



# Human Rights Philippines

2020-2022

**PROGRESSIVE NATIONAL  
HUMAN RIGHTS AGENDA**

**POSITIVE HUMAN RIGHTS  
ENGAGEMENT**

**PATHWAYS FOR  
TRANSFORMATIVE  
SOLUTIONS**

# EXECUTIVE SUMMARY

In 2020, the Philippines presented a comprehensive account of human rights policies, mechanisms, advocacies and accomplishments, reflecting the Philippine government's abiding commitment to the ideals of democracy and human rights.

In the spirit of open and constructive engagement, the Philippine Government continues to share developments on the country's rights-based development and good governance agenda to achieve the Filipino people's collective vision of a "*strongly rooted, comfortable and secure life*". The Philippine Government likewise continues to actively pursue its human rights commitments and engagements with all stakeholders and the international community, including human rights mechanisms.

The current report underscores that the **Filipino nation's pursuit of a just and humane society founded on human rights and the rule of law is a continuing process that is well-integrated in the governance agenda.**

Through the UN Joint Program on human rights, signed in July 2021, the Philippine government leverages its **long-standing, open and constructive engagement with the UN system** and external partners to support this robust national multistakeholder process.

**The Philippines' track record as a country that has set benchmarks in the region and in the world in terms of embracing major treaties and instruments and embedding them in national legislative and policy frameworks** on human rights, migration governance, humanitarian and humanitarian disarmament, disaster risk resilience, and peace and development, also informs the country's productive engagement across multilateral bodies and spheres of regional and global cooperation.

## **A new government, a progressive human rights agenda sustained**

The smooth political transition in June 2022 following a free, fair, and orderly electoral process bears witness to the **vibrancy and soundness of the country's democratic institutions**, which are underpinned by a Constitution that guarantees full respect for human rights and constantly held in check by a free press and an equally free and dynamic civil society.

President Ferdinand R. Marcos, Jr., in his first State of the Nation Address on 25 July 2022, outlined a forward-looking and people-centered national program for inclusive growth and sustainable development.

Said program builds on the **Philippines' deeply-rooted and progressive human rights agenda, sustained over decades by successive political administrations.** This agenda:

- finds expression in recent laws and policy interventions, including during the last two years of the Duterte administration, when legislations and measures advancing comprehensive pandemic response and recovery, peacebuilding, and the rights of children, women, LGBTQI, migrant workers, indigenous peoples, refugees and stateless persons, among others, were adopted.
- frames the government's positive multilateral and bilateral engagement, including as champion of the rights of migrant workers, women, children, indigenous peoples, the youth and other vulnerable groups, especially in the context of climate change, human trafficking, socio-economic inequalities and other global challenges.

- drives the Philippines' openness and earnest reporting on its compliance with its human rights obligations in 2022, to wit:

(a) the constructive dialogue on the combined 5th and 6th Periodic Report on the implementation of **the Convention on the Rights of the Child** in September,

(b) the revalida on the 5th Periodic Report on the implementation of **the International Convention on Civil and Political Rights (ICCPR)** in October; and,

(c) the **4th cycle of the Universal Periodic Review** in November.

- grounds the Philippines' active dialogue and multi-faceted cooperation with the Special Procedures Mandate Holders (SPMH). Government agencies are preparing for the country visits of **UN Special Rapporteurs on the Sale and Sexual Exploitation of Children** and on **Freedom of Opinion and Expression** in November 2022 and in 2023, respectively.

President Marcos has emphasized a clear commitment to sustain this agenda and to *"promote stronger and multi-faceted relationships with all partners around the world"*, including the United Nations (UN) and relevant human rights mechanisms.

The Philippines values results-oriented cooperation that supports and complements national efforts, such as the **long-running technical cooperation program with the European Union on justice sector reform**.

The EU and other partners, and the success of the programs themselves, can attest to the **open, transparent, inclusive and collaborative spirit by which the Philippines** has consistently engaged in cooperation and dialogue on human rights.

## **The UNJP within a comprehensive UN country program**

The **encompassing country program of the United Nations in the Philippines has been enriched with the signing of the United Nations Joint Program (UNJP)** on human rights covering **six areas of engagement**:

1. Strengthening domestic investigative and accountability mechanisms;
2. Improved data gathering on alleged police violations;
3. Civic space and engagement with civil society;
4. Strengthening the National Mechanism for Reporting and Follow-up;
5. Human rights-based approach to drug control; and
6. Human rights-based and victim-centered approach to counter-terrorism.

The **UNJP mainstreams human rights organically within the UN country-team framework**, aligning with the aims and objectives of the **repositioning of the UN development system**.

This approach of the UNJP places **human rights cooperation in the broader context of the coordinated last-mile pursuit of the 2030 Sustainable Development Goals** in-country programs, while satisfying the demands for such programs to enjoy national ownership and for the UN system to provide more anchored and optimal multilateral solutions.

With the UNJP having created the **platform for the UN and key actors to support and complement the Philippine governments' existing and new programs on human rights areas**, the following milestones have been achieved:

- **Adoption of the Revised Operational Guidelines of the AO35 mechanism**, which handles cases of enforced disappearances, torture, and other grave human rights violations. This was arrived at through inclusive consultations among the AO35 Technical Working Group, Commission on Human Rights, and civil society organizations.
- **Ongoing work of the legislative branch on a bill establishing a National Preventive Mechanism.**
- Continued mainstreaming of **Human Rights, International Humanitarian Law, Human Rights-Based Policing and Human Rights Laws** in the Philippines in mandatory and specialized courses of the Philippine National Police.
- Development of a digital **Human Rights Recording, Analysis, Information System, and Enforcement (HuRAISE) system** to facilitate collection of data on police personnel involved in human rights violations.
- Convening of the **first Philippine Human Rights Defenders National Assembly** on 14 December 2021
- **Establishment of the National Recommendations Tracking Database (NRTD)**, a digital tracking tool to systematize the monitoring of state compliance with human rights obligations.
- Continued implementation of the Philippine Anti-Illegal Drugs Strategy (PADS) or Rehabinasyon, a comprehensive and whole-of-nation approach to drug control, resulting, inter alia, in the establishment of 63 **Drug Abuse Treatment and Rehabilitation Centers** in the country as of 2021.

- Conduct of **preventive education and capacity-building programs** to discourage users and potential users from the abuse of harmful substances.
- Implementation of a whole-of-society approach to counter-terrorism that includes socio-economic interventions, including provision of **housing, education, social protection programs, basic utilities (e.g. electrification), livelihood and employment assistance, and infrastructure development.**

Moving forward, the **Secretary of Justice and Secretary of Interior and Local Government** have signaled clearly the intention of the new administration to **accelerate criminal justice system reforms**, including the **re-training of law enforcement personnel** and further **streamlining of investigative and accountability mechanisms.** This further includes reforms to the **corrections system, decongestion of prison facilities, and implementation of effective rehabilitation programs** for persons deprived of liberty.

### **Setting the tone for positive human rights engagement**

The UNJP has been cited as a template for constructive and transformative cooperation between a sovereign duty-bearer and the UN system in the field of human rights: one that meets mandates for (1) promoting human rights (2) generating meaningful and enduring results that have positive impact on duty-holders on the ground, and (3) effective multilateral action that is conscious of the demands on accountability and stewardship of resources that have been resonating in all corners of the UN system.

The Human Rights Council (HRC) and the Office of the High Commissioner for Human Rights (OHCHR) have heard some calls for a while now for the reinvention of the human rights toolbox to pursue more effective steps to address situations and achieve concrete results.

The UNJP offers a new mode of human rights cooperation that is more responsive to the complexities of issues confronting nations, harnessing opportunities for partnerships, optimizing synergies and strengths in the UN system, and anchoring programs for sustainable results through national ownership.

It merits consideration and support from the Human Rights Council amidst increasing polarization over decisions and resolutions that do not enjoy the consent and cooperation of countries concerned and are, thus, counterproductive. It invites a reflection long overdue about the following considerations in re-imagining a new effective human rights toolbox that offers transformative solutions:

- Maximizing the potential of Agenda Item 10 of the HRC;
- Leveraging the expertise and strengths of various human rights mechanisms;
- Situating human rights action within the broad UN development-oriented country-program;
- Supporting the vitality and robustness of UN repositioning efforts by mainstreaming human rights action;
- Promoting national ownership, transparency, inclusivity, efficiency, and accountability in human rights action; and
- Focusing on process and results.

The UNJP underlines **the power of constructive pathways to human rights cooperation** that brings about **transformative change** serving the noble causes **of human dignity and social justice.**

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# **PART I. A PROGRESSIVE NATIONAL HUMAN RIGHTS AGENDA**



## PART I. A PROGRESSIVE NATIONAL HUMAN RIGHTS AGENDA

Amidst the COVID-19 pandemic, worsening climate crisis and profound global politico-economic shifts, the Philippines forged ahead with strengthening its democratic institutions, human rights frameworks, and accountability mechanisms as part of the larger agenda of achieving the Filipino peoples' collective vision of a Philippines that is:

*"...a prosperous middle-class society where no one is poor. People live long and healthy lives and are smart and innovative. The country is a high-trust society where families thrive in vibrant, culturally diverse, and resilient communities."*<sup>1</sup>

In the last two years of the administration of President Rodrigo Roa Duterte, more rights-based legislations and programs were adopted laying the foundation for inclusive growth and a high-trust and resilient society. Significant strides were made towards the attainment of a just and lasting peace with the implementation of a "whole-of-society" approach to addressing the root causes of the decades-long local communist armed insurgency.

To support and complement these national efforts, the Philippines further enhanced its engagement with the international community through enhanced cooperation with the UN and bilateral partners in the area of human rights.

### 1.1 A ROBUST AND VIBRANT DEMOCRACY

The Philippines is one of the oldest and most vibrant democracies in Asia. Its democratic institutions are underpinned by a Constitution that guarantees full respect for human rights and constantly held in check by a free press and an open and dynamic civil society.

On 9 May 2022, the Filipino people exercised their right to suffrage in a free, fair and orderly elections. With over 18,000 local and national elective positions under contest, the 2022 general elections posted the highest voter turnout in recent history at 83%. This attests to the Filipino people's unwavering commitment to the ideals of freedom and democracy.

In the spirit of transparency and inclusivity, the Commission on Elections (COMELEC) welcomed international observers allowing them unimpeded access to the whole electoral process. It likewise established Emergency Accessible Polling Places to cater to vulnerable groups, including persons with disabilities, senior citizens and pregnant women. In addition, special polling places were established and orientation seminars organized to facilitate the electoral participation of persons deprived of liberty thereby giving them a voice and sense of responsibility for the future of the nation.

Pulse Asia's nationwide post-election survey conducted on 24 to 27 July 2022 showed that 82% of Filipinos believe that the outcomes of the national and local elections were *"accurate and credible"*.<sup>2</sup>

### A national agenda for inclusive growth and sustainable development

President Ferdinand R. Marcos, Jr. won the presidency on a platform of national unity. In his State of the Nation Address on 25 July 2022, the President outlined a forward-looking and people-centered development agenda aiming to accelerate pandemic recovery, catapult the Philippines to upper middle-income status by 2024, and reduce the poverty rate to 9% or single-digit by 2028. The ultimate goal is to achieve inclusive growth and sustainable development by, among others:

<sup>1</sup>National Economic Development Authority. "About AmBisyon Natin 2040 – AmBisyon Natin 2040." n.d. <https://2040.neda.gov.ph/about-ambisyon-natin-2040/>

<sup>2</sup>Cabico, Gaea Katreena. n.d. "82% of Filipinos Trust Results of 2022 Elections — Pulse Asia." Philstar.com. Accessed on August 15, 2022. <https://www.philstar.com/headlines/2022/07/18/2196209/82-filipinos-trust-results-2022-elections-pulse-asia>.

