



Tanggapan ng Kalihim
Office of the Secretary

FEB 10 2005

DepED MEMORANDUM
No. 42, s. 2005

DISSEMINATION OF EXECUTIVE ORDER NOS. 402, 404
AND MEMORANDUM CIRCULAR NO. 82


To:

Assistant Secretaries
Bureau Directors
Directors of Services/Centers and Heads of Units
Regional Directors
Schools Division/City Superintendents
Heads, Public and Private Elementary and Secondary Schools

1. Enclosed are copies of the following legislations for the information and guidance of all concerned:

- a) Executive Order No. 402 dated January 24, 2005 entitled "Creating the Government of the Republic of the Philippines Monitoring Committee (GRP-MC) on Human Rights and International Humanitarian Law";
- b) Executive Order No. 404 dated January 24, 2005 entitled "Abolishing the Special Committee on Scholarships and Transferring its Scholarship Functions to the Department of Education for Basic Education, to the Commission on Higher Education for Degree Courses, and to the Technical Education for Skills and Development Authority for Non-Degree Courses"; and
- c) Memorandum Circular No. 82 dated January 27, 2005 entitled "Reminding the Observance of Constitution Day Every 2nd Day of February".

2. Immediate dissemination of this Memorandum is desired.


FLORENCIO B. ABAD
Secretary

Encls.: As stated
Reference: None
Allotment: 1- -(D.O. 50-97)
To be indicated in the Perpetual Index
under the following subjects:

BUREAUS & OFFICES
CELEBRATIONS & FESTIVALS

LEGISLATIONS
SCHOLARSHIPS

Draft by: Maricar/DM-EO 402, 404 & MC 82
02-03-05/computer: mamjo

Malacañang
Manila

EXECUTIVE ORDER NO. 402

ABOLISHING THE SPECIAL COMMITTEE ON SCHOLARSHIPS AND TRANSFERRING ITS SCHOLARSHIP FUNCTIONS TO THE DEPARTMENT OF EDUCATION FOR BASIC EDUCATION, TO THE COMMISSION ON HIGHER EDUCATION FOR DEGREE COURSES, AND TO THE TECHNICAL EDUCATION FOR SKILLS AND DEVELOPMENT AUTHORITY FOR NON-DEGREE COURSES

WHEREAS, the Special Committee on Scholarships ("Committee") was created pursuant to a Cabinet Resolution dated 06 June 1956 to ensure that the requirements of the Economic Development Program of the Government for skilled manpower and knowledgeable workers are met through the efficacious availment of foreign-assisted training programs;

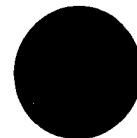
WHEREAS, the Committee administers the Department of Education ("DepEd"), the Commission on Higher Education ("CHED") and the Technical Education Skills Development Authority's ("TESDA") scholarship training and grants sourced from official development assistance ("ODA");

WHEREAS, the Committee is composed of members from various government offices which include the Department of Education, the Commission on Higher Education, the Department of Foreign Affairs, Department of Finance, the National Economic and Development Authority, the Civil Service Commission, the Presidential Management Staff and the Academe;

WHEREAS, in order to promote simplicity, economy and efficiency in the administration of scholarship training and grants sourced from ODA, it is necessary to abolish the Committee, and its scholarship functions are to be transferred to the DepEd for basic education, to the CHED for degree courses, and to the TESDA for non-degree courses.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. The Special Committee on Scholarships is hereby abolished and its scholarship functions are hereby transferred to the DepEd for basic education, to the CHED for degree courses, and to the TESDA for non-degree courses.



SECTION 2. The DepEd, CHED and TESDA shall jointly issue the implementing rules and regulations of this Order.

SECTION 3. Personnel who may be affected by the abolition of the Special -Committee on Scholarships shall have the option to remain in government service, if with permanent/temporary appointment attested by the Civil Service Commission, or to retire/be separated and paid benefits pursuant to existing laws.

SECTION 4. This Executive Order shall take effect immediately.

City of Manila, 24 January 2005.

By the President

Gloria Arroyo



Eduardo R. Ermita

EDUARDO R. ERMITA
Executive Secretary



PGMA Hologram # 29292

CERTIFIED COPY:

Lamberto R. Barbin
LAMBERTO R. BARBIN
In-charge
Malacanang Record Office

2-1-05

MALACAÑANG

Manila

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 404

**CREATING THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
MONITORING COMMITTEE (GRP-MC) ON HUMAN RIGHTS AND
INTERNATIONAL HUMANITARIAN LAW**

WHEREAS, the State recognizes that the attainment of a just, comprehensive and lasting peace under the rule of law and in accordance with Constitutional processes is the basic foundation of economic development and national prosperity;

WHEREAS, the Government implements a comprehensive peace process along the "Six Paths to Peace" that must be pursued simultaneously in a coordinated and integrated fashion, as provided for under Executive Order No. 3 issued on 28 February 2001;

WHEREAS, the "third path" to peace is the Government's pursuit of a peaceful and negotiated settlement with the different rebel groups, including the Communist Party of the Philippines/New People's Army/National Democratic Front (CPP/NPA/NDF);

WHEREAS, the Government recognizes that respect for human rights and international humanitarian law is of crucial importance and urgent necessity in laying the ground for a just and lasting peace;

