

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



SIXTEENTH CONGRESS
First Regular Session

House Bill No. **3143**

Introduced by Kabataan Party-list Representative Terry L. Ridon

EXPLANATORY NOTE

The objective of this bill is to abolish the Reserve Officers Training Corps (ROTC) in universities and colleges, both public and private, and expand the social and civic service programs under the National Service Training Program (NSTP). Additional proposed programs under the NSTP are the following:

1. Comprehensive Community Service Program
2. Community Based Health and Nutrition Program
3. Community Immersion Program
4. Disaster Preparedness Program
5. Ecological Services Program
6. Human Rights Education and Advocacy Program

From Mandatory ROTC to NSTP

The ROTC was established pursuant to RA 7077 for the purpose of providing a strong civilian base for the expansion of the Armed Forces of the Philippines (AFP) in the event of war, invasion and rebellion. The program made it compulsory for male students in colleges and universities to undergo two (2) years of military training.

Years after its implementation, ROTC was proven irrelevant in fostering discipline, social responsibility, and patriotism in the youth. It became a hotbed for abuses including corruption, bribery, extortion, collection of unauthorized and excessive fees, and physical and verbal violence. It became nothing but a burden to students.

In 2001, the brutal murder of University of Santo Tomas student Mark Welton Chua became a catalyst for a broad movement to abolish the ROTC program in schools. Chua's death was linked to his exposition of the corruption in the UST Corps. The clamor to remove the ROTC program in tertiary schools resulted in the creation of the NSTP by virtue of Republic Act 9163 promulgated on 23 January 2002. The NSTP offered civilian programs for men and women alongside ROTC which in turn was made optional.

Amid the proposals in Congress to reinstate mandatory ROTC, Kabataan Party-list forwards the opposite and seeks to completely remove ROTC from the NSTP.

Military must keep out of campuses

ROTC aims to provide military training to students for national defense under the tutelage of the Department of National Defense and taught by soldiers. Mandatory ROTC advocates cite the impasse in the West Philippine Sea as justification for the program's reinstatement in colleges and universities. While the Philippine Constitution asserts that the people are duty-bound to defend the State, providing military training, institutional or material support, should not be the responsibility of civilian educational institutions. Using campuses for military training and, for some campuses the provision of a barracks, is inconsistent with Rules 22-24 of the International Humanitarian Law and other treaties which restrict the use of schools for military purposes. It is also inconsistent with Republic Act 7610 or the Special Protection of Children Against Abuse, Exploitation and Discrimination Act which states "public infrastructure such as schools, hospitals and rural health units shall not be utilized for military purposes such as command posts, barracks, detachments, and supply depots."

The military culture propagated by the ROTC is inconsistent with academic freedom. School are places for opening minds to new ideas, critical and independent thinking. The school is a venue for interaction among people of different background, status, beliefs, and the exchange of ideas. Military training imposes strict obedience to authority and hierarchy; it prescribes that critical thinking must be subordinate to the chain of command. Allowing military training within the campus imposes the military world view in institutions where students are required to be intellectually engaged and politically diverse.

The ROTC fosters a militarist culture detrimental to the development of the youth. It perpetrates corruption and political patronage, sexism and machismo, the culture of violence and human rights violation, and ideological bigotry.

Students experience their first exposure to corrupt practices under the ROTC where physical comforts and passing grades are given in exchange for cash and other favors (i.e. bottles of alcohol, reams of cigarettes, car rides etc.)

Under the mandatory ROTC, reports of physical and psychological abuse had been far too common. Officers humiliate, brutalize, and even maim cadets in the guise of 'training' is nothing short of the violation of basic human rights. These violent practices are deeply ingrained and identified with the ROTC and the military that up until now, it is still justifiable to fear for the welfare of present and future ROTC students.

