



MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 125

CREATION OF THE NATIONAL AMNESTY COMMISSION

WHEREAS, the peace policy of the Government of the Philippines includes nurturing a climate conducive for peace and the implementation of programs for reconciliation and reintegration of rebels into mainstream society;

WHEREAS, an amnesty program for rebels and insurgents is an integral component of the government's comprehensive peace efforts to bring long-term peace and stability to the country;

WHEREAS, pursuant to Section 19, Article VII of the 1987 Constitution, the President of the Philippines issued proclamations granting amnesty to various groups of rebels and insurgents, which shall take effect upon concurrence by a majority of all the members of the Congress as provided for by the Constitution; and

WHEREAS, the proclamations provided for the creation of an Amnesty Commission which shall receive and process applications for amnesty and determine whether the applicants who shall apply therefor are entitled to amnesty;

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

Section 1. National Amnesty Commission. - There is hereby created the National Amnesty Commission, hereinafter referred to as the Commission, which shall be primarily tasked with receiving and processing applications for amnesty and determining whether the applicants are entitled to amnesty under Proclamation Nos. 1090, 1091, 1092, and 1093.

Section 2. Powers of the Commission. - In pursuit of its functions, the Commission shall have the following powers:

- a. Issue a Certificate of Amnesty to qualified applicants with the approval of the President;
- b. Administer oaths, summon witnesses, and require the production of documents by *subpoena duces tecum*; Provided, that the testimonies of the applicant and his witnesses for a grant of amnesty, and any evidence

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presented by him before the Commission not otherwise available to the prosecution, shall not be used as evidence against the applicant in any other proceeding where the amnesty is not in issue, except for perjury committed in so testifying;

- c. Promulgate rules and regulations relative to the implementation of the amnesty proclamations promulgated by the President;
- d. Call on any government office, body, agency, instrumentality, council or commission to render assistance in the efficient and effective implementation of its functions;
- e. Constitute Local Amnesty Boards in such provinces, cities, and municipalities as may be necessary; and
- f. Perform such other functions necessary for the proper implementation of the above-stated amnesty proclamations as may be authorized by the President.

Section 3. Composition and Term. - The Commission shall be composed of seven (7) members: a chairperson and two (2) regular members to be appointed or designated by the President, with the Secretary of Justice, the Secretary of National Defense, the Secretary of the Interior and Local Government, and the Presidential Adviser on Peace, Reconciliation, and Unity as *ex-officio* members.

The Office of the Presidential Adviser on Peace, Reconciliation, and Unity shall provide the secretariat for the Commission.

The *ex-officio* members may designate an alternate, with a rank not lower than an Assistant Secretary, to represent their respective offices in the Commission and whose attendance shall be sufficient for purposes of constituting a quorum and shall be allowed to vote, provided that *ex-officio* members should be the signatories to any resolution or decision issued or passed by the Commission stating that the applicant for amnesty is qualified under the relevant proclamation.

The term of the Commission shall expire upon the completion of its assigned tasks as may be determined by the President.

Section 4. Fund. - The amount necessary for the initial operational and administrative expenses of the Commission shall be funded from the budget of the Office of the President or shall be charged against sources to be identified by the Department of Budget and Management. Thereafter, the funding requirements for the implementation of this Order shall be included in the annual budget of the Office of the Presidential Adviser on the Peace Process.


Section 5. Repealing Clause. - All other orders, issuances, rules and regulations inconsistent with this Order are hereby repealed or modified accordingly.

Section 6. Effectivity. - This Order shall take effect immediately upon the effectivity of any of the aforementioned amnesty proclamations.

DONE in the City of Manila, this 5th day of **February**, in the year of Our Lord, Two Thousand and Twenty-one.

By the President:




SALVADOR C. MEDIALDEA
Executive Secretary 