

Executive Order

No. 3

July 7, 1992

SUBJECT : Creating a Presidential Anti-Crime Commission to Identify and Cause the Investigation and Prosecution of Criminal Elements in the Country

WHEREAS, the country has witnessed the escalation of crimes with organized and syndicated elements habitually committing crimes to the detriment of peace and order and public welfare, individuals and families being victimized and brutalized in heinous crimes, unscrupulous groups and individuals disparaging the environment and natural resources of the country, notorious elements committing crimes with impunity due to political connections, and law enforcement personnel taking advantage of their uniforms in the pursuit of lawless undertaking;

WHEREAS, eradication of crime and criminal elements is among the priorities of the present administration;

WHEREAS, under the Administrative Code of 1987, the President has the continuing authority to reorganize the Office of the President and to transfer functions from one agency or department to another; and

WHEREAS, the creation of a commission specially tasked to direct and coordinate the functions and activities of law enforcement, investigation and prosecution agencies, is imperative in order to bring about a more vigorous campaign against criminality.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Sec. 1 Organization. There is hereby created a Presidential Anti-Crime Commission (hereinafter called the "COMMISSION") under the Office of the President.

Sec. 2 Composition. The Commission shall be composed of the Vice-President of the Philippines, in his capacity as Presidential Adviser on Crime Prevention and Law Enforcement, as Chairman; the Secretary of Justice as Vice-Chairman; and the Secretary of the Interior and Local Government, and two representatives of non-government organizations (NGO) which are involved in crime prevention and improvement of law enforcement, as Members. The NGO representatives shall be designated by the President upon recommendation of the Chairman.

Sec. 3 Powers and Functions. The Commission shall have the following powers and functions:

- a. Cause or direct the immediate investigation and speedy prosecution of cases enumerated under Section 4 hereof involving violations of the Revised Penal Code and other special laws which have been referred to or received by the Commission, or cases that the President may refer to the Commission;
- b. Direct the transfer of cases from any law enforcement agency or prosecution office, as the Commission may deem proper and necessary, in the interest of efficient and expeditious dispensation of criminal justice, and direct that such cases be investigated or prosecuted, as the case may be, by the appropriate operating or implementing agency herein provided for;
- c. Refer, as the Commission may deem proper and for the same reasons stated in the preceding paragraph, to the appropriate law enforcement agency or prosecution office, the investigation or prosecution, as the case may be, or any of the cases adverted to in paragraph (a) hereof;
- d. Enlist the assistance of any branch, department, bureau, office, agency or instrumentality of the Government, including government-owned and/or controlled corporations, in the anti-crime drive, which may include the use of its personnel, facilities and resources for a more resolute prevention, detection and investigation of crimes, and prosecution of criminal offenders;
- e. Monitor the progress of ongoing investigation and prosecution of cases taken cognizance of by the Commission;
- f. Prepare and implement a fast track anti-crime action agenda and adopt appropriate measures to ensure an effective and efficient anti-crime drive;
- g. Recommend appropriate anti-crime issuances and legislations to the President and Congress;
- h. Grant monetary rewards and incentives to informants who are willing to give vital information to build up the case for the prosecution of criminal offenders as provided under existing laws;
- i. Direct the Witness Protection, Security and Benefit Program Committee of the Department of Justice to evaluate and assess witnesses who may qualify under

the provisions of Republic Act No. 6981, otherwise known as the Witness Protection, Security and Benefit Act; and

- j. Perform such other functions as the President may assign.

Sec. 4 Offenses Covered. In the discharge of its functions, the Commission shall have the authority to take cognizance of the following crimes:

- a. Those committed by organized/syndicated crime groups, including but not limited to: gunrunning, illegal logging, robbery, kidnapping for ransom, white slave trade, illegal recruitment, carnapping, smuggling, piracy, drug-trafficking, falsification of land titles and other government forms, large scale swindling, film piracy, counterfeiting and bank frauds.

An organized/syndicated crime group means a group of two or more persons collaborating, confederating or mutually helping one another in the commission of any crime.

- b. Those which are considered as heinous crimes.

A heinous crime, for purposes of this Executive Order, is a grave felony as defined in the Revised Penal Code, or an offense punishable under special law, committed in a manner that is revolting or shocking to the common sensibilities of man, whether deliberately sought or not, such as those attended by cruelty, ignominy, treachery, and similar circumstances.

- c. Those committed by the members of the Philippine National Police and the Armed Forces of the Philippines.
- d. Such other offenses which the President may consider appropriate to place under its authority.

Sec. 5 Implementing Agencies. In the performance of its functions, the Commission may call upon any of the following implementing agencies:

- a. Philippine National Police (PNP);
- b. National Police Commission (NAPOLCOM);
- c. National Bureau of Investigation (NBI);
- d. National Prosecution Service (NPS);
- e. Bureau of Immigration (BI);
- f. Bureau of Internal Revenue (BIR);
- g. Economic Intelligence and Investigation Bureau (EIIB);

- h. Bureau of Customs (BOC);**
- i. Forest Management Bureau (FMB); and**
- j. National Intelligence Coordinating Agency (NICA);**
- k. Such other agencies which the Commission may find necessary to implement its mandate.**

The Commission shall identify the respective areas of responsibilities of the foregoing agencies.

Sec. 6 Technical and Administrative Staff. The Commission shall organize its Technical and Administrative Staff to be headed by an Executive Officer designated by the Chairman. The Technical Staff shall be composed of personnel also designated by the Chairman and those detailed to the Commission by the different agencies specified in Section 5 hereof.

Sec. 7 Funding. The Commission shall be provided with an initial allocation of twelve million (P12,000,000.00) to be drawn from the President's Contingent Fund. Appropriations for the succeeding years shall be incorporated in the budget proposal's under the Office of the President.

Sec. 8 Operating Guidelines. The Commission shall adopt such operating guidelines as may be necessary to implement this Executive Order.

Sec. 9 Effectivity. This Executive Order shall take effect immediately.

DONE in the City of Manila, Philippines, this 7th day of July, in the year of Our Lord, nineteen hundred and ninety-two.

(Sgd.) FIDEL V. RAMOS
President of the Philippines

By the President:

(Sgd.) PETER D. GARRUCHO, JR.
Acting Executive Secretary