

SENATE

JUL 16 A9:05

S. No. 516



Introduced by **SENATOR RONALD "BATO" DELA ROSA**

**AN ACT
DECLARING A NATIONAL PEACE POLICY THEREBY CREATING A COMMISSION
ON PEACE**

EXPLANATORY NOTE

The 1987 Philippine Constitution, Article II Section 5 thereof, declares that:
"The maintenance of peace and order, the protection of life, liberty and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."

President Rodrigo Duterte is serious in his commitment to attain "inclusive and sustainable peace" for the country. The six-point Peace and Development Agenda contained in the Peace and Development Roadmap of the President incorporates the following: meaningful implementation of the Framework Agreement of the Bangsamoro (FAB) and Comprehensive Agreement on the Bangsamoro (CAB) towards healing in the Bangsamoro, completion of implementation of remaining commitments under the GPH-MNLF Peace Agreement for a just closure, accelerated signing and implementation of peace accords with communist insurgents, immediate conclusion of the peace process with the Cordillera People's Liberation Army (CPLA) and the Rebolusyonaryong Partido Ng Manggagawa-Pilipinas/Revolutionary Proletarian Army-Alex Boncayao Brigade (RPP-RPA-ABB), peace promoting catch-up socio-economic


developments in conflict affected areas, and building of a culture of peace and conflict sensitivity.

In consonance with one of the objectives of the Philippine Development Plan 2017-2022 which is to 'attain inclusive and sustainable peace through intensified development and other peace-building initiatives in conflict-affected and vulnerable communities'¹ and the Peace and Development Roadmap of the President, the proposed measure mandates the creation of the Commission on Peace. As filed by Senator Gringo Honasan in the 17th Congress, the Commission shall assist the President in the fulfillment and implementation of the comprehensive peace process. Consequently, the Office of the Presidential Adviser of the Peace Process (OPAPP), the National Program for Unification and Development Council (NPUDC), the National Peace Forum (NPF) and the Government Peace Negotiating Panels (GPNPs) are hereby abolished.

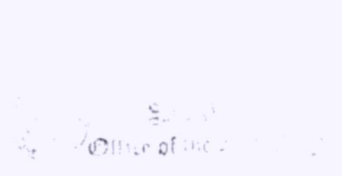
Moreover, the bill states that the formulation of the comprehensive peace process must be anchored on the principles of inclusivity and continuing participation of all stakeholders in the communities.

Furthermore, the bill directs that the comprehensive peace process must include the six paths to peace components, to wit, the pursuit of social, economic and political reforms, consensus-building and empowerment for peace, peaceful negotiated settlement with the different rebel groups, programs for reconciliation, reintegration into mainstream society and rehabilitation, addressing concerns, arising from the continuing hostilities, and building and nurturing a climate conducive to peace.

In light of the foregoing, the early passage of this bill is earnestly sought.


RONALD "BATO" DELA ROSA

¹ http://www.neda.gov.ph/wp-content/uploads/2018/03/SER-Chap-17_as-of-March-26.pdf



SENATE

2019 JUL 16 A 9:06

S. No. 516

RECEIVED BY [Signature]

Introduced by **SENATOR RONALD "BATO" DELA ROSA**

AN ACT
DECLARING A NATIONAL PEACE POLICY THEREBY CREATING A COMMISSION
ON PEACE

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

1 SECTION 1. *Short Title.* - This Act shall be known as the "*National Peace Policy*
2 *Act of 2019*".

3 SEC. 2. *Constitutional Policy on Peace.* -The national peace policy shall be pursued
4 in the light of the following constitutional mandates:

5 a) The sovereign Filipino people, imploring the aid of the Almighty God, in order to
6 build a just and humane society and establish a government that shall embody
7 our ideals and aspirations, promote the common good, conserve and develop our
8 patrimony and secure to ourselves and our posterity the blessings of
9 independence and democracy under the rule of law and a regime of truth,
10 justice, freedom, love, equality and peace.

11 b) The maintenance of peace and order, the protection of life, liberty and property, and
12 the promotion of the general welfare are essential for the enjoyment by all
13 people of the blessings of democracy.

