-8; TSN, October 7, 1987, pp. 1-11]

3. ROLANDO LAED, 28 years old, single, driver and a resident of 610 Pitong Gatang St., Tondo, Manila, testified that he met accused Nelia Coronacion at the airport when they saw off Coronacion's niece, Josephine Abelo [while] he met accused Eduardo Aquino at their EAAALCO Office. [TSN, September 22, 1987; pp. 2-3]

On June 2, 1987, he went to EAAALCO office and filed with Coronacion and Mendez his application as driver in Riyadh. He was told that accused Eduardo Aquino was out of town at that time. Mendez and Coronacion gave him the application papers to be filled up and he was told to secure his NBI clearance, photographs and passport. When he had all of them duly accomplished, he delivered them in the accused's office and he was told to pay P15,000.00. He later gave said amount to Mendez who actually received it. Evelyn Dalimot, his cousin, and Evelyn's mother, Leticia Dalimot, witnessed the payment. He was not issued a receipt. Notwithstanding his payment of P15,000.00 and the submission of the required documents he, together with Randie Hilario, Aristotle Hilario, Zoilo Radam and others, was (sic) not able to leave as promised. So, they went to the Western Police District where they filed a written complaint. His statement was taken down in writing (Exhibit 'C' and 'C?1'). [Ibid., pp. 3-5].

He came to meet Nelia Coronacion because as a jeepney driver, his services were contracted to bring the workers to work abroad from the office to the airport. He stated that Eduardo Aquino had no participation in his application but it was he who gave him a referral note (Exhibit 'D') dated June 2, 1987, addressed to a physician for his medical examination. The note, already signed by Aquino, was given to him by Coronacion in the presence of Mendez. In his several visits (from June 2 to 18, 1987) to EAAALCO Office, he did not see Aquino but Coronacion and Mendez told him that Aquino is their employer. [Ibid., pp. 6-7]

4. ZOILO RADAM, 42 years old, tricycle driver and resident of 424-B Ortega St., Tondo, Manila, testified that actually, accused Nelia Coronacion and Eduardo Aquino were not formally introduced to him. They were just pointed to by their co-accused, June Mendez. [TSN, November 19, 1987, pp. 2--3]

He declared further that per earlier instruction of Mendez, he went on June 2, 1987 to the EAAALCO Office at Room 1110, Producers Bank Bldg., Dasmariñas, Binondo, Manila, which turned out to be the office of Eduardo Aquino, to get a referral for medical examination for his working abroad after Mendez and Coronacion told them they are in need of workers at Riyadh. So he gave his bio-data, NBI clearance and passport on that day to Mendez who told them that they will be leaving for abroad on July 5, 1987. In consideration thereof, he must pay them P13,000.00. Thus, he first gave the amount of P12,500.00 on June 8, 1987 at 429 Padre Ortega St., Tondo, Manila, which is the residence of his neighbor, Leticia Dalimot. A receipt (Exhibit 'H') was issued by June Mendez. Then, he and Mendez went to EAAALCO office and thereat, Mendez handed the money to Nelia Coronacion in her room. Aquino was not around at that time. On July 2, 1987, Mendez went to Dalimot's house to tell him that the balance of P2,500.00 was already needed as they were to leave on that day. He gave him the amount and he (witness) wrote the additional amount in the receipt (Exhibit 'H') upon Mendez' instruction. [Ibid., pp. 4-9]

It was at Dalimot's house where they learned that Mendez was recruiting workers for abroad. When they failed to leave on the promised date, he, together with the others, went to complain at the Western Police District. They complained against Mendez, Nelia Coronacion and Eduardo Aquino because if Mendez was not around, he was told to go to Nelia Coronacion and Eduardo Aquino. At the police station, he executed a sworn statement (Exhibits "I" and "I-1").