- Ensuring food security by modernizing agriculture and sustaining agrarian reform;
- Harnessing Filipino talent through innovation and building a dynamic creative industry;
- Protecting the vulnerable, including women and children;
- Bolstering the healthcare system by building hospitals in the regions and promoting the welfare of medical front-liners;
- Improving the quality of education;
- Narrowing the digital divide and strengthening e-governance;
- Continuing infrastructure development;
- Improving the country's energy mix to include renewable sources;
- Promoting environmental sustainability, climate change mitigation and adaptation, and disaster resilience; and
- Protecting the rights and welfare of overseas Filipino workers.

## 1.2 A DEEPLY-ROOTED TRADITION AND STRONG CREDENTIALS ON HUMAN RIGHTS

Human rights have always been at the heart of the Philippines' constitutional order since its emergence as the first republic in Asia. The promotion of social justice and human dignity is a state policy enshrined in all iterations of the Philippine constitution, which finds expression in laws and policy frameworks and actions. Following are some of the recent legislations and policy interventions adopted since May 2020.

### [1.2.1 Pandemic response and recovery](#)

The Philippines adopted a “whole-of-government” and “whole-of-society” approach to the COVID-19 pandemic, ensuring that the people are at the center of response and recovery efforts while balancing public health and economic imperatives. Government resources were mobilized to provide timely assistance particularly to the most vulnerable. Civil society organizations, the private sector, and volunteer organizations were tapped to help in contact tracing, monitoring of COVID-19 projects, and public awareness campaigns, among other measures.

Decisive action anchored on science-based policies, human rights, and good governance was instrumental to the containment of the pandemic and mitigation of its adverse impact. As of 11 August 2022, 72, 041, 427 Filipinos have already been fully vaccinated. The economy has reopened and is on the path to recovery with real GDP expanding by 7.4% in the second quarter of 2022.

- **Republic Act No. 11494 or the “Bayanihan to Recover as One Act”** enacted in September 2020 - This law aimed to accelerate recovery from the pandemic and improve the resilience of the Philippine economy, through the provision of emergency subsidies to low-income households, unemployment or involuntary separation assistance for displaced workers, loan programs for MSMEs, and moving of statutory deadlines for the payment of taxes, among other measures.

### 1.2.2 Peacebuilding

The Philippine government made significant headways towards the attainment of just and lasting peace with its whole-of-society approach, anchored on good governance and active civil society participation, to ending the local communist armed conflict.

The National Task Force to End Local Communist Armed Conflict (NTF-ELCAC) carried out socio-economic interventions to free barangays of communist-terrorist groups, reintegrate former rebels, and stimulate development. One of its flagship programs is the Barangay Development Program that offers sustainable rehabilitation and development projects to conflict-ridden and conflict-vulnerable areas.

In 2021, over 800 communities have benefited from more than 2,000 projects, including farm-to-market roads, health facilities, schools, and livelihood Assistance. Details on NTF-ELCAC’s accomplishments are presented in Part II of this document.

### 1.2.3 Children’s rights

- **Republic Act No. 11862 or the “Expanded Anti-Trafficking in Persons Act”** enacted in June 2022 – This law amends the 2003 Anti-Trafficking in Persons Act bolstering government mechanisms to combat human trafficking, especially children and other vulnerable groups. It covers illegal adoption, child laundering, and online sexual abuse and exploitation of children. It also makes internet intermediaries accountable if they allow knowingly or by gross negligence the use of their infrastructure for trafficking purposes.
- **Republic Act No. 11767 or “The Foundling Recognition and Protection Act”** enacted in May 2022– This law recognizes the status of foundlings found in the Philippines and/or in Philippine embassies, consulates, and territories abroad as natural-born citizens of the Philippines. As a matter of right, they are entitled to government programs and services, including registration, facilitation of documents for adoption, education, legal and police protection, proper nourishment and medical care for survival and development, and admission to safe and secure child centers.
- **Republic Act No. 11648 or an “Act providing for stronger protection against rape and sexual exploitation and abuse, increasing the age for determining the commission of statutory rape”** enacted in March 2022 – This law raised the minimum age of sexual consent from 12 years old to 16 years old and affords children better access to justice.

- **Republic Act No. 11642 or the “Domestic Administrative Adoption and Alternative Child Care Act”** enacted in January 2022 – This law simplifies domestic adoption and makes it less expensive. It also provides for a more efficient process under an attached agency of the Department of Social Welfare and Development, to be known as the National Authority for Child Care (NACC) with quasi-judicial powers.
- **Republic Act No. 11596 or an “Act prohibiting the practice of child marriage and imposing penalties for violations thereof”** enacted in December 2021 – This milestone law defines child marriage as “a practice constituting child abuse because it debases, degrades, and demeans the intrinsic worth and dignity of children”. It stipulates penalties for the facilitation and solemnization of child marriage and the cohabitation of an adult with a child outside wedlock. The law likewise provides for children empowerment, enhancement of children’s access to quality education, provision of economic support to children and their families, and application of strategic interventions to eradicate the practice of child marriage.

#### 1.2.4 Women’s rights and gender equality

Philippine legislations, policies, and mechanisms on women empowerment and gender equality are firmly established. Of particular importance are the Magna Carta of Women (RA 9710), Anti-Sexual Harassment Act (RA 7877), Anti-Rape Law (RA 8353), Rape Victim Assistance and Protection Act (RA 8505), and Anti-Violence against Women and their Children Act (RA 9262), and Safe Spaces Act (RA 11313).

Today, the Philippines has one of the highest levels of gender parity in the world, ranking 19th globally and 2nd in East Asia and the Pacific, according to the 2022 Global Gender Gap Report. Nonetheless, government efforts to further close the gender gap and address persisting gender issues continue, such as:

- **Executive Order 141 s. of 2021 on Teenage Pregnancy signed in June 2021** - This Executive Order (EO) declares the prevention of adolescent pregnancies a national priority and prescribes a whole-of-government approach to address its root causes. It acknowledges that teenage pregnancies are a result of “engendered patterns of discrimination, deep-seated norms and attitudes that normalize and justify violence against women and children, lack of information, and the vulnerability and exclusion of women and children in remote and rural areas”. The EO directs government agencies to carry out practical interventions, such as comprehensive sexuality education, education and employment opportunities for young people, and health promotion.
- **Gender mainstreaming in the security and law enforcement sector** - On 14 September 2021, the Armed Forces of the Philippines and the Philippine Commission on Women signed a partnership agreement to enhance the implementation of gender sensitivity and gender-responsive programs and policies in the security sector. In respect of the “*rights of Moro women to practice, promote, protect, and preserve their own cultures, traditions, and institutions*” as provided for in the Magna Carta of Women, the Philippine Coast Guard approved the addition of hijab in the uniform of female Muslim personnel.

<sup>3</sup> National Economic Development Authority. 2022. “Attaining Just and Lasting Peace”. In Socioeconomic Report 2021”, 252. Ortigas City: NEDA. <https://neda.gov.ph/wp-content/uploads/2022/07/SER-2021-Chapter-17.pdf>.

Various local government units are also in the forefront of promoting and protecting the rights of members of the Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI) community. The local governments of Carigara, Leyte, Roxas City, Manila, Bataan Province, Albay, Malolos City, and Pasig City have passed respective ordinances to protect the community from discrimination and harm and provide avenues for redress.

### [1.2.5 Rights of migrant workers](#)

The Philippines has a strong track record in the promotion and protection of the rights of migrant workers. Recent legislative and policy initiatives in this area include:

- **Republic Act No. 11641 or the “Department of Migrant Workers Act”** enacted in December 2021 – This law further strengthens the Philippines migration governance by establishing one streamlined government agency dedicated to migrant workers issues. It codifies the twenty-three (23) objectives of the Global Compact for Safe, Orderly and Regular Migration.
- **Republic Act No. 11861 or the “Expanded Solo Parents Act”** lapsed into law in June 2022 – This law expanded the definition of solo parents to include a spouse or any family member of migrant workers belonging to the low/semi-skilled category and are abroad for an uninterrupted period of 12 months. It mandates the Department of Social Welfare and Development to develop a comprehensive package of social protection services for solo parents and their families.

### [1.2.6 Rights of refugees, asylum seekers and stateless persons](#)

The Philippines has a long humanitarian tradition supported by progressive policies and mechanisms that promote and protect the rights of refugees, stateless persons, and asylum seekers. The Philippines is a sanctuary to over 1,500 asylum seekers and refugees, having welcomed over a hundred in 2021 alone. The Philippines continues to strengthen these policies and mechanisms in line with its obligations under international law, amid a wave of pushback practices in various parts of the world. Following are the notable legislative and policy interventions which were adopted recently:

- **Complementary Pathways (Cpath) Program for Rohingya Refugees** – The Legal Framework of the Complementary Pathways (Cpath) Program for Rohingya Refugees was signed in June 2022. Through Cpath, eligible Rohingya refugees will be able to resettle in the Philippines through tertiary education. This program is being implemented in partnership with higher educational institutions and the private sector. The first batch of Rohingya refugees are scheduled to arrive for the school opening in the latter part of 2022.
- **1961 Convention on the Reduction of Statelessness** – The Philippines’ instrument of accession to this convention was deposited at the UN Treaties Office in New York on 24 March 2022. The convention entered into force for the Philippines on 22 June 2022.

## **Executive Order 163, s. 2022 entitled “Institutionalizing Access to Protection Services for Refugees, Stateless Persons, and Asylum Seekers”** (signed on 28 February 2022)

– The EO guarantees the rights of refugees, stateless persons, and asylum seekers to liberty, security and freedom of movement, providing them easy access to socio-economic services, social security benefits, gainful employment and humane working conditions, education, participation in judicial and administrative citizenship proceedings, legal assistance and access to courts, and freedom of religion.

### 1.2.7 Right to Education

- **Republic Act No. 11713 or “Excellence in Education Act”** enacted in April 2022 – This law mandates the designation or establishment of Teachers Education Centers of Excellence in strategic places all over the country to provide innovative and relevant pre-service and in-service teacher education and training programs.
- **Republic Act No. 11650 or “An Act Instituting a Policy of Inclusion and Services for Learners with Disabilities in Support of Inclusive Education Act”** enacted in March 2022 – This law mandates the establishment of a Learning Resource Center for Learners with Disabilities that will provide free support and related services, such as alternative education, early intervention, and transition programs.

## **1.3 POSITIVE ENGAGEMENT AND PARTNERSHIP WITH THE UN AND INTERNATIONAL COMMUNITY**

The Philippines adheres to a policy of “peace, equality, justice, freedom, cooperation, and amity with all nations”<sup>4</sup>, pursuing robust engagement with the United Nations and the larger international community.

### 1.3.1 Advocacies in the UN Human Rights Council and engagement with the UN Human Rights Office

As a founding member of the United Nations, the Philippines played a constructive role in the development of UN human rights institutions – from 1946 with the creation of the Human Rights Commission and its succeeding trailblazing decades of norms-building up to the establishment of the Human Rights Council (HRC) in 2006. The Philippines chaired the process on the adoption of the HRC rules of procedure at the inception of the Council and, later, on the rationalization of the Council’s work in 2018.

The Philippines served five (5) terms in the HRC (2006, 2007-2010, 2011-2014, 2016-2018, and 2019-2021), championing the rights of migrants, women, children, and the youth and vulnerable groups, especially in the context of climate change, human trafficking, socio-economic inequalities and other global challenges.