Likewise, the Armed Forces of the Philippines (AFP) uses the ROTC program as an extension of their counter-insurgency campaign through its red-baiting campaign against progressive student groups. In many ROTC lectures, soldier-instructors tagged student activist groups as affiliated with the New People's Army, thereby justifying state-sanctioned acts of terror against dissenters. It has also been reported that AFP uses the program to establish the Student Intelligence Network (SIN) to monitor organizations, fraternities, student councils and school publications critical of government policies. It has been documented that ROTC Cadets were required to draw up a list of students involved in political activities and create dossiers that may include contact details, class schedules and home addresses. This creates an atmosphere of fear among students to participate in legitimate activities that are critical of the government. It is worth noting that there are many documented cases of human rights violations perpetrated against student leaders that have been linked to the military.

The ROTC is a bastion of machismo and sexism in campuses. Homophobic slurs and physical abuse to 'induce manliness' are common in training sessions. Up until now, there are reports that openly gay students enrolled in ROTC are deliberately being ostracized by being given menial tasks such as serving snacks or cheering for other cadets. Some conservative sections of society even promote mandatory ROTC as a "cure for being gay."

Advocates of the ROTC equate the bearing of arms and marching under the heat and being shouted at to nationalism, patriotism and discipline. This imposition of unnecessary and arguably undeserved reverence for the military culture is disturbing and potentially dangerous, especially in institutions of learning where civilian rule is supreme.

Internationally, military conscription and ROTC are associated with military allies of the United States of America. Ironically, ROTC is not required in school and campuses in the US, and have been shunned by many leading American colleges and universities including Ivy League schools due to the broad anti-war and anti-violence stance of educational institutions.

The Need for Expanding the Civic Service component of NSTP

What we need as a nation today is not an army of young men and women trained in the ways of the military but an army of volunteers and advocates ready to serve and uphold the needs of their communities and the nation as a whole. In the present state of affairs, the youth needs to defend the nation first

and foremost from threats of illiteracy and political and social apathy, and the perpetuation of social inequities that continue to obstruct genuine national progress.

The creation of the NSTP in 2001 has opened a better path for socio-civic involvement of the youth. Indeed, for over a decade now, the NSTP has empowered students to serve their communities in a more holistic manner, sans the violence and bigotry attributed to the ROTC. However, the current program offering of the NSTP is arguably limited – and there is an urgent need for Congress to expand its mandate. With the expansion of the NSTP, students will be able to render services in a more varied manner and increase the potential of students of finding their lifetime advocacy in the process. In providing more avenues for civic service, the government can truly foster among the youth patriotism, nationalism and selfless service to others as enshrined in the Constitution.

In light of the foregoing, the passage of this bill is earnestly sought.



HON. TERRY L. RIDON
Representative, Kabataan Party-list

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House Bill No. _____

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AN ACT

ABOLISHING THE RESERVE OFFICERS TRAINING CORPS AND STRENGTHENING THE SOCIAL AND CIVIC SERVICE COMPONENTS OF THE NATIONAL SERVICE TRAINING PROGRAM THROUGH THE ESTABLISHMENT OF ADDITIONAL SOCIAL AND CIVIC SERVICE PROGRAMS AVAILABLE TO STUDENTS BY AMENDING AND EXPANDING THE SCOPE OF REPUBLIC ACT 9163 OR THE NATIONAL SERVICE TRAINING PROGRAM (NSTP) ACT OF 2001

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

1 **SECTION 1.** *Short Title.*– This act shall be known as the “NSTP Reform Act of 2013”

2 **SECTION 2.** *Abolition of the Reserve Officers Training Corps (ROTC).* – The Reserve
3 Officers Training Corps created pursuant to Republic Act No. 7077 is hereby abolished.

4 **SECTION 3.** Section 2 of Republic Act No. 9163 is hereby amended to read as
5 follows:

6 “Section 2. *Declaration of Policy.* - [Recognizing the youth's virtual role in nation
7 building, then state shall promote civic consciousness among the youth and shall
8 develop their physical moral, spiritual intellectual and social well-being.]

