

DEFINING THE JURISDICTION OVER CASES INVOLVING THE ILL-GOTTEN WEALTH OF FORMER PRESIDENT FERDINAND E. MARCOS, MRS. IMELDA R. MARCOS, MEMBERS OF THEIR IMMEDIATE FAMILY, CLOSE REL...

EXECUTIVE ORDER NO. 14, May 07, 1986

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WHEREAS, the Presidential Commission on Good Government was created on February 28, 1986 by Executive Order No. 1 to assist the President in the recovery of ill-gotten wealth accumulated by former President Ferdinand E. Marcos, his immediate family, relatives, subordinates and close associates;

WHEREAS, the Presidential Commission on Good Government under Executive Order No. 2, dated March 12, 1986, has likewise been primarily charged with the responsibility of recovering the assets and properties illegally acquired or misappropriated by former President Ferdinand E. Marcos and/or Mrs. Imelda R. Marcos, their close relatives, subordinates, business associates, dummies, agents or nominees;

WHEREAS, Article II, Section 1 (D) of Proclamation No. 3, dated March 25, 1986, declaring a national policy to implement the reforms mandated by the people, protecting their basic rights, adopting a provisional constitution, and providing for an orderly transition to a government under a new constitution, states that: “The President shall give priority to measures to achieve the mandate of the people to recover ill-gotten properties amassed by the leaders and supporters of the previous regime and protect the interest of the people through orders of sequestration or freezing of assets or accounts”;

WHEREAS, the vital task of the Commission involves the just and expeditious recovery of such ill-gotten wealth in order that the funds, assets and other properties may be used to hasten national economic recovery;

WHEREAS, the overriding considerations of national interest and national survival require that the Presidential Commission on Good Government achieve its vital task efficiently and effectively, with due regard to the requirements of fairness and due process;

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, hereby order:

SECTION 1. Any provision of the law to the contrary notwithstanding, the Presidential Commission on Good Government, with the assistance of the Office of the Solicitor General and other government agencies, is hereby empowered to file and prosecute all cases investigated by it under Executive Order No. 1, dated February 28, 1986, and Executive Order No. 2, dated March 12, 1986, as may be warranted by its findings.

SECTION 2. The Presidential Commission on Good Government shall file all such cases, whether civil or criminal, with the Sandiganbayan, which shall have exclusive and original jurisdiction thereof.

SECTION 3. Civil suits for restitution, reparation of damages, or indemnification for consequential damages, forfeiture proceedings provided for under Republic Act No. 1379, or any other civil actions under the Civil Code or other existing laws, in connection with Executive Order No. 1 dated February 28, 1986 and Executive Order No. 2 dated March 12, 1986, may be filed separately from and proceed independently of any criminal proceedings

and may be proved by a preponderance of evidence.

The technical rules of procedure and evidence shall not be strictly applied to the civil cases filed hereunder.

SECTION 4. No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda and other records on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to prosecution; but no individual shall be prosecuted criminally for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed the privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and conviction for perjury or false testimony committed in so testifying or from such administrative proceedings as may be proper and necessary.

SECTION 5. The Presidential Commission on Good Government is authorized to grant immunity from criminal prosecution to any person who testifies to the unlawful manner in which any respondent, defendant or accused has acquired or accumulated the property or properties in question in cases where such testimony is necessary to prove violations of existing laws.

SECTION 6. The time limitations provided for in Sections 2 and 6 of Republic Act No. 1379 regarding the filing of cases and the rendition of judgments thereon shall not apply to the cases filed hereunder.

SECTION 7. The provisions of this Executive Order shall prevail over any and all laws, or parts thereof, as regards the investigation, prosecution, and trial of cases for violations of laws involving the acquisition and accumulation of ill-gotten wealth as mentioned in Executive Order Nos. 1 and 2.

SECTION 8. This Executive Order shall take effect immediately.

Done in the City of Manila, this 7th day of May in the year of Our Lord, nineteen hundred and eighty-six.

(Sgd.) CORAZON C. AQUINO

President of the Philippines

By the President:

(Sgd.) JOKER P. ARROYO

Executive Secretary

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