

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

SIXTEENTH CONGRESS
First Regular Session

House Bill No. 4753



Introduced by **Kabataan Party-list Representative Terry L. Ridon**

EXPLANATORY NOTE

Being a democratic republic, the freedom of speech and expression are fundamentally inscribed in the Philippine Constitution. These rights were not a given – these were demanded and fought for in many upheavals in our nation’s storied past – from the Propaganda Movement to the EDSA People Power. It is thus the responsibility of every citizen, especially those in power to uphold and respect the laws and ensure the recognition of these rights.

History has taught us that depriving citizens their right to air their sentiments would only result to an elite-dominated society wherein the privileged few hold the monopoly in political and economic power, with the people stripped of any role in the decision-making processes of the government.

Despite the institutionalization of these protective measures and mechanisms, we continue to witness the brazen display of disregard and disrespect towards these fundamental rights. Political activists who openly air their criticism and dissent against government policies are often targets of human rights violation through illegal harassments, arrests, abduction, torture and extrajudicial killings. The long list of victims include students, teachers, farmers, workers, progressive local official, leaders and members of non-governmental organizations, lawyers, judges, priests, pastors and many others. Journalists and media workers, meanwhile, are targeted due their commitment in exposing corrupt and malevolent practices in government. The killings

are often attributed to our weak justice system coupled with police inefficiency and government collusion with perpetrators.

Such situation has continued, even during the administration of a president whose father was a political prisoner. According to human rights group KARAPATAN, since Aquino came to power in 2010, there have already been 142 cases of extrajudicial killings, 16 enforced disappearances, 76 tortured, 540 illegal arrests, and 31,417 were victims of threat, harassment, and intimidation. Even with the continued public outcry, not one of the perpetrators of these heinous acts has been convicted. Many perpetrators of human rights violations remain at large, including notorious retired Gen. Jovito Palparan.

This systematized violence against political activists and journalists is in place because of the pervasive culture of impunity that exists in the country. Ages ago, impunity was described simply as exemption from punishment. Today, however, the word has come to be associated with what appears to be an immunity from prosecution of human rights violators, particularly those responsible for the murders of activists and journalists. The sad fact is that we have been accustomed to these killings and the lack of government action to the point that this grave injustice and lack of accountability has become routinary and has gained acceptability. This is the culture of impunity that fuels the violence against journalists, activists and freedom fighters. This is a phenomenon that destroys not only lives and freedoms but the foundation of the genuinely democratic society.

Yet, while impunity is being globalized through lopsided state defense policies, the international campaign to dismantle the culture of impunity is also gaining ground, with press freedom and human rights advocates working hard to stop the killings through public awareness campaigns, assisting in the prosecution of the suspected killers and masterminds, and providing humanitarian assistance to the families of slain journalists and activists. The latest endeavour in this anti-impunity movement is the declaration of November 23 as the "International Day to End Impunity" (IDEI), a call to action to demand justice for those who had been killed for exercising their right to expression and shed light on the issue of impunity. Organized by the International Freedom of Expression Exchange, a global network of organizations working to promote the right of freedom of expression, the IDEI was chosen to be held every November 23, which is the date

that marks the anniversary of the Maguindanao Massacre, a dark day in our nation's recent past wherein 32 journalists were killed alongside innocent civilians.

Our Constitution mandates the Congress to enact and legislate new measures that guarantee the freedom of speech and of expression, especially since powerful threats to the exercise of these rights continue to exist, while new forms of violation continue to emerge. Thus, it is only fitting that we join and echo our voices in this global campaign to end impunity. This bill, first filed by former Kabataan Party-list Rep. Raymond Palatino, seeks to declare November 23 of every year as the "National Day Against Impunity" in order to serve as a constant reminder to all segment of society of the horrors of the Maguindanao massacre and more importantly, to express our government's commitment to prosecute the perpetrators of violence against activists, journalists, and freedom fighters.

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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AN ACT
DECLARING NOVEMBER 23 OF EVERY YEAR AS NATIONAL DAY AGAINST
IMPUNITY

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

1 **SECTION 1.** November 23 of every year is hereby declared as the National Day Against Impunity
2 to remember those that have been persecuted for exercising their right to freedom of speech and
3 freedom of expression, and express commitment to bring the perpetrators of these violations to
4 justice.

5

6 **SECTION 2.** All government offices, private institutions, schools, colleges, and universities are
7 hereby encouraged to extend their full support for exercises and activities in the observance of the
8 National Day Against Impunity, as well as in the promotion and protection of the rights to freedom
9 of speech and freedom of expression and in calling for justice for victims of human rights
10 violations.

11

12 **SECTION 3.** The Department of Education shall promulgate the necessary rules and regulations
13 in order to designate November 23 as a day when social studies lecture in elementary and high
14 schools shall be devoted to topics on free speech and expression of human right. The Department
15 of Education, in coordination with the Commission on Human Rights and various human rights
16 groups and media organizations, is hereby tasked to formulate the content of the special lecture.

17 The Commission on Higher Education shall encourage all tertiary educational institutions to hold
18 special lectures and other activities that are relevant to the objectives of the commemoration.

1 **SECTION 4.** The Department of Justice and the Commission on Human Rights, in coordination
2 with various human rights groups and media organizations, are hereby tasked to plan and execute
3 appropriate programs and activities to carry out the aim of this commemoration.

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5 **SECTION 5. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after the completion
6 of its publication in the official gazette or in any newspaper of general circulation.

Approved,