9 It shall inculcate to the youth patriotism, nationalism and advance their
10 involvement in public and civic affairs. In pursuit of this goals the youth the most
11 valuable resource of the national shall motivate trained organized and mobilized in
12 military training, literacy civic welfare and other similar endeavors in the service of
13 nation.”

14 **SECTION 4.** Section 3 of Republic Act No. 9163 is hereby amended to read as
15 follows:

1 "Section 3. *Definition of Terms.* - For purposes of this Act, the following are hereby
2 defined as follows:

3 (a) "National Service Training Program (NSTP)" is a CIVILIAN program aimed at
4 enhancing civic AND SOCIAL consciousness [and defense] AND DISASTER
5 preparedness in the youth by developing the ethics of service and patriotism while
6 undergoing training in any of its program components. Its various components
7 are specially designed to enhance the youth's active contribution to the general
8 welfare;

9 (b) [*Reserve Officer Training Corps*] (ROTC) – is program institutionalized under
10 Section 38 and 39 of RA No. 7077 designed to provide military training to tertiary
11 level students in order to motivate, train, organize and mobilize them for national
12 defense preparedness. ["COMPREHENSIVE COMMUNITY SERVICE PROGRAM" IS A
13 CIVILIAN PROGRAM DESIGNED TO TRAIN STUDENTS IN BASIC SERVICES IN A
14 SPECIFIC COMMUNITY WHICH MAY INCLUDE PLANNED AND SYSTEMATIC
15 TREE PLANTING, STREET CLEANING, WASTE SEGREGATION, TRAFFIC
16 MANAGEMENT, AND OTHER RELATED ACTIVITIES;

17 (c) "Literacy Training Service" is a CIVILIAN program designed to train students TO
18 CONDUCT LITERACY TRAINING, LIVELIHOOD TRAINING AND OTHERS SIMILAR
19 TRAININGS WITH THE BASIC SECTORS, ESPECIALLY THE URBAN POOR,
20 WORKERS, FARMERS, INDIGENOUS PEOPLE, FISHER FOLK, WOMEN AND
21 CHILDREN;

22 (d) "COMMUNITY BASED HEALTH AND NUTRITION PROGRAM" IS A
23 CIVILIAN PROGRAM DESIGNED TO TRAIN STUDENTS IN HEALTH AND
24 NUTRITION EDUCATION IN SPECIFIC COMMUNITIES;

25 (e) "COMMUNITY IMMERSION PROGRAM" IS A CIVILIAN PROGRAM DESIGNED
26 TO STRENGTHEN THE SOCIAL CONSCIOUSNESS OF STUDENTS
27 THROUGH EXPOSURE AND IMMERSION AMONG THE BASIC SECTORS, SUCH AS
28 THE RURAL AND URBAN POOR COMMUNITIES, TRADE UNIONS, PEASANTS,
29 FISHER FOLK, INDIGENOUS PEOPLE, AMONG OTHERS;

30 (f) "DISASTER PREPAREDNESS PROGRAM" IS A CIVILIAN PROGRAM DESIGNED
31 TO TRAIN STUDENTS IN DISASTER PREVENTION AND PREPAREDNESS IN
32 THE EVENT OF FLOODS, EARTHQUAKES, FIRE AND OTHER NATURAL AND MAN-
33 MADE CALAMITIES, RESCUE AND RELIEF OPERATIONS, MEDICAL
34 AND HUMANITARIAN MISSIONS, AND OTHER RELATED ACTIVITIES;

(g) "ECOLOGICAL SERVICES PROGRAM" IS A CIVILIAN PROGRAM DESIGNED TO TRAIN STUDENTS IN ENVIRONMENTAL PROTECTION AND AWARENESSACTIVITIES, AMONG OTHERS;

