

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. **9622**



Introduced by
KABATAAN Party-list Rep. RENEE LOUISE M. CO,
Gabriela Women's Party Rep. SARAH JANE I. ELAGO, and
ACT Teachers Party-list Rep. ANTONIO L. TINIO

AN ACT
REQUIRING PRIOR NOTIFICATION FROM GOVERNMENT FORCES BEFORE
ENTERING THE PREMISES OF ACADEMIC INSTITUTIONS, IN
IMPLEMENTATION OF THE SAFE SCHOOLS DECLARATION AND THE
GUIDELINES FOR PROTECTING SCHOOLS AND UNIVERSITIES FROM
MILITARY USE DURING ARMED CONFLICT, AND UPHOLDING THE
ACADEMIC FREEDOM OF ALL ACADEMIC INSTITUTIONS, PROVIDING
PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Various international instruments – such as the Geneva Conventions laying down international humanitarian law, the Universal Declaration of Human Rights, the Safe Schools Declaration, the Convention on the Rights of the Child, among others – recognize that the right to be safe in education is a critical element of the right to education. Safety has many dimensions, encompassing the physical, psychoemotional, social and digital – and it also includes the sanctity of schools as civilian spaces, necessitating the avoidance of the militarization of educational spaces. Despite its wide acceptance domestically and globally, the United Nations (“UN”) and other international organizations studying attacks on education and academic freedom still flagged the worldwide trend of government forces – whether military and police – increasingly encroaching into learning spaces, contrary to international commitments. This bill seeks to establish protections for education and schools supported by international agreements into domestic policy and law.

On 29 May 2015, the *Safe Schools Declaration* ("**Declaration**")¹ – an inter-governmental political commitment to protect education, students, teachers, schools, and universities from the worst effects of armed conflict through the implementation of the *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*² ("**Guidelines**") presented before the UN in December 2014 – was opened for endorsement by countries at a conference held in Oslo, Norway.

No less than UN Secretary General António Guterres urged that all Member States fully endorse and implement the Declaration in his May 2017 Report to the UN Security Council on the protection of civilians in armed conflict³ and in his 9 September 2025 Message for International Day to Protect Education from Attack.⁴ As of February 2026, 123 states have endorsed the Declaration⁵, and it remains open for additional countries to join.

Under the Guidelines, parties to armed conflict are urged not to use schools and universities for any purpose in support of their military effort, and all parties should endeavour to avoid impinging on students' safety and education. To do so, the Guidelines establish six (6) guidelines as responsible practices. Guideline 5 provides that "[the] fighting forces of parties to armed conflict should not be employed to provide security for schools and universities, except when alternative means of providing essential security are not available. x x x If fighting forces are engaged in security tasks related to schools and universities, their presence within the grounds or buildings should be avoided if at all possible in order to avoid compromising the establishment's civilian status and disrupting the learning environment."⁶

¹ Global Coalition to Protect Education from Attack (GCPEA). 2015. *Safe Schools Declaration*. Oslo/Geneva. From ssd.protectingeducation.org/safe-schools-declaration-and-guidelines-on-military-use/.

² Global Coalition to Protect Education from Attack (GCPEA). 2014. *Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict*. From <https://ssd.protectingeducation.org/safe-schools-declaration-and-guidelines-on-military-use/>.

³ UN Security Council, *Report of the Secretary-General on the protection of civilians in armed conflict*, UN Doc. S/2017/414, 10 May 2017, para. 14. From <https://docs.un.org/en/S/2017/414>.

⁴ United Nations Secretary-General, "The Secretary-General Message for International Day to Protect Education from Attack", *UN Information Service Vienna*, 9 September 2025. From <https://unis.unvienna.org/unis/en/pressrels/2025/unisgsm1523.html>.

⁵ Global Coalition to Protect Education from Attack (GCPEA). "Endorsing Countries." *Safe Schools Declaration*. Accessed 29 May 2026, from <https://ssd.protectingeducation.org/endorsement/>.

