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## **National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21\***

### **Philippines**

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\* The present document is being issued without formal editing.



## I. Introduction

1. The Government of the Philippines (GPH) affirms the universality, indivisibility, interdependence, and interrelatedness of all human rights, respectful of our unique national and regional particularities borne by our diverse historical, cultural, and religious backgrounds.

2. Human rights discourse informs a continuously flourishing enabled civic space in the Philippines. The State is home to more than 101,000 registered non-profit organizations, of which more than 60,000 are non-government organizations (NGOs) engaged in advocacy work, especially human rights for all. Some 2,123 private media outlets, broken down into 395 AM stations, 1,090 FM stations, 546 TV stations, and around 92 newspaper titles, freely operate in the country and sustain the vibrancy of said civic space.

3. The State values collaborative engagements within its civic space, allowing stakeholders to share knowledge and experiences on human rights, thereby heightening awareness on human rights promotion and protection. This was specially demonstrated in national gatherings, such as:

(a) *Mga Tingog sa Yutang Kabilin* (Voices from the Ancestral Domains) Fulfilling Rights, Addressing Challenges of Indigenous Peoples (IP) of the Philippines, on 5 August 2020, participated by hundreds of representatives of IP communities engaging with government, partners, UN system officials, including the UN Special Rapporteur (UNSR) on Indigenous Peoples, Francisco Cali Tzay;

(b) *Ugnayan Bayan* (National Engagement) from November to December 2020, updated more than 100 HRDs and CSOs on the State's implementation of the eight human rights treaties to which it is a State party in accordance with the Philippine Human Rights Plan-3 (PHRP-3), participated in by the UN Country Team led by the Office of the UN Resident Coordinator; and

(c) First Philippine Human Rights Defenders National Assembly (PHRDNA) on 14 December 2021 convened more than 100 human rights defenders (HRDs) and civil society organizations (CSOs) to discuss current and emerging trends vis-à-vis human rights advocacy, witnessed by UNSR on the rights of human rights defenders, Mary Lawlor.

4. Philippine civic space is likewise informed by the State's absolute respect for the human right to suffrage and the right to take part in governance and in public affairs as enshrined in Article 21 of the Universal Declaration of Human Rights.

(a) The Philippines' May 2022 national elections had the highest voter turnout in Philippine history – 83% or 55,549,791 out of 65,745,512 registered voters, including those based overseas.

(b) The State's inclusive collaboration and partnerships with election-watch bodies, such as the Parish Pastoral Council for Responsible Voting and the National Citizens' Movement on Free Elections, ensured the protection of the right to suffrage and its transparent exercise.

(c) Ten presidential candidates, 10 vice-presidential candidates, 64 senatorial candidates, and 178 party list groups exercised their human right to take part in governance and public affairs; along with the tens of thousands who freely vied for some 18,180 elective positions during national elections.

(d) The Philippines' 17<sup>th</sup> President, Ferdinand R. Marcos, and Vice President, Sara Duterte, obtained the highest number of votes in Philippine history, with 31 and 32 million votes, respectively, under a campaign platform of national unity and on reviving a post-pandemic society with the aspirational message of "*Sama sama tayong babangon muli*" (Together, we shall rise again!).

5. Finally, the State recognizes the Filipino people's high regard for the overall performance of the preceding administration of President Rodrigo Roa Duterte whose +81% approval rating from polls conducted by the independent Social Weather Stations remains

the benchmark for good governance that is responsive to the people's clamor for the recognition, promotion, and fulfillment of their human rights.

6. By way of this report, the GPH presents progress on its human rights commitments tackled during its 3<sup>rd</sup> cycle UPR review at the 27<sup>th</sup> session of the United Nations Human Rights Council (UNHRC) on 8 May 2017, and welcomes the renewed scrutiny of its records in an open and constructive dialogue process in this 4<sup>th</sup> cycle.

## **II. Methodology**

7. This report was prepared by the Presidential Human Rights Committee (PHRC) Secretariat, on the guidance of the Executive Secretary of the Philippines as PHRC Chairperson, pursuant to Administrative Order No. 163 (s. 2006), and with the assistance of the Department of Foreign Affairs (DFA) and all Lead Agencies tasked to monitor the State's implementation of the core human rights treaties to which it is a State party.

8. Updated data were gathered from government bodies concerned in collaboration with non-State human rights defenders organizations (HRDO), CSOs, and the independent national human rights institution (INHRI) – the Commission on Human Rights of the Philippines (CHRP) – in the drafting and vetting of this report.

9. The report presents the fully implemented accepted recommendations arising from the State's UPR review in 2017. However, it also includes positive actions taken, i.e., full implementation, on recommendations that were noted or rejected. Item numbers pertaining to the UPR recommendations are made references in the categories. The presentation of this report follows the eight core human rights treaties ratified by the Philippines.

10. The report also includes, as necessary, relevant programs and projects that impact the on-going implementation of the Philippines-UN Joint Program for Human Rights (UNJP).

## **III. Status of accepted and fully implemented recommendations**

### **A. Scope of international obligations and cooperation with human rights mechanisms (133.20)**

11. The Philippines, on the strength of its commitment to comply with its international obligations and to cooperate with human rights mechanisms, fully implemented all 103 accepted recommendations, as well as 33 recommendations that it had either noted or rejected.

### **B. National Mechanism on Reporting and Follow-up (NMRF) (133.19)**

12. The PHRC, as managed by its Secretariat, is the mechanism that ensures preparation by the State of periodic compliance reports, undertaken by way of inter-agency coordination for information-sharing. The State has sought to further enhance this mechanism by integrating good practices under the UN-initiated NMRF made part of the UNJP and, in partnership with the Southeast Asia Regional Office - UN Office of the High Commissioner for Human Rights.

13. The Philippines, together with Malaysia, is a pilot country for this mechanism, and has served as the UN's resource in championing the establishment of an NMRF in other countries. Capacity-building sessions for State agencies involved in operating the NMRF through the National Recommendations Tracking Database (NRTD) were conducted in March, April, July, August, and November 2021. Capacity-building sessions to populate the NRTD are scheduled within 2022.

**C. National human rights framework (133.21, 34, 35, 36, 37, 38, 39, 40, 41, 42)**

14. The State currently implements the 3<sup>rd</sup> Philippine Human Rights Plan (PHRP-3) in keeping with the 1993 Vienna Convention and Programme of Action. Entitled “An Agenda for Protecting Human Lives, Uplifting Human Dignity and Advancing People’s Progress,” the PHRP-3 went through a mid-term review in October-November 2020 participated in by government stakeholders, including 71 NGOs and CSOs, 41 foreign missions, and five (5) UN Country Team offices. The end-of-term assessment of the PHRP-3 is scheduled for the first quarter of 2023. Preparations for the fourth PHRP shall commence thereafter.

**D. International Covenant on Civil and Political Rights (133.44, 47, 48, 55, 56, 58, 59, 60, 75) (133.45, 46, 50, 52, 53, 54, 99) (133.132, 134, 231) (133.201)**

**Adherence to international standards and cooperation in the anti-illegal drug campaign**

15. The Philippines’ campaign against illegal drugs adheres to international standards and cooperation. President Marcos has emphasized the need for rehabilitation, prevention, education and assistance to victims and their families. At the level of the region, the campaign is in accord with the Association of Southeast Asian Nations (ASEAN) Work Plan on Securing Communities against Illicit Drugs 2016 to 2025.

