

FIFTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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SENATE
S. B. 2482

RECEIVED
MAY 19 1997

Introduced by Senator Villar

EXPLANATORY NOTE

The Philippines is an archipelagic country located in Southeast Asia. It comprises 7,107 islands in the western Pacific Ocean, sharing maritime borders with Indonesia, Malaysia, Palau, the Republic of China (Taiwan), and Vietnam.

It is home to vast mountain ranges and forests, the smallest living mammal alive in the Tarsier, the Philippine Eagle, the perfectly shaped cone of Mayon Volcano in Bicol, the Chocolate Hills of Bohol, the Tubbataha Reef in Palawan, among the world's best beaches, and some of the finest delicacies the world can ever taste.

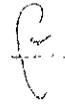
With all these, it is such a shame that the Philippines and its government is a country embroiled in deep conflict, not with the Moro Islamic Liberation Front, or the Moro National Liberation Front, the Abu Sayyaf and not even the National People's Army. But it is embroiled in deep conflict with fellow Filipinos.

With this in mind, a lasting solution to the peace process is sought by this representation, and the creation of a government agency that will aim to create and foster lasting peace is recommended.

With this in mind, the passage of this bill is earnestly sought.


MANNY VILLAR

SENATE
S. B. 2482

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**AN ACT
TO ESTABLISH A DEPARTMENT OF PEACE IN THE PHILIPPINES**

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

Section 1. Short Title. This Act shall be known as the "Department of Peace Act."

Section 2. Declaration of Policies. It is hereby declared the policy of the State:

1. To promote human security, peace-building, peace-making, and the nonviolent resolution of conflict principles;
2. To develop and support suitable programs to encourage and assist research, education, training, advocacy, and policy-making centered on the promotion of human security, peace-building, peace-making, and the nonviolent resolution of conflict principles;
3. To provide suitable incentives and rewards for those provinces and regions that espouse peaceful and nonkilling principles; and
4. To assist and encourage those communities that experience more violence and killings in order to alleviate and improve their condition;

Section 3. Establishment of a Department of Peace. There is hereby established a DEPARTMENT OF PEACE (hereinafter referred to as the "Department").

Section 4. Mandate of the Department. – The Department shall –

1. Formulate, recommend and implement national advocacies, plans, programs and guidelines that will promote and uphold a peaceful, non-violent and non-killing principles;
2. Initiate, harmonize and coordinate all peace keeping, non-violent and non-killing initiatives of the government and its respective agencies;
3. Strengthen civilian and non-military means of peacemaking;
4. Promote a proactive, strategic approach in the development of policies and programs that promote domestic and international conflict prevention, non-violent intervention, mediation, peaceful resolution of conflict, and structured mediation of conflict;
5. Encourage the development of initiatives from local communities, religious groups, and non-governmental organizations toward peace;

Represent and negotiate for government interest on matters pertaining to peace, understanding, and cooperation in local and international bodies.

Section 5. Secretary of Peace. – The Department of Peace shall be headed by a Secretary of Peace (hereinafter in this Act referred to as the “Secretary”), who shall be appointed by the President of the Philippines and whose appointment shall be subject to confirmation by the Commission on Appointments.

The Secretary shall have the following responsibilities and powers:

A. IN GENERAL – The Secretary shall –

1. Work proactively and interactively with each branch of the National Government on all policy matters relating to conditions of violence, peace, nonkilling and conflict resolution;
2. Act as the spokesman on matters of violence, peace, nonkilling and conflict resolution;
3. Engage the intellectual and spiritual resources of the Filipino people in the pursuit of peace, nonkilling and conflict resolution;
4. Monitor and analyze causative principles of conflict and make policy recommendations for developing and maintaining peaceful conduct, and the prevention of crisis and violence;
5. Promote and develop program(s) involving citizen participation in all the elements from peace-building, peace-making and peace-keeping;
6. Develop an intercultural competence to manage conflicts among individuals and groups.
7. Assist in the establishment and funding of community-based violence prevention programs, including violence prevention and counseling and peer mediation in schools;
8. Develop strategies and implement programs to address unhealthy manifestations of violence in Filipino culture as they relate to both humans and animals.