5. ARISTOTLE HILARIO, 22 years old and a resident of 250 El Prado St., Poblacion, Bustos, Bulacan, testified that he came to know the three accused, Nelia Coronacion, Eduardo Aquino and June Mendez, on June 2, 1987 at EAAALCO Construction Office, Suite 1110 Prudential Bank Bldg., Dasmariñas office of accused Eduardo Aquino while Coronacion and Mendez held office therein too. His companions in going to EAAALCO office were Andres Ramos, Soledad Tadeo and Randie Hilario. He told the three accused of his

desire to work abroad and after which he consented to work as a janitor, he was told that his monthly salary at Riyadh, Kingdom of Saudi Arabia, will be \$260.00. Thereat, he and his companions were told to sign application forms and to prepare their respective bio-data. After accomplishing them, they were instructed to secure NBI and police clearances and other certification. [TSN, December 22, 1988, pp. 2-5]

In consideration of his job placement abroad he was told to pay the company the sum of P10,000.00. He paid the same in two installments to Mendez in the Office of the accused Eduardo Aquino, the first on June 18, 1987 in the amount of P2,500.00 and the second on July 1, 1987 in the amount of P7,500.00. He saw Mendez hand the money to Nelia Coronacion. He was not given any receipt for said amounts. After he gave the money, the three accused promised him and his companions that they will leave for abroad after two (2) weeks which was to be on July 1, 1987. But it was postponed to July 5, 1987. They were not able to leave on July 5, 1987 because Mendez did not appear. He saw Coronacion and Aquino in the ground floor of Producers Bank Building and so they asked the two why they were not able to leave. The duo answered that Mendez did not appear anymore and they could not tell them where he was. On July 7, 1987, they went to the police headquarters to complain. He executed his sworn statement. Later, the police went to the house of Nelia Coronacion at Valenzuela, Metro Manila, and invited her to come to the headquarters for interrogation. [Ibid., pp. 5-7]

He identified the request for medical examination/check-up (Exhibit 'J'), the original of which was lost in Bulacan when he lost his wallet, as the same request for medical examination/check-up given to him by the accused. He pointed to the signature of accused Eduardo Aquino (Exhibit 'J-1'). [Ibid., pp. 8-9]

x x x

In re-direct examination, he stated he was present when accused Eduardo Aquino signed on his table the medical referral before it was given to him. [TSN, December 23, 1987, p. 7]

6. SOLEDAD TADEO, 26 years old, single, jeepney driver and a resident of 71 Pitong Gatang, Bustos, Bulacan, testified that she knows the two accused, Nelia Coronacion and Eduardo Aquino. It was her cousin, Fe Juliano, who mentioned the name of Nelia Coronacion at the airport when they saw her off for Dubai. She finally met Nelia Coronacion through June Mendez, who is the right-hand man of Eduardo Aquino, at EAAALCO Office, Dasmarinas St., Binondo, Manila. Mendez told that Coronacion is the secretary of Eduardo Aquino, manager of EAAALCO. [TSN, February 5, 1988, pp. 2-4]

She testified further that after seeing off her cousin at the airport, she went to see Nelia Coronacion on June 2, 1987 at their EAAALCO Office to fill up her bio-data. She was told there were certain papers to be processed by the engineer although she can not remember anymore what those papers were. But these papers are for her and her cousins to facilitate their working abroad. Engr. Aquino and Nelia Coronacion were the ones who asked her to fill up her bio-data and Aquino even told her that if she can recruit more applicants, she will be given a discount. The last time she talked to Coronacion was on June 18, 1987 when she brought many recruits to her. [Ibid., pp. 4-6]

She was told that she will work as a driver at Dubai and in consideration thereof, she was told to pay to the accused the sum of P10,000.00. They told her that a part thereof will be used for processing her papers and the balance as their fee. She gave it in two installments, the first on June 18, 1987 in the amount of P2,500.00 given to Coronacion. Aquino was then at the adjacent room. She was not given a receipt for said amount because Coronacion told her that they ran out of receipts. Later, Aquino and Coronacion told her that she will pay the balance of P7,500.00 when they will leave. Hence, she gave the same to Coronacion at their EAAALCO Office on July 1, 1987 and the latter placed it in her drawer. No receipt was issued by her because she claimed to be in a hurry and, anyway, they were about to leave for abroad. She, too, was excited when she was told that they were about to leave. But she was deceived by the three accused, Eduardo Aquino, Nelia Coronacion and June Mendez as she was not able to go abroad to work. When the three failed to comply with their promise, she and the others went to the Western Police District to lodge their complaint against them. She

was shown a sworn statement and although she was not sure it is her statement, she admitted that the signature appearing therein is her signature. [Ibid., pp. 6-10]

x x x

In (sic) re-direct examination, she admitted having given the money to Mendez but in the presence of Coronacion and Aquino and it was Mendez who told her that she will leave in 2-weeks time, the promise made in the presence of his two co-accused.

