GRANTING AMNESTY TO CERTAIN PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES AND PHILIPPINE NATIONAL POLICE WHO HAVE OR MAY HAVE COMMITTED CERTAIN ACTS OR OMISSIONS PUNISHABLE U...

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WHEREAS, it is recognized that certain personnel of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) have or may have committed acts or omissions punishable under the Revised Penal Code, the Articles of War or other special laws, in furtherance of, incident to or in connection with counter-insurgency operations and

WHEREAS, in order to promote an atmosphere conducive to the attainment of a comprehensive, just and enduring peace in line with the Government's peace and reconciliation program, there is a need to declare amnesty in favor of said personnel of the AFP and the PNP.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by Section 19, Article VII of the Constitution, do hereby declare and proclaim:

SECTION 1. Grant of Amnesty. — Amnesty is hereby granted to all personnel of the AFP and the PNP who shall apply therefor and who have or may have committed, as of the date of this Proclamation, acts or omissions punishable under the Revised Penal Code, the Articles of War or other special laws, in furtherance of, incident to, or in connection with counter-insurgency operations; Provided, that such acts or omissions do not constitute acts of torture, arson, massacre, rape, other crimes against chastity, or robbery of any form; and Provided, That the acts were not committed for personnel ends.

SECTION 2. Where To Apply. — AFP and PNP personnel may apply for amnesty with the National Amnesty Commission, hereinafter referred to as the Commission, created under Proclamation No. 347, dated March 25, 1994, which is tasked with receiving and processing applications for amnesty and determining whether the applicants are covered by amnesty under said Proclamation and this Proclamation. Final decisions or determinations of the Commission shall be appealable to the Court of Appeals.

SECTION 3. Application Period. — Applications or the grant of amnesty under this Proclamation shall be filed under oath of the Commission within six (6) months of the effectivity of this Proclamation, and forthwith, the Commission shall act in the same pursuant to its authority under said Proclamation No. 347.

SECTION 4. Effects. — (a) Amnesty under this Proclamation shall extinguish any criminal liability for acts committed by the grantee, without prejudice to the grantee's civil liability for injuries or damages caused to private persons. The grant of amnesty shall also effect the restoration of civil or political rights suspended or lost by virtue of criminal conviction.

(b) The amnesty herein proclaimed shall not ipso facto result in the reintegration or reinstatement into the service of former AFP and PNP personnel. Reintegration or reinstatement into the service shall continue to be governed by existing laws and regulations; Provided, however, that the amnesty shall reinstate the right of AFP and PNP personnel to retirement and separation benefits, if so qualified under existing laws, rules and regulations at the

time of the commission of the acts for which amnesty is extended, unless they have forfeited such retirement and separation benefits for reasons other than the acts covered by this Proclamation.

SECTION 5. Effectivity. — This Proclamation shall take effect upon concurrence by a majority of all the Members of the Congress.

Adopted: 25 Mar. 1994

(Sgd.) FIDEL V. Ramos
President

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