



Republika ng Pilipinas
KAGAWARAN NG KATARUNGAN
Department of Justice
Manila

VNA-MC-_____

MEMORANDUM CIRCULAR NO. 034

TO : Undersecretaries and Assistant Secretaries
The Prosecutor General
The Chief State Counsel
Heads of Bureaus, Commissions and
Offices attached to the DOJ
All Concerned

SUBJECT : General Order No. 01 dated 30 May 2017

DATE : JUN 05 2017

Attached is a photocopy of General Order No. 1 signed by President Rodrigo Roa Duterte on 30 May 2017 entitled, "**IMPLEMENTING PROCLAMATION NO. 216 DATED 23 MAY 2017**".

For information, guidance and appropriate action.


VITALIANO N. AGUIRRE II

Secretary

Department of Justice
CN : 0201706048



Enclosures: Photocopy of General Order No. 1 dated 30 May 2017



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

GENERAL ORDER NO. 1

IMPLEMENTING PROCLAMATION NO. 216 DATED 23 MAY 2017

WHEREAS, Proclamation No. 216 (s. 2017) placed under martial law for a period not exceeding sixty (60) days the Mindanao group of islands and suspended the privilege of the writ of *habeas corpus* therein for a similar period;

WHEREAS, by virtue of said proclamation, the President, as the Commander-in-Chief of all the Armed Forces of the Philippines, is constitutionally bound to exercise his powers and prerogatives under the Constitution in order to suppress lawless violence, invasion or rebellion in the whole of Mindanao as required by public safety; and

WHEREAS, it is imperative to call upon the Armed Forces of the Philippines (AFP) to prevent and suppress acts of rebellion in the whole of Mindanao and to immediately carry out necessary and appropriate actions and measures to deal with the situation;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, do hereby order the following:

Section 1. Directive to the AFP. The Armed Forces of the Philippines is hereby ordered to fully implement Proclamation No. 216 (s. 2017) declaring martial law in Mindanao and suspending the privilege of the writ of *habeas corpus* therein for a period not exceeding sixty (60) days.

Section 2. Mindanao Martial Law Administrator and Implementor. The Secretary of National Defense is hereby designated as the Administrator of martial law in Mindanao, and the Chief of Staff of the Armed Forces of the Philippines shall be the Implementor thereof.

Section 3. Scope and Authority. The Armed Forces of the Philippines shall undertake all measures to prevent and suppress all acts of rebellion and lawless violence in the whole of Mindanao, including any and all acts in relation thereto, in connection therewith, or in furtherance thereof, to ensure national integrity and continuous exercise by the Chief Executive of his powers and prerogatives to enforce the laws of the land and to maintain public order and safety.

Further, the AFP and other law enforcement agencies are hereby ordered to immediately arrest or cause the arrest of persons and/or groups who have committed, are committing, or attempting to commit the above-mentioned acts.

Section 4. Limits. The Martial Law Administrator, the Martial Law Implementor, the Armed Forces of the Philippines, and other law enforcement agencies shall implement this Order within the limits prescribed by the Constitution and existing laws, rules and regulations.

THE PRESIDENT OF THE PHILIPPINES

More specifically, a state of martial law does not suspend the operation of the Constitution, nor supplant the functioning of the civil courts or legislative assemblies, nor authorize the conferment of jurisdiction on military courts and agencies over civilians where civil courts are able to function. During the suspension of the privilege of the writ of *habeas corpus*, any person arrested or detained by virtue thereof shall be judicially charged within three days, otherwise he shall be released.

Section 5. Protection of Constitutional Rights. In the implementation of this Order, the constitutional rights of the Filipino people shall be respected and protected at all times. The Commission on Human Rights is hereby enjoined to zealously exercise its mandate under the 1987 Constitution, and to aid the Executive in ensuring the continued protection of the constitutional and human rights of all citizens.

The Departments of Social Welfare and Development, Education, and Health, among others, shall exert all efforts to ensure the safety and welfare of all displaced persons and families, especially the children.

Section 6. Role of Other Government Agencies and the Media. All other government agencies are hereby directed to provide full support and cooperation to attain the objectives of this Order.

The role of the media is vital in ensuring the timely dissemination of true and correct information to the public. Media practitioners are therefore requested to exercise prudence in the performance of their duties so as not to compromise the security and safety of the Armed Forces and law enforcement personnel, and enable them to effectively discharge their duties and functions under this Order.

Section 7. Guidelines. The Martial Law Administrator may issue further guidelines to implement the provisions of this Order, subject to the limits set forth in the Constitution and other relevant laws, rules and regulations.

Section 8. Separability. If any provision of this Order is declared invalid or unconstitutional, the other parts of this Order not affected thereby shall remain valid and subsisting.


Section 9. Effectivity. This Order shall take effect immediately.

DONE in the City of Manila this 30th day of May in the year of our Lord, Two Thousand and Seventeen.

By the President:

SALVADOR C. MEDIALDEA
Executive Secretary AY

Ranther



REPUBLIC OF THE PHILIPPINES
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