

PROCLAMATION NO. 38

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MPN 9070

DECLARING A STATE OF REBELLION IN THE  
NATIONAL CAPITAL REGION

**WHEREAS**, the angry and violent mob, armed with explosives, firearms, bladed weapons, clubs, stones and other deadly weapons, in great part coming from the mass gathering at the EDSA Shrine, and other armed groups, having been agitated and incited and, acting upon the instigation and under the command and direction of known and unknown leaders, have and continue to assault and attempt to break into Malacañang with the avowed purpose of overthrowing the duly constituted Government and forcibly seize political power, and have and continue to rise publicly, show open hostility, and take up arms against the duly constituted Government for the purpose of removing from the allegiance to the Government certain bodies of the Armed Forces of the Philippines and the Philippine National Police, and to deprive the President of the Republic of the Philippines, wholly or partially, of her powers and prerogatives which constitute the continuing crime of rebellion punishable under Article 134 of the Revised Penal Code;

**WHEREAS**, armed groups recruited by known and unknown leaders, conspirators, and plotters have and continue to rise publicly and by the use of arms overthrow the duly constituted Government and forcibly seize political power;

**WHEREAS**, under Article VII, Section 18 of the Constitution, whenever it becomes necessary, the President as the Commander-in-Chief of all armed forces of the Philippines, may call out such armed forces to suppress the rebellion;

**NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO**, by virtue of the powers vested in me by law hereby recognize and confirm the existence of an actual and on-going rebellion compelling me to declare a state of rebellion.

In view of the foregoing, I am issuing General Order No. 1 in accordance with Section 18, Article VII of the Constitution calling upon the Armed Forces of the Philippines and the Philippine National Police to suppress and quell the rebellion.

City of Manila, May 1, 2001.



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**REPUBLIC OF THE PHILIPPINES  
NATIONAL CAPITAL JUDICIAL REGION  
REGIONAL TRIAL COURT  
QUEZON CITY, BRANCH \_\_\_\_\_**

**PEOPLE OF THE PHILIPPINES,**  
Plaintiff,

CRIM. CASE No. Q-01-100523  
(I. S. No. 2001-397)

-versus-

For: Rebellion under Art. 134 of  
the Revised Penal Code as  
amended by R. A. No. 6968

**SENATOR JUAN PONCE ENRILE  
AND JOHN/JANE DOES,**  
Accused.

X-----X

**INFORMATION**

The undersigned Assistant City Prosecutor hereby accuse **SENATOR JUAN PONCE ENRILE** and **JOHN/ JANE DOES** of the crime of **REBELLION** defined under Article 134 and penalized under the first paragraph of Art. 135 of the Revised Penal Code, as amended by R. A. 6968, committed as follows:

That on or about April 28, 2001 and for sometime before the said date and continuously thereafter, in front of the EDSA Shrine, Quezon City, a place within the jurisdiction of this Honorable Court, accused **SENATOR JUAN PONCE ENRILE**, together with other **JOHN** and **JANE DOES**, conspiring, confederating and mutually helping one another, did then and there, willfully, unlawfully and feloniously promote, maintain, direct, speak for, head or perform similar acts on behalf of the pro-Estrada demonstrators to rise publicly and take arms against the Government of the Republic of the Philippines for the purpose of depriving the Chief Executive, **HER EXCELLENCY GLORIA MACAPAGAL-ARROYO**, President of the Republic of the Philippines, of any of her powers, by directing these demonstrators to attack, assault, siege, take over Malacañang Palace with the end in view of overthrowing her duly constituted Government and reinstall deposed President **JOSEPH EJERCITO ESTRADA**.

**CONTRARY TO LAW.**

Quezon City, Philippines.  
May 3, 2001.

*Agcaoili*  
**ALFREDO P. AGCAOILI**  
3rd Assistant City Prosecutor

*Jamolin*  
**CONRADO M. JAMOLIN**  
2<sup>nd</sup> Assistant City Prosecutor

*Lofranco*  
**ELIGIO B. LOFRANCO**  
2<sup>nd</sup> Assistant City Prosecutor

*De Vera*  
**LAMBERTO C. DE VERA**  
3<sup>rd</sup> Assistant City Prosecutor

**WITNESSES:**

1. Staff Sgt. Pablo P. Bala, Jr. - c/o ISAFP, Camp Aguinaldo, Quezon City
2. Geovel M. Aperio - NBI, Taft Ave., Manila
3. Revel V. Arellano - do -
4. Akmat L. Sampang, Jr. - do -
5. Martini B. Cruz - do -

AND OTHERS.

**NO BAIL RECOMMENDED.**

**CERTIFICATION**

We hereby certify that the foregoing Information is filed in accordance with Sec. 7, Rule 112 of the Revised Rules on Criminal Procedure, as amended, the accused not having opted to avail of his right to a preliminary investigation and not having executed a waiver pursuant to Article 125 of the Revised Penal Code, as amended. We further certify that this Information is being filed with the prior authority of the Chief State Prosecutor.

*Agcaoili*  
**ALFREDO P. AGCAOILI**

*Jamolin*  
**CONRADO M. JAMOLIN**

*Lofranco*  
**ELIGIO B. LOFRANCO**

*De Vera*  
**LAMBERTO C. DE VERA**

SUBSCRIBED AND SWORN to before me this 2<sup>nd</sup> day of May 2001 at Quezon City, Philippines.

APPROVED:

*Zuno*  
**JOVENCITO R. ZUNO**  
Chief State Prosecutor

*Chua-Cheng*  
**LORNA C. CHUA-CHENG**  
3<sup>rd</sup> Asst. City Prosecutor