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Republic of the Philippines
NATIONAL POLICE COMMISSION
DILG – NAPOLCOM Center
NAPOLCOM Building, EDSA corner Quezon Avenue
West Triangle, Quezon City 1104
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RESOLUTION NO. 2017- 334

**WITHDRAWING THE DEPUTATION OF THE GOVERNORS OF
MAGUINDANAO, LANA DEL SUR, LANA DEL NORTE, SULTAN
KUDARAT, SULU, BASILAN, TAWI-TAWI AND
THE MAYOR OF COTABATO CITY
(UNDER SECTION 52 OF R.A. 6975, AS AMENDED)**

WHEREAS, Section 6, Article XVI of the 1987 Philippine Constitution provides that *“The State shall establish and maintain one police force, which shall be national in scope and civilian in character, to be administered and controlled by a national police commission. The authority of local executives over the police units in their jurisdiction shall be provided by law”*;

WHEREAS, under Section 51 of Republic Act 6975, as amended by Section 62 of Republic Act 8551, governors and mayors, upon having been elected and qualified as such, are automatically deputized as representatives of the National Police Commission in their respective jurisdiction. As deputized agents of the Commission, local government executives can inspect police forces and units, conduct audit, and exercise other functions as may be duly authorized by the Commission;

WHEREAS, on 11 October 1999, the Commission issued NAPOLCOM Memorandum Circular No. 99-010, prescribing the guidelines in the exercise of the powers and functions of local executives over the local police units within their respective localities as deputized representatives of the Commission, and the procedure on the suspension/withdrawal and restoration of the said deputation, with said issuance having been amended upon the issuance of NAPOLCOM Memorandum Circular No. 2001-003 on 4 May 2001;

WHEREAS, on 4 September 2016, upon the spate in the island of Mindanao of abductions, hostage-takings, murder of innocent civilians, bombing of transmission facilities, highway robberies and extortions, attacks on military outposts, assassinations of media people, and mass jail breaks, **President Rodrigo Roa Duterte** issued Proclamation No. 55 series of 2016 (PP No. 55, s. 2016) declaring a state of national emergency on account of lawless violence in Mindanao.

RESOLUTION WITHDRAWING THE DEPUTATION OF
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(UNDER SECTION 52 OF R.A. 6975, AS AMENDED)

WHEREAS, on the night of 2 September 2016, at least 14 people were killed and 67 others were seriously injured in a bombing incident in a night market in Davao City, the perpetrators of which are believed to be members of the *Maute* Terrorist Group;

WHEREAS, part of the reasons for the issuance of PP No. 55, s.2016 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 which resulted in the killing and wounding several soldiers, and the mass jailbreak in Marawi City in August 2016 where they successfully freed their arrested comrades and other detainees;

WHEREAS, even as the aforementioned acts displayed the propensity and audacity of the *Maute* Terrorist Group to defy the rule of law, sow anarchy, and sabotage the government's economic development and peace efforts, PP No. 55, s. 2016 also warned of intelligence reports indicating the existence of credible threats of further attacks and other similar acts of violence by lawless elements in other parts of the country;

WHEREAS, on 23 May 2017, the *Maute* Terrorist Group took 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;

WHEREAS, in response to the aforementioned terroristic acts, **President Rodrigo Roa Duterte** issued on 23 May 2017 Proclamation No. 216 declaring a state of martial law and suspending the privilege of the writ of habeas corpus in the whole of Mindanao, as the recent attacks showed the capability of the *Maute* Terrorist Group to sow terror, cause death, and damage property not only in Lanao del Sur but also in other parts of Mindanao;

WHEREAS, under martial law, *police power is exercised by the executive with the aid of the military and in place of "certain governmental agencies which for the time being are unable to cope with existing conditions in a locality which remains to the sovereignty."*¹ Verily, despite PP No. 55, s. 2016, certain local chief executives in Mindanao were not able to impose measures to suppress terroristic acts and prevent lawless violence in their jurisdiction which is inimical to national security and poses a serious threat to the lives and security of their constituents;

WHEREAS, there have also been reports of local chief executives in Mindanao being involved in the illegal drug trade and who are said to be providing support, in one way or another, to the *Maute* Terrorist Group or other criminal elements in their jurisdiction, which said acts effectively negate the effectiveness of the peace and order campaign in the country;

¹ The 1987 Constitution of the Republic of the Philippines: A Commentary; Bernas, S.J.; p. 871, 2003 ed.

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WHEREAS, premised on the foregoing, the Commission is convinced that the failure of the local chief executives to suppress terrorist elements resulting in the alarming incidence of lawless violence within their territorial jurisdiction constitutes acts inimical to national security which pose a serious threat to the lives and security of their constituents and negate the effectiveness of the peace and order campaign in the country, and that the action or inaction of certain local chief executives in connection with the illegal drug trade, while still being validated, is tantamount to providing material support to criminal elements;


NOW, THEREFORE, in order to help streamline the efforts of **President Rodrigo Roa Duterte**, Commander-in-Chief and Chief Executive of the Republic of the Philippines, in the implementation of Martial Law in Mindanao and premised on the existence of the aforementioned grounds for suspension/withdrawal by the NAPOLCOM of its deputation of local chief executives as representatives of the Commission in their respective jurisdiction, the **COMMISSION HEREBY RESOLVED, AS IT HEREBY RESOLVES**, to **WITHDRAW THE DEPUTATION OF** the following local chief executives effective immediately:

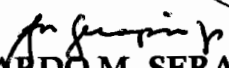
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|--------------------|-------------------------------------------|
| 1. Maguindanao | Governor Esmael G. Mangudadatu |
| 2. Lanao del Sur | Governor Mamintal Adiong, Jr. |
| 3. Lanao Del Norte | Governor Imelda D.C. Quibranza-Dimaporo |
| 4. Sultan Kudarat | Governor Datu Pax S. Pakung Mangudadatu |
| 5. Sulu | Governor Abdusakur A. Tan II |
| 6. Basilan | Governor Hadjiman Salliman |
| 7. Tawi-Tawi | Governor Nurbert Sahali |
| 8. Cotabato City | Mayor Atty. Frances Cynthia Guiani-Sayadi |

The Commission further declares that the duties, obligations, powers and prerogatives vested unto the foregoing chief executives as NAPOLCOM deputy under Section 51 of R.A. 6975 and Section 64 of R.A. 8551 are hereby **REMOVED** and **REVOKED** accordingly.

Done this 8th day of June 2017 in Quezon City, Philippines.

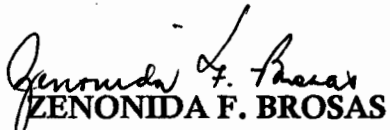

CATALINO S. CUY
 Officer-In-Charge, DILG
 Chairman


ATTY. ROGELIO T. CASURAO
 Commissioner
 Vice Chairman and Executive Officer


FELIZARDO M. SERAPIO, JR.
 Commissioner


JOB M. MANGENTE
 Commissioner

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(UNDER SECTION 52 OF R.A. 6975, AS AMENDED)


ZENONIDA F. BROSAS
Commissioner


RONALD M. DELA ROSA
Commissioner

Attested by:


ELVIRA M. BAUTISTA
Acting Chief, NAPOLCOM Secretariat