



Republika ng Pilipinas  
**KAGAWARAN NG KATARUNGAN**  
*Department of Justice*  
Manila

VNA-MC-\_\_\_\_\_

**MEMORANDUM CIRCULAR NO. 030**

**TO :** Undersecretaries and Assistant Secretaries  
The Prosecutor General  
The Chief State Counsel  
Heads of Bureaus, Commissions and  
Offices attached to the DOJ  
Regional/Provincial/City Prosecutors  
DOJ Library  
All Concerned

**SUBJECT :** Proclamation No. 216 signed by President Rodrigo R. Duterte

**DATE :** MAY 26 2017

---

Attached is a certified copy of Proclamation No. 216 dated 23 May 2017, signed by President Rodrigo R. Duterte entitled **"DECLARING A STATE OF MARTIAL LAW AND SUSPENDING THE PRIVILEGE OF THE WRIT OF HABEAS CORPUS IN THE WHOLE OF MINDANAO"**.

Let the certified copy thereof be kept in the DOJ Library Section.

For information and guidance.

  
**VITALIANO N. AGUIRRE II**  
Secretary

Department of Justice  
CN : 0201705201



Encl.: Certified Copy of Proclamation No. 216 dated 23 May 2017



MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

PROCLAMATION NO. 216

**DECLARING A STATE OF MARTIAL LAW AND  
SUSPENDING THE PRIVILEGE OF THE WRIT OF  
HABEAS CORPUS IN THE WHOLE OF MINDANAO**

**WHEREAS**, Proclamation No. 55, series of 2016, was issued on 04 September 2016 declaring a state of national emergency on account of lawless violence in Mindanao;

**WHEREAS**, Section 18, Article VII of the Constitution provides that "x x x In case of invasion or rebellion, when the public safety requires it, he (the President) may, for a period not exceeding sixty days, suspend the privilege of the writ of *habeas corpus* or place the Philippines or any part thereof under martial law x x x";

**WHEREAS**, Article 134 of the Revised Penal Code, as amended by R.A. No. 6968, provides that "the crime of rebellion or insurrection is committed by rising and taking arms against the Government for the purpose of removing from the allegiance to said Government or its laws, the territory of the Republic of the Philippines or any part thereof, of any body of land, naval or other armed forces, or depriving the Chief Executive or the Legislature, wholly or partially, of any of their powers or prerogatives";

**WHEREAS**, part of the reasons for the issuance of Proclamation No. 55 was the series of violent acts committed by the Maute terrorist group such as the attack on the military outpost in Butig, Lanao del Sur in February 2016, killing and wounding several soldiers, and the mass jailbreak in Marawi City in August 2016, freeing their arrested comrades and other detainees;

**WHEREAS**, today, 23 May 2017, the same Maute terrorist group has taken over a hospital in Marawi City, Lanao del Sur, established several checkpoints within the City, burned down certain government and private facilities and inflicted casualties on the part of Government forces, and started flying the flag of the Islamic State of Iraq and Syria (ISIS) in several areas, thereby openly attempting to remove from the allegiance to the Philippine Government this part of Mindanao and deprive the Chief Executive of his powers and prerogatives to enforce the laws of the land and to maintain public order and safety in Mindanao, constituting the crime of rebellion; and

**WHEREAS**, this recent attack shows the capability of the Maute group and other rebel groups to sow terror, and cause death and damage to property not only in Lanao del Sur but also in other parts of Mindanao.



MALACAÑAN PALACE  
MANILA

**NOW, THEREFORE, I, RODRIGO ROA DUTERTE**, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution and by law, do hereby proclaim, as follows:

**SECTION 1.** There is hereby declared a state of martial law in the Mindanao group of islands for a period not exceeding sixty days, effective as of the date hereof.

**SECTION 2.** The privilege of the writ of habeas corpus shall likewise be suspended in the aforesaid area for the duration of the state of martial law.

DONE in the Russian Federation, this 23<sup>rd</sup> day of May in the year of our Lord, Two Thousand and Seventeen.

By the President:

  
**SALVADOR C. MEDIALDEA**  
Executive Secretary



