

SIXTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session



Senate
Office of the Secretary

13 JUL 17 P2:47

SENATE

Senate Bill No. 850

RECEIVED BY: *ji*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The Constitution provides in the Declaration of Principles and State Policies that the Armed Forces of the Philippines is the protector of the people of the State. Yet, this avowed policy and principle is sometimes violated by the elements of the Armed Forces to the dismay of a frightened public. Rather than the gallant knights in the shining armour, soldiers are thus perceived as the villains or the enemies of the people.

This image is strengthened every time there are alleged abuses of civilian rights by the military. Ironically, many of these atrocities being the result of simple language and cultural misunderstandings between the soldiers and the locals, could easily be avoided. But then, owing to the inadequate orientation of soldiers, conflicts such as these remain common in areas where cultural communities are affected. Many soldiers being unaware of local customs tend to frighten and offend the tribal populace.

This bill seeks to minimize if not prevent any military-tribal conflict that might occur due to cultural and language differences, by requiring every officer and enlisted personnel of the Armed Forces of the Philippines to undergo orientation course on the culture, language or dialect, way of living, habits and tradition of cultural communities living in the areas where they might be deployed or posted.

Additionally, the orientation course shall emphasize the re-orientation of soldiers' attitudes about their countrymen, their job as peace-makers instead of fighters; raising the self-esteem and morale of the soldiers by making them aware of the important role they play in the attainment of national security and enabling them to interact more humanely and civilly with the people in the country sides.

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


JINGGOY EJERCITO ESTRADA
Senator

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AN ACT

REQUIRING EVERY OFFICER AND ENLISTED PERSONNEL OF THE ARMED FORCES OF THE PHILIPPINES TO UNDERGO AN ORIENTATION COURSE ON THE CULTURE, LANGUAGE, DIALECT, WAY OF LIVING, HABIT, TRADITION AND THE LIKE OF THE CULTURAL COMMUNITIES WHERE THEY ARE DEPLOYED OR TO BE POSTED

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

SECTION 1. Notwithstanding any law to the contrary, the Armed Forces of the Philippines (AFP) shall require every officer and enlisted personnel, prior to deployment to an area dominated by a cultural community or group to undergo an intensive orientation course on the culture, language, dialect, way of living, habits, traditions and the like of the cultural community living in that area.

An area is considered dominated by a cultural community when they consist of more than twenty-five percent (25%) of the total population.

SEC. 2. The orientation course shall in addition to the matters mentioned in Section 1, emphasize the re-orientation of soldier's attitudes about their duties and responsibilities toward their countrymen, their job as peace-makers instead of fighters; raise the self-esteem and morale of the soldiers by making them aware of the important role they play in the attainment of national security and enable them to interact more humanely and civilly with the public.

SEC. 3. The Armed Forces of the Philippines, in coordination with other government agencies, shall be primarily responsible for formulating the necessary orientation module. The Department of Education, Office of Northern Cultural Communities (ONCC), Office of Muslim Affairs (OMA), Office of Southern Cultural Communities (OSCC) and other similar agencies shall render assistance to the Armed Forces of the Philippines (AFP).

SEC. 4. The AFP shall come out with a general directive implementing the orientation course within sixty (60) days after effectivity of this Act.

SEC. 5. The AFP may deploy troops in areas dominated by cultural communities without going through the required orientation course in cases of emergency: Provided, That after the emergency has subsided and as soon as the situation permits the said troops shall undergo the required orientation course.

A situation is considered an "emergency" when in the judgment of the AFP Command there is a possibility of widespread violence creating chaos and civil strife endangering life, property, the normal operations of the government and the enforcement of laws, or when there is an actual existing violence requiring instant military presence in the area to reinstate peace and order.

SEC. 6. Any officer in the AFP who orders the deployment of any soldier or group of soldiers to be deployed without undergoing the required orientation course as provided under this Act shall be punished for dereliction of duty in accordance with the Revised Penal Code.

Any soldier or group soldiers who knowingly and/or voluntarily allows himself or themselves to be deployed without undergoing the required orientation course shall also be punished for dereliction of duty in accordance with the Revised Penal Code.

SEC. 7. There is hereby authorized to be appropriated out of any available funds in the National Treasury, not otherwise appropriated, the funds necessary for the effective implementation of this Act.

SEC. 8. All laws, decrees, orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SEC. 9. This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,