

DEFINING THE CONDITIONS UNDER WHICH THE PRESIDENT MAY ISSUE ORDERS OF ARREST OR COMMITMENT ORDERS DURING MARTIAL LAW OR WHEN THE PRIVILEGE OF THE WRIT OF HABEAS CORPUS IS SUSPENDED

PRESIDENTIAL DECREE NO. 1836, January 16, 1981

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WHEREAS, implicit in the Constitution is the power of the President to issue orders of arrest or commitment orders during a state of martial law or when the privilege of the writ of habeas corpus is suspended; and

WHEREAS, it is desirable that the conditions under which such order of arrest or commitment orders may be issued by the President are defined;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby order:

SECTION 1. During a state of martial law or when the privilege of the writ of habeas corpus is suspended, the President may issue orders of arrest or commitment orders as to any person whose arrest or detention is, in the judgment of the President, required by public safety and as a means to repel or quell an invasion, insurrection or rebellion, or imminent danger thereof.

SECTION 2. The person so arrested or detained shall not be released until so ordered by the President or his duly authorized representative.

SECTION 3. Rules or instructions in implementation of the foregoing shall be issued by the President.

SECTION 4. This Decree shall take effect immediately.

Done in the City of Manila, this 16th day of January, in the year of Our Lord, nineteen hundred and eighty-one.

(SGD.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(SGD.) JUAN C. TUVERA
Presidential Executive Assistant

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