

MALACAÑANG PALACE

Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 181

DIRECTING THE COOPERATION AND COORDINATION BETWEEN THE NATIONAL PROSECUTION SERVICE AND OTHER CONCERNED AGENCIES OF GOVERNMENT FOR THE SUCCESSFUL INVESTIGATION AND PROSECUTION OF POLITICAL AND MEDIA KILLINGS

WHEREAS, Article II Section 11 of the Constitution declares that the State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, the Medium-Term Philippine Development Plan recognizes that peace and order and respect for human rights are essential ingredients to maintaining economic development, social order and political stability;

WHEREAS, the effective prosecution of human rights violators is vital to the protection of human rights;

WHEREAS, killings of political activists and members of media are human rights violations, and finding a definitive solution to these killings is of the utmost priority for this Administration;

WHEREAS, to ensure that these killings are effectively investigated and successfully prosecuted, there is a need for the law enforcement and prosecution arms of the government to cooperate and coordinate during all phases of the criminal proceedings;

WHEREAS, responding to the request of the Melo Commission and the Executive Department, the Supreme Court has promptly created special courts to hear and try cases involving the killings of political activists and members of the media;

WHEREAS, a common working definition of political and media killings among Executive and Judiciary Departments would greatly contribute to the successful investigation, prosecution and pursuit of justice regarding these human rights and criminal violations;

WHEREAS, the Supreme Court in its Administrative Order 25 – 2007 has specified that "In determining whether the crime is a 'political killing' the following factors, among others, shall be considered: (1) political affiliation of the victim; (2) method of attack; and (3) reports that state agents are involved in the commission of the crime or have acquiesced in them."

WHEREAS, the Philippine National Police has defined 'media killings',. For the purposes of investigation in particular by Task Force Usig, as killings of present members of broadcast and print media/newsmen which were perpetrated by reason of the victim's nature of work or related thereto.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me under the Constitution and existing law, do hereby order:

SECTION 1. Cooperation and Coordination

a. In order to ensure the prompt, efficient and successful investigation and prosecution of cases involving political and media killings which fall under the jurisdiction of the special courts created

by Supreme Court Administrative Order 25-2007, the National Prosecution Service of the Department of Justice is hereby directed to work closely with the Philippine National Police and the National Bureau of Investigation from the beginning of a criminal investigation until the termination of cases in court.

b. The Philippine National Police and the National Bureau of Investigation are hereby directed to cooperate with the National Prosecution Service of the Department of Justice by, among other things, consulting with public prosecutors at all stages of the criminal investigation.

c. They are further directed to cooperate with the National Prosecution Service of the Department of Justice at all stages of the investigation and prosecution by ensuring among other things, that their personnel are available to testify, gather or submit additional evidence when required by the public prosecutor.

SECTION 2. Continuity. –

a. The National Prosecution Service of the Department of Justice shall assign, to the fullest extent possible, a public prosecutor at the start of a criminal investigation who shall assist or handle a case involving a political or media killings throughout the criminal proceedings, except in the conduct of the preliminary investigation thereof.

b. The preliminary investigation shall be conducted by a separate and different prosecutor from the prosecutor who, pursuant to the proceeding paragraph, is assigned to assist or handle the case through most of the criminal proceedings.

SECTION 3. Funding - The funding requirements for the implementation of this Administrative Order shall be taken from such available sources as may be identified by the Department of Budget and Management.

SECTION 4. Repealing Clause - All executive issuances, orders, rules and regulations or parts thereof inconsistent with the provisions of this Administrative Order are hereby repealed, amended or modified accordingly.

SECTION 5. Implementing Rules and Regulations – In consultation with other concerned government agencies, the Secretary of the Department of Justice and the Secretary of the Department of the Interior and Local Government are hereby directed to jointly formulate and issue the corresponding Implementing Rules and Regulations (IRR) necessary for carrying out this Administrative Order, provided, however, that the promulgation of the IRR does not suspend or affect the effectivity of this Order.

SECTION 6. Separability Clause. – If any section or provision of this Administrative Order, or part hereof, is held invalid or unconstitutional, the remainder of this Administrative Order not otherwise affected shall remain valid and subsisting.

SECTION 7. Effectivity – This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 3rd day of July, in the year of Our Lord, Two Thousand and Seven.

(Sgd.) **H.E. GLORIA MACAPAGAL-ARROYO**

By the President:

(Sgd.) **EDUARDO R. ERMITA**
Executive Secretary