



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 01

CREATING THE PRESIDENTIAL TASK FORCE ON VIOLATIONS OF THE RIGHT TO LIFE, LIBERTY AND SECURITY OF THE MEMBERS OF THE MEDIA

WHEREAS, Article II, Section 11 of the 1987 Constitution declares that the State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, Article III, Section 1 of the 1987 Constitution provides that no person shall be deprived of life, liberty or property without due process of law;

WHEREAS, Article III, Section 2 of the 1987 Constitution provides that the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures of whatever nature and for any purpose shall be inviolable;

WHEREAS, Article III, Section 14 (1) of the 1987 Constitution provides that no person shall be held to answer for a criminal offense without due process of law;

WHEREAS, Article III, Section 18 (1) of the 1987 Constitution provides that no person shall be detained solely by reason of his political beliefs and aspirations;

WHEREAS, the United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that the safety of journalists and the prosecution and punishment of those who kill members of the media are essential to preserve the fundamental right to freedom of expression, guaranteed by Article 19 of the Universal Declaration of Human Rights;

WHEREAS, the Philippines is a Party to various treaties, including the International Covenant on Civil and Political Rights and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which recognize every person's inherent right to life: that no one shall be arbitrarily deprived of life, that no one shall be subjected to torture, or to cruel, inhuman or degrading treatment or punishment, and that everyone shall have the right to freedoms of opinion and expression;

WHEREAS, in May 2015, the UNESCO revealed that on average, one journalist is killed every week around the world, and the Committee to Protect Journalists (CPJ) reported that the Philippines ranks third in the world in terms of journalists killed in the line of duty;

WHEREAS, according to the Human Rights Watch 2014 World Report, the Philippines remains to be one of the most dangerous places in the world to be a journalist, and that killings and enforced disappearances remain a serious problem in the Philippines and rarely result in a successful prosecution and punishment of the perpetrator;

THE PRESIDENT OF THE PHILIPPINES

WHEREAS, the continuing attack on media workers is not only erosive of press freedom and free expression but also impedes the flow of information in a community;

WHEREAS, a free press and media perform the necessary function of providing accurate, fair and relevant information which is vital for a free citizenry to perform its duty of monitoring government actions and communicating its views to the government;

WHEREAS, the murders and violent incidents against journalists create an impression of a culture of impunity, wherein security establishments of the State and non-State forces have been accused of silencing, through violence and intimidation, legitimate dissent and opposition raised by members of the press along with those who belong to cause-oriented groups, political movements, people's and non-government organizations, and by ordinary citizens;

WHEREAS, most of these violations remain uninvestigated and unsolved, with the perpetrators unidentified or unprosecuted, giving rise to graver impressions of impunity and the commission of more violent crimes;

WHEREAS, it is highly exigent that these unsolved cases of grave violations of the right to life, liberty, and security of persons are revisited, investigated and prosecuted until final judicial determination and penal conclusion;

WHEREAS, the present Administration declares as a matter of policy that all of these forms of political violence and abuses of power, whether by agents or elements of the State or of non-State forces against the members of the so-called Fourth Estate, must stop, and towards this end, commits to establish a government-wide program of action where the whole system of the bureaucracy is involved in the efficient, coherent, and comprehensive resolution of unsolved cases of violence in the form of killings, enforced disappearances, torture, and other grave violations of the right to life, liberty, and security of persons against the members of the press;

NOW, THEREFORE, I, RODRIGO ROA DUTERTE, President of the Philippines, by virtue of the powers vested in me by the Constitution and by law, do hereby order:

SECTION 1. Definitions. For purposes of this Administrative Order, the following terms are hereby defined:

- a) **"Media Workers"** shall refer to those who are engaged, whether as a principal occupation or not, in media practice, including print, internet, radio broadcast or commentaries, and television; and
- b) **"Violence against Media Workers"** shall refer to the attempted, frustrated or consummated killings, enforced disappearances, torture and other grave violations of the right to life, liberty and security of Media Workers who were targeted by reason of the media work of such persons.

SECTION 2. Creation of a Presidential Task Force. There is hereby created a Presidential Task Force on Violence against Media Workers, which shall have the mandate of ensuring a safe environment for Media Workers. It shall be composed of the following:

Chairperson:	Secretary, Department of Justice (DOJ)
Co-Chairperson:	Secretary, Presidential Communications Operations Office (PCOO)
Members:	Secretary, Department of the Interior and Local Government (DILG); Secretary, Department of National Defense (DND);

Solicitor General;
Executive Director, Presidential Human Rights Committee (PHRC);
Chief of Staff, Armed Forces of the Philippines (AFP);
Director General, Philippine National Police (PNP); and
Director, National Bureau of Investigation (NBI).