16. The Philippines is signatory to the three UN treaties that comprise the international legal framework for drug trafficking, i.e., 1961 Single Convention on Narcotic Drugs, 1971 Convention on Psychotropic Substances, and 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

17. As such, the Philippines submits periodic reports to the International Narcotics Control Board (INCB) and UN Office on Drugs and Crime (UNODC) on the importation, exportation, production, manufacture, sale, stock, and seizure of any dangerous drug and/or controlled precursor and essential chemicals that are intended for medical and scientific use to prevent diversion from the licit to the illicit market.

18. The Philippines currently pursues a human rights-based approach to drug control under the UNJP and in partnership with the UNODC, Joint United Nations Programme on HIV/AIDS, World Health Organization, UN Women, and the OHCHR.

19. The State, through the Philippine Drug Enforcement Agency (PDEA), maintains strong linkages with international drug control and administration entities for cross-border patrol. This led to seizures of two tons of methamphetamine in 2021 and facilitated six positive drug interdictions with Shenzhen, China customs that successfully controlled four deliveries. Additionally, a collaboration between the PDEA and the Royal Malaysian Police in October 2021 in Johor, Malaysia resulted in the seizure of 398.28 kilograms of methamphetamine.

**Respect for the right to life, liberty, and security of persons in the anti-illegal drug campaign**

20. The protection of life, the respect for human rights, and the preservation of family stability and integrity drive the Philippines’ campaign to address the proliferation of illegal drugs.

21. The State’s Inter-Agency Committee on Anti-Illegal Drugs (ICAD) implements the Barangay (village) Drug Clearing Program (BDCP), a holistic whole-of-nation and whole-of-society strategy to address the proliferation of illegal drugs. The BDCP complements national drug supply and demand reduction strategies by empowering communities and local government units (LGUs) as partners. As of August 31, 2022, the total number of barangays declared as drug-cleared and drug-free were 25,917 and 5,851, respectively.

22. The BDCP provides appropriate intervention programs to Persons Who Use Drugs (PWUDs) as determined by their risk for drug dependence. Meanwhile, the *Yakap Bayan* (Nation's Embrace) Program developed by the Department of Social Welfare and Development (DSWD) assists PWUDs in their recovery journey and social reintegration. The program covers aftercare services, such as counseling sessions, health and fitness therapy, spiritual interventions, skills training, and capacity building. To ensure successful reintegration, families and communities are involved in the provision of such services.

23. The PDEA also collaborates with LGUs to implement the *Balay Silangan* (House of Birth) Reformation Program to reform drug offenders and facilitate their reintegration. As of July 31, 2022, 368 *Balay Silangan* Reformation Centers reformed 4,920 graduates and produced 1,565 employed individuals.

24. Between 2016 and 2022, the Philippines anti-illegal drug campaign, as monitored by its internal monitoring mechanism, #RealNumbersPH, has resulted in the rescue of 4,627 children and the dismantling of 1,382 illegal drug laboratories and dens.

### **Respect for the right to life, liberty, and security of persons in the campaign against terrorism**

25. The State enacted an enhanced Anti-Terrorism Law (ATL) in 2020, the drafting of which was undertaken in consultation and partnership with CSOs, HRDs, and the State's NHRI. Of the 173 out of 204 parliamentarians that supported and approved the law, 25 represented sectors most vulnerable to threats of terrorism, as well as organizations with at least a hundred thousand members of voting age as a legal requirement.

26. The ATL was crafted to ensure its adherence to and respect for human rights as found in the Philippine Constitution and international human rights standards, and that it shall not be subject to abuse or misinterpretation.

(a) Section 4 of the law excludes legitimate actions, such as advocacy, protest, dissent, stoppage of work, industrial or mass action, and other similar exercises of civil and political rights, from the definition of terrorism.

(b) Section 29 of the law institutionalizes the role of the CHR within the ATL.

(c) Of the 58 Sections of the law, 17 emphasize the Judiciary as an independent mechanism to promote and protect human rights.

### **Respect for the right to the life of the unborn**

27. The State, as duty bearer in protecting the human right to life, continues to prohibit the unjustified termination of life inside the mother's womb through pertinent laws, such as Articles 255 to 259 of the Revised Penal Code of the Philippines, except in life-threatening cases that require the performance of emergency procedures.

### **Administration of justice, including addressing impunity, and the rule of law**

28. The State is continually guided by the Speedy Trial Act of 1998 that requires a swift processing of all criminal cases before Philippine courts. Section 12 of the law provides, among others, that where an accused is imprisoned, the Public Attorney's Office (PAO) shall promptly obtain the presence of the prisoner for trial or cause a notice to be served on the person having custody of the prisoner, mandating such person to advise the prisoner of their right to demand trial. Meanwhile, remedy to the accused who is not brought to trial within the time limit is provided under Section 13.

29. The Philippine Supreme Court promulgated in 2017 the Revised Guidelines for Continuous Trial of Criminal Cases to address prolonged pre-trial detention by protecting and advancing the constitutional right of persons deprived of liberty to a speedy disposition of cases. The guidelines direct the expediting of trials and resolutions by imposing strict timelines on court action and introducing innovations and best practices.

30. The State is taking measures to decongest its prison system. Three hundred seventy-one (371) persons, many of whom had already served their sentences were released from

prison in September 2022. Regular releases are being planned, with a target of 5,000 by June 2023.

31. The State has enacted Republic Act 11576 in 2021 that expands the jurisdictional amount cognizable by regional trial courts in all civil actions to address the delay in the disposition of cases due to the overloading of cases assigned per judge.

32. To further de-clog courts of cases, the Philippines' Justice Sector Coordinating Council set up Justice Zones which serve as local mechanisms for strengthened coordination among justice sector agencies. As of June 2022, nine (9) justice zones are in operation.

#### **Access to justice for vulnerable sectors**

33. The State continues to pursue efforts to improve access to justice for vulnerable sectors, such as persons with disabilities. The enactment of the Filipino Sign Language (FSL) Act of 2018 provides legal interpreting services for the deaf in all public hearings, proceedings, and transactions of the courts, quasi-judicial agencies, and other tribunals.

34. The Philippine National Police's (PNP) Women and Children's Protection Centre (WCPC) developed a training module in 2019 for officers and staff on access to justice for women and girls with disabilities to ensure the promotion and protection of their rights.

35. Finally, the Philippine Supreme Court promotes a child-friendly and gender-sensitive justice system through a Memorandum Order of 2021, which adopts the Civil Service Commission (CSC) guidelines, among others, on the use of gender-fair language in issuances, decisions, orders, and communications in the Judiciary.

#### **Right to privacy and family life**

36. The State sustains the status quo in promoting the family as the natural and fundamental unit of society based on a marriage between a man and a woman, which is emphasized in the Family Code of the Philippines.

### **E. International Covenant on Economic, Social and Cultural Rights (133.51, 65, 66, 67) (133.69, 70, 71, 72, 73) (133.203) (133.68, 204, 205, 206, 207, 208, 210, 211, 212) (133.219, 220, 221, 222, 223, 224, 225) (133.213, 214, 215, 216, 217, 218)**

#### **Right to development**

37. The State continues to pursue the Philippine Development Plan (PDP) 2017-2022 toward inclusive development and enhanced protection and promotion of human rights, especially that of the most vulnerable sectors of society.