The Philippines continues to advocate for greater transparency, fairness, and equity in the governance and processes of the HRC, the Office of the High Commissioner on Human Rights, and other human rights mechanisms. The following specific measures have been proposed: (1) ensuring greater visibility and accessibility of State responses to OHCHR country reports and press releases of Special Procedures Mandate Holders; (2) greater transparency on the program and budget implications of HRC resolutions; and (3) greater support for the technical advisory function of Special Procedures Mandate Holders.

<sup>4</sup>Section 2, Article 2 of the 1987 Philippine Constitution

The Philippines has also been consistent on the necessity of maximizing technical cooperation in the field of human rights by de-politicizing it and promoting constructive cooperation between UN human rights mechanisms and duty-bearers. In support of this objective, the Philippines contributes to the OHCHR's voluntary trusts funds for technical cooperation, financial and technical assistance for the implementation of the Universal Periodic Review; and the greater participation of indigenous peoples in UN meetings.

### [1.3.2 Universal Periodic Review and engagement with UN Treaty Bodies](#)

The Philippines fully supports the Universal Periodic Review as an effective mechanism to monitor and promote human rights compliance on the basis of dialogue and transparency. It has participated in the past three cycles of the UPR and is up again for review during the **4th cycle of the UPR in November 2022**.

As a state party to eight core international human rights instruments and six optional protocols, the Philippines actively engages with treaty bodies submitting periodic reports on their implementation. The following state reports were submitted between May 2020 and July 2022.

- Responses to the list of issues relative to the 5th Periodic Report on the implementation of the **International Convention on Civil and Political Rights (ICCPR)** (January 2022);
- Responses to the list of issues relative to the combined 5th and 6th Periodic Report on the implementation of the **Convention on the Rights of the Child (CRC)** (March 2022);
- 4th Periodic Report on the implementation of **the UN Convention against Torture and other Cruel and Inhumane or Degrading Treatment or Punishment (CAT)** (June 2022); and

- 9th Periodic Report on the implementation of the **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** (June 2021).

The Philippines will undertake constructive dialogues or *revalida* with the Committee on Rights of the Child on its **combined 5th and 6th Periodic Report on the implementation of the Convention on the Rights of the Child** in September 2022, and with the Human Rights Committee on the **5th Periodic Report on the implementation of the International Convention on Civil and Political Rights (ICCPR)** in October 2022.

### [1.3.3 Engagement with UN Special Rapporteurs](#)

The Philippines recognizes the important role played by UN Special Procedure Mandate Holders in human rights advocacy and norm- and standard-setting. It has extended an invitation to **the Special Rapporteur on the Sale and Sexual Exploitation of Children, Ms. Mama Fatima Singhateh**, to undertake a visit to the Philippines from 28 November to 9 December 2022. In 2023, **the Special Rapporteur on Freedom of Opinion and Expression, Ms. Irene Khan**, will also conduct a country visit on the invitation of the Philippine Government.

The Philippines also welcomes engagement with **the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Mr. Morris Tidball-Binz**, through the conduct of a training program on the Minnesota Protocol for investigators and law enforcement officials in the context of the UN Joint Program on Human Rights.

As a member of the core groups on trafficking, climate change, extreme poverty, youth, human rights education, among others, the Philippines has actively supported the mandate of **Special Rapporteurs on these thematic issues and has called for greater cooperation and collaboration among mandate holders and experts including from Treaty Bodies** in view of the cross-cutting nature of human rights issues and challenges.

#### 1.3.4 Engagement with bilateral and regional partners

Human rights are an important area of dialogue and cooperation with key bilateral partners.

#### The European Union

The Philippines has a long-running technical cooperation program with the European Union on justice system reform, starting with the **Access to Justice for the Poor Programme 2006-2008**, **EU-Philippines Justice Support Programme 2009-2011** (EPJUST I), EPJUST II 2013-2017, and **Governance in Just 2016-2020** (GOJUST I).

With a budget of 18 million euros, GOJUST I was implemented from 4 April 2016 to 30 September 2020 with the overall objective of contributing to the attainment of inclusive growth and poverty reduction through a strengthened justice sector. The Final Report on the program states that GOJUST I made “significant contribution in paving the way to **innovate and streamline justice reform efforts towards a common goal of a more efficient**, effective and accountable formal justice system in the Philippines”.<sup>5</sup> Key achievements were made in the following areas:

#### ● Justice Sector Strategy

- Provided technical assistance for the **development of a justice sector strategy** that was incorporated into the Philippine Development Plan under Chapter 6. This was a first in the country and to finance its implementation, the Department of Budget Management approved the Justice Sector Convergence Programme Budget in the amount of PHP 73, 210,00.00.
- Supported the pilot launch of the justice sector coordination at the local government unit level with the creation of five new Justice Zones in the cities of Cebu, Davao, Angeles, Bacolod, and Naga.

#### ● Reduction of backlog and streamlining of case management processes in the prosecution and judiciary

- Supported the decongestion of 11 of the most decongested prosecution offices in the country resulting in a 73% reduction of case backlog in 2019, as well as the launch of the pilot mediation programme for the prosecution service.
- Supported the Supreme Court in the nationwide rollout of new rules of procedure for judges, such as the Revised Guidelines on Continuous Trial, Revised Rules of Procedure for Small Claims Cases, and Rules of Procedure for Admiralty Cases.

#### ● Automation of case of management systems in justice sector agencies

- Supported the Philippine National Police in the rollout of e-Subpoena, Crime Information Reporting Analysis System, and Case Information Data Management System.

<sup>5</sup>Steering Committee of the GOJUST I. 2021. “The Justice Sector Reform Programme: Governance in Justice: Final Report (4 April 2016 to 30 September 2020)” p. 7.



## The United States

- Provided technical assistance to the judiciary for the design of the next iteration of the **e-Court software** and the use of new technologies in courts, such as videoconferencing facility and e-Notice.
- Supported the foundational work for the **National Justice Sector Information System**.
- Provided public financial management training workshops to strengthen the administrative and financial systems of justice sector agencies.
- Conducted activities to **strengthen the National Prosecution Service**, such as the Institutional Learning Needs Assessment.
- Completed studies on **the restructuring of the Management Information System Office** of the Supreme Court and Office of the Halls of Justice of the Office of the Court Administrator.

To build on these positive developments, the Philippines and the EU embarked on the second phase of this program drawing on lessons learned from GOJUST I, including the importance of alignment with national priorities and comprehensive interventions.

The Philippines likewise continued to engage the EU in the field of human rights in the context of the latter's special incentive arrangement for sustainable development and good governance or the EU GSP+ and through the Philippines-EU Sub-Committee on Good Governance, Rule of Law, and Human Rights. The second sub-committee meeting is scheduled to be held in the fourth quarter of 2022.

The Philippines-United States alliance and partnership are founded on the two countries' shared history and commitment to human rights, democracy and the rule of law. In line with the Joint Vision for a 21st Century Philippines-United States Partnership adopted in November 2021, the Philippines continues to work with the U.S. in further reinforcing its deep bilateral partnership across a wide range of areas, "while respecting human rights and fundamental freedoms, and tirelessly pursuing our commitment to shared principles of democratic governance".

Towards this end, regular dialogues within the framework of existing bilateral mechanisms and frequent exchanges of high-level visits are conducted to address outstanding issues and explore new areas of cooperation that would advance the cause of human rights and democracy. Then-President Rodrigo Roa Duterte participated in the U.S.-led Summit for Democracy held on 9-10 December 2021 on the invitation of President Joseph R. Biden, Jr. Following through on the first Summit, the Philippines is also represented in the Focal Group leading the preparations for the second Summit for Democracy earmarked for early 2023.

The United States, through the United States Agency for International Development (USAID), also supports the Philippine government's efforts in strengthening the rule of law in the country. One of the three main objectives of the USAID's Country Development Cooperation Strategy (CDCS) for 2019-2024 is strengthening democratic governance, which includes increasing civic engagement, improving public transparency and accountability, and advancing the rule of law. The CDCS serves as the U.S.' development assistance roadmap for the Philippines. The USAID has programs and projects aimed at improving court efficiency, increasing access to justice, and reducing corruption through the promotion of the enforcement of anti-corruption laws. However, most of the funding is channeled through civil society partners.

## Middle East

With over two million Filipinos residing and working in the Middle East, the Philippines has made it a priority to pursue close cooperation with bilateral partners in the region to uphold the rights and welfare of migrant workers. It has concluded bilateral labor agreements and other instruments, including the 2019 Memorandum of Understanding on Human Trafficking with the United Arab Emirates.

In April 2020, the Philippines and Bahrain achieved a major victory in the fight against trafficking in persons with the conviction of 8 individuals (7 Filipino nationals and 1 Bahraini national) to seven years of imprisonment and a fine of BD 2,000 for the crimes of Trafficking in Persons, Inciting Vice and Prostitution, and Unlawful Restriction of Freedom. This landmark decision by Bahrain's High Criminal Court was a product of strong cooperation between the two governments from investigation to prosecution.

For the past seven (7) consecutive years since 2016, the Philippines has maintained its tier 1 status in the US State Department Trafficking in Persons (TIP) Report in recognition of the government's serious and consistent anti-trafficking efforts. The 2022 TIP report cited the Philippines' standard operating procedures for the identification and monitoring of trafficking-related corruption cases, sentencing of almost all indicted traffickers to significant prison terms, and the establishment of the Department of Migrant Workers.

Finally, the Philippines supports labor reforms and initiatives by the Gulf States, strongly advocating for the abolition of the *kafala* system.

## Association of Southeast Asian Nations (ASEAN)

The Philippines championed the inclusion of human rights in the ASEAN Charter, specifically the creation of an ASEAN human rights body under Article 14, paving the way for the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR) in October 2009.

Since its creation, AICHR, an overarching body of the ASEAN Community Pillars, has been instrumental in fostering dialogue and cooperation on human rights promotion and protection in the region,

Between 2020 and 2022, the Philippines continued to promote advocacies on the rights of children, women, and vulnerable groups; environment and climate change; and business and human rights, among others, and advocated greater engagement between the UN human rights mechanisms and regional bodies such as ASEAN. In this regard, it continues to host the multi-year Annual ASEAN Dialogue with the Committee on the Rights of the Child, now in its third year, with a view to facilitating the strengthened implementation of general recommendations and concluding observations in relation to ASEAN Member States' compliance with the Convention on the Rights of the Child. The Philippines also continues to seek opportunities for fostering greater trust and cooperation between ASEAN and the Special Procedures Mandate Holders.

### [1.3.5 United Nations Joint Program \(UNJP\) on Human Rights in the Philippines](#)

On 22 July 2021, the Philippines and the United Nations launched a joint program on human rights considered to be an innovative and ground-breaking platform for technical cooperation and capacity-building between the UN and a sovereign duty-bearer.

The UNJP is a three-year program *“with a view to improving further the situation of human rights in the Philippines, to provide support for the country in its continued fulfillment of its international human rights obligations and commitments...”* It was crafted by the UN country team in the Philippines under the leadership of the UNRC, in full collaboration with the Government of the Philippines through the Department of Justice and the Department of Foreign Affairs. The UNJP was recognized in the UN Human Rights Council Resolution 45/33 adopted on 10 October 2020 on *“Technical Cooperation capacity building for the promotion and protection of human rights in the Philippines”*.

The UNJP has six areas of engagement:

- 1.Strengthening domestic investigative and accountability mechanisms;
- 2.Improved data gathering on alleged police violations;
- 3.Civic space and engagement with civil society;
- 4.Strengthening the National Mechanism for Reporting and Follow-up;
- 5.Human rights-based approach to drug control; and
- 6.Human rights-based and victim-centered approach to counter-terrorism.

Progress in the UNJP’s implementation one year after its launch is discussed in the succeeding chapter.

