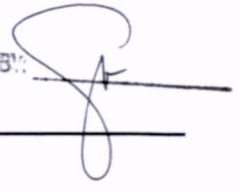


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SENATE
S. No. **1145**

RECEIVED BY: 

Introduced by **SENATOR LEILA M. DE LIMA**

**AN ACT
INSTITUTIONALIZING HUMAN RIGHTS AS A SEPARATE AND
SPECIALIZED SUBJECT IN BOTH BASIC AND HIGHER EDUCATION**

EXPLANATORY NOTE

Section 3, Article XIV of the Constitution provides in part that –

- (1) All educational institutions shall include the study of the Constitution as part of the curricula.
- (2) They shall inculcate patriotism, foster love for humanity, respect for human rights xxx

Section 18, subparagraph 5, Article XIII of the Constitution obliges the Commission on Human Rights (CHR) to “establish a continuing program of research, education, and information to enhance respect for the primacy of human rights”.

Subsequent legislations, such as Republic Act Nos. (R.A. No.) 6655 or the “*Free Secondary Education Act*”, R.A. No. 9710 or the “*Magna Carta of Women*”, R.A. No. 9745 or the “*Anti-Torture Act*”, and R.A. No. 9262 or the “*Anti-Violence Against Women and their Children Act*” also expressly mandate government agencies to teach human rights in schools and other training institutions.

Various international human rights instruments, many of which are ratified by the Philippines, encourage State parties to provide for Human Rights Education (HRE), including, among others, the *Convention on the Rights of the Child (CRC)*, the *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*, the *International Convention on Civil and Political Rights (ICCPR)*, the *International Covenant on Economic, Social and Cultural Rights (ICESCR)*, the

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), and the *Convention Against Torture (CAT)*.

HRE is defined as training, dissemination and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the molding of attitudes, which are directed towards : “(a) the strengthening of respect for human rights and fundamental freedoms; (b) the full development of the human personality and the sense of its dignity; (c) the promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups; (d) the enabling of all persons to participate effectively in a free society; and (e) the furtherance of activities of the United Nations for the maintenance of peace.”¹

It is important to note that the Philippines was also among the signatories to the World Programme for Human Rights Education (WPHRE) of the United Nations Human Rights Committee, which is focused on integrating HRE in the primary and secondary school systems.

It is clear that, given all the above domestic laws and treaties, we have sufficient and enabling framework for teaching human rights.

However, in a 2012 study commissioned by the CHR and the United Nations Development Programme (UNDP), entitled “*The State of Human Rights Education in the Philippines: Issues, Concerns and Directions*”,² it was reported that HRE was taught at the appreciation level only. One of their recommendations, in fact, was to “deepen HRE and go beyond the appreciation level³.”

...[B]ecause it is supposed to be integrated in the courses, there is not enough time devoted solely to human rights. One teacher put it dramatically, because it is supposed to be integrated, only “a total of 2 minutes are used at the end of the course to integrate human rights.xxx

¹ “The State of Human Rights Education in the Philippines: Issues, Concerns and Directions” Paper presented during the 7th National Congress on Good Citizenship Forming the Youth into Good Citizens : Contemplating, Articulating, Operationalizing Values by Maricel T. Fernandez and Alex B. Brillantes of UP NCPAG (8 December 2012). Retrieved from <http://www.ombudsman.gov.ph/UNDP4/wp-content/uploads/2013/07/The-state-of-Human-Rights.pdf>

² *Ibid.*

³ *Ibid.*

...[B]ased on the survey and the focus group discussion (FGDs), the concerns of human rights are incorporated in the various courses of the schools...However, treatment of human rights is quite limited and thus may be said to be only at the level of appreciation, at most.

Even with the K to 12 Program now in place, HRE is still merely incorporated in various existing subjects⁴ from Grades 1-12.

In a time when human rights violations are rampant and pervasive - the Philippine President himself criticized for misogyny, catcalling female reporters and making derogatory comments about women; children forced to engage in the cybersex trade to feed their families; inmates densely cramped like sardines in jails and national penitentiaries, individuals flee their homes and communities of work and education in emergency situations brought by natural disaster or in the context of armed conflict - it is but the State's responsibility to protect every citizen against human rights abuse both by state and private actors.