The Presidential Task Force shall invite the Chairperson of the Commission on Human Rights (CHR) and the Ombudsman as observers and resource persons.

The Presidential Task Force shall likewise invite the following as observers and resource persons:

President, National Press Club (NPC);
President, National Union of Journalists of the Philippines (NUJP);
President, *Kapisanan ng mga Brodkaster ng Pilipinas* (KBP);
President, Publishers Association of the Philippines, Inc. (PAPI); and
Chairperson-President, Philippine Press Institute (PPI)

The government officials mentioned above may designate their permanent representatives to the Presidential Task Force, who shall hold a rank not lower than Assistant Secretary, or General and Chief Superintendent in the case of the AFP and the PNP, respectively.

SECTION 3. Secretariat. The Presidential Task Force shall organize a Secretariat, composed of personnel coming from the offices of the various members, and shall be headed by the Executive Director who shall be appointed under the conditions stated in Section 6. The Secretariat shall be attached to the Office of the President and shall provide administrative and technical support to the Presidential Task Force, subject to government rules and regulations.

SECTION 4. Functions. The Presidential Task Force shall undertake the following:

a) **Inventory of Cases.** For the first thirty (30) days, the Presidential Task Force shall conduct an inventory of all cases of violence against Media Workers perpetrated by State and non-State forces alike, from all government sources, i.e., the investigative and prosecutorial government offices, including the National Prosecution Service (NPS), the Solicitor General, the Ombudsman, CHR, PNP, NBI, AFP Inspector General, People's Law Enforcement Board (PLEB), National Police Commission (NAPOLCOM), PNP Internal Affairs Service, the Judiciary and all others, for purposes of categorizing said cases, as follows:

- i. Unsolved Cases;
- ii. Cases under Investigation;
- iii. Cases under Preliminary Investigation;
- iv. Cases under Trial; and
- v. Cases under Appeal.

Simultaneously, the Presidential Task Force shall also source data of cases from non-government sources, specifically independent and non-partisan international and national human rights organizations and groups.

In determining which cases are to be included in the inventory, the Presidential Task Force shall draw up guidelines for the consideration of doubtful cases.

b) **Investigation of Unsolved Cases.** After conducting the inventory, the Presidential Task Force shall prioritize the unsolved cases for action, and assign special investigation teams to conduct further investigation on these cases for the possible identification of the perpetrators.

Greater priority shall be given to high profile cases perpetrated during more recent years to take advantage of leads that have yet to stale.

c) **Monitoring and Reporting to the Presidential Task Force of Cases.** The Presidential Task Force shall designate a special oversight team composed of investigators and prosecutors which shall actively monitor developments on the cases included in the inventory of cases referred to in paragraph (a) above, and regularly report and submit recommendations to the Presidential Task Force.

d) **Receive and Monitor Reports on Media Workers in Danger, and Provide Them Protection.** The Presidential Task Force shall receive reports from groups, citizens and individuals regarding Media Workers in danger. The Presidential Task Force may receive from Media Workers reports or notices of the latter's deployment or assignment in hostile or dangerous areas, including areas under military operations or armed conflict. After receiving such reports, the Presidential Task Force shall conduct monitoring and, if warranted, provide the necessary assistance to the Media Workers concerned in accordance with existing laws, rules, and regulations.

e) **Investigation and Prosecution of New Cases.** The Presidential Task Force shall also designate a special team of investigators and prosecutors exclusively for new cases, for the immediate investigation and prosecution of the perpetrators. Cases referred to or filed with the CHR or the Ombudsman shall be monitored by this special team for action on CHR and Ombudsman resolutions on said cases, if applicable. If the investigation has already been started beforehand by, or complaints have already been filed with, the agencies included in the Presidential Task Force, the special team shall oversee, supervise and monitor the investigation or preliminary investigation conducted by the agencies under the Presidential Task Force, notwithstanding the conduct of an ongoing investigation by the CHR or the Ombudsman. However, the special team shall actively coordinate with the CHR and the Ombudsman in the conduct of these concurrent investigations.