⁶ *Supra* note 2, Guideline 5.

In the Philippines, the Department of Education (“DepEd”) has declared, on several occasions, its commitment to make the Philippines a signatory of the *Safe Schools Declaration*.⁷ Critically, the global understanding, enshrined in the UN Human Rights Council Resolution (“HRC”) A/HRC/RES/59/9, strongly condemns “the recurring and increasing attacks on students, teachers, schools and universities in the context of armed conflict and situations of occupation, and the military use of educational facilities, which impair the realization of the right to education and cause severe and long-lasting harm to individuals and societies.”⁸ In 2025, the UN Special Rapporteur on the right to education presented the *Report on the Right to be Safe in Education*, which flags the rising militarization of educational environments, including in times of peace in various countries, subjecting learners and staff to an intimidating environment conducive to control, and to military discipline. The report identified that presence of law enforcement and military actors in schools often leads to surveillance, counter-terrorism programmes, drug control measures and harsher disciplinary systems, and emphasized that schools should remain demilitarized and protected spaces.⁹

In the Philippines, 1989 UP-DND Accord, the 1990 PUP-DND Accord, and the 1992 UP-DILG Agreement are early attempts to limit the presence of government forces in university spaces by requiring prior notification to university officials before operations, arrests or searches can be effected. However, in 2021 and 2022, the Department of National Defense (“DND”) unilaterally abrogated its accords with UP and PUP, respectively, marking a significant turning point, removing institutional safeguards that previously protected academic spaces from the coercive presence of Government forces. Without these protections, universities have become vulnerable to intimidation. The *Free to Think 2025 Report* highlights that attacks such as surveillance, the establishment of intelligence networks, and the vilification of student and faculty organizations are part of a broader campaign to weaken democratic pillars of civil society.¹⁰

⁷ Department of Education, “DepEd pushes for signing of Safe Schools Declaration,” 19 August 2017. Accessed 30 May 2026, retrieved from reliefweb.int/report/philippines/deped-pushes-signing-safe-schools-declaration.

⁸ U.N. General Assembly Resolution A/HRC/RES/59/11, *The right to education* (7 July 2025).

⁹ U.N. Special Rapporteur on the Right to Education, *The right to be safe in education: Report of the Special Rapporteur on the Right to Education, Farida Shaheed*, U.N. Doc. A/HRC/59/41 (16 June 2025).

¹⁰ Scholars at Risk (SAR), *Free to Think 2025: Report of the Scholars at Risk Academic Freedom Monitoring Project*. From scholarsatrisk.org/resources/free-to-think-2025.

Without statutory intervention, threats of forcible entry and harassment will continue to actively deter students, faculty, and staff from engaging in legitimate dissent and critical discourse. This chills learning and violates the education rights of millions. UN HRC Resolution *A/HRC/59/L.11* affirms that unhindered academic enquiry at all levels of education is at the heart of scientific progress and democratic health, and conditions threatening it must trigger urgent action.¹¹

To preserve the integrity of academic institutions as centers of critical enquiry, it is imperative to enact the Safe Schools and Universities Act. This bill seeks to codify the protection of academic spaces by explicitly prohibiting the arbitrary entry and presence of government forces. It addresses the systematic reduction of institutional safeguards by establishing clear prohibited acts, including surveillance, use of intelligence networks, and red-tagging of constituents.

Furthermore, this Act establishes a Coordination and Monitoring Group in each academic institution to ensure transparency and compliance, and provides for strict penalties—including fines, suspension, and imprisonment—for public officials who violate these protections. By insulating learning environments from coercive state presence, this legislation ensures that students, teachers, and education stakeholders can exercise their rights to peaceably assemble and engage in critical discourse without fear of persecution.