**In summary, the Philippines is a robust and vibrant democracy that attaches the highest importance to human dignity and a rights-based and people-centered development agenda.**

**As in any country, the Filipino people’s pursuit of the highest enjoyment of human rights and fundamental freedoms is a work in progress. In this regard, the Philippine government has engaged partners in the international community, including through technical cooperation with the United Nations which will be discussed in the following part.**

**PART II. PROGRESS ON THE IMPLEMENTATION  
OF THE GOVERNMENT'S COMMITMENTS UNDER  
THE UNITED NATIONS  
JOINT PROGRAM ON HUMAN RIGHTS**

## PART II. PROGRESS ON THE IMPLEMENTATION OF THE GOVERNMENT'S COMMITMENTS UNDER THE UNJP

The three-year UN Joint Program on Human Rights in the Philippines (UNJP) covering the period 1 August 2021 to 31 July 2024, is the first-of-its kind innovative model that provides a structured technical cooperation platform for the UN and partners to be part of the solution to human rights challenges on the ground.

The UNJP enjoys political support and confidence at the highest level of the Philippine government, the UN development system led by the UN Resident Coordinator, and bilateral partners. As of July 2022, the Philippines, Australia, Norway, Germany, Ireland, the Republic of Korea, the Netherlands, the United Kingdom, and the European Union contributed/pledged to the UNJP budget requirement of USD 10,212,314.00. As of 30 June 2022, contribution from resource partners totalled USD 2,879,616.20

### The Steering Committee

The UNJP's governance structure reflects an inclusive membership composed of 16 representatives from the government, the UN, resource partners, and civil society. The Steering Committee is co-chaired by the Secretary of Justice and the UN Resident Coordinator and has the following membership:

- **Government** - Department of Justice (DOJ), Department of Foreign Affairs (DFA), Presidential Human Rights Committee Secretariat (PHRCS), Dangerous Drugs Board (DDB), Anti-Terrorism Council (ATC), and the Commission on Human Rights (CHR)
- **United Nations** - UN-Philippines, Office of the UN High Commissioner for Human Rights (OHCHR), UN Educational, Scientific, and Cultural Organization (UNESCO), UN Office of Counter-Terrorism (UNOCT), and UN Office on Drugs and Crime (UNODC)
- **Resource Partners** (Australia and Norway)

- **Civil Society** (Ateneo Human Rights Center, Asian Drug Policy Consortium, and Human Security Associates)

The UNJP is best seen in light of the following:

- (1) the Philippines' long-standing and fruitful cooperation with the UN system encompassing the areas of peace, development and human rights;
- (2) the Philippines' openness to leverage its constructive engagement with the UN system and external partners, to further advance its progressive national human rights agenda, including the strengthening of existing institutions; and
- (3) commitments undertaken by the Philippines under the UNJP are **not extraneous to but in fact are core to the functions of the government**. Thus, the UNJP enjoys the **highest degree of national ownership** that is crucial to its effectiveness and success.

The UNJP anchors its success on an ecosystem including State actors, the national human rights institution (NHRI), civil society, and resources and expertise in the UN system including human rights mechanisms, supporting the national objective to fulfill international human rights obligations, in a spirit of partnership, trust-building, and constructive engagement.

The UNJP is being implemented with the participation of different UN organizations (OHCHR, UNODC, UNESCO, and UNOCT) in cooperation with relevant Philippine government agencies and civil society organizations. The Philippine government agencies and bodies involved are:

- Department of Justice;
- Department of Interior and Local Government;
- Department of Health;

- Department of Social Welfare and Development;
- Department of Education;
- Armed Forces of the Philippines;
- Philippine National Police;
- Office of the Prosecutor;
- Dangerous Drugs Board;
- Anti-Terrorism Council;
- Presidential Human Rights Committee; and
- Commission on Human Rights.

One year after the signing of the Programme Document by the former Secretary of Foreign Affairs Teodoro L. Locsin Jr, the former Secretary of Justice Menardo I. Guevarra, and the UN Resident Coordinator Gustavo Gonzales in Manila, the Philippine government reports the following progress in the implementation of its commitments along the six thematic areas of the UNJP:

## 2.1 STRENGTHENING DOMESTIC INVESTIGATIVE AND ACCOUNTABILITY MECHANISMS

### 2.1.1 Work of the AO35 Mechanism

The **AO35 Mechanism** is the Inter-Agency Committee created to **handle cases of enforced disappearances, torture, and other grave human rights violations against human rights.**

The AO35 Mechanism also ensures that **the Commission on Human Rights (CHR) is provided with current information** relevant to the investigation of AO35 cases even when no specific request for information is made by the CHR. In the conduct of AO35 regional case conferences, CHR representatives are always invited to participate and are provided with the latest records of incidents being investigated.

In 2021 alone, the AO35 Mechanism **created 15 Special Investigation Teams** that looked into extra-legal killings and other incidents involving violations of human rights and of humanitarian law. The AO35 mechanism has also been in continuous dialogue with the office of the UN Resident Coordinator and the office of the UN Special Rapporteur for extrajudicial, summary or arbitrary executions, Mr. Morris Tidball-Binz, for capacity-building initiatives, specifically on the 1991 Minnesota Protocol on Investigations of Potentially Unlawful Deaths.

To strengthen the AO35 mechanism, the following activities or projects have been undertaken:

- The AO35 Secretariat and the AO35 Technical Working Group conducted regular case conferences in line with efforts to bring to justice the perpetrators implicated in alleged politically-motivated killings. **These case conferences were held in different regions to determine the issues and challenges confronting investigators in the investigation of specific incidents and ways to address them.** Officials from the National Bureau of Investigation (NBI), Philippine National Police (PNP), and the Commission on Human Rights (CHR) are invited during these conferences.
- In May 2022, **the Revised Operational Guidelines of AO35 was approved by the Inter-Agency Committee.** The DOJ initiated the review and updating of these Operational Guidelines in order to improve the efficiency and effectiveness of the different AO35 structures. Inclusive consultations and discussions, including with the CHR and CSOs, were undertaken for this purpose.

- Presently, the **AO35 Technical Working Group is drafting a manual for investigators**. The manual is intended to enhance collaboration and cooperation among concerned agencies and guide law enforcement and other related personnel in the effective implementation of the Revised Operational Guidelines of AO35.
- Training activities are regularly being undertaken as part of **capacity building efforts**. As of June 2022, 147 prosecutors, law enforcement, military and Commission on Human Rights personnel had benefited from AO35 training activities in 2022.

Preparations for the following activities/ programs are currently underway:

- **Training on the Minnesota Protocol with the UN Special Rapporteur on extra-legal killings, Mr. Morris Tidball-Binz**. The training program is currently being developed and tailored for law enforcement officials and AO35 prosecutors heading the Special Investigation Teams (SITs).
- **Creation of a sub-working group for victim support and rehabilitation**. This is envisioned to complement the DOJ's existing mandates and programs on witness protection and victim compensation. **Trauma-informed approach is currently being considered as a basis for policy discussion and capacity building on victim and witness support**.
- **Discussions on the creation of a National Referral Pathway on accountability** that seeks to systematize and streamline complaint processes to facilitate investigations and help direct the resources of government to addressing cases.

The AO 35 is also looking at **formalizing institutional coordination among AO35, the Department of Labor and Employment (DOLE) and the CHR on freedom of association cases**. Roll-out of human rights training and capacity building workshops are being eyed not only for human rights offices and agencies but also for other stakeholders, especially security forces.

In a press conference on 21 July 2022, Secretary of Justice Jesus Crispin Remulla cited discussions with the Secretary of Interior and Local Government Benjamin Abalos Jr. on **immediate measures to improve the country's criminal justice system**. Justice Secretary Remulla highlighted that **an efficient criminal justice system with a certainty of punishment** is key to minimizing criminality.

Both cabinet secretaries agreed to **strengthen re-training of law enforcement units in both remedial and substantive laws, including on surveillance, procedures in conducting arrests, processing of crime scenes and evidence gathered**.

The DILG Secretary also underscored the need for a **reassessment of the training for and qualification of police investigators, especially those participating in the government's anti-illegal drugs campaign**. As a baseline, the DILG Secretary cited data from 2016 to July 2022 which showed that 62,000 or only 21% out of some 291,000 cases filed by the PNP resulted in convictions.

This effort to revamp training is aimed at **addressing the volume of cases being dismissed on technicalities** under the Dangerous Drugs Act of 2022, in particular under Section 21 which requires the immediate conduct of inventory of seized drugs and the carrying out of anti-drug operations in the presence of the media, barangay officials, or a representative of the DOJ.

The DILG Secretary also stated that his Department would urge local government units across the country to designate city hall employees to serve **as DOJ representatives for the purpose of preparing stronger cases against drug suspects** and in fulfillment of the requirements of the law.

### 2.1.2 Jail Congestion and Persons Deprived of Liberty (PDLs)

In early July 2022, the Justice Secretary met with former detainee turned international criminology expert and prison reform and restorative justice advocate Professor Raymund Narag **to discuss reform measures to the corrections system in the Philippines.**

While the congestion rate at the Bureau of Jail Management and Penology (BJMP) dropped to 387% as of June 2022 from 612% in 2017, the DILG and DOJ Secretaries committed to continue efforts **to decongest jails and ensure a humane environment for PDLs.** The DOJ is also considering the creation of six to seven regionalized correctional facilities where some regions will have shared facilities.

**Php 6.7 billion has been allocated for the construction, improvement, and repairs of jail facilities.** Other complementary measures to be implemented include an effective **rehabilitation program for PDLs, digitization of records, and fast-tracking of justice system processes,** such as plea bargaining and court hearings as well as the proper implementation of the Good Conduct Time Allowance (GCTA) and the Single Carpeta System in the country's correctional system.

**CCTVs will also be installed in alleyways and entrances of local jail centers** in order to better protect both PDLs and police officers.

**On 13 July 2022, Circular No. 27 on revised rules on appealing decisions of the National Prosecution Service (NPS)** was issued to streamline and rationalize the appeal procedure. Section 3 of the new rules gives the Justice Secretary, ***motu proprio review powers,*** or the authority to review a prosecutor's decision based only on his own initiative, even without someone filing a request. Section 4 of the rules says that the Justice Secretary will soon create a **Prosecution Integrity Board** to monitor, audit from time to time and assess the performance of the prosecutor general, regional state prosecutors and provincial/ city prosecutors in the conduct of the preliminary investigation and/or appeal.

### 2.1.3 The establishment of the National Preventive Mechanism

Several bills on the National Preventive Mechanism have been filed in the legislature during the 18th Congress. In the Senate, there are two bills namely:

- Senate Bill No. 2066 filed by Sen. Aquilino Pimentel; and
- Senate Bill No. 1948 filed by Sen. Risa Hontiveros.

While in the House of Representatives (HoR), there are four draft laws namely:

- House Bill No. 00683 filed by Cong. Michael Aglipay;
- House Bill No. 02502 filed by Cong. Christopher Belmonte;
- House Bill No. 02801 filed by Cong. Rufus Rodriguez; and,
- House Bill No. 06393 filed by Cong. Cheryl Deloso-Montilla .



The Executive branch, recognizing the independence of the Legislature, respects the exercise of the latter's parliamentary wisdom in reconciling all six separate bills endorsed by different civil society actors/organizations.

#### 2.1.4 International Humanitarian Law (IHL) in the Philippines

**An IHL case is determined with the help of a case buildup and preliminary investigation.** There are cases when the AO35 task force is tapped to investigate.