In the case of torture, the special team shall ensure that Section 9 (a) of Republic Act No. 9745 or the Anti-Torture Act of 2009 on the sixty (60)-day period for investigation of a complaint for torture is followed by the DOJ, Public Attorney's Office, PNP, NBI, and the AFP.

f) **Action upon the Cases.** After the report of every team, which shall be made as regularly and as expeditiously as possible, whether in the form of short memoranda, email, notes, field spot reports, Short Message Service (SMS) messages, and the like, either of the Presidential Task Force Chairpersons may take immediate action without need of consultation or agreement of the other members or consensus with the concerned member of the Presidential Task Force; Provided, that if the action is within the jurisdiction of agencies under the DOJ, only the Secretary of Justice is authorized to order the implementation of the immediate action. In any case, the said Chairperson shall have the discretion to table any matter for discussion and decision of the Presidential Task Force, especially in the instance of high profile or problematic cases.

g) **Receive and Act upon Complaints.** The Presidential Task Force shall receive, process and take necessary action upon complaints of abuse and other acts of violence filed by Media Workers in coordination with the DOJ and in accordance with existing laws, rules, and regulations.

h) **Aid in Witness Protection.** The Presidential Task Force shall aid in facilitating the protection of witnesses according to Republic Act No. 6981 (Witness Protection, Security and

Benefit Act) upon the request of the DOJ in accordance with Article 2 of the Witness Protection, Security and Benefit Act.

i) Submission of Report to the President. After the first six (6) months from its creation, and every six (6) months thereafter, the Presidential Task Force shall submit a report to the President, detailing the inventory of cases according to category, and describing the accomplishments and progress made for each case, or the problems and obstacles encountered, highlighting problematic cases, with further recommendations for any additional action that may be taken by the President requiring coordination on a common course of action with the CHR, the Ombudsman, Congress, and the Judiciary.

SECTION 5. The Presidential Task Force Spokesperson. The Secretary of the PCOO alone shall be authorized to make public statements on matters concerning the activities of the Presidential Task Force. Unless otherwise ordered by the Secretary of the PCOO, the Executive Director may also make public pronouncements but only on matters related to the administrative functions of the Presidential Task Force.

SECTION 6. The Presidential Task Force Executive Director. The Executive Director of the Presidential Task Force shall be appointed by the President upon recommendation by the Chairpersons of the Presidential Task Force. He shall have the rank of Undersecretary and shall receive compensation, benefits and other emoluments accorded to the said rank in accordance with applicable laws, rules and regulations.

SECTION 7. Coordination and Autonomy of Members. Nothing in this Administrative Order shall be interpreted to add to bureaucratic processes or regulations in order to achieve the mandate of the Presidential Task Force or hamper the regular and ordinary course of functions of the agencies under the jurisdiction of the Presidential Task Force members. Nothing in this Administrative Order shall diminish the mandates, functions and responsibilities of the support agencies. The individual agencies shall not be prevented from accomplishing what otherwise is ordinarily accomplished in the regular conduct of their operations and functions, unless otherwise specifically agreed upon by the Presidential Task Force for purposes of coordinating and implementing concerted action for the achievement of the Presidential Task Force mandates.

SECTION 8. Funding. The initial funding requirements for the operation of the Presidential Task Force shall be determined by the Department of Budget and Management (DBM), subject to compliance with existing laws and the usual government budgetary, accounting and auditing rules and regulations. Appropriations for the succeeding years shall be incorporated in the regular budget proposals of involved agencies.

SECTION 9. Support and Cooperation. All branches of the government, departments, bureaus, agencies, offices, and local government units, including government-owned or -controlled corporations, are hereby enjoined to render full support, assistance and cooperation to the Presidential Task Force in carrying out its mandate and functions.

SECTION 10. Separability. If any provision of this Administrative Order is declared invalid or unconstitutional, the other provisions unaffected shall remain valid and subsisting.

SECTION 11. Repeal. This Administrative Order supersedes Administrative Order No. 35 (s. 2012) on the creation of the Inter-Agency Committee on Extra-Legal Killings only insofar as it covers incidents of violence against Media Workers. The said Inter-Agency Committee is hereby directed to submit and turnover its relevant documents, data, reports, and resources to the Presidential Task Force, subject to regular procedures. All issuances, orders, rules, and regulations

or parts thereof which are inconsistent with the provisions of this Administrative Order are hereby repealed or modified accordingly.

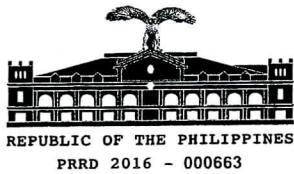
SECTION 12. Effectivity. This Administrative Order shall take effect immediately upon approval.

DONE, in the City of Manila, this **11th** day of **October**, in the year of Our Lord, Two Thousand and Sixteen.

By the President:



SALVADOR C. MEDIALDEA
Executive Secretary

CERTIFIED COPY

MARIANITO M. DIMAANDAL
DIRECTOR IV
MALACANANG RECORDS OFFICE

10-12-2016

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