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(Decision, pp. 2-10)[5]

The prosecution likewise proved through the un rebutted testimony of Orlino Regualos, Assistant Chief of the Licensing Division of the Philippine Overseas Employment Administration (POEA), that Nelia Coronacion and Eduardo Aquino do not have any license or authority from POEA to recruit workers for overseas employment.[6]

Upon the other hand, the defense of accused-appellants rests on denial and alibi. Accused Eduardo Aquino maintained that he had no knowledge of the transactions between the complainants and his co-accused as he was always out of town, hence out of the office during the weeks when the alleged transactions took place therein. On her part, accused Nelia Coronacion claimed that she did not know anything about the said transactions, reasoning that she herself is a victim of June Mendez' nefarious activities.

After promulgation of the judgment, both accused appealed.

Appellants, represented by their respective counsels, filed separate briefs.

In her brief, appellant Nelia Coronacion raised the following errors allegedly committed by the trial court:

A

ACCUSED CORONACION IS ALSO A VICTIM OF THE DECEITFUL SCHEME OF JUN MENDEZ; THE TRIAL COURT ERRED IN FINDING THAT CORONACION REPRESENTED HERSELF AS A RECRUITER OF WORKERS AND THAT SHE PROMISED JOBS TO THE COMPLAINANTS FOR A FEE.

B

THE TRIAL COURT ERRED IN FINDING THAT ACCUSED CORONACION ACTED IN CONSPIRACY WITH AQUINO AND MENDEZ. ACCUSED CORONACION WAS FRAUDULENTLY USED BY MENDEZ IN HIS ILLEGAL RECRUITMENT SCHEME.

C

THE TRIAL COURT ERRED IN FINDING THAT THERE ARE INCONSISTENCIES IN THE TESTIMONIES OF CORONACION AND AQUINO; ON THE CONTRARY, IT IS THE TESTIMONIES OF THE COMPLAINANTS THAT ARE FULL OF SUBSTANTIAL AND MATERIAL INCONSISTENCIES.[7]

On the other hand, appellant Eduardo Aquino ascribed the following errors to the court a quo:

I

THE TRIAL COURT ERRED IN RELYING HEAVILY ON THE EVIDENCE OF THE PROSECUTION AND IN TOTALLY DISREGARDING THE EVIDENCE FOR THE DEFENSE.

II

THE TRIAL COURT ERRED IN HOLDING THAT CONSPIRACY ATTENDED THE COMMISSION OF THE CRIME CHARGED AGAINST ACCUSED-APPELLANT EDUARDO AQUINO.

III

THE TRIAL COURT ERRED IN FINDING ACCUSED-APPELLANT EDUARDO AQUINO GUILTY OF THE CRIME CHARGED DESPITE THE FAILURE OF THE PROSECUTION TO PROVE HIS GUILT BEYOND REASONABLE DOUBT.[8]

The appeal lacks merit.

At the outset, we note some deficiency in the preparation of the information thus filed. The information charges the appellants with "a violation of Article 33(a) of Presidential Decree 1412, amending certain provisions of Book I, Presidential Decree 442, otherwise known as the new Labor Code of the Philippines, in relation to Article 13(b) and (c) of said code as amended by Presidential Decree 1693, 1920 and 1918 (ILLEGAL RECRUITMENT), committed in a large scale by a syndicate." However, the said decrees merely amended Articles 38 and 39 of the Labor Code by making large scale illegal recruitment, i.e., committed against three or more persons individually or collectively, a crime of economic sabotage and punishable by life imprisonment. More accurately, therefore, the information should have been for the violation of Article 38 in relation to Article 39 of the Labor Code, as amended. Although such inadvertence may seem insignificant as the body of the complaint enumerates the requisites or elements of the crime of large scale illegal recruitment, it would not be amiss to articulate our observation by way of advice to all concerned to exercise extreme care and prudence in preparing informations.[9]

Articles 38 and 39 of the Labor Code, as amended by P.D. No. 1918, read as follows:

ART. 38. Illegal Recruitment. - (a) Any recruitment activities, including the prohibited practices enumerated under Article 34 of this Code, to be undertaken by non-licensees or non-holders of authority shall be deemed illegal and punishable under Article 39 of this Code. The Ministry of Labor and Employment or any law enforcement officer may initiate complaints under this Article.