The AFP Center for Law of Armed Conflict (AFP-CLOAC) submitted to the AO35 Inter-Agency Committee a list of 1,730 incidents of probable violations of IHL committed by the Communist Party of the Philippines / New People's Army. The records of these incidents are currently being reviewed by the AO35 Technical Working Group. Based on the report of AFP-CLOAC, 46 cases are undergoing trial, 2 have been dismissed by the court while 7 were archived. Another 80 cases are undergoing preliminary investigation and another 11 cases have been resolved for the filing of Information in court.

The Philippines has currently three (3) laws covering IHL matters:

- Republic Act No. 9851 or the "Philippine Act on Crimes Against International Humanitarian Law, Genocide and Other Crimes Against Humanity";
- Republic Act No. 10530 or "The Red Cross and Other Emblems Act" of 2013 which authorizes the protective and indicative use of the emblems both in peace and armed conflict, and provides for corresponding penalties of its misuse; and

3. Republic Act No. 11188 or the "Special Protection of Children in Situations of Armed Conflict Act" of 2018 which declares children as "zones of peace", and provides that children recruited cannot be held liable for their acts, and that in cases of crimes committed by children who were recruited, **those responsible for their recruitment will be held liable instead.**

To address cases of children abducted by the communist terrorist group (CTGs), the AO35 is in talks with the Inter-Agency Council against Trafficking (IACAT) to strengthen cooperation as these cases can be considered serious violations of international humanitarian law and the Anti-Trafficking in Persons Act.

## **2.2 STRENGTHENING POLICE DATA ON HUMAN RIGHTS VIOLATIONS**

The PNP Police Operational Procedure Guidelines, updated in 2021, underscores the respect and protection of human rights as the foremost priority of all PNP operations.

Command Memorandum Circular No. 07-2022 was issued on 12 April 2022 to strengthen the policy directive on human rights compliance and prevention of human rights violations and abuses by law enforcement personnel during anti-illegal drug operations. This circular titled "PNP Campaign Plan Double Barrel Finale Version 2022 Anti-Illegal Drugs Operation through Enforcement and Education (ADORE)" enhances and reinforces the strategies, guidelines, procedures and tasks of police offices/units in the conduct of anti-illegal drug operations and activities in support of the Philippine Anti-Illegal Drugs Strategy (PADS) and the plans and programs of the Dangerous Drugs Board (DDB), Philippine Drug Enforcement Agency (PDEA) and other government agencies.

### 2.2.1 Human rights training/capacity building

In line with the directive to mainstream and include human rights as a mandatory subject in Mandatory and Specialized Courses of the PNP, the PNP-HRAO continues to develop and update training modules covering the subjects of Human Rights, International Humanitarian Law, **Human Rights-Based Policing and Human Rights Laws in the Philippines.**

From 2020 to June 2022, the PNP-HRAO **conducted 199 training workshops and seminars on human rights with 10,927 attendees from the PNP.**

The PNP-HRAO, in coordination with human rights affairs officers from police regional offices down to municipal police stations, conducts fora and dialogues with the objective of providing opportunities to discuss problems concerning human rights, emphasizing the responsibility of police officers to ensure respect and protection of human rights. During these fora and dialogues, the PNP disciplinary mechanism and various disciplinary mechanisms are discussed to empower the citizenry in claiming their rights in instances that PNP personnel are involved in any form of violation.

This year, the forum was expanded with Local Government Units (LGUs), Liga ng mga Barangay/League of Barangays (LnB), CSOs and other government agencies responsible for the promotion, protection and fulfillment of human rights brought together in constructive dialogue through the **PNP-CSO-LnB Human Rights Forum.**

### 2.2.2 Development of digital tools

Prior to the government's commitment to UNJP, the PNP initiated a digital system to facilitate collection of data on police personnel involved in human rights violations. This human rights-centered data collection system, dubbed as **Human Rights Recording, Analysis, Information System, and Enforcement (HuRAISE)**, is now being further developed to become a digital **recording tool**. A series of consultations with all concerned PNP offices was held to discuss the process flow and rollout of the system at the regional, provincial and municipal levels.

Through HuRAISE, PNP-HRAO is able to scrutinize records covering the period from 2018 to the present to come up with credible statistics to be used in the current study conducted by the office on common human rights violations committed by PNP members.

This initiative underscores the PNP-HRAO's commitment to transparency with respect to human rights violations (HRVs). PNP-HRAO acknowledges that there is much work ahead in addressing hindrances to reporting of HRVs on the part of victims owing to safety and security concerns and the need to streamline and standardize reporting forms to ensure that data can be harmonized, including with CHR's.

The **PNP Human Rights Online Assessment Information System (HROASIS)** is another initiative of the PNP-HRAO which was launched on 22 July 2022. A memorandum circular was already prepared to ensure the HROASIS' implementation in the latter part of 2022.

### 2.2.3 A reaffirmation of commitment to human rights and accountability

In his address at the 121st Police Service Anniversary on 8 August 2022, **President Ferdinand R. Marcos, Jr. enjoined the police force to work with integrity and accountability**, and never to allow dishonesty and abuse in the performance of their duties as public servants.

President Marcos, Jr. reminded the PNP **that the use of force in their operations must always be reasonable, justifiable and carried out only when necessary**. He stressed that the execution of authority must be **fair, impartial, and does not discriminate on the basis of race, gender, socio-economic status, political affiliation, religious belief, and the like**.

The new PNP Chief Gen. Rodolfo Azurin highlighted his commitment **to continue the Internal Cleansing Policy** implemented by his predecessor. The Internal Cleansing is a program of preventive, punitive and restorative efforts that has led to **the dismissal, suspension and demotion of PNP personnel** who were found guilty. He underscored the need **to level up PNP's counterintelligence work** to further cleanse its ranks of misfits and undesirables.

At the same time, the PNP Chief vowed to address peace and order concerns **with compassion and care** as he took the helm of the 227,000-strong police force. The PNP Chief also highlighted **the role of faith-based organizations, regardless of religious affiliations, in helping the police nurture relations with the community**, bridging the gap between the two, and in making the PNP personnel become better servants and protectors of each community.

The PNP Chief also reminded law enforcers of their fundamental jobs to prevent crime through operations, preempt crime through intelligence, solve crime through investigations, and organize and mobilize the community through PCR (police community precinct). He also stressed the role of the PNP in providing security assistance in **the full implementation of barangay development programs**.

## **2.3 HUMAN RIGHTS-BASED APPROACH TO DRUG CONTROL**

The **Philippine Anti-Illegal Drugs Strategy (PADS) or Rehabinasyon**, which was institutionalized through the issuance of Executive Order no. 66, s.2018, is the comprehensive and whole-of-nation approach to combating the scourge of illegal drugs encompassing **enforcement, justice, rehabilitation, reintegration and advocacy**.

As the lead policy-making and strategy-formulating body on drug abuse prevention and control, the Dangerous Drugs Board (DDB) is committed to advancing the agenda of the anti-illegal drug through policy formulation and implementation.

The Philippines has **continued to actively engage with the international community on its compliance and support to the centrality of the three international drug control conventions** (Single Convention on Narcotic Drugs of 1961, Convention on Psychotropic Substances of 1971, and the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988).

Following are some of the country's accomplishments:

- For 2021, a total of **63 accredited treatment and rehabilitation facilities** reported to the Treatment and Rehabilitation Admission Information System (TRAIS). Of this, 58 were residential and 5 were out-patient. 2,708 admissions were recorded. Out of this number, 2,372 were in-patient with 2,344 new cases and 28 readmitted or relapse cases.
- Comparing with the cases of the previous year, around 13.54% increase in admission was noted. The rise in admission can be attributed to the resumption of operation by the different rehabilitation centers and the seeming willingness of the PWUDs to undergo treatment and rehabilitation. The Government implements a “**No Wrong Door**” policy which ensures that the **healthcare delivery system is able to provide access to interventions, treatment, rehabilitation, and reformation at any point of entry**. Majority of the referrals made are for **community-based, out-patient rehabilitation services** for cases of low, mild, and moderate detection of drug use as evidenced by drug dependency examinations. Meanwhile, for severe drug users which require facility-based interventions, the voluntary admission is at 42% of referred cases.
- During the pandemic, the use of technology and social media has been maximized in the implementation of anti-drug programs and activities in cooperation with partners and stakeholders.
- **Development and Distribution of Information, Education and Communication Materials on the Philippine Anti-Illegal Drugs Strategy** - Since 2019, the DDB has been promoting PADS as the national framework in addressing the country's drug problem. In line with this, different materials have been created and distributed to raise awareness and understanding on PADS.
- **Institutional Support for the Implementation of the Philippine Anti-Illegal Drugs Strategy (ISIP Grants)** - In March 2021, DDB signed the **Memorandum of Agreement for the implementation of the ISIP Grants**. The DDB was able to transfer funds for the implementation of the PADS by **thirteen (13) different implementing agencies with a total amount of PHP15,526,248.00**.
- Development of PADS Communication Plan - This activity was conducted among Implementing Agencies' Key Officials and Information/ Media Officers to help align the agencies' communication efforts regarding the PADS.
- As research is an important and integral part of the anti-illegal drug campaign, the DDB continues to draft policies and regulations that are evidence-based, timely and effective in response to the current drug abuse situation. Four regulations have been issued in 2020 while **six have been so far promulgated in 2021**. These regulations respond to the current concerns, issues, and difficulties faced in the fight against illegal drugs.

- The DDB supported the conduct of the **4th National Conference of the Association of Anti-Drug Abuse Coalitions of the Philippines** in October 2021. The DDB is looking at **expanding the number of anti-drug abuse coalitions across the country**.
- The Philippines continues to implement preventive education and capacity building programs that discourage users and potential users from the abuse of harmful substances. From January 2020 to June 2021, a total of **1,916 individuals** have benefitted from the conduct of capacity-building programs. Advocacy programs, on the other hand, were conducted to a total of 8,554 individuals.
- The Philippines regularly conducts policy studies, surveys, and social research to determine the nature and extent of the country's problem on illegal drugs and determine new ways of responding to the menace. In 2021, a research study on **the effects of the pandemic to patients and delivery of services of selected drug abuse treatment and rehabilitation centers** was completed.
- At the 42nd Meeting of ASEAN Senior Officials on Drug Matters (ASOD) on 14 September 2021, the Philippine delegation delivered a presentation on "National Level Efforts in Combating Illegal Drugs amidst the COVID-19 pandemic".
- Representatives from the DDB and the Philippine Drug Enforcement Agency (PDEA) participated in the virtual 7th ASEAN Ministerial Meeting on Drug Matters (7th AMMD) held on 14 October 2021. The 7th AMMD discussed how to collectively address the threat and challenges posed by illegal drugs under the new normal.

#### 2.4 STRENGTHENING THE NATIONAL MECHANISM FOR IMPLEMENTATION REPORTING AND FOLLOW-UP

The PHRCS serves as the chair of the National Mechanism for Implementation, Reporting and Follow-up (NMIRF) that is mandated to **coordinate and prepare reports** to and **engage** with international and regional human rights mechanisms (including treaty bodies, the universal periodic review and special procedures), and to **coordinate and track national follow-up and implementation** of the treaty obligations and the recommendations emanating from these mechanisms.

**The establishment of a digital tracking tool, the National Recommendations Tracking Database (NRTD)** is ongoing. The NRTD aims to further the State's effective compliance with its human rights obligations by systematizing the monitoring and review of actions taken on various recommendations made by international and regional human rights mechanisms. This will facilitate institutional accountability among government agencies concerned, thus fostering the mainstreaming of human rights-based governance.