B. HUMAN SECURITY RESPONSIBILITIES – The Secretary shall address and offer nonviolent conflict resolution strategies to all relevant parties on issues of human security if such security is threatened by conflict, whether such conflict is geographic, religious, ethnic, racial, or class-based in its origin, derives from economic concerns (including trade or misdistribution of wealth), or is initiated through disputes concerning scarcity of natural resources (such as water and energy resources), food trade, environmental and gender concerns.

C. EDUCATIONAL RESPONSIBILITIES – The Secretary shall –

1. Cooperate with scholars, educators and civil society organizers in their development of peace and human rights education which shall include studies of –
 - a. The human rights movement in the Philippines, Asia, and throughout the world, with special emphasis on how cooperative endeavor and involvement have contributed to advancements in peace and justice, and;
 - b. Peace agreements and circumstances in which peaceful intervention has worked to stop conflict;
2. Offer incentives in the form of grants and training to encourage the development of provincial and city peace curricula and assist schools in applying for such curricula;
3. Set up, maintain and publish the Philippine Index of Killing and Nonkilling as a periodic recording, monitoring, and mapping of the incidence of violence and

killings, as well as of nonviolence and nonkilling, in various parts of the country and the entire archipelago;

4. Provide suitable incentives and rewards for those provinces and regions that excel in developing peaceful and nonkilling communities; and assist and encourage those communities that experience more violence and killings in order to alleviate and improve their condition;
5. Work with educators to equip students to become skilled in achieving peace through reflection, and facilitate instruction in the ways of peaceful conflict prevention and resolution;
6. Maintain a site on the Internet for the purposes of soliciting and receiving ideas for the development of peace from the wealth of political, social and cultural diversity in the country and the world;
7. Proactively engage the critical thinking capabilities of grade school, high school, and university students and teachers through the Internet and other media;
8. Provide grants for peace studies departments in colleges and universities throughout the Philippines.

D. DOMESTIC RESPONSIBILITIES – The Secretary shall ---

1. Support local community initiatives that can draw neighborhood resources to avoid and reduce or stop killing, create peace projects that facilitate the development of conflict prevention and resolution at the local and national levels and thereby inform and inspire national policy for peace;
2. Develop community-based strategies for celebrating diversity in languages, cultures, and religions, promoting respect, and combating prejudice and discrimination;
3. Assist in the establishment and funding of community-based violence prevention programs, including non-killing, and violence prevention counseling and peer mediation in schools;
4. Develop policies that address domestic violence, including spousal abuse, child abuse and maltreatment of the elderly;
5. Develop policies to address violence against animals;
6. Analyze existing policies, employ successful, field-tested programs, and develop new approaches for dealing with the implements of violence, including gun-related violence and the overwhelming presence of handguns;
7. Develop new programs that relate to the societal challenges of school violence, gangs, racial or ethnic violence, violence against gays and lesbians, and police-community relations disputes;
8. Make policy recommendations to the Secretary of Justice regarding human rights and labor law;
9. Counsel and advocate on behalf of women victimized by violence;
10. Contribute to public education programs and counseling strategies concerning hate crimes;
11. Promote respect for racial, religious, and ethnic diversity; and
12. Ensure that the principles of building a culture of peace guide regional official languages and employment of equity policies.

E. INTERNATIONAL RESPONSIBILITIES – The Secretary shall ---

1. Advise the Secretary of National Defense, the Secretary of Foreign Affairs, and the Secretary of Interior and Local Government on all matters relating to domestic peace and to human and national security, including the protection of human rights and the prevention of, amelioration of, and de-escalation of unarmed and armed domestic and international conflict;
2. Provide for the training of all government personnel who administer post-conflict reconstruction and demobilization in war-torn communities;

3. Sponsor country and regional conflict prevention and dispute resolution initiatives, create special task forces, and draw on local, regional, and national expertise to develop plans and programs for addressing the root sources of conflict and violence in troubled areas;
4. Provide for exchanges between the Philippines and other nations of individuals who endeavor to develop domestic and international peace-based initiatives;
5. Administer the training of civilian peace-keepers who participate in multinational non-violent police forces and support civilian police who participate in peace-keeping;
6. Facilitate the development of peace summits at which parties to a conflict may gather under carefully prepared conditions to promote nonviolent communication and mutually beneficial solutions;
7. Submit to the President recommendations for reductions in weapons of violence and destruction including stopping their proliferation;
8. Advise the Philippine Permanent Representative to the United Nations on matters pertaining to violence and peace, and the United Nations Security Council; and
9. Provide ethical and value-based analyses of issues and problems to the Department of National Defense and the Department of Interior and Local Government.