14 SEC. 3. *Principles Underlying the Comprehensive Peace Process.* - The
15 comprehensive peace process shall be governed by the following underlying principles:

16 a) A comprehensive peace process shall be community-based, reflecting the

1 sentiments, values, and principles important to all Filipinos. Thus, it shall be
2 defined not by government alone, nor by the different contending groups only,
3 but by all Filipinos as one community.
4

5 b) A comprehensive peace process aims to forge a new compact for a just, equitable,
6 humane and pluralistic society. It seeks to establish a genuine pluralistic society
7 where all individuals and groups are free to engage in peaceful competition for
8 predominance of their political programs without fear, through the exercise of
9 rights and liberties guaranteed by the Constitution, and where they may compete
10 for political power through an electoral system that is free, fair and honest.

11 SEC. 4. *Components of the Comprehensive Peace Process.* – The comprehensive
12 peace process shall include, but not limited to, the following components:

13 a) PURSUIT OF SOCIAL, ECONOMIC AND POLITICAL REFORMS - This component
14 would allow the Commission on Peace to act as a coordinative body of the various
15 policies, reforms, programs and projects aimed at addressing the root causes of internal
16 armed conflicts and social unrest. This may require administrative action, new
17 legislation or even constitutional amendments.

18 b) CONSENSUS-BUILDING AND EMPOWERMENT FOR PEACE - This component
19 shall include the continuing consultations on both the national and local levels to
20 build consensus for a peace agenda and process and the mobilization and
21 facilitation of people's participation in the peace process.

22 c) PEACEFUL NEGOTIATED SETTLEMENT WITH THE DIFFERENT REBEL GROUPS -
23 This component involves the conduct of face-to-face negotiations to reach
24 peaceful settlements with the different rebel groups.

25 d) PROGRAMS FOR RECONCILIATION, REINTEGRATION INTO MAINSTREAM
26 SOCIETY AND REHABILITATION — This component shall include programs to
27 address the legal status and security of former rebels, as well as community-based
28 assistance programs to address the economic, social and psychological rehabilitation
29 needs of former rebels, demobilized combatants, and civilian victims of the internal
30 armed conflicts.

1 e) ADDRESSING CONCERNS, ARISING FROM THE CONTINUING ARMED
2 HOSTILITIES - This component involves the strict implementation of laws and
3 policy guidelines, and the institution of programs ensure the protection of non-
4 combatants and reduce the impact of the armed conflict on communities found
5 in conflict areas.

6 f) BUILDING AND NURTURING A CLIMATE CONDUCTIVE TO PEACE - This
7 component shall include peace advocacy and peace education programs and
8 the implementation of various confidence-building measures aimed at ensuring
9 transparency and good faith in the peace process.
10

11 SEC. 5. *Creation of the Commission on Peace* . - There is hereby created an
12 independent Commission on Peace which shall be tasked to assist the President in the
13 active pursuit of a comprehensive peace process.

14 a) The Commission on Peace shall be composed of a Chairman and four (4)
15 Members who must be natural-born citizens of the Philippines and, at the time
16 of their appointment, at least thirty-five (35) years of age and must not have
17 been a candidate for any elective position in the elections immediately
18 preceding their appointment.

19 b) The Chairman and the Members of the Commission on Peace shall not, during
20 their tenure, hold any other office or employment. Neither shall they engage in
21 the practice of any profession or in active management or control of any
22 business which in any way may be affected by the functions of their office, nor
23 shall be financially interested, directly or indirectly, in any contract with, or in
24 any franchise or privilege granted by the government, any of its subdivisions,
25 agencies or instrumentalities, including government-owned or controlled
26 corporations or their subsidiaries.

27 c) The Chairman and the Members of the Commission on Peace shall be appointed
28 by the President for a term of seven (7) years without reappointment.
29 Appointments to any vacancy shall be only for the unexpired term of the
30 predecessor.

31 d) The Chairman and the Members of the Commission on Peace shall receive the

1 same salary as the Chairman and members, respectively, of the Constitutional
2 Commissions, which shall not be decreased during their term of office.

3 e) In recognition of the crucial role of civil society in the implementation of a
4 comprehensive peace process, one (1) member of the Commission on Peace
5 should come from the civil society.

