

MALACAÑAN PALACE  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 53

CREATING A NATIONAL BOARD OF INQUIRY TO INVESTIGATE CHARGES OF DISLOYALTY TO THE GOVERNMENTS OF THE COMMONWEALTH OF THE PHILIPPINES AND THE UNITED STATES OF AMERICA

WHEREAS, for the purpose of strengthening the national unity, the legal problems and matters of policy involved in the investigation and disposition of the cases of citizens who may be accused of disloyalty during the Japanese occupation should be thoroughly studied in order that a basic policy may be established for dealing with such cases in accordance with the law and with an understanding of the conditions which existed during the period of enemy occupation;

WHEREAS the public service may require the recall to duty of officials and employees of the Commonwealth Government who continued in the service during the enemy occupation;

NOW, THEREFORE, I, SERGIO OSMEÑA, President of the Philippines, by virtue of the powers vested in me by the Constitution and laws of the Philippines, do hereby create a National Board of Inquiry, composed of a chairman and four members to be appointed by the President, to investigate charges of disloyalty and consider the legal problems and matters of public policy involved therein.

1. The duties and functions of this Board are:

a. To investigate the validity, with respect to the law and the facts involved, of all charges of disloyalty to the Commonwealth of the Philippines and the United States of America which have been filed or which may hereafter be filed.

b. To allow such persons the right to be present at such investigations, to be heard by themselves or by counsel, and to present witnesses on their behalf. Hearings of the Board shall be open to the public unless its members unanimously decide that the public interest requires hearings in executive session.

c. To submit to the President a report of its labors and, in its discretion, to present current reports of its findings and conclusions, and at frequent intervals to recommend to him such action as may be deemed just and proper in each particular case that has been heard.

2. This Board shall also investigate the conduct of those public officials or employees who served during the enemy occupation and who may be recalled to duty. Upon the request of the respective appointing public official, the Board shall likewise make the same investigation of any official or employee under him already in the service. The Board shall give ample opportunity for the presentation of evidence which may be useful in determining the motives of the official or employee concerned in continuing to render service during the period of Japanese occupation, and his conduct while in office during said period.

3. The Board of Inquiry shall prepare such rules and regulations for its operation as may be necessary. It is hereby authorized to direct the appearance of witnesses with or without documents, administer oaths, and take testimony relevant to its investigations. It is also authorized to call upon any office, official, or employee of the Commonwealth of the Philippines for any necessary assistance in carrying out its functions and, with the approval of the corresponding Head of Department, such assistance shall be given.

4. To enable the Board to discharge its functions with dispatch and equity, it is hereby authorized to appoint deputies with power to conduct investigations in the provinces, municipalities, and chartered cities. It shall be the duty of such deputies to conduct the investigations within their respective jurisdictions in accordance with the provisions of this Executive Order, and submit to the Board the evidence presented with the pertinent recommendation in each case.

5. Inasmuch as justice requires and the Constitution of the Commonwealth prescribes that in all criminal prosecutions the accused shall have a speedy trial, the Board is enjoined to execute its functions with the greatest dispatch compatible with safeguarding the rights of the accused and the interests of the State. Records of proceedings shall be as brief as possible and need not be verbatim. In the taking of evidence only that testimony shall be of record which is deemed essential by the Board.

6. The chairman and members of this Board shall receive compensation in the form of per diem, the chairman at the rate of thirty pesos (P30) and the members twenty pesos (P20) a day for each day of service actually rendered, except those who are already employed by the Commonwealth of the Philippines who shall serve without additional compensation. Within the limit of such funds as may be set aside or appropriated for the purpose, the Board may employ the necessary personnel and make provisions for equipment, supplies, materials, travel, and other services.

7. The Board of Inquiry created under Executive Order No. 23 is hereby abolished and any pending cases shall hereafter fall under the jurisdiction of the National Board of Inquiry established by this executive order.

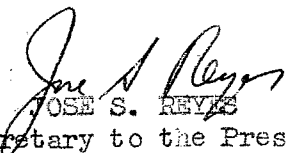
Done in the City of Manila this 8<sup>th</sup> day of June, in the year of Our Lord, nineteen hundred and forty-five, and of the Commonwealth of the Philippines, the tenth.



SERGIO OSMEÑA

President of the Philippines

By the President:



JOSE S. REYES

Secretary to the President