38. Over the years, the State has enacted laws relevant to advancing development among people and communities, as follows:

- (a) Universal Access to Quality Tertiary Education Act of 2017;
- (b) Tax Reform for Acceleration and Inclusion (TRAIN) Law of 2017;
- (c) Build, Build, Build! Program of 2017;
- (d) National Transport Policy of 2017;
- (e) Free Internet in Public Places Act of 2017;
- (f) National Broadband Plan of 2017;
- (g) Philippine Identification System (PhilSys) Act of 2018;
- (h) Ease of Doing Business and Efficient Government Service Delivery Act of 2018;
- (i) Philippine Qualifications Framework Act of 2018;
- (j) Social Security Act of 2018;

- (k) Sagip Saka Act of 2019;
- (l) Agricultural Free Patent Reform Act of 2019;
- (m) Universal Health Care Act of 2019;
- (n) Department of Human Settlements and Urban Development Act of 2019;
- (o) Energy Virtual One-Stop Act of 2019;
- (p) *Murang Kuryente* (Affordable Electricity) Act 2019;
- (q) Community-Based Monitoring System Act of 2019.
- (r) Energy Efficiency and Conservation Act of 2019;
- (s) National Competition Policy of 2021;
- (t) Public Service Act of 2022;
- (u) Amended Foreign Investments Act of 2022.

39. The State invests in human capital development through quality Technical Vocational Education and Training (TVET). The Technical Education and Skills Development Authority (TESDA) ensures that TVET programs, offered in public and private training institutions nationwide, are responsive to economic and labor market changes and needs, and are strategically aligned with the PDP and the National Technical Education and Skills Development Plan.

(a) Some 9,993,856 TVET enrollees were registered from 2017 to July 2022, with a 94.8% completion rate.

(b) The TESDA also conducts Skills Standardization, Testing, and Certification to ensure that learners are workforce-ready. From 2017 to July 2022, 6 million out of 6.5 million workers were certified to demonstrate required workplace competencies.

#### **Protection of the environment and addressing climate change**

40. The Philippines adheres to the UN Framework Convention on Climate Change and the Paris Agreement on Climate Change, and submitted its Nationally Determined Contribution (NDC) in 2021.

41. The country's NDC upholds the importance of ensuring ecosystems integrity while promoting the country's obligations on human rights and the rights of its indigenous peoples. The NDC supports the country's national development objectives and priorities of sustainable industrial development, poverty eradication and inclusive growth, energy security, and social and climate justice, and the transformation of its socio-economic sectors towards a climate and disaster-resilient and low carbon economy.

42. Developed through a whole-of-government-and-society approach, the Philippines' NDC upholds the importance of meaningful participation of women, children, youth, persons with diverse sexual orientation and gender identity, persons with disabilities, indigenous peoples, elderly, local communities, civil society, faith-based organizations, and the private sector, and recognizes the indispensable value of inclusion and collaborative participation of LGUs in implementing climate actions. It enables a market signal to support local and foreign direct green investments. The NDC recognizes the private sector as the country's main engine of economic growth and transformation, and promotes its full engagement in climate change adaptation and mitigation.

43. The following domestic policy frameworks instruments and institutional arrangements on adaptation and mitigation form the basis of the NDC:

- (a) National Framework Strategy on Climate Change 2010-2022;
- (b) National Climate Change Action Plan (NCCAP) 2011-2028;
- (c) PDP 2017-2022;
- (d) Philippine Energy Plan 2018-2040;

- (e) National Climate Risk Management Framework of 2019;
- (f) Sustainable Finance Policy Framework of 2020.

44. As the country's main instrument on climate action, the NCCAP 2011-2028 established the seven thematic areas of government action to address climate change, namely: food security, water sufficiency, ecological and environmental stability, human security, climate-smart industries and services, sustainable energy, and knowledge and capacity development, which are pursued coherently with the Sustainable Development Goals and the Sendai Framework for Disaster Risk Reduction.

45. In 2019, the Climate Change Commission (CCC) forged 13 agreements with LGUs, academic institutions, private and business sectors, and development partners to scale-up the delivery of climate actions.

46. The CCC, in collaboration with the Philippine Commission on Women (PCW) and other stakeholders, underscored the indispensable, equal and meaningful participation of women and men in attaining inclusive climate action in its review of the implementation of the Environment and Climate Change component of the Beijing Declaration and Platform for Action.

47. The CCC conducted quality assurance reviews on budget-tagged programs of 20 national government agencies (NGAs). In 2019, ₱ 205.1 billion (US\$ 3.5 billion) was tagged for climate change adaptation and ₱ 5.5 billion (US\$ 94.8 million) for climate change mitigation. In the same year, the CCC monitored the implementation of 32 climate change-related special provisions being implemented by 25 NGAs.

48. The Department of Environment and Natural Resources (DENR) mobilized and intensified international cooperation and support in the implementation of the Paris Agreement through the following:

- (a) Effective implementation of the NDC, capacity building and research and development on adaptation and mitigation;
- (b) Knowledge- and skills-sharing on tools and methodologies on measurement, reporting and verification/ enhanced transparency framework;
- (c) Ensuring easy access to climate finance by developing countries through dialogues, development of framework, protocols, guidance document, etc.;
- (d) Development of the National Plan of Action for Climate Empowerment (ACE);
- (e) Collaboration with national and international stakeholders on the implementation of ACE-related activities;
- (f) Engagement in relevant carbon market mechanisms/ cooperative approaches in accordance with Article 6 of the Paris Agreement.

49. The Philippines, in pursuit of re-examining current mining practices and promoting responsible mining given reinforcing environmental provisions and sustainable development practices, launched the #MineResponsibility Campaign through the Mines and Geosciences Bureau of the DENR. Besides heightening awareness, the campaign also highlights efforts to ensure only responsible mining companies are allowed to operate. Relatedly, the DENR issued an Administrative Order of 2018 establishing Guidelines for Additional Environmental Measures for Operating Surface Metallic Mines.

50. In 2018, the Mining Industry Coordinating Council commissioned a review of all large-scale metallic mining operations in the Philippines to inform the development of government policies and measures toward improving regulation of the mining sector and ensuring its contribution to the country's sustainable development. Two review phases covering 45 large-scale metallic mining operations nationwide were completed by 2020, resulting in the implementation of 11 new policies geared to enhance the performance of the mining industry.

51. As part of the administration's reforms, the new TRAIN Law increased the excise tax of minerals from 2% to 4%. Meanwhile, the operating cost of mining companies as per the



DENR's Social Development Program was increased from 1% to 1.5% to the benefit of the host and neighboring communities.

52. Philippine environmental regulatory policy includes implementation of DENR programs that cover improvement of air and water quality and waste management, strengthening enforcement and monitoring of quality standards, enhancing environmental education, promoting circular economy, and implementing the National Program of Action on Marine Litter.

53. The Philippines has likewise implemented policies and plans supporting the strategies in the PDP and the country's obligations as a party to various Multilateral Environmental Agreements.

### **Right to work and to just and favorable conditions of work**

54. In addressing unemployment and improving competitiveness in human resources, the State implemented data-driven policies and strategies outlined in the PDP 2017-2022.

55. Since February 2021, the Philippine Statistics Authority (PSA) conducted the quarterly nationwide Labor Force Survey monthly due to the pandemic. Said survey is the primary source of data on the country's labor and employment statistics.

56. The Philippines also adopted the National Employment Recovery Strategy 2021-2022 as the master plan for restoring the country's labor market from the effects of COVID-19 and the adoption of new technologies.

57. The Department of Labor and Employment (DOLE)'s JobsFit COVID-19 Labor Market Information Report in November 2020 provided an assessment of the pandemic's impact on the labor market landscape, and informed stakeholders on matters of decision- and policy-making, as well as program development.