The first version of this bill was originally filed by Rep. Sarah Jane Elago during the 18th Congress, when it successfully passed on the Third and Final Reading and was subsequently transmitted to the Senate.¹² However, due to procedural irregularities, initiated by former Rep. Jesus Remulla, the measure was recalled to the Committee on Rules.¹³ In light of these, the bill was refiled in the 19th Congress by Rep. Raoul Manuel.¹⁴ A revised version is now being refiled in the 20th Congress by these representations adopting the principles and recommendations of the Safe Schools Declaration and the Guidelines, which this representation also filed

¹¹ U.N. General Assembly Resolution A/HRC/RES/59/11, *The right to education* (7 July 2025).

¹² H. Bill No. 10171, 18th Cong., 3rd Sess. (2021).

¹³ Nazario, D. "UP Board of Regents urges lawmakers to nullify motion to reconsider approved UP-DND accord bill," *Manila Bulletin*, 5 November 2021. From <https://mb.com.ph/2021/11/5/up-board-of-regents-urges-lawmakers-to-nullify-motion-to-reconsider-approved-up-dnd-accord-bill>.

¹⁴ H. Bill No. 254, 19th Cong., 1st Sess. (2022).

House Resolutions during the 17th¹⁵, 18th¹⁶ and 19th¹⁷ Congresses to urge its adoption in domestic policy and operational frameworks.

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



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KABATAAN Party-list



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Gabriela Women's Party



REP. ANTONIO L. TINIO
ACT Teachers Party-list

¹⁵ H. Res. No. 2341, 17th Cong., 3rd Sess. (2018).

¹⁶ H. Res. No. 223, 18th Cong., 1st Sess. (2019); H. Res. No. 116, 18th Cong., 1st Sess. (2019).

¹⁷ H. Res. No. 10, 19th Cong., 1st Sess. (2022).

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

SECTION 1. *Short Title.* — This Act shall be known as the "Safe Schools and Universities Act of 2026."

SECTION 2. *Declaration of Principles and State Policies.* — The State shall protect, foster and promote the right of all citizens to quality education at all levels and shall take appropriate steps to ensure that education shall be accessible to all.

The State recognizes the right to education and the role of education in promoting understanding, tolerance and friendship among all nations; determines the necessity to to strengthen in practice the protection of civilians in armed conflict, and of children and youth in particular; and commits towards safe schools for all. The State upholds that schools and universities must not be used for any purpose in support

of any military effort, and all endeavours to avoid impinging on students' safety and education shall be made.

The State shall likewise ensure and protect academic freedom, which is an integral part of the entitlement to provide and receive quality education, which must be protected at all levels of education. In line with the *Principles for Implementing the Right to Academic Freedom* recognized by the United Nations Human Rights Council, the State shall ensure the security and integrity of education institutions and persons, while refraining from militarization, surveillance, or other measures which undermine academic freedom and autonomy. Threats to, or violations of the rights of students and organized student groups, including by means of suspensions and expulsions; arrests and prosecutions; imprisonments and violence; infiltration, surveillance, interference with or dissolution of student associations, unions, and assemblies, by state and non-state actors, undermine academic freedom.

The State shall take into account the United Nations Convention on the Rights of the Child, and the UN recommendation of adopting the Safe Schools Declaration, the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict, Comprehensive School Safety Framework 2022-2030, and other pertinent international instruments in the implementation of its treaty obligations and of this Act.

SECTION 3. *Definition of Terms.* – The following terms, as defined accordingly, shall be used in this Act:

- (a) ***“Academic freedom”*** refers to the human right to acquire, develop, transmit, apply, and engage with a diversity of knowledge and ideas through research, teaching, learning, and discourse, both inside (“intramural expression”) and outside (“extramural expression”) the academic community, and includes the right to inquire about and express opinions on the conditions, actions, or policies of academic institutions;
- (b) ***“Academic institution”*** refers to an educational institution – public or private – offering primary, secondary, and tertiary education, postgraduate, and/or technical-vocational education, or to any structure or space, with or without marked visible boundaries, which is either known by the community or recognized by the government as a learning space for children, youth, and professionals;
- (c) ***“Arbitrary entry”*** refers to the entry of Government Forces into the premises of Academic Institutions without prior notification to heads or representatives of stakeholders of the institution, and without justification for the same;