(h) "HUMAN RIGHTS EDUCATION AND ADVOCACY" IS A CIVILIAN PROGRAM DESIGNED TO TRAIN STUDENTS IN THE PROMOTION AND PROTECTION OF HUMAN RIGHTS, INCLUDING INDIVIDUAL AND COLLECTIVE CIVIL, POLITICAL, SOCIAL, ECONOMIC AND CULTURAL RIGHTS, DOCUMENTATION, FACT-FINDING MISSIONS, AND OTHER RELATED ACTIVITIES;"

SECTION 5.Section 4 of Republic Act No. 9163 is hereby amended to read as follows:

"Section 4. *Establishment of the National Service Training Program.* – There is hereby established a National Service Training Program, which shall form part of the curricula of all baccalaureate degree courses and of at least two (2)-year technical vocational courses and is a requisite for graduation consisting of the following service components:

(1)[The Reserve Officers Training Corps (ROTC) which is hereby made optional and voluntary upon the effectivity of this Act] THE COMPREHENSIVE COMMUNITY SERVICE PROGRAM

(2)The Literacy Training Service;

(3)THE COMMUNITY BASED HEALTH AND NUTRITION PROGRAM

(4)THE COMMUNITY IMMERSION PROGRAM

(5)THE DISASTER PREPAREDNESS PROGRAM

(6)THE ECOLOGICAL SERVICES PROGRAM

(7)THE HUMAN RIGHTS EDUCATION AND ADVOCACY PROGRAM; AND

(8) OTHER SIMILAR PROGRAMS THAT THE SCHOOL, IN CONSULTATION WITH THESCHOOL'S STUDENT COUNCILS AND STUDENT ORGANIZATIONS, AND WITH THE APPROVAL OF THE COMMISSION ON HIGHER EDUCATION, MAY IMPLEMENT

[The ROTC under the NSTP shall instill patriotism, moral virtues, respect for rights of civilians, and adherence to the Constitution, among others.] Citizenship AND

1 SOCIAL CONSCIOUSNESS training shall be given emphasis in ALL THE NSTP
2 PROGRAM COMPONENTS.

3 [The Commission on Higher Education (CHED) and Technical Education and Skills
4 Development Authority (TESDA), in consultation with the Department of National
5 Defense (DND), Philippine Association of State Universities and Colleges (PASUC),
6 Coordinating Council of Private Educational Associations of the Philippines
7 (COCOPEA) and other concerned government agencies, may design and implement
8 such other program components as may be necessary in consonance with the
9 provisions of this Act.]

10 THE SCHOOL, IN CONSULTATION WITH THE SCHOOL'S STUDENT COUNCILS,
11 STUDENT ORGANIZATIONS, AND OTHER CONCERNED GOVERNMENT
12 AGENCIES, WITH THE APPROVAL OF THE COMMISSION ON HIGHER
13 EDUCATION (CHED) AND TECHNICAL EDUCATION AND SKILLS DEVELOPMENT
14 AUTHORITY (TESDA), MAY DESIGNAND IMPLEMENT SUCH OTHER PROGRAM
15 COMPONENTS AS MAY BE NECESSARY INCONSONANCE WITH THE PROVISIONS
16 OF THIS ACT."

17 **SECTION 6.** Section 6 of Republic Act No. 9163 is hereby amended to read as
18 follows:

19 "Section 6.x xx

20 In lieu of the two-semester program for any of the components of the NSTP a one
21 (1) summer program may be designed formulated and adopted by the [DND,] CHED
22 and TESDA."

23 **SECTION 7.** Section 7 of Republic Act No. 9163 is hereby amended to read as
24 follows:

25 "Section 7. *NSTP Offering in Higher and Technical Educational Institutions.*– All
26 higher and technical and vocational institutions, public and private, must offer at
27 least TWO of the program components[,provided that state universities and colleges
28 shall offer the ROTC components and at least one other component as education
29 institution may ROTC if they have at least three hundred and fifty (350) cadets
30 students] enumerated in this Act.