58. The DOLE also implemented the COVID-19 Adjustment Measures Program, providing one-time financial support to workers in the formal sector affected by the pandemic.

59. The TESDA offers different TVET scholarship programs and implements a 2-pronged strategy for increased employability and productivity for Global Competitiveness and Workforce Readiness and TVET for Social Equity and Poverty Reduction. The beneficiaries are both the unemployed and the underemployed, especially members of marginalized or vulnerable sectors. The programs also target workers and new entrants in the labor force alike seeking reskilling and upskilling.

60. The First Time Jobseekers Assistance Act of 2019 facilitates ease for first-time job-seekers by waiving payments for required employment documents. As of June 2022, 365,723 pre-employment documents have been issued for free to first-time job-seekers.

61. The DOLE's Integrated Livelihood and Emergency Employment Program (DILEEP) provides employment opportunities to vulnerable workers through transitional emergency employment and entrepreneurship development. Two programs under the DILEEP are:

(a) DOLE Integrated Livelihood Program (DILP) provides grant assistance for capacity-building on livelihood and entrepreneurial ventures, which also includes basic entrepreneurship training; working capital, such as raw materials and tools; micro-insurance; and business advisory services. Some 535,817 beneficiaries, of which 219,622 are female, have been granted assistance amounting to ₱ 5.7 billion from 2016 to the 2<sup>nd</sup> quarter of 2022.

(b) *Tulong Panghanapbuhay sa Ating* (Livelihood Assistance for our) Disadvantaged/ Displaced Workers (TUPAD), a community-based package of assistance for displaced and disadvantaged workers, covers the payment of salaries based on the prevailing highest minimum wage in the region, provision of personal protective equipment, and micro-insurance under the Government Service Insurance System. From 2016 to the 2<sup>nd</sup> quarter of 2022, a total of 8,255,261 workers were provided with temporary wage employment assistance in the amount of ₱ 39.2 billion, and engaged in various community projects from 10 to 90 days, depending on the nature of work.

62. The *Tulong Trabaho* (Work Assistance) Act of 2018 boosts competitiveness by granting additional financial aid to qualified beneficiaries enrolling in selected training programs, easing the financial burden of tertiary education, reskilling, and retooling programs.

### Right to adequate standard of living

63. The State adopts an area-based and sector-focused intervention to alleviate poverty by ensuring investments in anti-poverty programs and full access to government services, strengthening and institutionalization of interventions, and enhancing the capabilities and competencies of development partners. Along this track, the Magna Carta of the Poor of 2019 stresses the role of the State to uplift the standard of living and quality of life of the poor.

64. Through the implementation of banner programs on poverty alleviation and social protection, public spending on social services increased in recent years, and is on course to meet the target set in the PHRP-3 of 9.1% of Gross Domestic Product (GDP) by 2022.

Table 1. Spending for social services as percent of GDP (2017-2021)

<i>PHRP Target by 2022</i>	<i>Baseline</i>	<i>Accomplishment</i>
Spending for social services (including budget for health, housing, education, social welfare and employment, and social infrastructure) expanded to 9.1 percent of GDP		6.8 (2018)
		6.9 (2019)
		9.8 (2020)
	6.4 (2016)	9.4 (2021)

65. The *Pantawid Pamilyang Pilipino* (Provisional Assistance for Filipino Families in Need) Program (4Ps) Act of 2018 is the State's flagship social protection program focused on poverty reduction and human capital investment to address the inter-generational cycle of poverty. It provides conditional cash transfer (CCT) to the households most in need, especially those with children ages 0-14, for a maximum of seven years to address lack of healthcare, nutrition, and education.

66. Annual allocation for the 4Ps has been progressively increased since 2017, as follows:

Table 2. 4Ps Annual Budget Allocation (2017-2022)

<i>Year</i>	<i>Total Families Served</i>	<i>Annual Budget</i>
2017	4,394,813	₱ 78,186,551,000.00
2018	4,178,828	₱ 89,408,303,000.00
2019	4,026,964	₱ 89,752,324,000.00
2020	4,324,680	₱ 108,765,970,000.00
2021	4,091,590	₱ 106,800,569,000.00
2022	4,235,700	₱ 107,669,942,000.00

67. The *Kapit-Bisig Laban sa Kahirapan* (Linking-Arms Against Poverty) – Comprehensive and Integrated Delivery of Social Services program empowers communities through improved access to basic services and more inclusive participation in local governance and community projects.

68. To address malnutrition in children, the State, through the DSWD, implements a Supplementary Feeding Program in child development centers, supervised neighborhood playgrounds, and Day Care Service Parents Groups, which monitors the enhanced food intake of children aged 2-5. The supplemental meals are served twice a day for five to seven days a week for a period of 120 days.

69. On the strength of the *Masustansyang Pagkain para sa Batang Pilipino* (Nutritious Food for the Filipino Child) Act of 2018, which institutionalized a national feeding program for undernourished children in public daycare centers, the State, through the Department of Education (DepEd), implements a school-based feeding program, providing learner-beneficiaries with nutritious food products for at least 60 feeding days and sterilized milk for

50 feeding days. As of December 2020, 3,526,589 and 2,592,041 learners have benefitted from the food and milk components, respectively.

### Right to access education

70. The education sector has consistently obtained the largest budget allocation among all NGAs, maintaining access and delivery of public education as a priority of the Philippines.

Table 3. Annual Budget of the DepEd (2018-2022)

<i>Year</i>	<i>Annual Budget</i>
2018	₱552,552,689,000
2019	₱501,115,892,000
2020	₱521,350,651,000
2021	₱557,254,657,000
2022	₱592,695,781,000

71. In 2022, the DepEd launched the medium-term Basic Education Development (BEDP) Plan 2030 for the implementation of both formal education (i.e., kindergarten, elementary, junior high school, and senior high school) and non-formal education (Alternative Learning System or ALS). The BEDP has the following priority development objectives:

- (a) Ensure all learners shall meet learning standards at every stage of the K-12 program;
- (b) Expand access to education by groups in situations of disadvantage to ensure inclusive and equitable quality service;
- (c) Empower learners to be resilient and to acquire life skills; and
- (d) Strengthen the promotion of the overall well-being of learners in a positive learning environment where they exercise their rights and experience joy while being self-aware of their responsibilities as individuals and as members of society.

72. The State, through the DepEd, supports the private education sector through the implementation of Education Service Contracting, SHS Voucher Program, and Teacher Salary Subsidy.

73. From the start of the pandemic, the State, through the TESDA, has been offering alternative modalities to face-to-face training in consideration of the various needs of individuals, industries, and communities. The TESDA offers scholarship programs for increased equity and access to TVET across the country.

(a) The TESDA Online Program (TOP) provides learners access to quality massive open online TVET courses for employment, livelihood, and even for lifelong learning. From 2017 to July 2022, TOP recorded 3.82 million total enrollees and offers 150 free online courses.

(b) TVET beneficiaries include Indigenous Peoples, unemployed, out-of-school-youth, persons with disabilities, persons deprived of liberty, women, rebel returnees, drug surrenderers, and overseas Filipino Workers (OFWs), among others.

74. The State sustains its intensified efforts to increase enrollment of children in junior high school (JHS), senior high school (SHS), and State universities and colleges (SUCs).

75. Rising from the challenges of the pandemic, the State's Basic Education System has seen a progressive increase in enrollees in the last three school-years, with the current enrollment pegged at nearly 28 million. The number of private schools offering secondary-level classes increased with the implementation of the SHS program. Furthermore, SUCs and local universities and colleges were tapped to offer SHS, which was made possible by the government-funded voucher program.