Section 6. Composition. The Department of Peace shall be headed by a Secretary. The Department proper shall be composed of the Office of the Secretary, the Office of the Undersecretary, and Bureau Directors who shall function as follows:

1. UNDERSECRETARY OF PEACE – There shall be in the Department an Undersecretary of Peace, who shall be appointed by the President. The Under-Secretary shall designate the order in which other officials of the Department shall act for and perform the functions of the Secretary during the absence or disability of the Secretary.
2. BUREAU DIRECTORS – There shall be in the Department such Bureau Directors as may be necessary and authorized by law.

Section 7. Bureau of Peace Education and Training --- There shall be in the Department a Bureau of Peace Education and Training (Bureau) who shall carry out those functions of the Department relating to the creation, encouragement, and impact of peace education and training at the elementary, secondary, university, and post-graduate levels, including the development of a Civilian Peace Service (CPS).

The Bureau shall cooperate with the public and private schools in their development of peace curricula and learning materials concerned with building peace communication skills, non-violent conflict resolution skills, and other objectives to increase the knowledge of peace and non-killing conditions and processes.

The Director for Peace Education and Training shall ---

1. Provide peace education grants to colleges and universities for the creation and expansion of peace studies departments; and
2. Create a Community Peace Grant program under which grants shall be provided to not-for-profit community and non-governmental organizations for the purposes of developing creative, innovative neighborhood programs for non-violent conflict resolution and local peace-building initiatives.

Section 8. Bureau for Domestic Peace

There shall be a Bureau for Domestic Peace. This Bureau, in collaboration with local government leaders, shall be responsible for promoting and undertaking domestic

peace activities, including the development of policies that increase awareness about intervention and counseling on domestic violence and conflict, and those functions in the Department affecting research and analysis relating to creating, initiating and modeling approaches to peaceful engagement and non-violent conflict resolution.

The Director for Domestic Peace Activities shall ---

1. Develop policies and build on existing programs responsive to the prevention of violence and killing, including the development of community policing strategies and peaceful settlement skills among local officials and police and other public safety officers;
2. Develop community-based strategies for promoting and celebrating diversity and promoting respect for such diversity;
3. Study the impact of violence and war, especially on the physical and mental condition of children.
4. Implement the UN Resolution 1325 to promote enhanced participation of women in peace in all aspects of peace activities ranging from peace-making, peace-building to post-conflict reconstruction;
5. Review and implement UN deliberations on Rapid Response (R2P2) – Responsibility to Protect;
6. Publish a monthly journal of the activities of the Department and encourage scholarly participation;
7. Gather information on effective community peace-building activities and disseminate such information to local governments and non-governmental organizations in the Philippines and abroad;
8. Conduct research on the effect of violence in the media and make such reports available to Congress annually; and
9. Sponsor conferences in the Philippines to create awareness of the work of the Department.

Section 9. Bureau for International Peace (BIP) – There shall be a Bureau of International Peace, the Director. This Bureau shall be responsible for the country's international peace activities.

The Director for International Peace shall ---

1. Provide for the training and deployment of all Civilian Peace Service graduates and other non-military conflict prevention and peace-making personnel;
2. Sponsor country and regional conflict prevention and dispute resolution initiatives in countries experiencing social, political, or economic strife;
3. Advocate the creation of a multi-national non-violent peace force;
4. Provide training for the administration of post-conflict reconstruction and demobilization in war-torn societies;
5. Provide for the exchanges between individuals of the Philippines and other nations who are endeavoring to develop domestic and international peace-based initiatives;
6. Carry out those functions affecting arms control programs and arms limitation agreements;
7. Advise the Secretary of Peace on all inter-agency discussions and all international negotiations regarding the reduction and elimination of weapons of mass destruction throughout the world, including the dismantling of such weapons and the safe and secure storage of materials related thereto;
8. Assist nations, international agencies and non-governmental organizations in assessing the locations of the build-up of nuclear weapons;

9. Develop non-violent strategies to deter the testing or use of offensive or defensive nuclear weapons, whether based on land, air, sea, or in outer space;
10. Serve as a depository for copies of all contracts, agreements and treaties that deal with the reduction and elimination of nuclear weapons or the protection of outer space from militarization; and
11. Provide technical support and legal assistance for the implementation of such agreements.

