



MALACANANG

Manila

EXECUTIVE ORDER NO. 59

REPEALING PRESIDENTIAL DECREES NOS. 1404, 1836, 1877 AND 1877-A

WHEREAS, the former President, through Presidential Decree No. 1404, empowered himself to authorize longer periods for the delivery of persons arrested for the crimes or offenses enumerated in the said decree;

WHEREAS, the former President, through Presidential Decree No. 1836, empowered himself 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 against persons whose arrest or detention was in his judgement, required by public safety and as a means to quell invasion, insurrection or rebellion or imminent danger thereof;

WHEREAS, under the said decree, arrested or detained persons could not be released until so ordered by the former President or his duly authorized representative;

WHEREAS, the former President, through Presidential Decree No. 1877, again empowered himself to issue preventive detention actions against persons ascertained to be participants in the commission of the crimes enumerated therein for the periods and under the conditions therein mentioned;

WHEREAS, under Presidential Decree No. 1877-A, the former President likewise authorized himself to issue preventive detention actions against persons who committed the crimes enumerated therein, in addition to those already mentioned in Presidential Decree No. 1877, and against those whose arrest and detention was, in his judgement, required by public safety as a means to repel or quell the alleged rebellion in the country;

WHEREAS, not only were the National Security Code which incorporated Presidential Decree No. 1404, and Proclamation Nos. 2045 and 2045-A on which Presidential Decree Nos. 1877 and 1877-A were based, repealed, but the authorization of longer

periods for the delivery of detained persons under Presidential Decree No. 1404, the presidential order of arrest or commitment order under Presidential Decree No. 1836, and the preventive detention action under Presidential Decree No. 1877, as amended by Presidential Decree No. 1877-A, also undermine the rights and freedoms of the Filipino people and are therefore patently inconsistent with Proclamation No. 3 dated March 25, 1986;

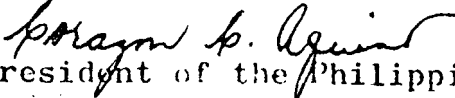
WHEREAS, the incumbent President is mandated to give priority to measures to achieve the mandate of the people to make effective the guarantees of the rights and freedoms of the Filipino people, and provide remedies against violations thereof

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, do hereby order:


SECTION 1. Presidential Decree No. 1404, "FURTHER AMENDING ARTICLE 125 OF THE REVISED PENAL CODE, AS AMENDED", Presidential Decree No. 1836, "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" and Presidential Decree No. 1877, "PROVIDING FOR THE ISSUANCE OF A PREVENTIVE DETENTION ACTION AND FOR OTHER PURPOSES", as amended by Presidential Decree No. 1877-A, and the rules, regulations and instructions issued to implement the aforesaid decrees are hereby repealed.

SECTION 2. This Executive Order shall take effect immediately.

Done in the City of Manila, this 7th day of November, in the year of Our Lord, nineteen hundred and eighty-six.


President of the Philippines

By the President


JOKER P. ARROYO
Executive Secretary