Table 4. Enrollment in Basic Education in School Years (SY) (2018-2022)

<i>SY</i>	<i>Kinder</i>	<i>Elementary</i>	<i>JHS</i>	<i>SHS</i>
2018-2019	2,409,782	13,265,259	8,320,627	3,022,841
2019-2020	2,044,745	13,287,961	8,503,650	3,194,035
2020-2021	2,055,635	12,595,169	8,339,391	3,236,827
2021-2022	2,181,189	12,796,802	8,757,957	3,824,713

76. The State strives to enhance the enrollment of girls in pre-primary and primary education levels amidst the challenges of the continuing pandemic.

Table 5. Girls enrolled in pre-primary and primary education in SYs 2018-2021.

<i>SY</i>	<i>Pre-primary education</i>	<i>Primary Education</i>
2018-2019	1,167,074	6,377,979
2019-2020	972,709	6,404,168
2020-2021	993,467	6,065,637

77. The State, through the DepEd, sustains the implementation of the ALS as the main educational inclusion program for marginalized and vulnerable sectors, such as the urban and rural poor, indigenous peoples, household helpers, and persons with disabilities. The ALS provides quality, equitable and culture-based complete basic education that adapts to the economic, social, and cultural circumstances of learner-beneficiaries.

78. The State's college enrollment has likewise increased, notwithstanding the pandemic.

Table 6. Enrollment in Public and Private Higher Education Institutions (HEI) 2018-2020

<i>HEI Type</i>	<i>SY 2018-2019</i>	<i>SY 2019-2020</i>
Public	1,519,512	1,575,645
Private	1,693,030	1,832,780
<b>Total</b>	<b>3,212,542</b>	<b>3,408,425</b>

### Right to access health care

79. The State, valuing the importance of accessible and safe reproductive health services, has enacted laws on:

(a) Ensuring universal access to health services, including sexual and reproductive health (SRH) for women and girls; and

(b) Mandating the Department of Health (DOH) to provide SRH services, including contraception, to all persons of reproductive age.

80. Since 2016, the State, through the DOH, undertook efforts to reduce incidences of unsafe abortion and maternal mortality by providing family planning commodities to women of reproductive age, conducting maternal death reviews, and integrating family planning in other health programs.

81. The State, through the DOH, also ensures access to the Minimum Initial Service Package for SRH during emergencies and disasters under the Health Cluster of the National Disaster Risk Reduction and Management structure.

82. To allow continued access to SRH services in the early months of the pandemic in 2020, the DOH issued guidelines "on the continuous provision of family planning services during Enhanced Community Quarantine and allotment of funds for the procurement of family planning commodities."

83. Recognizing the needs of adolescents on SRH, the DepEd, DOH, and Commission on Population and Development launched the Convergence of the Comprehensive Sexuality Education and Adolescent Reproductive Health Program in 2021 as part of the whole-of-government response to adolescent pregnancies and other reproductive health issues among

young people. The DOH also released the Omnibus Health Guidelines for Adolescents in 2022, which recommended interventions and services for adolescents, including vaccinations and family planning methods and commodities.

84. Healthcare also informs the State's holistic approach to the anti-illegal drug campaign.

(a) The Community-Based Rehabilitation Program (CBRP) is at the core of the healthcare component of the campaign, facilitated by a network of volunteer experts within the community called Community Rehabilitation Network (CRN). The CRN is composed of doctors, psychologists, psychiatrists, teachers, and guidance counselors, among others.

(b) The Dangerous Drugs Board, in its Consolidated Revised Rules Governing Access to Treatment and Rehabilitation Services issued in 2019, required that wellness and recovery through the CBRP adhere to principles prescribed by the UNODC and the DOH.

(c) In ensuring medical care for PWUDs, the Philippine Health Insurance Corporation (PhilHealth) developed the Medical Detoxification Package to ensure the provision of minimum standards of medical interventions to safely manage clients' acute physical symptoms of drug withdrawal. The package covers services for medical detoxification, co-morbidity (if applicable), and professional fees.

### **International Convention on the Protection of All Migrant Workers and All Members of their Families (133.184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 200) (133.251, 252, 253, 254)**

#### **Prohibition of all forms of slavery, trafficking of persons**

85. The Philippines maintains a Tier 1 ranking from the US State Department for continuous efforts against trafficking in persons (TIP) through bilateral, regional, and international partnerships from 2017 to present.

86. The State enacted the Expanded Anti-Trafficking in Persons Act of 2022 to grant authorities additional tools to combat human trafficking in the online landscape. Among its key provisions is the accountability of "internet intermediaries" and "financial intermediaries" who, knowingly or by gross negligence, allow their services to be used for the purpose of promoting TIP.

87. The DOJ and the DSWD co-chair the Inter-Agency Council against Trafficking (IACAT), which serves as the central coordinating body of 29 member-agencies, including NGOs and CSOs, that monitor and oversee anti-trafficking efforts. The IACAT continues to implement the anti-trafficking law in four thematic areas, namely prevention, protection of victims, prosecution and law enforcement, and partnership and networking.

(a) Prevention:

(i) Parallel financial investigations with the Anti-Money Laundering Council (AMLC) have crippled finances of traffickers;

(ii) The Children's Emergency Relief and Protection Act of 2016 directs concerned NGAs and LGUs to heighten measures to prevent child trafficking, labor, prostitution, and domestic violence;

(iii) The Special Protection of Children in Situations of Armed Conflict (CSAC) Act of 2019, a pioneer law globally, provides punishment of grave child rights violations in armed conflict situations and acts of gender-based violence (GBV) against children;

(iv) Implementation of IACAT 1343 Actionline, the first telephone hotline dedicated to receiving and responding to requests for assistance, inquiries and referrals from victims of trafficking, their families, and the public, has been expanded to accommodate online reporting and short-messaging service.

(b) Protection:

- (i) Implementation of Recovery and Reintegration Program for Trafficked Persons, a comprehensive package of services for TIP survivors, their immediate families, and their communities to meet psychosocial and economic needs of clients for eventual reintegration into their families;
- (ii) TIP Center temporarily shelters rescued victims awaiting documents for filing of TIP cases. From January to present, a total of 579 TIP victims were assisted;
- (iii) Victim Witness Coordinator Program provides security, communications, guidance on court trial procedures, and transportation to and from the courts to TIP victims; and
- (iv) IACAT Operations Center provides assistance for witness location, transportation, and security to victims-witnesses in going to and from the Court during case conference or trial.
- (c) Prosecution and law enforcement:
- (i) Strict implementation of anti-trafficking efforts resulted in decreased TIP cases nationwide from 2017 to the first semester of 2021.

Table 7. PNP report on cases of trafficking nationwide (2017-July 2021)

<i>TIP Cases</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>	<i>2020</i>	<i>July 2021</i>
Sexual exploitation	132	223	116	152	39
Forced labor	58	39	6	9	0
Engaging in armed activities	3	4	0	0	0
Slavery	0	8	1	0	0
Others (Qualified TIP)	41	26	28	0	0
Total	234	300	151	161	39

(ii) Twenty-four (24) Anti-Trafficking Task Forces, composed of prosecutors, law enforcers, social workers, immigration officers, and other officers at the airports and seaports, have been established and are now headed by Prosecutors specializing in investigation, case build-up, and prosecution of TIP cases in coordination with law enforcement units. From 2017 to 2021, the IACAT has accomplished 482 TIP convictions and 271 TIP-related convictions, or a total of 753 convictions.

