

[PROCLAMATION NO. 347, March 25, 1994]

GRANTING AMNESTY TO REBELS, INSURGENTS, AND ALL OTHER PERSONS WHO HAVE OR MAY HAVE COMMITTED CRIMES AGAINST PUBLIC ORDER, OTHER CRIMES COMMITTED IN FURTHERANCE OF POLITICAL ENDS, AND VIOLATIONS OF THE ARTICLES OF WAR, AND CREATING A NATIONAL AMNESTY COMMISSION

WHEREAS, the peace process, as an anchor of political, economic and social stability and development, has steadily moved forward with the overwhelming acceptance and support of the Filipino people;

WHEREAS, to enhance and hasten the peace process, there is a need to reintegrate, as soon as possible, all rebels and insurgents into the mainstream of society under the rule of law, including those who may have committed unlawful acts in furtherance of their respective political beliefs;

WHEREAS, the grant of amnesty to those who may have committed unlawful acts in pursuit of their political beliefs is one of the six paths to the attainment of a just and lasting peace as recommended by the National Unification Commission;

WHEREAS, amnesty was proclaimed under Proclamation Nos. 10 and 10-A, which proclamations however extended only to those who applied for amnesty under Executive Order No. 350, Series of 1989, and whose applications were processed and ready for action as of 28 July 1992, and who applied for amnesty under Executive Order No. 350 from 28 July 1992 up to 31 December 1992;

WHEREAS, after the lapse of the period for application for the grant of amnesty under Proclamation Nos. 10 and 10-A, many more rebels and insurgents, who may have committed unlawful acts in pursuit of their political beliefs, have returned or expressed their desire and readiness to return to the fold of the law and join the mainstream of Philippine society; and

WHEREAS, there is a need for government to act on rebel and insurgent returnees' request for the grant of amnesty so that they may live in peace in the pursuit of productive endeavors without prejudice to any legal arrangement that may result from a negotiated settlement which the government is pursuing with the various rebel and insurgent groups.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by Section 19, Article VII of the Constitution, do hereby declare and proclaim:

SECTION 1. Grant of Amnesty. — Amnesty is hereby granted to all persons who shall apply therefor and who have or may have committed crimes, on or before

thirty (30) days following the publication of this Proclamation in two (2) newspapers of general circulation, in pursuit of political beliefs, whether punishable under the Revised Penal Code or special laws, including but not limited to the following: rebellion or insurrection; *coup d'etat*; conspiracy and proposal to commit rebellion, insurrection or *coup d'etat*; disloyalty of public officers or employees; inciting to rebellion or insurrection; sedition; conspiracy to commit sedition; inciting to sedition; illegal assembly; illegal association; direct assault; indirect assault; resistance and disobedience to a person in authority or the agents of such person; tumults and other disturbances of public order; unlawful use of means of publication and unlawful utterances; alarms and scandals; illegal possession of firearms, ammunition or explosives, committed in furtherance of, incident to, or in connection with the crimes of rebellion or insurrection and violations of Articles 59 (desertion), 62 (absence without leave), 67 (mutiny or sedition), 68 (failure to suppress mutiny or sedition), 94 (various crimes), 96 (conduct unbecoming an officer and a gentlemen), and 97 (general article) of the Articles of War; Provided, that the amnesty shall not cover crimes against chastity and other crimes committed for personal ends.

SECTION 2. Effects. — (a) Amnesty under this Proclamation shall extinguish any criminal liability for acts committed in pursuit of a political belief, without prejudice to the grantee's civil liability for injuries or damages caused to private persons. The grant of amnesty shall also effect the restoration of civil or political rights suspended or lost by virtue of criminal conviction.

(b) The amnesty herein proclaimed shall not *ipso facto* result in the reintegration or reinstatement into the service of former Armed Forces of the Philippines and Philippine National Police personnel. Reintegration or reinstatement into the service shall continue to be governed by existing laws and regulations; *Provided, however*, that the amnesty shall reinstate the right of AFP and PNP personnel to retirement and separation benefits, if so qualified under existing laws, rules and regulations at the time of the commission of the acts for which amnesty is extended, unless they have forfeited such retirement and separation benefits for reasons other than the acts covered by this Proclamation.

SECTION 3. Firearms. — The surrender of firearms, ammunitions and explosives shall not be a condition for amnesty. Applicants for amnesty may surrender their firearms within sixty (60) days from the effectivity of this Proclamation without incurring liability for illegal possession thereof. The Government shall continue to encourage rebels and insurgents to turn-in firearms, ammunition and explosives which may be in their possession.

SECTION 4. National Amnesty Commission. — There is hereby created a 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 this Proclamation. Final decisions or determinations of the Commission shall be appealable to the Court of Appeals.

Pursuant to its functions, the Commission shall be authorized to:

a. Administer oaths, summon witnesses and require the production of documents by subpoena *duces tecum*; *Provided*, that the testimonies of the applicant and his