

PROVIDING GUIDELINES IN THE PROCESSING OF AMNESTY MANIFESTATION FORMS OF REBEL RETURNEES

EXECUTIVE ORDER NO. 350, March 13, 1989

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WHEREAS, the period within which to file application for amnesty in accordance with Proclamation No. 80, dated February 28, 1987, as amended by Proclamation No. 138, dated August 11, 1987, expired on February 29, 1988;

WHEREAS, reports from military authorities and field units of the Department of Social Welfare indicate that a great number of persons have voluntarily returned to the fold of the law after the February 29, 1988 deadline, and have manifested their desire to avail of the benefits of amnesty when the same becomes a reality under the Constitution;

WHEREAS, the grant of amnesty is a key feature of the National Reconciliation and Development Program constituted in Executive Order No. 103, dated December 24, 1986; and

WHEREAS, the return to the fold of the law of former rebels and persons disenchanted with authoritarian rule and to resume community life will be enhanced by keeping an accurate census of their numbers which will facilitate meaningful dialogue between them and government representatives;

NOW THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the Constitution and the laws, do hereby prescribe the following guidelines governing the processing of manifestations of desire for amnesty pending the issuance of an amnesty proclamation that will become a law only upon concurrence of the Congress;

SECTION 1. Who may file the manifestations in favor of amnesty. - Any person who has returned of his own free will to the fold of the law after February 29, 1988 and has not been in the custody of, or charged by, or undergoing investigations by, the authorities of the government as of the date of this Executive Order, may express his desire for amnesty for any of the crimes or offenses enumerated in Section 2 hereof, which he may have committed in furtherance of his political belief and not from purely personal motives.

SEC. 2. Crimes and offenses covered. - Only the following crimes and offenses are covered by the manifestation prescribed herein: treason; conspiracy or proposal to commit treason; misprision of treason; espionage; rebellion or insurrection; conspiracy and proposal to commit rebellion or insurrection; inciting to sedition; illegal assemblies; illegal associations; direct assaults; indirect assaults; resistance and disobedience to a person in authority or the agents of such person; subversion; and illegal possession of firearms and/or explosives.

SEC. 3. Where manifestations may be filed.

(a) Manifestations of desire for amnesty may be received by or filed with any military unit/office or with the Bayanihan Center (BC) organized in the province or city/municipality or with the Office of the Provincial Governor/City or Municipal Mayor (Provincial/City/Municipal Peace and Order Council).

(b) The military unit/BC/Office of the Provincial/City/Municipal Peace and Order Council shall make available

without cost the manifestation for amnesty (Annex 1) and pledge of allegiance (Annex 2) forms to the person desiring to sign the manifestation favoring amnesty and personally appearing within their respective jurisdiction. All ID pictures required to be affixed to the manifestation and pledge of allegiance forms shall also be without charge to the declarant.

(c) After initial processing, the military unit/BC/Office of the Provincial/City/Municipal Peace and Order Council shall with dispatch forward the accomplished manifestation and pledge of allegiance forms and allied papers to the Provincial Commander (PC) concerned for record verification. After completion of the record verification, the PC shall without delay forward the manifestation and pledge of allegiance and all allied papers to the Reconciliation Processing Committee as organized in Section 4 thereof.

SEC. 4. Reconciliation Processing Committee. (a) There is hereby organized in each province and city a Reconciliation Processing Committee (RPC) to be composed of the following:

Provincial Governor/City Mayor

-

Chairman

The Provincial/City Fiscal

-

Member

The Provincial Commander (PC) concerned

-

Member

The representative of the Integrated Bar of the Philippines (IBP)
designated by the Provincial/City IBP Chapter

-

Member

The representative of the Provincial/City Peace and Order Council

-

Member

(b) The RPC shall meet as often as it may be necessary to consider the manifestations favoring amnesty forwarded to it by the PC, and shall without delay examine the facts and circumstances surrounding each case. It shall act on each within ten (10) working days from receipt thereof.

(c) The RPC shall without delay forward its findings and recommendation in each case to the Secretariat of the National Reconciliation and Development Council for appropriate action.

(d) In every case acted upon by the RPC, it shall deliver to the applicant a Certification (Annex 3) stating that the latter has expressed a desire for amnesty that the acts or offense(s) committed by him/her come or do not come within the purview of these guidelines or that he/she did not commit any crime or offense punishable by law, as the case may be.

SEC. 5. Conditions for processing of manifestations. - Any person expressing the desire for amnesty shall pledge in person loyalty and allegiance to the Republic. He shall also turn in whatever firearm(s), weapons and/or explosives he/she may have in his/her possession.

SEC. 6. Reports. - Copies of all certifications (and appropriate allied papers) issued by the RPC under Section 4(d) above shall be furnished the BC, Area Unified Command Commander concerned, the SND and the Secretariat. NRDC.

SEC. 7. Secretariat. - The Provincial/City Peace and Order Council shall provide the Secretariat for the handling of all activities of the RPC.

SEC. 8. Effectivity. - This Executive Order shall take effect immediately.

DONE in the City of Manila, this 13th day of March, in the year of Our Lord, nineteen hundred and eighty-nine.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) CATALINO MACARAIG, JR.

Executive Secretary

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