

THIRTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
*First Regular Session*

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SENATE

S. No. 353

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Introduced by Senator S. R. Osmeña III

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#### EXPLANATORY NOTE

Respect for human rights is guaranteed under the Philippine Constitution and other universal statutes. However, reports have it that law enforcers, who have been sworn to protect such rights are often themselves involved in a large proportion of human rights violations. The Human Rights Commission claims that police rank as the top human rights violators, followed by the military.

To remedy this situation, this bill provides that the prospective members of the police and military organizations be required to go through and complete a training course on human rights as part of recruitment and admission procedures. Moreover, continuous training on human rights protection should be made part of fitness and skills training of personnel involved in counter-insurgency operations.

The protection of human rights stands as a cornerstone of every civilized society. Therefore, the state should spare effort to ensure the rights of every single individual.

In view of the foregoing, early passage of this bill is earnestly requested.

*S. Osmeña III*

SERGIO OSMEÑA III  
Senator

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S E N A T E

S. No. 353

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Introduced by Senator S. R. Osmeña III

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AN ACT  
PROVIDING FOR A MANDATORY COURSE 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 AND FOR OTHER PURPOSES

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

1           SECTION 1. **Declaration of Policy** - It shall be the policy of the State  
2 to safeguard the basic human rights of the citizenry as embodied in Article III  
3 of the 1987 Constitution .

4           SECTION 2. **Mandatory Course** - No trainee and/or prospective  
5 agent or member of the Armed Forces of the Philippines (AFP), the  
6 Philippine National Police (PNP), the National Bureau of Investigation (NBI)  
7 and other law enforcement agencies shall be accepted into the service  
8 without undergoing a mandatory course on human rights to be administered  
9 by the AFP, PNP, NBI and other law enforcement agencies, hereinafter  
10 termed as the "concerned agencies".

11           SECTION 3. **Educational Course** - All regular officers and men of  
12 the AFP, PNP, NBI and other law enforcement agencies shall likewise  
13 undergo an education course on human rights under the direct supervision of

1 the Commission on Human Rights (CHR) giving priority to those units  
2 involved in counter-insurgency operations, intelligence work and the  
3 maintenance of peace and order.

4 SECTION 4. **Promotion Requirement** - No officer or member of the  
5 AFP, PNP, NBI and other law enforcement agencies shall be qualified for  
6 promotion without undergoing the required course on human rights attested  
7 by the CHR as embodied in Sections 2 and 3 of this Act.

8 SECTION 5. **Regular Course** - A regular course on human rights  
9 shall also be included in the curricula of the Philippine Military Academy  
10 (PMA) and the Philippine National Police Academy (PNPA) and other  
11 military and police training institutions.

12 SECTION 6. **Guiding Principles and Laws** - In writing, printing and  
13 publications of textbooks, manuals and other reading materials needed in the  
14 formulation and creation of course or subject on human rights, the concerned  
15 government agency shall consult and coordinate with the Commission on  
16 Human Rights (CHR) and shall at all times emphasize the following  
17 principles on human rights, and the laws and rules governing the same, to  
18 wit:

19 (a) All persons are born with human dignity and inherent rights. No  
20 one loses his dignity and rights regardless of his political conviction.

21 (b) Torture, unexplained or forced disappearances, extra-legal  
22 executions (salvagings), other cruel and degrading treatment or  
23 punishment are considered as crimes punishable by Philippine  
24 laws under any and all circumstances.

25 (c) Anyone may, by himself or on behalf of a person arrested or  
26 detained, question the legality of the arrest and detention before  
27 the appropriate court.

1 (d) All pertinent human rights laws as may be deemed necessary by  
2 the CHR

3 **SECTION 7. *Function of the CHR* -**

4 (a) No textbook, manual or other reading materials shall be used in  
5 the aforementioned courses on human rights without the prior  
6 approval and/or endorsement of the CHR.

7 (b) The CHR shall provide resource persons, materials and other  
8 necessary assistance to the different agencies concerned in the  
9 implementation of this Act.

10 (c) The CHR shall maintain a roster of all those who have  
11 successfully completed the required course on human rights.

12 **SECTION 8. *Funding* -** Such amounts as may be necessary for the  
13 implementation of this Act shall be appropriated for the CHR and other  
14 concerned government agencies.

15 **SECTION 9. *Repealing Clause* -** Any law, act, decree, order,  
16 proclamation, or regulation or parts thereof which are inconsistent with this  
17 Act are hereby repealed or modified accordingly.

18 **SECTION 10. *Effectivity* -** This Act shall take effect fifteen (15)  
19 days after its publication in the Official Gazette or in any two (2) newspapers  
20 of general circulation.

Approved,