6 SEC. 6. *Secretariat.* - There shall be a Peace Commission Secretariat, headed by an
7 Executive Director which shall provide all the necessary administrative and technical
8 support to the Commission on Peace.

9 SEC. 7. *Powers and Functions of the Commission.* -The Commission on Peace
10 shall have the following powers and functions.

- 11 a) Formulate policies, programs, guidelines, plans and provide direction in the
12 implementation of the government's peace process;
- 13 b) Conduct continuing consultations and dialogues with various sectors of the citizenry
14 towards ensuring people's direct participation in the government's peace process;
- 15 c) Submit an annual report to both Houses of Congress on the process and
16 implementation of people's recommendations resulting from consultation and
17 dialogue;
- 18 d) Request the assistance of the departments, agencies, including government-owned
19 or controlled corporations in the efficient and effective implementation of the
20 peace process;
- 21 e) Perform such other functions as well as exercise such powers as may be delegated
22 or assigned by the President.

23 SEC. 8. *Citizen Participation.* - The State recognizes the vital role of civil society in
24 the comprehensive peace process. Citizen participation in the peace process shall be
25 welcomed, enhanced and protected. Mechanisms for this include the basic sector's peace
26 agenda, peace consultations, citizen third-parties in the peace talks and community-based
27 peace initiatives including peace zones.

28 SEC. 9. *Transparency and Accountability.* - The President and the administrative
29 structure for carrying on the peace process shall pursue a policy of transparency and
30 accountability subject to the confidentiality requirements of peace negotiations.

31 SEC. 10. *Abolition, Transfer of Assets and Personnel.* - All agencies involved in

1 the implementation of the six paths to peace stated herein such as the Office of the
2 Presidential Adviser on the Peace Process (OPAPP) created under Executive No. 125 s. 1993,
3 as amended by Executive Order No. 3 s. 2001, the National Program for Unification and
4 Development Council (NPUDC) created under Executive Order No. 152 and the National
5 Peace Forum (NPF) created
6 under Executive Order No. 115 s. 1999 and the Government Peace Negotiating Panels (GPNPs)
7 are hereby abolished.

8 The unexpended appropriations of the abovementioned agencies are hereby
9 transferred to the Commission on Peace. All properties, records, equipment, buildings,
10 facilities and other assets of same shall be transferred to the Commission.

11 The Commission on Peace may retain such personnel of the OPAPP, the NPUDC and the
12 NPF and the GRP panels, as may be necessary in the fulfilment of its powers and functions.
13 Any public officer or employee separated from the service as a result of the abolition of the
14 said offices affected under this Act shall receive the benefits to which he or she may be
15 entitled under existing laws, rules and regulations.

16 SEC. 11. *Transition Period.* - Until such time that the Commission on Peace is fully
17 operational, the OPAPP Secretariat shall continue to provide staff support to the
18 Commission on Peace. It shall be under the direct control and supervision of the Chair
19 of the Commission on Peace.

20 SEC. 12. *Appropriations.* - The amount necessary to carry out the provisions of
21 this Act shall be included in the General Appropriations Act of the year following its
22 enactment into law and thereafter.

23 SEC. 13. *Implementing Rules and Regulations.* - A Technical Working Group
24 (TWG) composed of the agencies which were abolished and subsumed under the
25 Commission on Peace shall promulgate the necessary rules and regulations to implement the
26 provisions of this Act ninety (90) days after the passage of this Act.

27 SEC. 14. *Separability Clause.* - If any part or provision of this Act shall be held
28 unconstitutional or invalid, other parts or provisions hereof which are not affected thereby
29 shall continue to be in full force and effect, provided, however, that no provision hereof
30 shall be construed as a diminution of any peace pact.

31 SEC. 15. *Repealing Clause.* - All laws, executive orders, presidential
32 decrees, presidential proclamations, rules and regulations or parts thereof

1 inconsistent with the provisions of this Act are hereby repealed or modified
2 accordingly.

3 SEC. 16. *Effectivity Clause.* - This Act shall take effect fifteen (15) days from
4 its publication in the Official Gazette or at least two (2) national newspapers of
5 general circulation.

6

7 Approved,