#### International Cooperation

- **Policy Discussions with the International Narcotics Board (INCB)** on the drug situation in the Philippines and compliance with the three United Nations Drug Control Conventions as well as the proposed **INCB Country Mission**.
- The DDB participated in the UNODC World Drug Day Roundtable Discussion in 2021. **Discussions focused on two topics under the UN Joint Program on Human Rights, namely Drug Use Prevention and HIV among Persons who Inject Drugs (PWIDs) and Persons Deprived of Liberty (PDL).**

The NRTD is intended for the government officials responsible for reporting to the UN Human Rights Mechanisms (Universal Periodic Review, Treaty Bodies, and Special Procedures). It can strengthen **dialogue and a culture of human rights in the State, academia, civil society and the media** because all human rights recommendations provided to the State and related action would be in one place, thus facilitating the tracking of implementation of recommendations. It also increases coordination within State structures and breaks silos. The dataset is periodically updated, incorporating progress made and new recommendations.

In July 2022, the **OHCHR and PHRCS conducted a workshop on navigating the NRTD**. A Memorandum Circular institutionalizing the NMRF has also been drafted and under review. This draft circular defines the functions and duties of NMRF permanent and alternate representatives from different agencies.

## 2.5. STRENGTHENING CIVIC ENGAGEMENT AND CIVIC SPACE

### 2.5.1 A vibrant civic space

The Philippines is home to CSOs and human rights defenders that consistently access UN human rights mechanisms, indicating a vibrant and enabling civic space. The Philippines has over 101,000 registered non-profit organizations, of which 60,000 are non-government organizations engaged in advocacy work.

The Government spearheaded the **first Philippine Human Rights Defenders National Assembly** on 14 December 2021, which was participated in by some 119 NGOs, CSOs, and human rights defenders. This Assembly sought to empower the participation of grassroots and non-mainstream organizations to ensure that their voices are heard.

The Technical Working Group on Strengthening Civic Engagement and Civic Space under the UNJP, which is co-chaired by the CHR, has also served as an avenue for civic actors to raise their proposals such as localizing HRD protection mechanisms and the convening of safe spaces for CSOs.

Claims of shrinking Philippine civic space is belied by the country's solid credentials in the humanitarian space with its internationally-acclaimed **progressive policy landscape for persons of concern, including refugees, stateless persons and asylum seekers**, as discussed in the previous part.

### 2.5.2 The meaningful participation of indigenous peoples

In line with the mandate of the Indigenous Peoples Rights Act of 1997 (Republic Act no. 8371), the Philippine Government, through the National Commission on Indigenous Peoples, has instituted and established the necessary mechanisms to enforce and guarantee the realization of indigenous peoples' rights, taking into consideration their customs, traditions, values, beliefs, interests and institutions, and to adopt and implement measures to protect their rights to their ancestral domains.

Following are some of the highlights of the progress, including on measures to operationalize free, prior and informed consent, particularly in relation to the activities of extractive industries:

- As of July 2022, a total of **257 Certificates of Ancestral Domain Title (CADTs) and 251 Certificates of Ancestral Land Title (CALTs)** were issued, benefiting **1,363,342 indigenous peoples rights holders**. There are **212 CADTs and 171 CALTs** currently being processed by the NCIP. CADT and CALT are instruments for the formal recognition of IP rights to a native title/ancestral domain/ land.

- In 2021, **15 Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs)** were formulated for the Indigenous Cultural Communities (ICCs)/ IPs. The ADSDPP is the blueprint for ICCs/IPs vision and aspiration in relation to their lands and territories, indigenous knowledge systems, and practices (KSPs) and their social, cultural, political, economic and spiritual well-being in their own perspective of development.
- As of July 2022, **450 Certification Preconditions (CPs)** were issued to proponents who sought to undertake large-scale projects inside Ancestral Domains (ADs). **The Free and Prior Informed Consent (FPIC) process is an instrument for the protection of the rights of IPs facilitated by the NCIP.** This process ensures that investors/proponents comply with the requirements of the FPIC process before any project/activity is conducted in ICCs/IPs ancestral domains/lands.
- As of July 2022, the NCIP has identified **1,180 Indigenous Peoples Organizations (IPOs), 32 Indigenous Peoples Structures (IPS) and 5,503 Indigenous Peoples Mandatory Representations (IPMRs)** ensuring legitimate IP representation and participation in all local legislative councils.
- **As of June 2022, 461 Memoranda of Agreement/** Memoranda of Understanding/Memoranda of Cooperation were entered into by the NCIP with various partners/stakeholders to advance the absolute recognition, respect, protection and promotion of IP rights locally and internationally.

### 2.5.3 Freedom of opinion and expression

The Philippine media landscape is very vibrant and dynamic, attested by the presence of critical voices in among the over 2,000 media entities<sup>6</sup> in the country whose operations have remained free. Traditional media is complemented by online media platforms that have proliferated in recent years.

Below are some of the concrete measures advanced in recent years that attest to the country's unwavering commitment to further expand the media space and safeguard the welfare of media practitioners:

- a. Administrative Order No. 1 (2016) which created the Presidential Task Force on Media Security (PTFoMS) under the Office of the President with a mandate to protect media workers. Dubbed as the "first in the world", PTFoMS is mandated to record and address every complaint of harassment and violence against media workers in the PH. The State response to such complaints is both immediate and immense.

**In 2021, following number of IPs benefited from social services:**

- **Educational assistance- 7,051 IPs**
- **Health services- 12,890 IPs**
- **Cultural services- 167,293 IPs**
- **Disaster Preparedness Management Program and Emergency Assistance- 966 IP families**
- **Livelihood projects- 9,527 IPs (190 cooperatives were organized)**
- **Adjudication/ legal services- 11,426 IPs**

<sup>6</sup>The 2021 data from the National Telecommunications Commission (NTC) reveal that there are 395 AM stations, 1090 FM stations, 546 TV stations and 92 newspaper titles, including 7 broadsheets, 3 business and 24 tabloids currently operating all over the Philippines. Two non-profit organizations represent the cable television industry namely: the Federation of International Cable TV and Telecommunications Association (PCTA) with about 350 members of small and medium cable operators, employing tens of thousands of media workers. The Philippine Government operates 34 media outlets consisting of 32 radio stations and 2 TV stations. Added to these are the tens of thousands of Filipinos using social media as a broadcasting platform such as Facebook, Youtube, Twitter and Tiktok.

Cases are painstakingly documented, investigated and prosecuted to the full extent of the law with assistance of all relevant government agencies. During the recent elections, high-ranking police officers were designated all over the country as PTFoMS **Media Security Vanguard**s. The 2021-2022 “World Trends in Freedom of Expression and Media Development Global Report” released by UNESCO highlighted the Philippines as among the very few countries in the world that have undertaken “good practice and positive measures” in the safety of journalists;

b. **PTFOMS’ case management.** PTFOMS, on its creation, gathered and consolidated all case data from different agencies and media sources to map all outstanding cases of media killings in order to facilitate investigations. A **team of investigators and prosecutors** is designated to probe cases of alleged media killings. PTFoMS oversaw a total of 52 court cases of media killings that resulted in a guilty verdict, convicting 69 killers of media **workers**, most of them receiving life sentences;

c. Executive Order No. 2 (2016) operationalizes in the Executive Branch the people’s constitutional **right to information** by allowing full public disclosure and transparency in the public service;

d. Republic Act No. 11458 (2019) which expanded the scope of the **Philippine Shield law** that now includes internet-based mass media;

e. Republic Act 11699 (2022) declaring August 30 as the **National Press Freedom Day** seeks to raise the consciousness of Filipinos on the importance of the press, their rights and social responsibilities, and the elimination of all forms of violence against the press; and

f. The government’s push for the passage of the proposed Media Workers Welfare Act (MWWA), a bill that seeks to uplift the economic welfare of media practitioners. The bill grants media workers hazard pay, a living wage, employment security, safety equipment, plus additional insurance and hospitalization benefits.

#### 2.5.4 The Commission on Human Rights

The terms of office of the Chair and the four commissioners of the Commission on Human Rights (CHR) ended on 5 May 2022 giving President Marcos Jr. a clean slate to fill up a vital institution created by the 1987 Constitution.

President Marcos Jr. committed to undertake thorough and inclusive consultations in the selection of candidates to ensure that the appointees are competent in their work and have the respect of the people.

The Philippine government has always upheld the independence of the CHR as the country’s national human rights institution, ensuring that it is empowered to carry out its work.

The **global recognition of CHR as one of the strongest NHRIs in Asia and the world with its A-status accreditation**, signifying full compliance with the UN Paris Principles, attests to the health of the country’s democracy and the government’s respect for independent institutions.

CHR’s approved budget for FY 2022, at Php 957.5 million represents a **threefold increase from its budget in FY 2014**, at Php 326.9 million. Below is the table of the progressive budget increase of CHR in the previous years:

Fiscal Year	CHR Budget	USD Equivalent (est.)
FY 2014	Php 326.9 million	Usd 6.5 million
FY 2015	Php 355.1 million	Usd 7.1 million
FY 2016	Php 439.7 million	Usd 8.7 million
FY 2017	Php 724.9 million	Usd 14.5 million
FY 2018	Php 666.9 million	Usd 13.3 million
FY 2019	Php 799.5 million	Usd 16 million
FY 2020	Php 888.8 million	Usd 17.8 million
FY 2021	Php 907 million	Usd 18.1 million
FY 2022	Php 957.5 million	Usd 19.2 million



Engagement and cooperation with CHR is entrenched in the work of accountability mechanisms, such as the AO35 Inter-agency Committee concerning cases of alleged extra-legal killings, as well as in the work and programs of the Armed Forces of the Philippines and the Philippine National Police in relation to accountability.

For instance, a clearance from the CHR is required for all promotions and foreign travels of all military personnel. In March 2021, the AFP signed a Memorandum of Agreement with the CHR to further strengthen partnership in the aspects of education, training and advocacy to promote human rights in military operations and collaboration in monitoring mechanisms and data sharing of incidents of human rights violations during operations.

## 2.6. HUMAN RIGHTS-BASED AND VICTIM-CENTERED APPROACH TO COUNTERING TERRORISM

### 2.6.1 The gravity of terrorism in the Philippines

Terrorism remains a grave security challenge in the Philippines, with the Global Terrorism Index ranking the country as among the top ten countries that are most impacted by terrorism. The Philippines has sustained this ranking consistently for the past two decades, especially with the longest-running and most violent communist insurgency in Asia pursued by the Communist Party of the Philippines-New People’s Army-National Democratic Front (CPP-NPA-NDF).

The table below shows the Global Terrorism index data on Philippine ranking since 2002:

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
13th	8th	10th	12th	14th	12th	8th	9th	9th	10th
2012	2013	2014	2015	2016	2017	2018	2019	2020	2022
11th	9th	11th	12th	12th	10th	9th	9th	10th	16th

The country’s relatively “improved” ranking in the GTI 2022 correlates with the soundness of the government’s counter-terrorism strategy and measures. GTI 2022 cited the decline in NPA terrorist activity since 2018. The sharp decrease in the number of deaths from terrorism for two consecutive years now is noteworthy especially with the country registering the highest death rate over the last decade, accounting for nearly a third of the 3,250 terrorism deaths in the Asia-Pacific region.<sup>7</sup>

### 2.6.2 Rights-affirming counter-terrorism measures

The Anti-Terrorism Act of 2020 is replete with human rights safeguards. Various human rights groups were involved and consulted in its crafting. The law specifically provides an important role for the CHR in giving “the highest priority to the investigation and prosecution of violations of civil and political rights of persons in relation to the implementation of this Act.”

The National Task Force on Ending the Local Communist Armed Conflict which was created in December 2018 pursuant to Executive Order no. 70 espouses a holistic and socio-economic-oriented approach to addressing the root causes of insurgency. From July 2016 to June 2022, the government implemented a highly successful amnesty and reintegration program that saw 26,414 surrenderers.

