

**[DEPARTMENT OF NATIONAL DEFENSE AMNESTY
COMMITTEE CIRCULAR NO. 1, December 21, 2010
]**

**PROVIDING FOR THE RULES OF PROCEDURE IN THE
PROCESSING OF AMNESTY APPLICATIONS PURSUANT TO
PRESIDENTIAL PROCLAMATION NO. 75 DATED NOVEMBER 24,
2010 AND DEPARTMENT ORDER NO. 320 DATED DECEMBER 15,
2010.**

WHEREAS, Presidential Proclamation No. 75 was issued on November 24, 2010, granting amnesty to all active and former personnel of the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP) as well as their supporters who have or may have committed crimes punishable under the Revised Penal Code, the Articles of War and other laws in connection with, in relation or incident to the July 27, 2003 Oakwood Mutiny, the February 2006 Marines Stand-Off and the November 29, 2007 Peninsula Manila Hotel Incident who shall apply therefor;

WHEREAS, Section 2 of Presidential Proclamation No. 75 provides that the Ad Hoc Committee of the Department of National Defense (DND) is tasked with receiving and processing applications for amnesty, including oppositions thereto, if any, and determining whether the applicants are entitled to amnesty pursuant to Proclamation No. 75;

WHEREAS, DND Department Order No. 320 dated December 15, 2010 was issued constituting the DND Ad Hoc Amnesty Committee with the authority to promulgate its own rules and procedures for the effective implementation of the amnesty program;

NOW THEREFORE, the DND Ad Hoc Amnesty Committee, by virtue of DND Department Order No. 320, hereby prescribes and adopts the following guidelines and procedures governing the reception, processing and determination of amnesty applications under Presidential Proclamation No. 75.

Section 1. Title. – These rules shall be known as the ***"Rules of Procedure of the DND Ad Hoc Amnesty Committee for the Implementation of Presidential Proclamation No. 75."***

Section 2. Functions of the Department of National Defense Amnesty Committee – The Department of National Defense Ad Hoc Amnesty Committee (hereinafter referred to as the "Committee") shall be tasked to receive and process applications, including oppositions thereto, if any, and issue recommendations to the Secretary of National Defense regarding its determination whether the applicants are entitled to amnesty under Presidential Proclamation No. 75.

Section 3. Coverage. – These rules shall apply to all proceedings and deliberations of the Committee in connection with the performance of its duties and functions as defined in the preceding Section 2 hereof.

Section 4. Who may apply ; Act/s or omission/s covered. – All active and former personnel of the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP) as well as their supporters who have or may have committed crimes punishable under the Revised Penal Code, the Articles of War and other laws in connection with the July 27, 2003 Oakwood Mutiny, the February 2006 Marines Stand-Off and/or the November 29, 2007 Peninsula Manila Hotel Incident, may apply for amnesty.

Provided that amnesty shall not cover rape, acts of torture, crimes against chastity and other crimes committed for personal ends.

Section 5. Application Forms. – Applicants for amnesty under Presidential Proclamation No. 75, shall fill up the official application form as attached herein. Official application forms can be obtained through the Ad Hoc Amnesty Committee thru its Secretariat in the address as provided below and can be downloaded from the official DND website, specifically www.dnd.gov.ph and the official AFP website, namely www.afp.mil.ph.

Certified true copies of any civilian and/or military court decisions and/or resolutions of pertinent cases involving the applicant's involvement/participation in any of the subject incidents shall be attached to the application.

Section 6. Where to apply; Period of availment. – Sworn applications for the grant of amnesty shall be personally filed by the applicant with the DND Ad Hoc Amnesty Committee thru its Secretariat, within a period of ninety (90) days following the date of the publication of Proclamation No. 75 in two (2) newspapers of general circulation as concurred in by a majority vote of all members of Congress. Applications filed beyond the foregoing period shall no longer be entertained by the Committee.

Section 7. Principal office/venue of proceedings of the Committee and the Secretariat. – The Committee shall hold office at the Office of the Undersecretary for Defense Affairs (OUSDA), DND, and the Committee Secretariat shall have its office at the General Aguinaldo Room, AFP Commissioned Officers Club (AFPCOC), General Headquarters, Camp General Emilio Aguinaldo, Quezon City. The principal venue for the Committee's deliberations shall be the AFP Commissioned Officers Club (AFPCOC), unless otherwise changed by the Committee.

Section 8. Official Register of Applicants; Periodic Posting and Publication. – The Committee shall maintain an official register of applicants for amnesty within the period of availment as specified under Section 6 of these Rules. The Committee shall ensure accessibility of the official register to any interested party.

The Committee shall periodically cause the posting of the updated official register in the following locations: AFP Commissioned Officers Club Bulletin Board and the Department of National Defense Bulletin Board (lobby), and shall cause the publication of said updated official register at the aforementioned DND and AFP website. The Committee shall cause the inclusion of the name of any applicant in