(b) Illegal recruitment when committed by a syndicate or in large scale shall be considered an offense involving economic sabotage and shall be penalized in accordance with Article 39 hereof.

Illegal recruitment is deemed committed by a syndicate if carried out by a group of three (3) or more persons conspiring and/or confederating with one another in carrying out any unlawful or illegal transaction, enterprise or scheme defined under the first paragraph hereof. Illegal recruitment is deemed committed in large scale if committed against three (3) or more persons individually or as a group.

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ART. 39. Penalties. - (a) The penalty of life imprisonment and a fine of One Hundred Thousand Pesos (P100,000.00) shall be imposed if illegal recruitment constitutes economic sabotage as defined herein:

(b) Any licensee or holder of authority found violating or causing another to violate any provision of this Title or its implementing rules and regulations shall, upon conviction thereof, suffer the penalty of imprisonment of

not less than two years nor more than five years or a fine of not less than P10,000 nor more than P50,000, or both such imprisonment and fine, at the discretion of the court;

(c) Any person who is neither a licensee nor a holder of authority under this Title found violating any provision thereof or its implementing rules and regulations shall, upon conviction thereof, suffer the penalty of imprisonment of not less than four years nor more than eight years or a fine of not less than P20,000.00 nor more than P100,000 or both such imprisonment and fine, at the discretion of the court;

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Article 13(b) of the same Code defines recruitment as follows:

'Recruitment and placement' refers to any act of canvassing, enlisting, contracting, transporting, utilizing, hiring or procuring workers, and includes referrals, contract services, promising or advertising for employment, locally or abroad, whether for profit or not: Provided, That any person or entity which, in any manner, offers or promises for a fee employment to two or more persons shall be deemed engaged in recruitment and placement.

Evidently, the crime of illegal recruitment in large scale is committed when a person (a) undertakes any recruitment activity defined under Article 13(b) or any prohibited practice enumerated under Article 34 of the Labor Code; (b) does not have a license or authority to lawfully engage in the recruitment and placement of workers; and (c) commits the same against three or more persons, individually or as a group.[10]

In the case at bench, the presence of the second and third elements is not disputed. The appellants are neither licensees or holders of any authority from POEA to engage in recruitment and placement activities as evidenced by a certification of the said agency dated September 8, 1987.[11] It was likewise established that the private complainants were unaware of the appellants' lack of authority when they transacted business with them. It was only later, upon inquiry at POEA, that they discovered the appellants' lack of authority. Finally, the number of private complainants, certainly more than three, is beyond dispute.

Now, we resolve whether the first element of the offense of illegal recruitment, i.e., that the appellants undertook any of the recruitment activities defined under Article 13(b) of the Labor Code, as amended, or any of the prohibited activities defined under Article 34 of the same Code, was successfully established by the prosecution.

To satisfy the first element, the prosecution presented the testimonies of the complainants clearly pointing to the appellants as two of the three persons who promised them employment abroad and who collected and received varying amounts from them. The appellants, on the other hand, vigorously maintain that the lower court erred (a) in finding that there was conspiracy and (b) in giving credence to the conflicting testimonies of the private complainants.

We find the submission untenable.

A careful examination and evaluation of the testimonies of the complaining witnesses lead to no other conclusion than that the appellants and their co-accused June Mendez who is still at large, acted in concert in the illegal recruitment business conducted in the office of appellant Eduardo Aquino with each of them performing acts contributive to the success of an enterprise designed for mutual benefit and advantage.

While it may be true that appellant Eduardo Aquino had hardly any personal dealings with herein private complainants, the following facts remain incontrovertible with respect to him, viz: (a) the illegal transactions in question took place in his office; (b) the medical referral slips given to private complainants bore his signature; (c) he was present when complainant Randie Hilario gave his payment in the amount of P10,000.00 to Mendez; (d) he personally handed to complainant Aristotle Hilario his medical referral slip; and (e) he told complainant

Soledad Tadeo to prepare her bio-data and that if she could recruit more applicants, she would be given a discount.[12] Though he may not have directly recruited private complainants, he certainly made no disclaimer to private complainants of Coronacion and Mendez' authority to recruit workers for abroad in his office.