- (iii) Child Prosecution Strategies used to prevent re-traumatizing victims:
- Plea Bargaining Advisory, issued by the DOJ in December 2019, guides prosecutors in TIP cases;
  - Videotaped in-depth interviews as alternative to victim-witnesses' personal appearance during inquest proceedings; and
  - Use of financial and digital evidence in proving TIP and online sexual abuse and exploitation of children (OSAEC) cases in Courts.
- (d) Partnership and networking:
- (i) The Philippines is a State Party to the United Nations Convention against Transnational Organized Crime (UNTOC) and the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons.
- (ii) The Philippines is also a State Party to four Multilateral Treaties/ Conventions, namely: ASEAN Treaty on Mutual Legal Assistance in Criminal Matters; UNTOC and its Protocols (Palermo Convention); Convention on Cybercrime (Budapest Convention); and ASEAN Convention against Trafficking in Persons, Especially Women and Children (ACTIP), which can be utilized in requesting and providing assistance in investigating and prosecuting TIP cases.
- (iii) Following the Philippine ratification of the ACTIP in 2017 was the crafting of the ASEAN action plan on trafficking in order to strengthen border control among

Member States, intensify efforts to prosecute trafficking cases, and strengthen regional cooperation.

### **Migrant workers**

88. The Philippines enacted a law in December 2021 creating the Department of Migrant Workers, affirming the State's continuous commitment to the promotion and protection of the rights and welfare of its migrant workers. The law likewise called for the rationalization of functions of government agencies involved in overseas employment and labor migration, and for the government to appropriate funds. To further promote the welfare of Filipinos abroad, the Philippines has entered into a number of bilateral labor agreements with countries that host large numbers of Filipino migrants, especially in Gulf countries, and continues to support labor reforms and initiatives by the Gulf States, strongly advocating the abolition of the kafala system.

89. The State, through the DOLE, launched the National Action Plan on Fair and Ethical Recruitment in 2021 to enhance and strengthen the measures and policies in place on the deployment of OFWs through ethical recruitment processes.

90. The State, through the TESDA, continuously provides various interventions for overseas Filipino Workers (OFWs), such as training and assessment services, especially during crises.

(a) Free assessment and certification services to OFWs through the Overseas Assessment Program. From 2019 to September 2021, 46,538 OFWs availed of assistance from TESDA in the form of skills training.

(b) *Abot Lahat ang* OFWs (Every OFW Within Reach), a flagship program focused on upskilling and retooling repatriated OFWs and their dependents at the onset of the pandemic.

(c) Online registration to TESDA Scholarship programs for returning OFWs through the TESDA Mobile App and website.

(d) OFW Reintegration through Skills and Entrepreneurship Program, a partnership between TESDA and the Overseas Workers' Welfare Administration (OWWA), Philippine Trade Training Center, and Coca-Cola Philippines, which offers returning OFWs an online course that enables them to transform their business ideas into business plans.

(e) One-Stop Service Center for OFWs manned by TESDA, POEA and other NGAs to provide efficient overseas employment processing for OFWs.

(f) *Malasakit* (Care) Desks at airports to offer skills-training assistance to returning or repatriated OFWs.

(g) TESDA OFW Desks at its regional and provincial offices to attend to all OFW concerns.

## **G. Protecting rights of vulnerable sectors – General (133.30, 31, 32, 255)**

91. The State ensures access by vulnerable groups to education by way of various channels, i.e., basic formal education, ALS, higher education, and TVET that caters to the skills needs of different sectors, such as women, persons with disabilities, persons living in poverty, and indigenous peoples.

92. The State, through the Philippine Commission on Women, launched the Women's Priority Legislative Agenda (WPLA) that seeks to amend discriminatory provisions of existing laws and advance the adoption of new legislation furthering women's rights and empowerment. Relatedly, the PCW regularly disseminates information, education and communication materials on gender and development (GAD), women's rights, and salient provisions of laws relevant to women.

93. The State, through the Philippine Statistics Authority (PSA), provides reasonable accommodation for vulnerable groups for their PhilSys registration. Further, the PSA and

PCW, as co-chairs of the Interagency Committee on Gender, Children and Youth Statistics, drafted the Guidelines on the Establishment of GAD Database for Government Agencies to capacitate government agencies in developing their respective GAD databases to be linked with the PSA and PCW.

94. The Philippines is the first country in Asia and one of the few countries in the world to legally recognize the rights of Indigenous Peoples through the Indigenous Peoples' Rights Act (IPRA) of 1997, which became the model for the UN Declaration on Indigenous Peoples of 2007. The IPRA caters to the protection of the rights of over 14 million IPs, comprising around 13% of the country's total population.

95. In efforts to ensure Indigenous Peoples' land rights through the IPRA, the State issues Certificates of Ancestral Domain Title (CADTs) to formally recognize the rights of possession and ownership of the Indigenous Peoples over their ancestral domains as identified and delineated in accordance with the law.

(a) In 1998, the Philippines became the first country in the world to recognize the Indigenous Peoples' right to ancestral land and ancestral waters as it awarded a Certificate of Ancestral Domain Title (CADT) to the Tagbanua indigenous cultural community of Coron Island, covering more than 22,000 hectares of land and sea.

(b) To date, more than 5.7 million hectares of land and water, or about one-sixth of the country, have been duly titled in the name of IPs, covering the registration of 257 CADTs and Certificate of Ancestral Land Title (CALTs) benefiting 1.3 million IP rights holders. Another 212 CADTs and 171 CALTs are currently being further processed.

(c) The State issues CALTs to formally recognize Indigenous Peoples' rights over their ancestral lands.

96. In August 2018, the National Commission on Indigenous Peoples issued its revised guidelines on the formulation of Ancestral Domain Sustainable Development and Protection Plans (ADSDPP). As of 2019, 175 ADSDPPs have been formulated and are being implemented, benefiting approximately 700,000 Indigenous Peoples nationwide.

97. The Philippine Plan of Action for Senior Citizens (PPASC) outlines strengthened responses on the various key issues related to population aging, and envisions a society where the senior citizens are empowered to achieve active aging. As the medium-term plan for senior citizens, the PPASC institutes policies, strategies, mechanisms and programs and projects that ensure that senior citizens' rights are upheld, their needs and concerns are addressed, and they are recognized as active participants in nation building.

98. The States enacted the Centenarians Act of 2016, and established by law the National Commission of Senior Citizens in 2018. Both are measures specifically promoting the rights-based and needs-based well-being of the elderly Filipino people.

99. The State has addressed the problem of internal displacements due to extremist violence and terrorism, specifically in the five-month long siege of Marawi City in Mindanao perpetrated by the combined terrorist groups the Abu Sayyaf and Maute Group.

(a) The State, pursuant to Presidential Administrative Order No. 03, which created the Task Force Bangon (Rise) Marawi, effected the full recovery and return to normalcy of 77,170 families affected by the siege.

(b) The State, through the DSWD, implemented the Transitory Family Support Package (TFSP) for the most affected villages. The TFSP includes cash assistance and support for both food and non-food requirements of said families for their recovery and rehabilitation.

(c) As part of the State's permanent resettlement approach for internally displaced persons, some 475 core shelters were erected in 13 barangays or villages of the city.

