

EXECUTIVE ORDER NO. 8

CREATING THE PRESIDENTIAL COMMITTEE ON HUMAN RIGHTS

WHEREAS, the new government is committed to uphold and respect the people's civil liberties and human rights;

WHEREAS, the United Nations General Assembly Resolution of December 14, 1984 encourages all member states to take steps for the establishment or, where they already exist, the strengthening of national institutions for the protection and promotion of human rights.

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Presidential Committee on Human Rights. -

There is hereby created a Presidential Committee on Human Rights to be attached to the Office of the President for general direction and supervision.

SECTION 2. Composition. - The Committee shall be composed of

the following:

- a. Mr. Jose W. Diokno - Chairman
- b. Mr. Justice Jose B.L. Reyes - Vice-Chairman
- c. Mrs. Zenaida Quezon Avanceña - Member
- d. Sr. Marianni Dimaraanan - Member
- e. Miss Haydee Yorac - Member
- f. Mr. William Claver - Member
- g. The Judge Advocate General, AFP - Member

SECTION 3. Nature of Committee. - The primary task of the Com-

mittee is to assist the President in the discharge of her duty to respect and foster human rights. It is purely advisory and consultative so that the Committee and all persons or personnel appointed, designated or contracted by it shall not be subject to civil service law, rules and regulations. Moreover, membership in the Committee shall not be construed as in conflict with any other public or private position or profession that the members may hold or practice. Members may designate alternates if they cannot attend a particular meeting or meetings of the Committee.

SECTION 4. Functions of the Committee. - The Committee shall have the following functions:

a. Investigate complaints it may receive, cases known to it or to its members, and such cases as the President may, from time to time assign to it, of unexplained or forced disappearances, extra-judicial killings (salvaging), massacres, torture, hamletting, food blockades and other violations of human rights, past or present, committed by officers or agents of the national government or persons acting in their place or stead or under their orders, express or implied.

b. Report its findings to the President and make them public, suggesting such action or actions by the new government to compensate the victims and punish culprits as it may deem appropriate.

c. Propose procedures and safeguards to ensure that, under the new government, human rights are not violated by officers or agents of the government or by persons acting in their name and stead or under their orders, express or implied.

d. Performs such other functions as may be necessary for the protection of human rights and the advancement of social justice in the country.

SECTION 5. Powers of the Committee. - The Committee shall exercise the following powers:

a. To administer oaths or affirmations by itself, by a member, or by duly authorized representatives;

b. To take such testimony and other evidence as it may deem relevant to any investigation conducted by it or under its authority;

c. To issue subpoenas and subpoenas duces tecum directing any person to attend and testify at any hearing conducted by, or under authority of, the Committee, or at any meeting thereof, or for the taking of his deposition, and to bring with him or produce any books, papers, records, documents or other things under his supervision or control, including documents, books or other things that have been classified by government, past or present;

d. To grant immunity from prosecution to any person whose testimony, or whose possession of documents or other evidence, is necessary or convenient to determine the truth in any investigation conducted by it or

e. To hold any person in direct or indirect contempt, and to impose the appropriate penalties, following the same procedure and penalties provided for in the Rules of Court;

f. To call upon any ministry, bureau, office, or agency of the new government for assistance or reform, which shall forthwith be furnished or accomplished by such government unit;

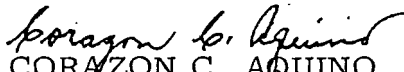
g. To adopt the forms, hire the staff, fix their salaries, appropriate the budget, promulgate such rules and regulations and, in general, to do all acts and things as may be necessary or convenient to carry out this order.

SECTION 6. Immunity. - Presidential immunity shall extend to the members and staff of the Committee when acting within their duties, functions, powers and authority.


SECTION 7. Funding. - Subject to availability of funds, the sum of FIFTY MILLION PESOS (P50,000,000.00), or so much thereof as may be necessary, shall be set aside from the funds of the National Treasury and made available for expenditure by the Committee for honoraria, travelling and other expenses of its members, and salaries and other expenses of its staff, in accordance with the budget to be appropriated by it and approved by the President of the Philippines.

SECTION 8. Effectivity. - This Order shall take effect immediately.

DONE in the City of Manila, this 18th day of March in the year of Our Lord, nineteen hundred and eighty-six.


CORAZON C. AQUINO
President

By the President:


JOKER P. ARROYO
Executive Secretary