<sup>7</sup> Global Terrorism Index 2022

The government continues to further widen civic space by empowering and giving voice to former rebels, rescued child combatants, parents of recruited children, and families and victims of terrorism. A call to the international community to heed the voice of these groups/ sectors and to ensure their participation in the UN Congress, in line with a victim-centric approach, is in order. These groups/ sectors of civil society have also been drawing the government and the international community's attention to the Communist Terrorist Groups' (CTG) use of the so-called "dual tactic" modus operandi where both the overt legal track and the covert armed rebellion track are used to advance the CTG's violent political agenda.

The Philippines' counter-terrorism strategy and programs are based on good governance and a whole-of-society approach that involves the participation of civil society groups, faith-based and community-based organizations, and victims of terrorism and their families, among others.

**Addressing the socio-economic drivers of insurgency and terrorism are central components of government programs.**

The Anti-Terrorism Council (ATC) has been proactive in taking steps to ensure that the Anti-Terrorism Act is compliant with human rights law. Specifically, it has issued **ATC resolutions prescribing guidelines and internal mechanisms for the proper and effective implementation of the law.**

On Section 25, the ATC has adopted ATC resolution No.24 (2021) dated 25 August 2021. Said resolution amended the internal mechanisms for designation by including additional provisions in the process of designating and de-listing terrorist individuals and organizations.

On Section 29, the ATC has adopted ATC resolution No.25 (2021) dated 25 August 2021. Said resolution prescribed internal mechanisms for the issuance of authorization by the ATC for detention without judicial warrant.

With respect to capability-building of security forces on the human rights approaches in counter-terrorism investigations and operations, the ATC-PMC has taken the initiative in organizing and facilitating the conduct of the following activities:

**1. Conduct of ATA 2020 Information Caravans**

A total of five ATA 2020 Caravans with over 400 participants from the Philippine National Police and Armed Forces of the Philippines units in Zamboanga City, Cebu, South Cotabato, Cagayan de Oro and Davao were successfully facilitated.

The initiative has been productive in cascading the salient features of the new anti-terrorism legislation, clarifying the responsibilities and accountabilities of the implementing officers, and highlighting **the prime importance of human rights in counter-terrorism operations.**

**2. Training Manual on Collaborative Intelligence, Investigation and Prosecution of Terrorism-Related Cases**

The ATC-PMC, in partnership with the UNODC and other Philippine government agencies, has developed and been updating the training manuals on collaborative intelligence, investigation, and prosecution of terrorism-related cases. These manuals are for the national training of prosecutors, law enforcement officers, and security officers in handling terrorism cases, and bringing the perpetrators to justice following evidence-based, intelligence-led, and adherence to the rule of law while observing human rights.

The ATC Secretariat or the National Intelligence Coordinating Agency (NICA) has also made efforts in raising awareness of the Anti-Terrorism Act. In particular, NICA has published the Guide for Law Enforcement Agents (LEAs) and Military Personnel in Implementing the ATA 2020 and its Implementing Rules and Regulations (IRR). It has also facilitated the continuous rollout of training-of-trainers, workshops for LEAs and military personnel on how they can effectively use the new law in their operations.

### 2.6.3 Human Rights Abuses by Communist Terrorist Group

A factual account of the human rights abuses perpetrated by the Communist Terrorist Group is key to better understanding the context of the Philippines' rights-based and victim-centered counter-terrorism measures.

Global terrorism watchdogs have identified the CTG to be the most active terrorist organization in the Philippines responsible for over 35% of deaths and 38% of terror-related incidents in 2019. However, terrorist activities attributed to this group has declined since 2018. The GTI 2020 cites that *"the NPA has been engaged in an insurgency against the Filipino government for five decades and has been the deadliest terror group in the Philippines since 1970."*

From 1 January 2020 to 31 May 2022, the Armed Forces of the Philippines (AFP) monitored a total of 749 human rights abuses committed by the Communist Terrorist Groups (CTGs). This number included 193 incidents of use of child warriors, 52 incidents of destruction of civilian properties, 378 incidents of either production, transportation, stockpiling or use of anti-personnel mines (APMs), 113 willful killings and 13 other IHL violations.

These terrorist acts resulted in the employment of 116 males and 75 females as child combatants, destroyed or damaged 154 civilian owned properties and equipment, captured 975 pieces of APMs, killed 176 (123 civilians and 53 military personnel) and injured 131 (50 civilians and 81 military personnel).

With the AFP's mandate in Internal Security Operations, the **CTG's human rights abuses are seen as a nationwide pattern of organized, orchestrated, continuing, deliberate and systematic scheme** with no direct or indirect involvement in armed conflict. These unlawful activities are **clearly a violation of human rights and international humanitarian law principles, as well as national laws such as Republic Act 9851 and Republic Act 11188.**

The Philippine National Police (PNP) has reported that based on the records of the Directorate for Investigation and Detective Management (DIDM), there was a total of **1,624 recorded incidents of atrocities perpetrated by threat groups covering the period from 1 January 2022 to 31 May 2022.**

The Office of Civil Defense has also reported that there have been multiple documented instances where the CTGs disturbed the peaceful response and early recovery efforts of the **National Disaster Risk Reduction and Management Council** to assist communities adversely affected by disasters. The CTGs engaged in armed attacks against both civilian and military personnel assisting in the delivery of relief items, extortion and theft of relief items.

## 2.6.4 Notable accomplishments of NTF-ELCAC

NTF-ELCAC has played a pivotal role in reducing the CTG's presence and destructive impact on the lives of communities in geographically isolated and disadvantaged areas (GIDAS) through the Barangay Development Program (BDP) and the Enhanced Comprehensive Local Integration Program (E-CLIP), the task force's whole-of-the-government approach to addressing development and security issues affecting former rebels and indigenous peoples (IPs).

Under the BDP, various government projects are being implemented in about **1,406 barangays nationwide** identified as conflict-afflicted and geographically isolated villages that have been considered cleared from the influence of communist rebels. Each barangay is entitled to Php 20 million worth of farm- to-market roads, classrooms, water and sanitation systems, health stations and livelihood projects.

**These initiatives of NTF-ELCAC laid a sustainable and solid foundation for peace and promoting community resilience, thus bringing about significant socio-economic gains and improved security conditions in communities once infiltrated by CTGs.**

Among the notable accomplishments of the National Task Force to End Local Communist Armed Conflict from 2020 to 2021 are the following:

- **Housing.** Provided **24 housing projects** for Indigenous Peoples' communities in priority barangays, turning over a total of **47 housing units** in Freedom Residences, Davao Del Norte.
- **Education.** Built/upgraded **9,586 Last Mile Schools** in geographically-isolated and disadvantaged, and/or conflict-affected areas.
- **Social Protection.** Provided social protection programs and support to a total of **966 barangays**, 217 municipalities, and 42 provinces nationwide.

- **Basic utilities.** Provided electricity under the Rural Sitio Electrification Program to **24 households**. Some of the 822 priority cleared barangays were also benefited by DITC's free wifi sites.
- **Poverty reduction, livelihood, and employment.** Provision of goods and services to **265 conflict-affected and vulnerable barangays**.
- **Employment and skills training.** Provided capacity-building activities to indigenous peoples and former rebels under the **Integrated Community Assistance and Rural Enterprise (ICARE) program**. Uniformed personnel were trained to become trainers, with 1,227 training beneficiaries. **Project IPEACE (Project Indigenous People Empowered as Agripreneurs towards Collective End)** was implemented to increase agricultural activity in IP communities. DSWD's livelihood assistance in Conflict-Vulnerable Areas was extended to support 340 families with a total amount of Php 4.3 million.
- **Infrastructure development.** **5,093 projects and programs** were completed with 1,176 road projects, 879 school buildings, 227 flood control structures, 174 multi-purpose buildings, 134 bridges, 154 national greening projects, 196 waterworks and irrigation, 21 trainings, 59 electrical systems, and 2,024 other activities. This benefited 2,783 barangays, 674 households, 779,945 individual beneficiaries, 3,117 agrarian reform beneficiaries, and 25 people's organizations. It has covered 9,028 hectares nationwide, with 5,616,077 seedlings planted amounting to Php 69.2 million and 3,372 families involved in the National Greening Program.

**Under the Amnesty Cluster/ Task Force Balik Loob or reintegration program, there were 29,340 surrenderers from July 2016 to July 2022.**

The Cooperative Development Authority (CDA) extended training assistance to **6,640 former rebel (FR) beneficiaries on cooperative development management and operations** and facilitated the establishment of **17 Cooperatives**. Meanwhile, the Landbank of the Philippines has been providing and helping with loans worth **Php 520,000**.

The Department of Interior and Local Government (DILG) provided 22,826 FRs with financial assistance. This includes provision of immediate assistance (Php 15,000) to 9,075 FRs, livelihood assistance (Php 50,000) to 5,975 FRs, and reintegration assistance (Php 21,000) to 7,776 FRs.

**Following are the highlights of accomplishments/ interventions as of 31 July 2022:**

Accomplishment	Details
Surrenderers	<b>Total: 29,340</b> Former Rebels <ul style="list-style-type: none"> <li>• 7,114 Regular NPA members</li> <li>• 4,364 Militia ng Bayan (MB)</li> <li>• 3,959 Underground Mass Organization Members</li> <li>• 932 Sangay ng Partido sa Lokalidad Members</li> <li>• 10,608 Mass Supporters</li> </ul> Former Violent Extremists <ul style="list-style-type: none"> <li>• 1,303 ASG</li> <li>• 64 DI</li> <li>• 759 BIFF</li> <li>• 237 MAUTE-IS</li> </ul>
Surrendered Firearms Nationwide	<ul style="list-style-type: none"> <li>• 4,554 Firearms Surrendered</li> </ul>
Status of Halfway Houses	<ul style="list-style-type: none"> <li>• 31 Operating</li> <li>• 2 Ongoing construction</li> <li>• 9 Not yet operational</li> </ul>
Enlisted/Employed Surrenderers in the AFP	<ul style="list-style-type: none"> <li>• 623 as CAFGU/enlisted in the Regular Force, AFP</li> </ul>
National Housing Authority Beneficiaries	<ul style="list-style-type: none"> <li>• 1,066 Former Rebels Assisted</li> </ul>
Department of Social Welfare and Development Beneficiaries	<ul style="list-style-type: none"> <li>• 14,041 Former Rebels assisted through various programs</li> </ul>
Department of Trade and Industry Beneficiaries	<ul style="list-style-type: none"> <li>• 4,047 Former Rebels assisted through various programs</li> </ul>
Department of Labor and Employment Beneficiaries	<ul style="list-style-type: none"> <li>• 1,587 Former Rebels benefitted from DOLE's Integrated Livelihood Program</li> <li>• 1,238 Former Rebels benefitted from Tulong Panghanapbuhay sa Ating Disadvantaged/Displaced (TUPAD) Workers program</li> </ul>
Technical Education Skills and Development Authority Beneficiaries	<ul style="list-style-type: none"> <li>• 30,785 graduates of various skills training including dependents of former rebels and some former rebels took more than one TESDA skills training</li> </ul>
Land Bank of the Philippine Beneficiaries	<ul style="list-style-type: none"> <li>• 19 Former Rebels Assisted</li> <li>• 29 loans released*</li> </ul> *Some former rebels have taken more than one loan from the Landbank Former Rebels Lending Program
Department of Agrarian Reform Beneficiaries	<ul style="list-style-type: none"> <li>• 3,318 Former Rebels Assisted</li> </ul> Assistance given include provision of farm inputs and farms implements as well as seminars/training)
Department of Health	<ul style="list-style-type: none"> <li>• 150 Former Rebels assisted under Medical Assistance Program</li> <li>• 65,373 Former Rebels and IP beneficiaries assisted under the Serbisyo Caravan Program</li> </ul>

# **PART III. THE UNJP AND PATHWAYS TO POSITIVE HUMAN RIGHTS ENGAGEMENT**

## PART III. THE UNJP AND PATHWAYS TO POSITIVE HUMAN RIGHTS ENGAGEMENT

The UN Joint Program on human rights in the Philippines offers a unique template for constructive and transformative cooperation between a state and the United Nations system.