100. Psycho-social and resource augmentation interventions are standard interventions of the State to victims of natural and man-made calamities, such as typhoon, flooding, armed conflict, fire, and displacements. Resource augmentation includes food, transportation, hospitalization, and medicines, and shelter assistance for damaged houses. On the latter, the



State, through the DSWD's implementation of the Core Shelter Assistance Program, has allocated funding of more than 8,478 shelter units for family victims of disaster as of 2018.

## **H. Convention on the Elimination of All Forms of Discrimination against Women (133.126, 209, 227, 228)**

101. The Philippines is unrelenting in its efforts to eradicate discrimination, especially violence against women (VAW).

102. The State implements the National Advocacy and Communication Strategic Plan 2017-2022 as developed by the Inter-Agency Council on Violence against Women and Children (VAWC). The plan outlines the goal, priority issues, indicators, targets, and strategies necessary to eliminate VAW.

103. The State's LGUs have Local Committees on Anti-TIP and VAWC in cities and barangays (villages) across the country that act as first responders. The LGUs also have established Local Councils for the Protection of Children (LCPCs) and Local VAW Desks. To ensure the functionality of said LCPCs, the Department of the Interior and Local Government (DILG) issued its Comprehensive Guidelines for the Establishment, Strengthening, and Monitoring of LCPC in April 2021.

104. The State's national police organization sustains its efforts to: a) maximize usage of social media to disseminate gender-sensitive and child-friendly information on COVID-19-related risks and protection measures; b) ensure capacity of Women and Children Protection Desks (WCPD) personnel to receive and respond to complaints and incident reports made online; c) intensify investigation and awareness campaigns against online sexual exploitation of women and children; d) enhance its online media presence through the Anti-Cybercrime Group (ACG) and WCPC social media teams; and e) establish 24/7 hotline numbers nationwide.

105. The State's national police organization has produced the WCPD Investigator's Manual for investigators and first responders of VAWC and GBV cases. The manual guides the conduct of investigation and case build-up that takes into account the rights of victims and prevents re-victimization.

106. The State enacted the Safe Spaces Act of 2019 that penalizes gender-based sexual harassment committed in public spaces, including in educational or training institutions, workplaces and cyberspace. The DILG and PCW issued joint guidelines to ensure the implementation of the law down to the local level.

107. The State's updated Gender Equality and Women's Empowerment (GEWE) Plan 2019-2025 supports and aligns with the remaining year of the updated PDP 2017-2022 and the remaining years of the Philippine Plan for Gender-Responsive Development (PPGD) 1995-2025.

108. The GEWE Plan contains strategic actions that: a) respond to the changing needs of women and girls because of the COVID-19 pandemic and align with the updated priorities of the PDP 2017-2022; b) move the country closer to the achievement of the PPGD's long-term vision of GEWE; c) safeguard the gains that have been achieved towards inclusion and GEWE; and d) respond to the call to action by civil society and the development community in the Philippines for the PCW to lead a whole-of-government approach to mainstream gender equality and the rights of women and girls in recovery and resilience efforts.

109. As of December 2021, VAW hotlines for the Philippines' 17 regions are on regional Philippine Information Agency Facebook pages, and accessible through the PCW website. These regional VAW hotlines have heightened victims-survivors' awareness of the availability of VAW services in their localities, and encouraged women and girls experiencing violence to seek help.

110. The State has also enacted laws and issued policies to ensure that gender-based discrimination, harassment and violence do not occur in the workplace, as follows:

(a) Increased Maternity Leave Period Act of 2019 that increases maternity leaves to 105 days, with an option to extend for an additional 30 days without pay, and granting an additional 15 days for solo mothers.

(b) DOLE Order issued in 2017 to address the occupational safety and health issues arising from wearing high-heeled female shoes and/or standing at work for long periods of time.

(c) DOLE Advisory issued in 2019 providing guidelines on the computation of salary differential of female workers during maternity leave and its criteria for exemption, pursuant to the Increased Maternity Leave Period Act of 2019.

(d) Presidential issuance in 2021 providing guidelines on the collection, reporting, and management of data on gender-based sexual harassment cases and complaints filed with the DOLE and its attached agencies.

## **I. Convention on the Rights of the Child (133.125, 233, 234, 235, 236,237, 240, 241, 245, 249)**

111. The State continues to pursue and intensify efforts to safeguard children against violence and all forms of sexual or economic abuse and/or exploitation. The Philippines issued an invitation and is preparing for a country visit of the Special Rapporteur on the sale and sexual exploitation of children in November-December 2022.

112. The State's Inter-Agency Council against Child Pornography (IACACP) oversees the implementation the Anti-Child Pornography Act of 2009.

(a) The IACACP has launched online awareness-raising campaigns, such as the #StopChildPornPh project in 2016, which capacitated stakeholders to identify and report incidences of child pornography online and offline. At the onset of the pandemic in 2020, the IACACP also disseminated social media cards to heighten awareness on online sexual abuse and exploitation of children (OSAEC).

(b) The IACACP developed a module on OSAEC to guide the training of service providers, duty bearers, primary caretakers, and children. This was followed by a series of trainings for social workers, law enforcement officers, and school officials.

113. The State creates a safe space for children online by way of the Child Online Safeguarding Policy of the Department of Information and Communications Technology (DICT), which is compliant with the Free Internet Access in Public Places Act that mandates the DICT to develop standards and mechanisms to protect children from all harm of the internet.

114. Further, on the issue of OSAEC, the State created the following mechanisms:

(a) Inter-agency quick action composite team composed of the DOLE, DSWD, and other law enforcement agencies to detect, monitor, and rescue child laborers in hazardous and exploitative working conditions. From 2014 to 2020, some 34 establishments engaging 78 minors in obscene or lewd shows were permanently closed by the DOLE.

(b) DOJ-managed Cyber-TIP Monitoring Center, which is equipped with the latest tools and software to address the dearth in reliable data to capture perpetrators of OSAEC and operated by trained law enforcement agents.

(c) "eProtectKids," the country's first global internet hotline against OSAEC materials, a joint project launched in 2021 by the Cybercrime Investigation and Coordinating Center and INHOPE.

(d) Computer-based investigations by the PNP-WCPC in coordination with PNP-ACG and other law enforcement agencies to identify and apprehend suspects who utilize the Internet to entice and/or coerce youths into prostitution.

(e) Women and Children Cybercrime Protection Unit (WCCPU) Aleng Pulis (Motherly Police) Facebook page, manned by skilled female cyber investigators to boost

awareness through social media cards and infographics and address all queries and complaints received via the platform; and

(f) WCCPU access to Project Arachnid, which resulted from a collaboration and cooperation with NGOs and NGAs that look after the welfare of children. Project Arachnid is an online platform capable of crawling the Internet and initiating the request for the takedown of pornographic materials involving children.

115. The following are laws enacted and Executive policies issued that advance the State's obligation to protect children's rights:

(a) Anti-OSAEC and Anti-Child Sexual Abuse or Exploitation Materials Act of 2022;

(b) Act Providing for Stronger Protection against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape (2022);

(c) Act criminalizing the facilitation, solemnization of child marriages, as well as cohabitation of an adult with a child outside wedlock (2021);

(d) Children's Emergency Relief and Protection Act of 2016);

(e) DOLE Order of 2016 on the issuance of Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons below 18 Years of Age;

(f) Special Protection of Children in Situations of Armed Conflict Act of 2019;

(g) Executive Order of 2019 that institutionalizes the National Council against Child Labor to upscale the implementation of the Philippine Program against Child Labor.