- (d) ***“Constituents”*** refers to current students, faculty, and staff of all Academic Institutions;
- (e) ***“Government forces”*** refer to the Armed Forces of the Philippines (***“AFP”***), Philippine National Police (***“PNP”***), paramilitary and other law enforcement agencies;
- (f) ***“Prior notification”*** refers to the requirement, as enshrined in historical agreements, that a commander of a PNP, AFP, or other affiliated unit intending to conduct any military or police operations in any Academic Institution must give notice to the head of the institution or their designated officer-in-charge, when the situation so warrants; and

SECTION 4. *Scope.* — This Act shall primarily provide for the upholding of the Academic Freedom of all Academic Institutions, and for the protection of the Constituents, primarily the current students, faculty, and staff of all Academic Institutions, from Arbitrary Entry of Government Forces into their learning spaces or school/university premises. This Act shall also extend on schools and universities that are temporarily closed, outside normal class hours, during weekends and holidays, and during vacation periods.

SECTION 5. *Prohibited Acts.* — In order to uphold the Academic Freedom of all Academic Institutions and the rights and interests of Constituents, the prohibited acts of Government Forces, whether uniformed or in plainclothes, shall include, but are not limited to, the following:

- (a) Arbitrary Entry (including surveillance), or entry without Prior Notice to the President, Dean, Director or Principal, the Student Regent and Student Council or Government, and/or the Parent-Teacher Association in the case of basic educational institutions, or their respective officers-in-charge in the event of their absence, and without justification for the same. Except in cases of hot pursuit and similar occasions of emergency, or ordinary transit through the premises, no member of the Government Forces shall enter the premises of any Academic Institution;
- (b) Service of search or arrest warrants without Prior Notice to the President, Dean, Director, or Principal, the Student Regent and Student Council or Government, and/or the Parent-Teacher Association in the case of basic educational institutions, or their respective officers-in-charge in the event of their absence. The same requirement of notification applies to any oral or written *“invitation”* for questioning and similar purposes;

- (c) Interference with peaceful protest actions inside the premises of Academic Institutions, pursuant to Article III, Section 4 of the 1987 Constitution;
- (d) Torture or any kind of violence to be committed on any Constituent of the Academic Institution;
- (e) Conducting of fora and all other activities that villify and red- and terror-tag students, youth organizations, faculty, or staff, and all other individuals or groups;
- (f) Use of academic performance, attendance, or enrollment data for profiling, surveillance, or intelligence purposes without consent or court order;
- (g) Entry and/or establishment of institutionalized or discreet student intelligence networks and their recruitment and all other forms of human and digital intelligence and surveillance on students, faculty, and staff without a court order.

SECTION 6. *Right to Privacy.* — The privacy of communication and correspondence of students, including data lodged with their Academic Institution, shall remain inviolable.

SECTION 7. *Service of Search or Arrest Warrants.* — The service of search or arrest warrants on any Constituent or invited participant in any official Academic Institution activity shall, as far as practicable, be done after Prior Notification is given to the head of the Academic Institution or their designated officer-in-charge.

In case of Prior Notification, the party serving the warrant shall coordinate closely with the members of the security office of the Academic Institution, who shall accompany and assist them in the service of the warrants. Moreover, no service shall be done without the presence of two (2) officials from the Academic Institution who shall be designated by the President, Dean, Director, Principal or their respective officers-in-charge, as the case may be, and one (1) representative from the students who shall be designated by the Office of the Student Regent, Student Council or Government, and/or from the Parent-Teacher Association in the case of basic educational institutions.

If the giving of Prior Notification by the party serving the warrant is not practicable, a report shall be submitted to the concerned Academic Institution official immediately, but not later than twenty-four (24) hours, after the service of the warrant.

Notification under this section shall not be construed as consent to entry, which must still be guided by constitutional and legal standards for search and seizure.