Appellant Nelia Coronacion's feigned ignorance of the illegal transactions by claiming that she too was a victim of co-accused June Mendez is highly incredible, to say the least. The testimonies of private complainants Randie Hilario, Rolando Laed, Aristotle Hilario, and Soledad Tadeo are clear. They testified that it was appellant Nelia Coronacion, together with June Mendez, who told them (a) to fill up the appropriate application forms, (b) to prepare their passports and bio-data, (c) to secure the requisite NBI, police and other clearances, and (d) to pay documentation and processing fees, with respect to their application for work abroad. Moreover, the same witnesses testified that it was appellant Coronacion who gave them the medical referral slips pre-signed by appellant Aquino and that they saw Mendez hand the money they paid him to appellant Coronacion who, in turn, kept the same in her drawer. In fact, she even advised herein private complainants to be devoted to their work abroad and be loyal to their employers. Finally, the presence of the special power of attorney authorizing Evelyn Dalimot to recruit workers for abroad[13] in her possession quickly douses any doubt in her favor. Clearly, she led private complainants to believe that she was acting for somebody in authority when she extended her recruiting services.

Appellants likewise assail the trial court's appreciation of the testimonies of the private complainants and the latter's credibility. However, it is a long-standing practice that when the issue is one of credibility of witnesses, appellate courts will generally not disturb the findings of the trial court, considering that the latter is in a better position to decide the controversy, having heard the witnesses themselves and observed their deportment and manner of testifying during the trial[14] unless it has overlooked certain facts of substance and value that, if considered, will alter the outcome of the case. In the instant case, we find no reason to depart from the general rule. The alleged inconsistencies appear too slight and insignificant to affect the credibility of the testimonies as a whole. Similarly, given the natural frailties of the human mind to assimilate all material details of a given incident, slight inconsistencies and variances in private complainants' testimonies hardly weaken their probative value. On the contrary, they strengthen their credibility.

Finally, no improper motives to testify falsely against herein appellants and to impute a serious charge against them can be attributed to herein private complainants. They did not know the appellants before their illegal recruitment so they had no reason to harbor any spite against them. It is difficult to believe that private complainants would fabricate a story that would result in appellants' life imprisonment for no other reason than to vindicate their frustrated dreams of employment abroad. "It is against human nature and experience for strangers to conspire and accuse another stranger of a most serious crime just to mollify their hurt feelings." [15] The fact that complainants hail from rural areas with no sophisticated education at all certainly militates against the imputation of any evil motive on their part.

WHEREFORE, the judgment of conviction rendered by the trial court is hereby **AFFIRMED**, with the sole modification that the penalty properly imposable and hereby imposed is life imprisonment and not reclusion perpetua. Costs against appellants.

SO ORDERED.

Cruz, (Chairman), Davide, Jr., Bellosillo, and Quason, JJ., concur.

[1] Original Records, pp. 1-2.

- [2] Information; Original Records, p. 1.
- [3] Original Records, p. 10.
- [4] Decision, pp. 28-29; Original Records, pp. 367--368.
- [5] Rollo, pp. 237-246.
- [6] TSN, September 9, 1987, pp. 2-5.
- [7] Appellant Coronacion's Brief, pp. 5-6; Rollo, pp. 92-93.
- [8] Appellant Aquino's Brief, p. 1; Rollo, p. 146.
- [9] See *People v. de Leon*, 225 SCRA 651, 658 [1993].
- [10] *People v. Carmelita Puertollano Comia*, G.R. No. 109761, September 1, 1994.
- [11] Exhibit "A".
- [12] TSN, February 5, 1988, pp. 5-6.
- [13] Exhibit "2".
- [14] *People v. Comia*, supra.; *People v. Bodozo*, 215 SCRA 33 [1992]; *People v. Elizabeth Coral*, G.R. No. 97849-54, March, 1994; *People v. Simon*, 209 SCRA 148 [1992]; *People v. Pascual*, 208 SCRA 393 [1992]; *People v. Martinada*, 194 SCRA 36 [1991].
- [15] *People v. Elizabeth Coral*, supra., p. 18.

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