Section 10. Bureau of Human Rights and Economic Rights (BHR). --- There shall be a Bureau of Human Rights and Economic Rights. This Bureau shall perform those functions in the Department supporting the principles of the Universal Declaration of Human Rights passed by the General Assembly of the United Nations on December 10, 1948, and subsequent UN Declarations on Human Rights.

The Director for Human Rights and Economic Rights shall ---

1. Assist the Secretary of Peace and the Undersecretary of Peace in furthering the incorporation of principles of human rights, as enunciated in the United Nations General Assembly Resolution 217A (III) of December 10, 1948, into all agreements between the Philippines and other nations to help reduce the causes of violence;
2. Gather information on and document human rights abuses, both domestically and internationally, and recommend to the Secretary non-violent responses to correct abuses;
3. Make such findings available to other agencies in order to facilitate non-violent conflict resolution;
4. Provide trained observers to work with non-governmental organizations for purposes of creating a climate that is conducive to the respect for human rights;
5. Conduct economic analyses of the scarcity of human and natural resources as a source of conflict and make recommendations to the Secretary of Peace for non-violent prevention of such scarcity, non-violent intervention in case of such scarcity, and the development of programs of assistance for people experiencing such scarcity, whether due to armed conflict, maldistribution of resources, or natural causes; and
6. Assist the Secretary of Foreign Affairs and the Secretary of Finance, in developing strategies regarding the sustainability and the management of the distribution of funds from international agencies, the conditions regarding the receipt of such funds, and the impact of those conditions on the peace and stability of the recipient nations.

Section 11. Consultation in drafting treaties and agreements. The Department of Peace shall be consulted in the drafting of treaties and peace agreements.

Section 12. Consultation in cases of conflict. In any case in which a conflict between the Philippines and any foreign government or entity is imminent or occurring, the Secretary of National Defense and the Secretary of Foreign Affairs shall consult with the Secretary of Peace concerning nonviolent means of conflict resolution.

1. In any case in which such a conflict is ongoing or recently concluded, the Secretary of Peace shall conduct independent studies of diplomatic initiatives undertaken by the Philippines and other parties to the conflict.

2. In any case in which such a conflict has recently been concluded, the Secretary of Peace shall assess the effectiveness of those initiatives in ending the conflict.

3. The Secretary of Peace shall establish a formal process of consultation in a timely manner with the Secretary of Foreign Affairs and the Secretary of National Defense —prior to the initiation of any armed conflict between the Philippines and any other nation; and for any matter involving the use of the Department of National Defense personnel within the Philippines.

Section 13. Advisory Council for Peace.

The Secretary of Peace, the Secretary of Foreign Affairs, the Secretary of National Defense, and the Secretary of Interior and Local Government shall form an Advisory Council for Peace, chaired by the Secretary of Peace. The Advisory Council shall report to and advise the President, the President of the Senate, and the Speaker of the House of Representatives, and make recommendations about the affairs and policies of the Department relating to peace, nonkilling, and nonviolent conflict resolution. The Council facilitated by the Secretary of Peace shall also serve as a national and international sounding board and nexus for fostering domestic and international peace.

Section 14. Responsibilities. The Chairman of the Advisory Council shall:

1. Provide a forum for representatives of international actors, national, and local governments to discuss peace issues;
2. Promote better intergovernmental relations; and
3. Submit, Biennially or more frequently if determined necessary by the Council, a report to the President, the Senate, the House of Representatives reviewing the impact of national and international peace activities on provincial and local governments and communities.

Section 15. Repealing Clause. All laws, presidential decrees, letters of instruction, executive orders, rules and regulations, or any part thereof inconsistent with this Act shall be amended or modified accordingly.

Section 16. Effectivity. – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in at least two newspapers of general circulation.

Approved.