

Republic of the Philippines  
Congress of the Philippines  
**Senate**  
Manay City

Eighteenth Congress

Second Regular Session



RESOLUTION No. 82

RESOLUTION EXPRESSING THE SENSE OF THE SENATE TO WELCOME THE DEPARTMENT OF NATIONAL DEFENSE (DND)'S DECISION TO ANSWER THE VARIOUS CALLS FOR DIALOGUE WITH THE UNIVERSITY OF THE PHILIPPINES (UP) ON THE TERMINATION OF THE 1989 UP-DND ACCORD, TO URGE BOTH PARTIES TO REVISIT THE ACCORD, AND TO FURTHER URGE THE DND TO HOLD DIALOGUES WITH OTHER ACADEMIC INSTITUTIONS AND FIND A COMMON GROUND THAT PROMOTES THE RULE OF LAW, PEACE AND SECURITY AND PROTECTS ACADEMIC FREEDOM, AND THE PURSUIT OF EXCELLENCE

WHEREAS, on 30 June 1989, the University of the Philippines (UP) and the Department of National Defense (DND) entered into an agreement that regulates military and police presence in any UP campus with a view to protecting academic freedom – the freedom to think, speak, move, and even dissent critically;

WHEREAS, the 1989 Accord was signed a few days after Donato Contiente, a Philippine Collegian staffer, was arrested by the military and police at Vinzons Hall;

WHEREAS, the 1989 Accord succeeded the 1982 Soto-Enrile Accord, which was signed between student leader Sonia Soto and then-defense minister Juan Ponce Enrile “to protect students from the police and military presence in schools intended to suppress dissent and protest actions”;

WHEREAS, the 1989 Accord prohibits the military or the police from entering the premises of any of the UP campuses except in cases of hot pursuit and similar occasions of emergency, upon the request of UP officials, or ordinary transit through UP premises;

WHEREAS, also under the 1989 Accord, the DND agreed that the military and police “shall not interfere with peaceful protest actions by UP constituents within UP premises”;

WHEREAS, for more than thirty (30) years, the parties have generally respected the 1989 Accord;

WHEREAS, in October 2015, the Armed Forces of the Philippines (AFP) apologized to UP after six (6) military personnel were caught inside UP Diliman;

WHEREAS, on 18 January 2021, the DND, through a letter addressed to UP President Danilo L. Concepcion, *unilaterally* terminated the 1989 Accord in pursuit of “true national peace and development” with a view to “protecting and securing the institution and youth against the enemies of the Filipino people without sacrificing the freedoms we have preserved for about thirty years since the 1989 Accord was executed”;

WHEREAS, in the same letter, the DND asserted that the 1989 Accord “has become moot and academic”;

WHEREAS, UP President Danilo L. Concepcion expressed his "grave concern over this abrogation, as it is totally unnecessary and unwarranted, and may result in worsening rather than improving relations between our institutions, and detract from our common desire for peace, justice, and freedom in our society" and said that prior consultation would have addressed the concerns raised by the DND;


WHEREAS, according to UP President Concepcion, the DND's decision to unilaterally abrogate the 1989 Accord sows "more confusion and mistrust, given that the DND have not specified what it is that it exactly aims to do or put in place in lieu of the protections and courtesies afforded by the agreement";

WHEREAS, UP President Concepcion emphasized that the 1989 Accord was not sought and secured "to evade or weaken the law, but to protect the climate of academic freedom – guaranteed by the Constitution – that makes intellectual inquiry, and human and social advancement possible" and urges the DND "to reconsider and revoke its abrogation";

WHEREAS, on 24 January 2021, Secretary Lorenzana said he will soon hold a dialogue with UP President Concepcion on the abrogation of the UP-DND Accord: Now, therefore, be it

*Resolved, as it is hereby resolved, To express the sense of the Senate of the Philippines to welcome the Department of National Defense (DND)'s decision to answer the various calls for dialogue with the University of the Philippines (UP) on the termination of the 1989 UP-DND Accord, to urge both parties to revisit the Accord, and to further urge the DND to hold dialogues with other academic institutions and find a common ground that promotes the rule of law, peace and security, and protects academic freedom, and the pursuit of excellence.*

Adopted,

  
VICENTE C. SOTTO III  
*President of the Senate*

This Resolution was adopted by the Senate on  
January 26, 2021.



MYRA MARIE D. VILLARICA  
*Secretary of the Senate*

0