WHEREAS, the parties signed the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL) on 16 March 1998 in The Hague to guarantee the protection of human rights to all Filipinos under all circumstances by primarily addressing violations and abuses of human rights and the principles of international humanitarian law;

WHEREAS, Part V of the CARHRIHL provides for the formation of a Joint Monitoring Committee (JMC) that shall monitor the implementation of this Agreement;

WHEREAS, the parties signed the Operational Guidelines for the JMC on 14 February 2004 in Oslo which provided the manner by which to operationalize the JMC and monitor the implementation of and achieve the purposes of the CARHRIHL;



**Office of the President
of the Philippines
Malacañang**

MEMORANDUM CIRCULAR No. 82

**REMINING THE OBSERVANCE OF CONSTITUTION DAY EVERY 2ND DAY
OF FEBRUARY**

Pursuant to Proclamation No. 211 dated February 29, 1988, the 2nd day of February of every year has been declared as "Constitution Day" to give the Filipino people the opportunity to consecrate and dedicate themselves to the Constitution and ponder the significance thereof.

In this regard, the Department of Education (DepEd), the Commission on Higher Education (CHED) and the Technical Education and Skills Development Authority (TESDA) are hereby directed to undertake appropriate activities and programs which shall encourage the active participation and remind educational institutions, non-government organizations (NGOs) and the private sector of the significance of "Constitution Day" and ensure a meaningful observance thereof.

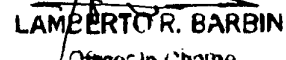
By authority of the President:



EDUARDO R. ERMITA
Executive Secretary

Manila, 27 January, 2005

CERTIFIED COPY:


LAMBERTO R. BARBIN
Officer-in-Charge
Malacañang Records Office

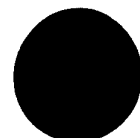
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NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. Creating the Government of the Republic of the Philippines Monitoring Committee (GRP-MC) on Human Rights and International Humanitarian Law – There is hereby created the Government of the Republic of the Philippines Monitoring Committee (GRP-MC) on Human Rights and International Humanitarian Law which shall be composed of a Chairperson and two (2) Members, with two (2) Observers from human rights organizations, all of whom shall be designated by the GRP Panel in the peace negotiations with the CPP/NPA/NDF. The GRP-MC shall operate under the supervision of the GRP Panel, which shall also provide overall support in the management and operation of the GRP-MC.

SECTION 2. Powers and Functions – The GRP-MC shall have the following powers and functions:

- a. Represent the Government in the JMC under the CARHRIHL, and perform its functions, jointly with or separately from the National Democratic Front of the Philippines, in accordance with the CARHRIHL and the Operational Guidelines for the JMC, and with the Philippine Constitution, existing laws, and jurisprudence;
- b. Monitor the status of the implementation of the CARHRIHL by concerned units and agencies of the Government, and request the concerned agencies to address through appropriate actions the non-implementation or any violation of the Agreement;
- c. Work closely with the Commission on Human Rights (CHR) of the Philippines with regard to its constitutional mandate to investigate human rights violations and monitor the Governments' compliance with international treaty obligations on human rights. For this purpose, the GRP-MC shall provide CHR with regular updates concerning its work;
- d. Coordinate with concerned units and agencies of the Government, as well as civil society groups and other entities, for any assistance as may be necessary in the performance of its functions;

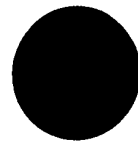


- e. Create, if necessary, local monitoring teams and other similar bodies throughout the country to provide assistance in the performance of its functions;
- f. Submit, as often as necessary, reports to the GRP Panel on the status of its work, including recommendations to address reported cases of violations of human rights and IHL principles;
- g. Provide regular updates to concerned units and agencies of the Government, as well as civil society groups and other entities, on the status of its work;
- h. Adopt the implementing rules and regulations for the conduct of its work; and
- i. Perform such other functions as may be assigned by the GRP Panel and necessary to ensure the effective and efficient monitoring of the implementation of the CARHRIHL.

SECTION 3. Support - All agencies of the Government are hereby directed to provide the necessary cooperation and support to the GRP-MC to ensure the timely and effective implementation of the provisions of the CARHRIHL.

SECTION 4. Secretariat and Office Space - The GRP Panel Secretariat, including representatives of concerned government agencies that may be designated by the GRP Panel, shall extend necessary technical and administrative support to the GRP-MC. The Office of the Presidential Adviser on the Peace Process (OPAPP) shall provide the GRP-MC with adequate office space and facilities.

SECTION 5. Funding - The Department of Budget and Management is hereby directed to release the amount of TEN MILLION PESOS (P10,000,000.00) from the President's Contingent Fund to initially cover the operational expenses of the GRP-MC and its Secretariat. The fund requirements of the GRP-MC and its Secretariat for the succeeding years shall be included in the OPAPP budget.



SECTION 6. Repealing Clause - All orders, rules, regulations and issuances, or parts thereof, which are inconsistent with the Executive Order, are hereby repealed or modified accordingly.

SECTION 7. Effectivity - This Executive Order shall take effect immediately upon its publication in a national newspaper of general circulation.

DONE in the City of Manila, this 24th day of January in the year of Our Lord, Two Thousand and Five.

Gloria Araya



By the President:

Eduardo R. Ermita

EDUARDO R. ERMITA
Executive Secretary



CERTIFIED COPY:

Lamperto R. Barbin
LAMPERTO R. BARBIN
In-charge
Maldenany Records Office

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