116. The State, through the DOLE, implements the Sagip Batang Manggagawa (Save the Child Laborer or SBM) mechanism, through which the DOLE, DSWD, and law enforcement agencies detect, monitor and rescue child laborers in hazardous and exploitative working conditions. From 2016 to June 2022, the SBM Quick Action Teams conducted 77 rescue operations and rescued 253 children. During the same period, a total of 21 establishments were closed by the DOLE.

117. From 2018 to July 2022, the State, through the DOLE, profiled 537,204 child laborers and referred 523,038 child laborers for appropriate interventions. Some 117,569 child laborers were accorded such interventions, and some 113,121 child laborers were removed from child labor environment.

118. The DSWD started the nationwide implementation of the Strategic Helpdesks for Information, Education, Livelihood, and other Developmental Interventions against Child Labor Project in July 2021. This project focused on withdrawing children from the worst forms of child labor, strengthening efforts at the local level through the establishment of barangay (village) help desks, development of local registry on child labor, and conducting advocacy and capacity-building activities.

119. Children with disabilities also benefit from health care coverage provided by a law enacted in 2019 that provides mandatory PhilHealth coverage for all persons with disabilities.

## **J. Convention on the Rights of Persons with Disabilities (133.247, 248)**

120. The Philippines continues to undertake efforts to promote the rights of persons with disabilities through policies benefiting the sector.

(a) The Magna Carta for Persons with Disabilities has undergone several amendments in the last 10 years to ensure responsiveness and alignment with the Convention on the Rights of Persons with Disabilities.

(b) The National Council on Disability Affairs (NCDA), with the participation of persons with disabilities in policy forums and consultation meetings, submitted position papers and participated in deliberation meetings for the passage of a law that expands the benefits and privileges of persons with disabilities, and another on the mandatory PhilHealth coverage for all persons with disabilities.

121. The State, through the PHRCS, spearheaded the first Philippine Accessibility Summit in July 2019 that identified problems in the operationalization of the minimum standards of accessibility in the following core areas: health, education, employment, infrastructure, transportation, and information and communications technology.

(a) The Summit gathered NGO-advocates of rights of persons with disabilities, community-based organizations of persons with disabilities, Persons with Disability Affairs Officers from LGUs, businesses that advocate inclusive employment, and Executive agency implementers. The recommendations generated from the Summit were referred to the appropriate Executive agencies for action.

122. Various laws and issuances also came into effect expanding the provision of reasonable accommodation to persons with disabilities, as follows:

(a) Filipino Sign Language (FSL) Act of 2018 mandating the use of FSL in schools, broadcast media, and workplaces. The law also designates the CHR as a member of the Inter-Agency Council that shall monitor compliance to the same;

(b) DICT memorandum circular of 2017 that sets the Philippine standard for making web content more accessible to a wider range of persons with disabilities;

(c) Mandatory 1% allocation of regional DILEEP funds for the sector. From 2018 to 2nd quarter of 2022, a total of 6,159 persons with disabilities were assisted under the DILP, 2,995 of which were female, with a total of ₱63,435,090.00 grant released.

123. The State ensures sufficient fund allocation for disability-related programs and services. The guidelines for the preparation of the annual national budget emphasizes the need for the State to address concerns of accessibility, mobility, safety, and welfare of persons with disabilities in compliance with the Magna Carta for Disabled Persons and other related laws and issuances.

124. The State annually celebrates the National Disability Prevention and Rehabilitation Week, pursuant to a Presidential proclamation of 1979 to continually raise national awareness on the challenges faced by persons with disabilities and to stimulate a whole-of-society approach to address said challenges.

#### **IV. Noted / rejected recommendations fully implemented**

##### **On the 2<sup>nd</sup> Optional Protocol on the International Covenant on Civil and Political Rights (133.76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98)**

125. The State has not passed any law imposing capital punishment or the death penalty.

##### **On maintaining the minimum age of criminal responsibility (133.161, 162, 163, 164, 165, 166, 167, 168, 169)**

126. The State maintains the minimum age of criminal responsibility at 15 years old.

##### **Others**

127. The State enacted a law in March 2022 that raised the age of sexual consent to 16 years of age.

128. The Philippines deposited the instrument of accession to the 1961 Convention on Reduction of Statelessness in March 2022. Further to its commitment to end statelessness, the Philippines also enacted the Foundling Recognition and Protection Act of 2022.

129. The Philippines deposited its instrument of ratification of the Arms Trade Treaty to the United Nations in New York on 24 March 2022, the first ASEAN Member-State to do so.

## V. Competing human rights as an emerging concern in an enabled civic space

130. The Philippines, having a robust and vibrant civic space that is an open playing field to more than 60,000 cause- and advocacy-oriented NGOs, as well as a free and thriving mainstream and social media environment, notes an emerging trend whereby conflicts arise in human rights discussions as a result of NGOs and CSOs having opposing human rights positions on a particular issue. Some of the issues that are hotly contested are as follows:

(a) Freedom from the scourge of illegal drugs and terrorism as a human right and the State's obligation to promote, protect and fulfill such right;

(b) Human rights defense as an entitlement only to those who do not advocate or resort to violent extremism to reform society; and

(c) Equal valuing of the State's pursuit of economic, social and cultural rights, including sector rights, as it has traditionally done with civil and political rights.

131. Such a conflict in the human rights discourse is similarly found in the UPR recommendations, i.e., that of the Holy See's, found in item no. 133.99, that calls for the protection of the human right to life from conception, vis-à-vis that of The Netherlands', as found in item no. 133.232, that seeks to permit abortion and to decriminalize an act of terminating life inside a mother's womb.

132. The State notes further that the ICCPR itself presents such a conflict of rights in at least four, i.e., Articles 18, 19, 21 and 22, acknowledging the necessity to limit specific human rights of one to protect the human rights, freedoms, and reputation of another.

133. The State commends the Ontario Commission on Human Rights in pioneering a study on this matter of "Competing Human Rights." Nonetheless, the said study requires further elucidation especially as it is related to the core international UN human rights treaties.

134. Considering the novelty of such phenomena, the Philippines wishes to collaborate with all stakeholders, including similarly situated UN Member States, to share knowledge and awareness in clarifying such emerging trends.

135. The Philippines, fully recognizing its role as a human rights duty-bearer, shall continue to provide accessible venues and advocates for dialogue, especially between and among opposing CSOs and HRDs, while envisioning such dialogue platforms as one of several modes to address "competing human rights."

## VI. Continuing commitments

136. The State's adherence to international standards of human rights and its open and constructive engagements with global bodies, especially the UN, on these same standards shall remain strong and vibrant.

(a) Its Constitutional guarantees are enriched by its obligations set forth in the core international human rights treaties to which the Philippines is a State party, and as given direction by the key UN human rights mechanisms, such as the UPR.

(b) This same commitment shall inform the on-going implementation of the UNJP.

137. The State's continuing advancement of human rights shall always be well informed by its people's participation in the process. The Philippines takes pride in having one of the most vibrant democracies in the world, which can be measured by how well its people's freedoms are exercised and their rights respected, protected and fulfilled.

138. The State shall sustain its human rights advocacy in a democratic system of governance.

(a) Under the new administration of President Ferdinand R. Marcos, who won the May 2022 presidential elections by an overwhelming majority of 55.8 percent, or 31 million

votes out of the 55.5 million who voted, inroads in socio-economic development anchored on social justice are enriching the human rights environment in our country.

(b) In the same manner that the President won on a platform that called for a United Team, or Uniteam, so shall human rights in this new chapter of Philippine history be pursued – government working in unity with the people.

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