

# [ GENERAL ORDER NO. 59, June 25, 1977 ]

## FURTHER LIMITING THE JURISDICTION OF MILITARY TRIBUNALS

WHEREAS, upon the proclamation of martial law on September 21, 1972, certain types of criminal cases were placed under the cognizance of military tribunals.

WHEREAS, it is necessary that the military authorities should be able to better concentrate their efforts and attention of their primary functions;

WHEREAS, it is believed now appropriate to limit the jurisdiction of military tribunals to certain typed of criminal cases.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree the following as part of the law of the land.

SECTION 1. The military tribunals created under General Order No. 8 dated September 27, 1972, shall exercise exclusive jurisdiction over the following cases:

- a. All offenses committed by military personnel of the Armed Forces of the Philippines while in the performance of their official duty or which arose out of any act or omission done in the performance of their official duty: Provided, that for the purpose of determining whether an offense was committed while in the performance of official duty or whether it arose out of an act or omission done in the performance of official duty, a certificate issued by the Secretary of National Defense to the effect shall be conclusive unless modified or revoked by the President: Provided, further, that whenever in any of the foregoing offenses, there are two or more accused at least one of whom is a military personnel, military tribunals shall have jurisdiction over the offense.
- b. Crimes against national security and the law of nations as defined and penalized in Title 1, Book 11 of the Revised Penal Code.
- c. Violations of the Anti-Subversion Law as defined and penalized in Republic Act No. 1700. or Presidential Decree No. 885, as the case may be.
- d. Espionage (Commonwealth Act No. 616).
- e. Crimes against public order as defined and penalized under the Revised Penal Code, as Amended, Namely:
  - (1) Rebellion or insurrection (Art. 134);
  - (2) Conspiracy and proposals to commit rebellion or insurrection (Art. 136);
  - (3) Disloyalty of public officers or employee (Art. 137);
  - (4) Inciting to rebellion insurrection (Art. 138);