

MEMORANDUM ORDER NO. 55

PROVIDING THE IMPLEMENTING GUIDELINES FOR THE ANTI-KIDNAPPING TASK FORCE OF THE NATIONAL ANTI-CRIME COMMISSION

WHEREAS, the National Anti-Crime Commission was created by virtue of Executive Order No. 23 dated July 6, 2001 as amended by Executive Order No. 23-A dated August 3, 2001, to formulate policies, develop modes for coordination and monitor implementation with regard to efforts in preventing and combating crime;

WHEREAS, the National Anti-Crime Commission has created the Anti-Kidnapping Task Force.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Purpose and Scope. – The purpose of this Memorandum Order is to provide the Implementing Guidelines of the Anti-Kidnapping Task Force (“Task Force”) created by the National Anti-Crime Commission (NACC). The scope covers the organizational and operational set-up of the Task Force including the mission, organization and composition, coordination, line of authority, powers and functions, duties and tasks, operating guidelines, discipline and performance evaluation, and funding.

SECTION 2. Mission. – The Task Force is not an agency. It is a temporary task force created under the multi-agency NACC to unify, synchronize, and optimize efforts and resources of the Philippine National Police (PNP), Armed Forces of the Philippines (AFP), National Bureau of Investigation (NBI), National Prosecution Service (NPS) and other concerned Government agencies in the handling, investigation and prosecution of Kidnap-for-Ransom (KFR) cases where the victims are members of the Filipino-Chinese community in particular, as well as other KFR cases identified by the President of the Philippines or the NACC or any of the latter’s component agencies or personalities to be assigned to the Task Force, and to conduct operations against such KFR groups as are assigned to it. Other KFR cases not specifically assigned to the Task Force shall continue to be handled by the PNP.

SECTION 3. Definition of Terms. – As used in this Memorandum Order, the following terms shall mean:

- a. Task Force – the concept of task force as understood in conventional military and police doctrine; and



- b. Kidnap-for-ransom – a crime committed by a private individual who kidnaps or detains another, or in any other manner, deprives him of his liberty for the purpose of extorting ransom from the victim or any other person.

SECTION 4. *Organization and Composition.* – The Task Force shall be under a Task Force Chief to be designated by the President of the Philippines. He shall be supported by a Functional Staff and other special operating units.

- a. The Functional Staff shall assist in the implementation, supervision, and orchestration of all actions pertaining to the KFR cases assigned to the Task Force.
- b. Special anti-KFR units/personnel from the PNP, AFP, NBI and the Department of Justice (DOJ) shall be assigned by the NACC to the Task Force as needed.
- c. Respective mother agencies shall provide transportation, communications, firearms and individual equipment to their respective personnel assigned to the Task Force.
- d. A Tactical Center shall be created to monitor and orchestrate the day-to-day activities of the different Government agencies involved in the KFR cases assigned to the Task Force.

SECTION 5. *Coordination.* – The Task Force is hereby authorized to enlist the assistance of any agency of the Government, including government-owned and controlled corporations in the performance of its official functions.

SECTION 6. *Line of Authority.* – The line of command and control of the Task Force shall be as follows:

- a. The Task Force Chief shall periodically report and update the NACC as a body on all matters relative to the anti-KFR campaign cases assigned to it.
- b. The Task Force Chief shall exercise supervision over all personnel and units assigned to the Task Force. He is hereby authorized to select the personnel who will work under him.

SECTION 7. *Powers and Functions.* – The Task Force shall exercise the following powers and functions:

- a. Take cognizance of and act as the lead in reported KFR cases where the victims are members of the Filipino-Chinese community, as well as other cases specifically assigned to it by



the President of the Philippines or by any of the component units or individuals that constitute NACC;

- b. Cause or direct the immediate arrest, investigation and speedy prosecution of involved personalities, conspirators and their associates in accordance with constitutional processes;
- c. Enlist the assistance of any agency of the Government including government-owned and controlled corporations in the performance of its mandate;
- d. Maintain a DOJ component in the Task Force to cause the efficient and expeditious dispensation of criminal justice through investigation and prosecution; and
- e. Perform such other functions as the President of the Philippines may direct.

SECTION 8. Duties and Tasks of the Task Force Chief. – The Task Force Chief shall be principally responsible for the successful implementation and accomplishment of the mission and functions of the Task Force. He shall exercise command and control over all units/personnel assigned/detailed to the Task Force, direct and supervise the conduct of operations on cases assigned to the Task Force, and perform such other tasks as the President of the Philippines may determine.

SECTION 9. Guidelines. – The Task Force shall adhere to the following guidelines that supplement the existing Police Operational Procedures:

- a. Utmost priority shall be placed on the safe rescue of KFR victims and the confidentiality of all information relative to ongoing KFR cases assigned to the Task Force.
- b. The Task Force shall ensure the successful and speedy prosecution of criminal cases against all arrested and identified suspects in the cases assigned to it and, for this purpose, the Task Force shall include personnel from the DOJ.
- c. All operations conducted shall have the prior clearance and knowledge of the Task Force Chief.
- d. Counteraction operations conducted against target personalities shall be primarily aimed at bringing the suspects to the bar of justice.
- e. Any law enforcement unit/office/agency that initially takes cognizance of a KFR case where the victim is a member of the Filipino-Chinese community or of a case subsequently assigned



by the President of the Philippines or by any of the component units or individuals that constitute the NACC to the Task Force, shall turn over to the Task Force all gathered evidence. From that point on, joint investigation and operations shall be conducted. The Task Force shall have the operational jurisdiction over KFR cases where the victim is a member of the Filipino-Chinese community and such other cases as may be assigned to it by the President of the Philippines or members of the NACC.

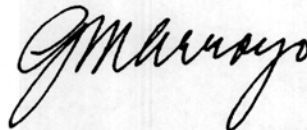
- f. Handling of all media inquiries should be conducted with utmost discretion, taking into account the safety of the victims and their immediate relatives. Only the Task Force Chief, or his duly authorized representative, or the Chief of the Philippine National Police, or the Chairman of the NACC, is allowed to make pronouncements on details of KFR cases.
- g. The personnel strength of the Task Force shall be two hundred (200).

SECTION 10. Discipline and Performance Evaluation. – The Task Force Chief shall create an internal mechanism that shall implement periodic background investigation to ensure personnel discipline and that shall regularly assess individual and unit performance.

SECTION 11. Funding. – The NACC shall provide the necessary funds to the Task Force to support and ensure its operational effectiveness.

SECTION 12. Effectivity. – This Memorandum Order shall take effect immediately upon approval.

City of Manila, *March 13, 2002*



By the President:



ALBERTO G. ROMULO
Executive Secretary



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