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SERVICE DURING JAP OCCUPATION  
(PHILIPPINE ARMY POLICY)

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PHILIPPINE ARMY  
POLICY  
RE SERVICE DURING  
JAP OCCUPATION  
PA-24

COMMONWEALTH OF THE PHILIPPINES  
ARMY HEADQUARTERS  
AFO 501

18 August 1945

GENERAL ORDERS )  
NUMBER 135 )

Section

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I. POLICY - SERVICE DURING JAPANESE OCCUPATION. - By direc-  
tion of the President of the Philippines, and with the approval  
of the Commander-in-Chief, United States Army Forces, Pacific,  
the following policy on service during the Japanese occupation is  
hereby established:

1. No officer or enlisted man of the Philippine  
Army or of the Philippine Constabulary, called into the  
service of the United States Forces in the Far East, will  
be retained in such service or on active duty in the  
Philippine Army who:

a. Accepted appointment or performed service  
~~in any capacity in any activity controlled by the~~  
Japanese or by a Japanese-sponsored puppet government.

b. Not falling under the provisions of Par. a,  
above:

- (1) Engaged in the buying and selling of war materials;
- (2) Gave aid, comfort and sustenance to Japanese soldiers;
- (3) Prostituted our women to the Japanese;
- (4) Revealed military information to the enemy;
- (5) Engaged in espionage work for the enemy;
- (6) Worked with the Japanese propaganda corps; or
- (7) Committed other act or acts hostile to the United States or the Commonwealth of the Philippines.

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Gen Orders #155, 18 August 45, cont'd.

II. RESPONSIBILITY OF UNIT COMMANDER. Whenever the commander of any unit of the Philippine Army to which an officer or enlisted man has been assigned or attached, has evidence, either from the statement of such individual, or from some other reliable source, that he comes within the category of individuals listed in paragraph 1, Section I, above, such commander will submit a special report in each case direct to this Headquarters. The report will include:

1. Name.
2. Rank.
3. Army Serial Number.
4. Present assignment.
5. Copy of statement of service or affidavit by individual concerned.
6. Affidavits of others having knowledge of service by the individual with Japanese or puppet agencies.

III. DETERMINATION OF SERVICE - PROCEDURE. The administrative determination of whether or not an individual falls under any of the provisions of Section I will be made by such Boards of Officers as this Headquarters may from time to time appoint.

1. In the consideration of such cases as may be referred to it, the Board of Officers will be governed by the following procedure, and by such rules as may be promulgated from time to time by this Headquarters in separate orders, provided: that every individual under investigation by the Board shall have the right to be heard and to defend himself.

a. Every officer or enlisted man to appear before the Board will be notified in writing of such fact, and of the date, hour and place of the hearing, at least three days in advance, and will be informed of his right to counsel upon his request. He may introduce any officer of the Philippine Army as counsel, subject to the availability of the officer concerned as determined by his immediate commander. Where counsel is desired and no officer specified by the individual is available, a counsel will be detailed by order of this Headquarters. Civilian counsel will not be permitted.

b. The President of the board will request the Adjutant General, Philippine Army, to issue travel orders in the case of individuals to appear before the Board who are located at stations other than that at which the hearing is to be held.

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General Orders #135, 18 August 45, cont'd.

c. Witnesses may be introduced by the individual whose case is being heard. Affidavits may be presented from witnesses not available. No witness will be ordered to perform travel in order to appear before the Board.

2. Findings of the board, together with all pertinent papers and documentary evidence, will be forwarded to the Adjutant General, Philippine Army, and will cover the following:

a. An affirmative or negative finding as to service defined in Sec. I, par. 1 above. An affirmative finding shall not be made in any case in which it clearly appears that the person concerned remained loyal to the United States and to the Commonwealth of the Philippines notwithstanding service as defined in Sec. I, par. 1a.

b. In case of an affirmative finding under a, above:

- (1) The specific position or positions, service, or services, act or acts, occupied, performed or committed, and their respective dates.
- (2) Period of "absence from post of duty without authority". This period will be that from initial entry into service or performance of act as determined in a, above, until return to military control, either by serving in a recognized guerrilla unit or by reporting to a United States or Philippine Army unit or installation.
- (3) Any extenuating or mitigating circumstance or circumstances as borne out by the evidence adduced.

3. Recommendations of the Board will be one of the following:

- a. That the individual be tried by general court-martial.
- b. That the individual be discharged, for the convenience of the government, under conditions other than honorable.
- c. That the individual be retained in the service.

4. Final decision as to the action to be taken on the findings and recommendations of the Board will be made by the Chief of Staff, Philippine Army.

IV. REVOCATION OF GENERAL ORDERS #20, PPA. This General

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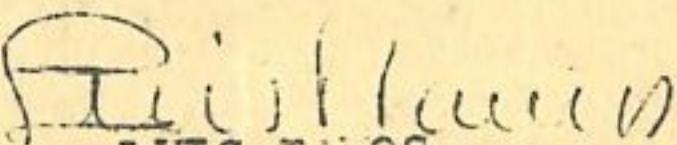
General Orders #135, 18 August 45, cont'd.

Orders revokes and supersedes General Orders No. 20, this Headquarters, dated 17 March 1945, as amended by General Orders No. 37, this Headquarters, dated 2 April 1945.

By order of the Secretary of National Defense:

BASILIO J. VALDES,  
Major General, Philippine Army,  
Chief of Staff.

OFFICIAL:

  
LUIS RAMOS,  
Colonel, ACS,  
The Adjutant General.

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