

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 3175



Introduced by **Akbayan! Party List Representatives LORETTA ANN P. ROSALES, MARIO "MAYONG" JOYO AGUJA and ANA THERESIA HONTIVEROS-BARAQUEL**

EXPLANATORY NOTE

Article XIV, Section 3(2) of the Constitution provides that:

"They (all educational institutions) shall inculcate patriotism and nationalism, **foster love of humanity, respect for human rights**, appreciation of the role of national heroes in the historical development of our country, teach the rights and duties of citizenship, strengthen ethical and spiritual values"
(Underscoring supplied)

Likewise, by virtue of Sections 17, 18 and 19 of Article XIII of the 1987 Constitution, the Commission on Human Rights (CHR) was created to ensure the protection and promotion of the respect for human rights through continuous human rights education, prosecution of human rights violators and compliance of the government with the Universal Declaration of Human Rights and other international human rights covenants and agreements. Further, Executive Order No. 27 was also issued on July 24, 1986 which provides, among others, for the utilization of the system of formal and informal education to gain greater respect for and deter violations of human rights.

Despite our gains in transforming and institutionalizing human rights into legal and enforceable rights, human rights violations continue in the Philippines today. One has only to go through the daily newspapers to know that a large number of cases of harassment, physical and mental torture, abduction and extra-judicial executions continue to occur in our country. These atrocities are not only perpetrated by members of our law enforcement agencies but also by civilian employees and officers of government agencies.

Although law enforcers still top the list of human rights violators, the CHR ranks government officials and employees as number five among the perpetrators of human rights abuses. Among these human rights violations committed by government officials and employees are harassment, torture,

disappearance, arrest and detention, and other gross disrespect for human rights and non-observance of due process.

For workers in the executive, legislative and judicial branches of government to understand, appreciate and respect the rights of others, human rights education is a must.

This bill, therefore, aims to ensure that officers, employees and trainees of all government agencies be given at least a working knowledge of due process of law and human rights, to include its protection and promotion.

It is the hope of this bill that with the protection and promotion of human rights enshrined in our laws, the continuing education of our law enforcers and civil servants on human rights will contribute to the efficient delivery of services, respect for the rights of others and the rule of law in our country as well as deter the incidence of human rights violations.

The passage of this bill is earnestly sought.


Rep. LORETTA ANN P. ROSALES


Rep. MARIO "MAYONG" JOYO AGUJA


Rep. ANA THERESIA HONTIVEROS-BARAQUEL

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Introduced by **Akbayan! Party List Representatives LORETTA ANN P. ROSALES, MARIO "MAYONG" JOYO AGUJA and ANA THERESIA HONTIVEROS-BARAQUEL**

AN ACT

PROVIDING FOR MANDATORY TRAINING ON HUMAN RIGHTS FOR ALL OFFICERS, MEMBERS AND TRAINEES OF THE ARMED FORCES OF THE PHILIPPINES (AFP), THE PHILIPPINE NATIONAL POLICE (PNP), THE NATIONAL BUREAU OF INVESTIGATION (NBI), AND OTHER LAW ENFORCEMENT AGENCIES, AS WELL AS OFFICIALS AND EMPLOYEES IN THE EXECUTIVE, LEGISLATIVE AND JUDICIAL BRANCHES OF GOVERNMENT INCLUDING GOVERNMENT-OWNED AND/OR CONTROLLED CORPORATIONS AND LOCAL GOVERNMENT UNITS AND FOR OTHER PURPOSES

Be enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Declaration of Policy.* The State values the dignity of every human person and guarantees full respect for human rights. This declaration of State policy in the Constitution is stated in Article XIV, Section 3 (2) which provides that all educational institutions shall inculcate respect for human rights.

SEC. 2. *Inclusion of Human Rights Courses in Government Training Programs.* All branches of government, including government-owned and/or controlled corporations (GOCCs) and local government units (LGUs), shall include the study of human rights as an integral part of the education and training of all their officers and employees, giving priority to those units involved in the administration of justice, intelligence work and maintenance of peace and order.

All government-owned or -financed training institutions, including the Philippine Military Academy (PMA), Philippine National Police Academy (PNPA), Philippine Public Safety College (PPSC), Local Government Academy (LGA) and other police, military training institutions/facilities shall include in their curricula a regular course on human rights.

SEC. 4. *Mandatory Human Rights Training for Law Enforcers.* The Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), the National Bureau of Investigation (NBI), the Bureau of Jail Management and Penology (BJMP), the Bureau of Corrections (BuCor), and other law enforcement agencies shall include the study of human rights as an integral part of the education and training of all trainees/prospective members of such agencies.

No trainee and/or prospective member of the AFP, PNP, NBI, BJMP, BuCor and other law enforcement agencies shall be admitted into the service without passing a comprehensive examination on human rights to be administered by the Commission on Human Rights (CHR) in consultation, coordination and collaboration with human rights non-governmental organizations (NGOs) and people's organizations (POs) duly recognized and accredited by the government.

All officers and men of the AFP, PNP, NBI, BJMP, BuCor and other law enforcement agencies shall likewise undergo an educational course on human rights under the direct supervision of the CHR, in coordination and collaboration with human rights NGOs and POs duly recognized and accredited by the government, giving priority to those units involved in counter-insurgency operations, intelligence work and those involved in the maintenance of peace and order.

No officer or member of the AFP, PNP, NBI, BJMP, BuCor and other law enforcement agencies shall be qualified for promotion without undergoing the required course and passing a comprehensive examination on human rights as attested to by the CHR.

SEC. 3. *Coordination of Training Programs.* The Civil Service Commission (CSC) shall initiate, formulate and design the course on human rights in collaboration with the Commission on Human Rights (CHR) and human rights non-governmental organizations (NGOs) and people's organizations (POs) which shall be implemented by the government agency concerned. The CHR and Human rights NGOs and POs shall provide resource persons, materials and other necessary assistance to the different agencies concerned in the implementation of this Act.

No textbook, manual or other reading/audio visual materials shall be used in the above courses on human rights without prior consultation and coordination with CHR, NGOs and other human rights groups.

The CSC, in consultation, coordination and collaboration with the CHR and human rights NGOs and POs, shall include basic knowledge on human rights as part of its entrance examination for admission to the career service.

SEC. 4. *Monitoring of Implementation.* All branches of government, including GOCCs and LGUs, shall submit to CSC, copy furnished the CHR, an

annual report of those who have successfully completed the required human rights course.

A Monitoring Group shall be tasked to periodically monitor and check compliance with this Act. The group shall be headed by the Secretary General of the Free Legal Assistance Group (FLAG). Members of this Monitoring Group shall be composed of:

- (a) four (4) representatives coming and selected among NGOs and other human rights groups; and
- (b) one (1) representative each from the Secretariat of the Committee on Human Rights of both Houses of Congress.

SEC. 5. **Appropriations Clause.** Such amounts as may be necessary for the implementation of this Act shall be included in the budgets of the CHR and other concerned government agencies in the General Appropriations Act of the year following its enactment into law and every year thereafter.

SEC. 6. **Implementing Rules and Regulations.** The CSC, in consultation, coordination and collaboration with the CHR and human rights NGOs and POs shall prepare and adopt the implementing rules and regulations necessary to carry out the provisions of this Act.

SEC. 7. **Repealing Clause.** All laws or any part thereof, inconsistent herewith are deemed repealed or modified accordingly.

SEC. 8. **Effectivity Clause.** This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of national circulation.

Approved,