The 2015 United Nations Report on the Role of Prevention in the Promotion and Protection of Human Rights⁵ acknowledged that an effective HRE is an essential tool in the protection of human rights:

24. Human rights education contributes to the prevention of human rights violations and conflict, and to the enhancement of participation in decision-making processes within a democratic system...it empowers rights-holders to claim their rights, and develops the capacity of those with power and responsibility (duty-bearers), such as the police, military and public officials, to meet their obligations to protect, respect and fulfil human rights. Inadequate human rights education has been identified as one of the greatest obstacles to the enjoyment of all human rights by all persons

⁴ Based on the May 2016 K to 12 Curriculum for Grades 1 to 10, HRE is incorporated in the *Edukasyong sa Pagpapakatao* subject. Based on the May 2016 K to 12 Curriculum for Grade 11 to 12, HRE is incorporated in the following subjects – (1) Understanding Culture, Society and Politics and (2) Introduction to the Philosophy of the Human Person

⁵ United Nations Report on the Role of Prevention in the Promotion and Protection of Human Rights. 16 July 2015. Retrieved from www.ohchr.org/EN/HRBodies/.../A_HRC_30_20_ENG.docx

This measure adopts the recommendation of the CHR-UNDP study to deepen HRE by institutionalizing human rights as a separate and specialized subject in both basic and higher education.

HRE must be taught from early childhood education onwards to build a strong, positive human rights culture where everyone's rights are fully protected and realized. Institutionalizing HRE into the basic and higher education school curricula will also ensure that a comprehensive, effective, sustainable, and standardized human rights education will be replicated in all schools nationwide.

The passage of this bill is earnestly sought.



LEILA M. DE LIMA

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SENATE

S. No. 1145

RECEIVED BY: 

Introduced by **SENATOR LEILA M. DE LIMA**

AN ACT
INSTITUTIONALIZING HUMAN RIGHTS AS A SEPARATE AND
SPECIALIZED SUBJECT IN BOTH BASIC AND HIGHER EDUCATION

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

1 Section 1. *Short Title.* – This Act shall be known as the “*Human Rights*
2 *Education Act of 2019.*”

3 Sec. 2. *Declaration of Policy.* – As an integral part of our Constitution, human
4 rights is a concept that all Filipinos must learn and practise if we are to survive as a
5 modern democracy. As such it is the duty of our learning institutions to ensure that
6 citizens are properly educated of the principles of human rights in both formal and
7 non-formal settings. In furtherance thereof, it is hereby declared a policy of the State
8 to require all educational institutions to teach human rights as a specialized subject
9 taught separately and progressively throughout the basic and higher education
10 programs.

11 Sec. 3. *Curriculum.* – The Department of Education (DepEd) and the Commission
12 on Higher Education (CHED) shall identify international human rights education
13 standards and best practices for basic and higher education, respectively, and adopt
14 those that they may determine to be aligned with the existing State policies and
15 domestic conditions. Consistent with such standards and best practices, the DepEd
16 and CHED, in consultation with the Commission on Human Rights (CHR), shall
17 formulate the corresponding curricula and the course programmes for human rights

1 studies for basic and higher education that shall, at the minimum:

- 2 1. Consist of teaching modules or course syllabi that cover an introduction to basic
3 human rights principles, such as equality, non-discrimination, human dignity,
4 inclusion, empowerment, environmental awareness, and respect for the rights
5 of women, children, indigenous peoples, Persons with Disability (PWDs), and
6 of people with diverse sexual orientation and gender identity and expression
7 (SOGIE), and other marginalized or vulnerable sectors;
- 8 2. Focus on personal values, attitudes and behaviors that promote personal
9 responsibility for respecting, upholding and protecting human rights; and
- 10 3. Provide practical information for protecting oneself from gender-based
11 violence, child abuse and exploitation.

12 *Sec. 4. Implementation Period.* – The DepEd and CHED shall formulate and
13 finalize their respective curricula within one (1) year from the effectivity of this Act and
14 implement the same within two (2) years from the effectivity of this Act.

15 *Sec. 5. Mandatory Evaluation and Reporting.* – Every four (4) years, the
16 DepEd and CHED shall conduct a mandatory review of the implementation of this Act
17 and submit a report of its findings to Congress.

18 *Sec. 6. Appropriations.* - The amount necessary to carry out the provisions of
19 this Act shall be charged against the current year’s appropriation of the implementing
20 agencies. Thereafter, such amount necessary for the continued implementation of this
21 Act shall be included in the annual General Appropriations Act.

22 *Sec. 7. Separability Clause.* – Should any provision of this Act be declared
23 invalid, the remaining provisions shall continue to be valid and subsisting.

24 *Sec. 8. Repealing Clause.* - All laws, executive orders, or administrative orders,
25 rules and regulations or parts thereof, which are inconsistent with this Act are hereby
26 amended, repealed or modified accordingly.

27 *Sec. 9. Effectivity.* - This Act shall take effect fifteen (15) days after its
28 publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,