

[PRESIDENTIAL DECREE No. 39, November 07, 1972]

RULES GOVERNING THE CREATION, COMPOSITION, JURISDICTION, PROCEDURE AND OTHER MATTERS RELEVANT TO MILITARY TRIBUNALS.

WHEREAS, pursuant to Proclamation No. 1081, dated September 21, 1972, martial law is in effect throughout the Philippines;

WHEREAS, under General Order No. 3 and 3-A, dated September 22, 1972 and September 24, 1972, respectively, certain offenses have been withdrawn from the jurisdiction of the judicial department and directed to be tried by special civil and military tribunals which may be created by me or upon my orders;

WHEREAS, under General Order No. 8, dated September 27, 1972, the Chief of Staff of the Armed Forces of the Philippines has been empowered to create military tribunals to try and decide cases of military personnel and such other cases as may be referred to them;

WHEREAS, under General Order No. 12, dated September 30, 1972 and General Order No. 12-A, dated October 2, 1972, the trial and decision on certain offenses are exclusively cognizable by military tribunals or cognizable by said tribunals concurrently with the civil courts;

WHEREAS, for a more orderly administration of justice in the cases triable by the said military tribunals, it is necessary that the rules of procedure and other matters be prescribed by me;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to the proclamation and general orders mentioned above, do hereby promulgate and decree as part of the law of the land, the attached RULES GOVERNING THE CREATION, COMPOSITION, JURISDICTION, PROCEDURE, AND OTHER MATTERS RELEVANT TO MILITARY TRIBUNALS and do hereby enjoin strict adherence to them by all concerned, provided that the Chief of Staff, shall with the approval of the Secretary of National Defense, issue and promulgate implementing instructions which are not inconsistent with said rules.

All actions taken pursuant to the Circular M-1, General Headquarters, Armed Forces of the Philippines dated October 2, 1972 are hereby confirmed.

This decree shall take effect immediately.

Done in the City of Manila, this 7th day of November, in the year of Our Lord, nineteen hundred seventy-two.

(SGD.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President: