

GRANTING AMNESTY TO ALL PERSONS WHO COMMITTED ACTS PENALIZED UNDER THE REVISED PENAL CODE IN FURTHERANCE OF THE RESISTANCE TO THE ENEMY.

PROCLAMATION NO. 8, September 07, 1946

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WHEREAS, since the inception of the war and until the liberation of the different areas comprising the territory of the Philippines, volunteer armed forces of Filipinos and of other nationalities operated as guerillas and other patriotic individuals and groups pursued activities in opposition to the forces and agents of the Japanese Empire in the invasion and occupation of the Philippines;

WHEREAS, members of such forces, in their determined efforts to resist the enemy, and to bring about his ultimate defeat, committed acts penalized under the Revised Penal Code;

WHEREAS, charges have been presented in the courts against many members of these resistance forces, for such acts;

WHEREAS, the fact that such acts were committed in furtherance of the resistance to the enemy is not a valid defense under the laws of the Philippines;

WHEREAS, the persons so accused should not be regarded as criminals but rather as patriots and heroes who have rendered invaluable services to the nation; and

WHEREAS, it is desirable that without the least possible delay, these persons be freed from the indignity and the jeopardy to which they are now being subjected;

NOW, THEREFORE, I, Manuel Roxas, President of the Philippines, in accordance with the provisions of Article VII, section 10, Paragraph 6 of the Constitution, do hereby declare and proclaim an amnesty in favor of all persons who committed any act penalized under the Revised Penal Code in furtherance of the resistance to the enemy or against persons aiding in the war efforts of the enemy, and committed during the period from December 8, 1941 to the date when each particular area of the

Philippines was actually liberated from enemy control and occupation. This amnesty shall not apply to crimes against chastity or to acts committed from purely personal motives.

It is further proclaimed and declared that in order to determine who among those against whom charges have been filed before the courts of the Philippines or against whom charges may be filed in the future, come within the terms of this amnesty, Guerilla Amnesty Commissions, simultaneously to be established, shall examine the facts and circumstances surrounding each case and, if necessary, conduct summary hearings of witnesses both for the complainant and the accused. These Commissions shall decide each case and, upon finding that it falls within the terms of this proclamation, the Commission shall so declare and this amnesty shall immediately be effective as to the accused, who shall forthwith be released or discharged.

It is further proclaimed and declared that any case now pending or which may be filed in the future which a Guerrilla Amnesty Commission decides as not within the terms of the amnesty, shall proceed in accordance with

the usual legal procedure in the courts without regard to this proclamation, but the fact that a Commission has rendered an adverse verdict shall prejudice the accused in his defense; and the accused, during such trial, may present evidence to prove that his case falls within the terms of this amnesty. If the fact is legally proved, the trial judge shall so declare and this amnesty shall be immediately effective as to the accused, who shall forthwith be released or discharged.

IN WITNESS WHEREOF, I, have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done at the City of Manila, this 7[th] day of September, in the year of Our Lord, nineteen hundred and forty-six, and of the Independence of the Philippines, the first.

(Sgd.) MANUEL ROXAS

President of the Philippines

By the President:

(Sgd.) EMILIO ABELLO

Chief of the Executive Office

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