It presents a **pathway available to states and human rights mechanisms**, such as the Human Rights Council, OHCHR, and the Special Procedures **to advance the promotion and protection of human rights in states where national capacities need improving, with their consent**, while doing so in the bigger context of the mandate of the UN development system and the coordinated last-mile pursuit of the 2030 Sustainable Development Goals in country-programs.

This pathway merits consideration and support by the Human Rights Council in the midst of the fatigued reflections on the polarization of Council decisions and the impact of unilateral country resolutions that do not enjoy the consent and cooperation of countries concerned. It is clear that the successful implementation of the UNJP has salience in the bigger context of multilateralism, beyond the Human Rights Council.

It was launched as the UN system, including the Secretary General and the High Commissioner for Human Rights, recognized **increasingly urgent public demands for transformative solutions from the UN: solutions that are rooted on the ground and oriented to concrete results and a process that serves as a gathering for stakeholders.**

The design of the UNJP meets the mandate for the UN to **deliver results that leverage the best practices and resources of multilateralism, through synergies, efficiencies and partnerships.**

In their current and future approaches and actions to address human rights challenges worldwide, the Human Rights Council and the OHCHR, must heed such public demands and support the determined drive of the UN system to provide more anchored and optimal multilateral solutions.

### 3.1 REINVENTING THE 21st CENTURY HUMAN RIGHTS TOOLBOX

**The Council and the OHCHR have heard some calls for a while for the reinvention of the human rights toolbox** to pursue more effective steps to address situations and achieve meaningful and enduring results.

Until recently, such toolbox had been long confined to costly self-perpetuating mechanisms that bear little impact to communities on the ground. Most mandates have been maintained notwithstanding (1) the inability to gain traction in terms of decisively engaging with the duty bearers and affected communities, (2) unclear measures of progress and impact, including vis-à-vis well-defined metrics, and (3) lack of systematized evaluation on cost-effectiveness as a matter of due diligence, considering the public resources allocated to such mandates.

Such deficiencies in the current HRC toolbox of actions place an uneasy burden to the Council in a period where discourse on accountability and responsible stewardship of resources is animating all corners of the UN system. In this context, the discussion of the **UNJP in the Philippines in the HRC as a template for cooperation invites a reimagining and retooling of human rights action by the Council and the OHCHR.**

The UNJP suggests that HRC and OHCHR actions can be better informed by these considerations:

- the theme of the UN General Debate for the 77th Session, “A watershed moment: transformative solutions to interlocking challenges”;
- the reform and repositioning of the UN development system, that recognizes that human rights is integral and organic to the national development agenda which UN country programs must support;
- the Secretary General’s Call to Action for Human Rights, which encompasses the full range of human rights and puts forward a *“human rights vision that is transformative, that provides solutions and that speaks directly to each and every human being”*; and
- The UN Human Rights Report 2021 which underlined the concrete achievements of the OHCHR, enabled by vital and inclusive partnerships between and among human rights mechanisms, states, rights-holders, civil society, UN agencies and other actors in the UN system. The report underlined the power of partnerships, national ownership, and inclusive conversations in making change happen.

As it pursues to accomplish its noble mandate, the Human Rights Council must attune itself to the conscious efforts in the UN system to evolve the toolboxes of multilateralism towards making them responsive to the complexities of issues confronting nations, harnessing opportunities for partnerships, optimizing synergies and strengths in the UN system, and anchoring programs for sustainable results through national ownership.

### 3.2 A WATERSHED MOMENT FOR POSITIVE MULTILATERALISM

**The Human Rights Council must seize this watershed moment in multilateralism.** With this intention, it must deliberately seek to **redirect focus and resources on productive pathways**, such as the UNJP, that will have transformative impact on improving the conditions on the ground and allow the communities that it seeks to assist and support to (1) be part of all human rights conversations that concern them and (2) flourish in enjoyment of the full range human rights.

Towards this end, members of the Council must engage in good faith to take **stock of the strengths and limits of its current toolbox and seeking to enhance it, must avail itself of the resources and tools available to the current human rights architecture that would help it function more optimally, and organically, with and in support of the UN development system.**

Key elements of the design and execution of UNJP satisfy the following key considerations and thus provide some useful thoughts for the Council and the OHCHR as they explore and develop new approaches for effective human rights action:

- Maximizing the potential of Agenda Item 10 of the HRC;
- Leveraging expertise and strengths of human rights mechanisms;
- Situating human rights action within broad UN development-oriented country-program;
- Supporting the vitality and robustness of UN repositioning efforts by mainstreaming human rights action;
- Promoting national ownership, transparency, inclusivity, efficiency, and accountability in human rights action; and
- Focusing on process and results.



### **3.3 MAXIMIZING THE POTENTIAL OF AGENDA ITEM 10**

For sometime now, there have been discussions to optimize Agenda Item 10 of the Human Rights Council as a platform for promoting constructive cooperation between human rights mechanisms and states.

The HRC annual resolution on the enhancement of technical cooperation and capacity-building in the field of human rights signals the future directions and benchmarks for a well-rounded and effective human rights technical cooperation and capacity-building support to states.

In its various iterations, the resolution has underlined the following:

- the usefulness of different templates for cooperation such as bilateral, multilateral and international cooperation, including bilateral human rights dialogues and North-South, South-South and triangular cooperation, as well as public-private partnerships.
- the merits of an inclusive exercise that engages and involves all national stakeholders, including government agencies, national human rights institutions, the private sector and civil society.
- the fundamental importance of consent of states and that technical cooperation should take into account requests, needs and priorities, and the fact that all human rights are universal, indivisible, interdependent and interrelated.
- enhancing the coordination between the Office of the High Commissioner and other United Nations agencies in their technical cooperation and capacity-building efforts, and sharing of information on a regular basis between the Office, other relevant United Nations agencies and the States concerned on technical assistance and capacity-building efforts undertaken at the national level.

- an encouragement for the Special Procedures of the Human Rights Council, in their interaction with States, to continue to share information and knowledge relating to best practices and the possibility of providing technical assistance and capacity-building in the promotion and protection of human rights
- the need for enhanced voluntary contributions to the relevant United Nations funds to support technical assistance and capacity-building in the field of human rights, and encourages States to continue to make contributions to these funds.

A sustained conversation on the optimization of Agenda Item 10 should eventually lead to the institutionalization of a more robust workstream in the OHCHR for providing technical assistance that is accessible, transparent and well-resourced. A more structured technical cooperation mechanism can then function more integrally among the toolbox for human rights actions by the Council or the OHCHR, with or without political resolutions.

This institutionalization requires the review of the Technical Cooperation Fund, specifically towards optimizing its utility to meet the higher new demands of a robust and highly-functioning technical cooperation workstream of the OHCHR.

### **3.4 LEVERAGING THE EXPERTISE AND STRENGTH OF HUMAN RIGHTS MECHANISMS**

The various iterations of the annual resolution on the enhancement of technical cooperation and capacity-building in the field of human rights echo the desire of States to enable the Special Procedures Mandate Holders to participate more vitally in the technical cooperation activities in support of states' goals to promote and protect human rights and in doing so, to uphold the highest standards and be informed by best practices and the best available expertise on various aspects and issues of human rights.

This has been a long-standing discussion in the dialogues between the SPMH and States. These discussions have explored the feasibility for strengthening dialogue and collaboration, leveraging the expertise of the Special Procedures, in the context of technical cooperation.

The Special Procedures Mandate Holders must be given adequate logistical and resource support, far more than allowed by the system at this time, to unlock the fullest potential of the SPMH to provide meaningful and productive advisory services to states.

### **3.5 SITUATING HUMAN RIGHTS ACTION WITH BROAD UN DEVELOPMENT-ORIENTED COUNTRY-PROGRAM**

The UNSG's Call on Human Rights recognizes that human rights are interdependent and intrinsically linked to the 2030 Agenda for Sustainable Development. Its 11-point principle is book-ended by the following:

- the universality and indivisibility of human rights, encompassing economic, social, cultural, civil and political rights; and
- the intention to strengthen leadership in advancing the cause of human rights, make the human rights system responsive and innovative, and enhance synergies between human rights and all pillars of work of the United Nations.

It makes a powerful call for increasing support to states through capacity-building efforts to national and regional institutions and mechanisms and for the UN to make fuller use of its human rights tools and entry points, including the Universal Periodic Review (UPR) as basis for meeting the challenges, opportunities and needs of the 21st century and implementing the 2030 Agenda.

### **3.6 SUPPORTING THE VITALITY AND ROBUSTNESS OF UN REPOSITIONING EFFORTS BY MAINSTREAMING HUMAN RIGHTS ACTION**

Both the United Nations Human Rights Report and the UN Philippines Country Results: Report 2020 underscore the efficiencies gained and transformative results from actions and programs that are mainstreamed in country team programs, and folded into the synergistic frameworks of the reformed UN development system.

Human rights actions are best pursued within the context of efforts to strengthen the UN development system towards more coherence and efficiency and to be more effective in addressing the full range of development challenges of our time.

In their approach and design, they must acknowledge the important role and comparative advantage of a relevant, coherent, efficient and effective UN development system to achieve the SDG and sustainable development.

It is in the interest of the HRC and all states to support the process of the long-term repositioning of the UN development system in the context of the SDG and towards delivering meaningful outcomes on human rights on the ground.

### 3.7 PROMOTING NATIONAL OWNERSHIP, TRANSPARENCY, INCLUSIVITY, EFFICIENCY, AND ACCOUNTABILITY IN HUMAN RIGHTS ACTION

A re-invented toolbox of the Human Rights Council should be informed by, and seek to be aligned with, the orientation of the UN system to promote stronger collaboration with governments and embed a strong national ownership in country-programmes.

It also must give utmost consideration to the efforts to simplify UN assistance frameworks by reducing fragmentation, overlaps, transaction costs and workloads of entities in the development system.

Approaches of the OHCHR and the Human Rights Council should acknowledge that there is no “one size fits all” approach to development and effective action on the ground.

In this regard, technical cooperation activities on human rights have to be carefully considered in such a way that they are suited to the context and needs of state concerned, but are also in keeping with the efforts of the development system to align operational activities at the country level with national development and strategies to strengthen national ownership and ensuring the involvement of all relevant stakeholders.

New templates of human rights actions must also satisfy demands for transparency and accountability, to assure all stakeholders, especially the actors on the ground, of the responsible stewardship of the resources provided for projects and activities.

### 3.8 FOCUSING ON PROCESS AND RESULTS

Because they are often divisive, and based on what are perceived to be urgencies that demand quick actions, HRC decisions on country-specific resolutions are often reached at the expense of a deliberate consideration of their elements bearing upon process and results.

All decisions and way forward on situations that merit the Council’s attention should be carefully considered, with proper attention to how the processes to execute mandates created contribute to the improvement of the situation on the ground, the methodologies for fulfilling the mandates and how the results of these mandates must be measured.

While the Human Rights Council is oftentimes compelled to take timely decisions to respond to certain crisis situations, members should endeavor to take a hard look at practical and operative aspects of the mandates that they set, including program and budget implications and their breakdown, methodologies to achieve the objectives set for these mandates, and outcomes expected. **END**