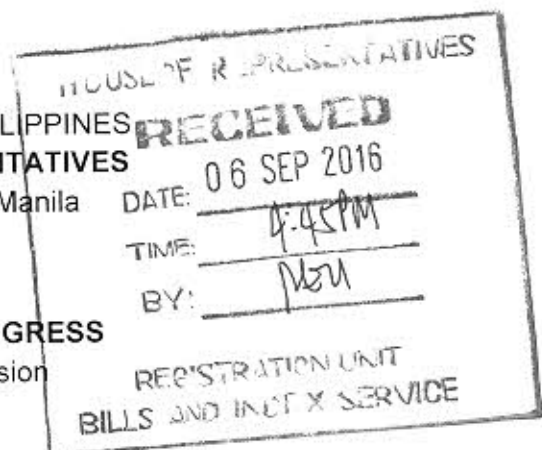


REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 3511



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Introduced by **Kabataan Party-list Representative Sarah Jane I. Elago**

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#### EXPLANATORY NOTE

Article II, Section 11 of the Philippine Constitution declares that the State values the dignity of every person and guarantees full respect for human rights. The principles and values of human rights that are enshrined in the Philippine Constitution and international covenants, however, are rendered hollow and meaningless when the citizens are not informed of their rights and when human rights violations continue to occur.

The human rights situation in the Philippines took a serious beating after former President Ferdinand Marcos declared Martial Law. But even after the fall of the dictatorship in 1986, human rights atrocities and violations continuously occurred, according to human rights group Karapatan, victimizing thousands of Filipinos particularly those who are critical of the government's economic policies and of the rampant corruption in the bureaucracy.

American historian Alfred McCoy reported that "military murder was the apex of a pyramid of terror" with 3,257 killed, 35,000 tortured, and 70,000 incarcerated. Many were tortured, mutilated and dumped on the roadsides for public display to sow widespread fear.

The military devised different forms of torture to try to wring out information from prisoners as recounted by countless victims of Martial Law. Women often experience worse because aside from physical and mental torture, they are raped and sexually abused. Historian Michael Charleston Chua detailed them in his book *Torture: Human Rights Violations During the Marcos Regime*.

Human rights violations persisted in the subsequent regimes. Karapatan noted in its 2009 report that from the time former President Gloria Macapagal-Arroyo assumed the presidency in 2001 up to October 2009, there is a total of 1,118 victims of extrajudicial killings and 204 who have been forcibly disappeared and are still missing. Under former President Benigno "Noy" Aquino III, by yearend 2015, Karapatan recorded 307 cases of extrajudicial killings, 566 cases of frustrated extrajudicial killings, 30 cases of enforced disappearances, and 215 cases of torture.

Even before President Rodrigo Duterte won in the May 9, 2016 elections, he has repeatedly said that he will consent to the burial of the late dictator Ferdinand Marcos' remains at the Libingan ng mga Bayani (Heroes' Cemetery). Thirty years have passed since the fall of the Marcos dictatorship and yet the atrocities and crimes sanctioned and committed by Marcos and backed by the United States remain a dark chapter in the country's history. The Marcos dictatorship violently suppressed political dissent, committed crimes against humanity, plundered the country's resources, and perpetuated US imperialism's stranglehold on the nation. Marcos and his family never acknowledged these grave violations and have never apologized to the Filipino people up to the present.

Marcos' 20-year rule from 1966 to 1986 plunged the economy into a spiraling crisis weighed down by heavy foreign borrowings and decadent spending for the benefit of the Marcos family and their cronies through what became notoriously known as "crony capitalism." By the time Marcos was ousted from power and fled the country during the People Power uprising in 1986, the economy had a standing foreign debt of US\$ 28 billion, trapping the country into a cycle of ever-growing debts. According to research think tank IBON Foundation, the foreign debts under Marcos alone will be shouldered by Filipino taxpayers until 2025.

The Marcos regime was also known for its widespread and systemic corruption and plunder of the national coffers. It is estimated that as much as 33 percent of the country's total borrowings during his term were pocketed by Marcos and his cronies. The Marcoses still face numerous cases in court in relation to this amassed loot.

It was also during the Marcos regime that the Education Act of 1982 was passed, giving schools greater freedom to decide on how much tuition they would charge the students. This law served as the foundation for the deregulation and commercialization of education which hinders youth and students from achieving their right to education.


A hero's burial for Marcos is a "travesty of history," according to the Samahan ng Ex-detainees Laban sa Detensyon at Aresto (SELDA), a group of former Martial Law political detainees. The group added that it is "a mockery of the horrors that the Filipino people endured during the Martial Law era."

Amidst this backdrop, there is a pressing and serious need for the government to educate its citizens, especially the youth, on their civil, political, economic, social and cultural rights. The role is stipulated in the Constitution, which specifically calls for all educational institutions to "inculcate...respect for human rights" and in the mandate of the Commission on Human Rights, which is tasked to "establish a continuing program of research, education, and information to enhance respect for the primacy of human rights." The fact that a number of young people today want another Martial Law as a means to solve the worsening drug situation means that human rights as a fundamental societal principle is not inculcated in the youth as much.

At present, the subject "Human Rights" is being taught by Philippine schools only on a voluntary basis. This bill seeks to make human rights subjects a mandatory part of the

curriculum of all educational institutions in the country. In the face of the country's human rights situation, it is high time that the importance of human rights is inculcated in our youth.

In our commitment to human rights, we refile this bill from my predecessors: Representatives Raymond Palatino and Terry Ridon. The passage of this bill is earnestly sought.



**Hon. Sarah Jane I. Elago**  
Representative, Kabataan Party-list

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1        Thereafter, such amounts as may be necessary for the implementation of this Act shall  
2        be included in the budget of the Department of Education, Commission on Higher Education,  
3        and state universities and colleges in the annual General Appropriations Act.

4        **SECTION 6. *Implementing Rules and Regulations.*** – The Department of Education and  
5        the Commission on Higher Education shall promulgate and issue the necessary implementing  
6        rules and regulations within thirty (30) days after the effectivity of this Act.

7        **SECTION 7. *Separability Clause.*** – If any provision or part thereof is held invalid or  
8        unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
9        valid or subsisting.

10       **SECTION 8. *Repealing Clause.*** – Any law, presidential decree or issuance, executive  
11       order, letter of instruction, administrative order, the rule of regulation contrary to or inconsistent  
12       with, the provision of this Act is hereby repealed, modified or amended accordingly.

13       **SECTION 9. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its  
14       publication in at least two (2) newspapers of general circulation.

*Approved,*