SECTION 8. *Arrest or Detention.* — The arrest or detention of any Constituent anywhere in the Philippines shall, by the fastest means of communication, be reported immediately by the responsible head of the Government Forces unit effecting the arrest or detention to the head of the Academic Institution or their designated officer-in-charge, who shall then take the necessary action. The report shall be done not later than twenty-four (24) hours from said arrest or detention.

No Constituent shall be subjected to custodial investigation without, as far as practicable, Prior Notice to the head of the Academic Institution or their designated officer-in-charge, and except in the presence of their counsel of choice, or, absent that, a counsel chosen by the aforementioned officials or groups.

Parents or guardians of minors (below 18) shall also be notified immediately, and the presence of a child psychologist or social worker is required during custodial investigations.

Arresting officers must also provide a written incident report including the legal basis, arresting unit, time/place, and rights afforded to the detainee.

SECTION 9. *Institutional Autonomy and Shared Responsibility.* — All Academic Institutions shall enjoy autonomy in governance, free from political or outside interference, consistent with the Principles for Implementing the Right to Academic Freedom. Each Academic Institution shall develop and publish a statement of values that includes Academic Freedom and institutional autonomy.

A Joint Monitoring Group shall be created in each Academic Institution composed of a representative of the administration, a member of the student council, a member of the student publication, a local community representative, the head of the security department of the campus or their representative, and one (1) representative each from the AFP and the PNP stationed in the area, who will meet at least once every semester, or as often as necessary, to determine compliance with the provisions of this Act and to foster a shared responsibility for protecting Academic Freedom.

The school or university police or security officers shall submit a quarterly report on the security situation of the learning spaces and/or school or university premises to the President, Dean, Director or Principal, to the Student Regent and Student Council or Government and/or to the Parent-Teacher Association in the case of basic educational institutions, and to the student publication.

SECTION 10. *Penalties.* — The penalties are hereby as follows:

- (a) Any public official or employee, regardless of whether or not he/she holds office or employment in a casual, temporary, holdover, permanent or regular capacity, committing any violation of this Act shall be punished with a fine equivalent to a minimum of twenty-four (24) months' salary, suspension for a minimum of two (2) years, and/or imprisonment for five (5) years and one day to ten (10) years, or removal depending on the gravity of the offense after due notice and hearing by the appropriate body or agency. If the violation is punishable by a heavier penalty under another law, he/she shall be prosecuted under the latter statute.
- (b) Any violation hereof proven in a proper administrative proceeding shall be sufficient cause for removal or dismissal of a public official or employee, even if no criminal prosecution is instituted against him.
- (c) Private individuals who participate in conspiracy as co-principals, accomplices or accessories, with public officials or employees, in violation of this Act, shall be subject to the same penal liabilities as the public officials or employees and shall be tried jointly with them.
- (d) Prosecution under this Act shall be without prejudice to any liability for violation of any provision of the Civil Code, as amended, the Revised Penal Code, as amended, or special laws.

SECTION 11. *Implementing Rules and Regulations.* — Within sixty (60) days from the effectivity of this Act, representatives from the Commission on Higher Education (CHED), Department of Education (DepEd), Technical Education and Skills Development Authority (TESDA), Commission on Human Rights (CHR), Coordinating Council of Private Educational Associations of the Philippines (COCOPEA), Philippine Association of State Universities and Colleges (PASUC), Catholic Educational Association of the Philippines (CEAP), representatives from national unions of student councils, student publications, faculty, staff, and other relevant stakeholders in Academic Institutions, shall draft and promulgate the implementing rules and regulations necessary to ensure the efficient and effective implementation of this Act. *Provided*, that the failure to draft the said rules and regulations shall not prevent nor delay the effectivity and implementation of this Act.

SECTION 12. *Separability Clause.* — Should any part of this Act be declared unconstitutional or invalid, the other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

SECTION 13. *Repealing Clause.* — All laws, executive orders, administrative orders, and rules and regulations inconsistent with this Act are hereby repealed or amended accordingly.

SECTION 14. *Effectivity.* — This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,