

DECLARING AMNESTY TO PERSONS WHO COMMITTED ACTS PENALIZED BY EXISTING LAWS IN CERTAIN MINDANAO PROVINCES AND CITIES IN FURTHERANCE OF THEIR POLITICAL OR RELIGIOUS BELIEFS.

PRESIDENTIAL DECREE NO. 95, January 11, 1973

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WHEREAS, Proclamation No. 1081, dated September 21, 1972, declaring a state of martial law throughout the land was issued because of widespread lawlessness and anarchy, chaos and disorder, and wanton destruction of lives and property prevailing throughout the country perpetrated, among others, by subversive organizations and lawless elements in the provinces of Cotabato, South Cotabato, Lanao del Norte, Lanao del Sur, Zamboanga del Norte, Zamboanga del Sur, Sulu and Palawan, and the cities of Cotabato, General Santos, Iligan, Marawi, Zamboanga, Pagadian, Basilan, Dipolog and Dapitan;

WHEREAS, surveys and assessments made by the military authorities as well as reports from law-abiding and peace-loving members of our society in the above-mentioned provinces indicate that a number of members, followers and sympathizers of said organizations and lawless elements have committed certain offenses, either by misguided idealism or as a consequence of threats, intimidation, coercion and physical harassments;

WHEREAS, it is not unlikely that in many instances, members or followers or sympathizers of said organizations or lawless elements in the above-mentioned provinces have unwittingly allowed themselves to be identified with such elements;

WHEREAS, it is the policy of the Government to deal with and treat the foregoing persons with compassion, restraint and circumspection and to be lenient towards them;

WHEREAS, the return of the persons covered by the terms of this amnesty to the fold of the law and the resumption by them of their lawful pursuits or occupations as loyal and law-abiding citizens will accelerate the restoration of peace and order and promote the welfare and happiness of the people; and

WHEREAS, to achieve such a desirable result, without bloodshed and further waste of time and efforts, it is deemed necessary, just and wise for the Government to forgive and forego the prosecution of the said persons for the crimes mentioned herein;

NOW, THEREFORE, I, FERDINAND E. MARCOS, in my capacity as Commander-in-Chief of the Armed Forces of the Philippines and pursuant to Proclamation No. 1081, dated September 21, 1972, do hereby decree an amnesty in favor of all persons who, prior to the effectivity of this Decree, have committed any act penalized by existing laws in the provinces of Cotabato, South Cotabato, Lanao del Norte, Lanao del Sur, Zamboanga del Norte, Zamboanga del Sur, Sulu and Palawan and the cities of Cotabato, General Santos, Iligan, Marawi, Zamboanga, Pagadian, Basilan, Dipolog and Dapitan in furtherance of their political or religious beliefs, including, but not limited to:

- Illegal possession of firearms and ammunition punishable under Section 878 of the Revised Administrative Code, as amended, or Presidential Decree No. 9, dated October 2, 1972;
- Illegal possession of bladed weapon punishable under Presidential Decree No. 9, dated October 2, 1972;
- Interruption of religious worship (Article 132, Revised Penal Code);
- Offending the religious feelings (Article 133);
- Illegal assemblies (Article 146);
- Illegal associations (Article 147);
- Direct assault (Article 148);
- Indirect assault (Article 149);
- Resistance and disobedience to a person in authority or agents of such person (Article 151);
- Tumults and other disturbances (Article 153); and
- Alarms and scandal (Article 155) except those who have committed murder and crimes against chastity and those leaders of rebellion, subversion and sedition, subject to the condition that they shall surrender to the Armed Forces authorities, together with their firearms, weapons, ammunition and other armaments, not later than February 28 1973.

It is further decreed that in order to determine the persons who may be granted amnesty, the Amnesty Commissions to be created by me shall examine the facts and circumstances surrounding each case, conduct summary hearings of witnesses, if necessary, and recommend to me whether or not the persons concerned shall be granted amnesty: Provided, That any person excepted above may be granted amnesty the merits of his case so warrant.

It is decreed furthermore that persons who may be entitled to amnesty pursuant hereto and whose cases are referred to the military authorities for trial or with a view to trial by the military tribunals on or before February 28, 1973, shall be acted upon by a Special Amnesty Commission composed of the Judge Advocate General of the Armed Forces of the Philippines, as Chairman, and the Constabulary Judge Advocate General and a representative of the Secretary of the Department of Justice, as members, which shall also recommend to me whether or not said persons shall be granted amnesty.

It is decreed finally that cases now pending before fiscals, civil courts, and military tribunals against the said persons for the crimes herein mentioned shall be dismissed *motu proprio* by the respective fiscals, civil courts and military authorities/tribunals or upon petition by the prosecution or the accused, after the grant of amnesty by me as herein decreed.

The Secretary of National Defense and the Secretary of Justice shall issue orders and promulgate such joint rules and regulations to carry out effectively the purposes of this Decree.

Done in the City of Manila., this 11th day of January, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) ROBERTO V. REYES
Acting Executive Secretary

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