31 In offering the NSTP whether during the semestral or summer periods, clustering of
32 affected students from different educational institutions may be done, taking into
33 account logistics, branch of service and geographical considerations.

Schools that do not meet the required number of students to maintain [the optional ROTC and] any of the NSTP components shall allow their students to cross-enroll to other schools [irrespective of whether or not the NSTP components in said schools are being administered by the same or another branch of service in the Armed Forces of the Philippines (AFP), CHED and TESDA to which schools are identified].

A STUDENT SHALL HAVE THE SOLE POWER TO CHOOSE THE PROGRAM HE OR SHE SHALL TAKE. IN NO CASE SHALL THE SCHOOL RESTRICT THE STUDENTS IN THEIR CHOICE OF PROGRAMS BY REASON OF LIMITATIONS IN SLOTS.

SECTION 8. Section 8 of Republic Act No. 9163 is hereby amended to read as follows:

"Section 8. *Fees and Incentives* - Higher and technical vocational institutions shall not collect any fee for any of the NSTP components except basic tuition fees, which shall not be more than fifty percent (50%) of what is currently charged by schools per unit.

[In the case of ROTC, the DND shall formulate and adopt a program of assistance and/or incentive to those students who will take the said component.]

The school authorities concerned, CHED and TESDA shall ensure that group insurance for health and accident shall be provided for students enrolled in any of the NSTP components."

SECTION 9. Section 10 of Republic Act No. 9163 is hereby amended to read as follows:

"Section 10. x xx

The CHED and TESDA regional offices shall oversee and monitor the implementation of the NSTP under their jurisdiction to determine if the trainings are being conducted in consonance with the objectives of this Act. Periodic reports shall be submitted to the CHED, TESDA [and DND]in this regard."

SECTION 10. Section 11 of Republic Act No. 9163 is hereby amended to read as follows:

"Section 11. *Creation of the National Service Reserve Corps* - There is hereby created a National Service Reserve Corps, to be composed of the graduates of the [non-ROTC components] NSTP. Members of this Corps may be tapped by the State for

1 literacy and civic welfare activities through the joint effort of the [DND] CHED and
2 TESDA, AND DEPARTMENT OF EDUCATION, DEPARTMENT OF HEALTH AND
3 OTHER CONCERNED AGENCIES.[Graduates of the ROTC shall form part of the
4 Citizens' Armed Force, pursuant to Republic Act No. 7077.]"

5 **SECTION 11.***Implementing Rules.*– The Commission on Higher Education shall
6 have the responsibility of revising the Implementing Rules and Regulations of Republic Act
7 No. 9163 in order to adapt to the amendments provided for by this Act. It shall consult
8 with other concerned government agencies, student councils and organizations, non-
9 government and other people's organizations, and school associations in drafting the
10 revisions.

11 **SECTION 12.***Personnel.* – ROTC personnel shall be deemed separated from the
12 service and shall receive the retirement benefits to which they may be entitled under
13 existing laws, rules and regulations.

14 **SECTION 13.***Appropriations.* – The amount necessary for the implementation of
15 this Act shall be incorporated in the Annual General Appropriations Act.

16 **SECTION 14.***Separability Clause.* – If any section or provision of this Act shall be
17 declared unconstitutional, the remaining sections or provisions shall not be affected
18 thereby.

19 **SECTION 15.***Repealing Clause.* – All laws, presidential decrees, executive orders,
20 letters of instruction, rules and regulations which are inconsistent with any of the
21 provisions of this Act are hereby repealed or modified accordingly.

22 **SECTION 16.***Effectivity Clause.* – This Act shall take effect fifteen (15) days after
23 the completion of its publication in the Official Gazette or in any newspaper of general
24 circulation and shall be implemented in schools on the semester immediately succeeding
25 the effectivity.

Approved,