

***An Agenda for  
Protecting Human Lives,  
Uplifting Human Dignity,  
& Advancing People's Progress***

**The Philippine Human Rights Plan, 2018-2022**

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# ***Introduction***

## ***The Human Rights Vision***

Philippine President Rodrigo Roa Duterte, at his first State of the Nation Address (SONA) in 2016, made the following significant declaration:

*“There can never be real, tangible, and felt development without making our people feel secure and it is our duty to uplift the people’s welfare. With this, my administration shall be sensitive to the State’s obligations to promote and protect, fulfill the human rights of our citizens, especially the poor, the marginalized, and the vulnerable, and social justice will be pursued, even as the rule of law shall at all times prevail.*”

*“My administration shall implement a human approach to development and governance, as we improve our people’s welfare in the areas of health, education, adequate food and housing, environmental preservation, and respect for culture. Human rights must work to uplift human dignity.”*

The President would affirm this pronouncement at his 2018 SONA:

*“Human rights to me means giving Filipinos, especially those at the society’s fringes, a decent and dignified future through the social and physical infrastructures necessary to better their lives. The lives and freedoms and the hard-earned property of every Filipino whose condition we wish to improve shall be protected from criminals, terrorists, corrupt officials, and traffickers [of] contrabands.”*

These declarations by the President are consistent with the promise he made while on the presidential campaign trail, i.e., a leadership that will be unrelenting in its crusade against the scourge of illegal drugs, corruption, and criminality. A stern warning was likewise issued by the President that anyone who destroys – or intends to destroy – the future of the Filipino youth and this country will have to contend with the full force of the law; all this for the protection of the lives of the innocent. And in the process of protecting lives, the government has sought to uplift the dignity of every law-abiding Filipino, especially those in communities around the country who constantly live in fear of such threats. A State that is determined to let its people enjoy lives of higher dignity ushers in a condition where peace and progress may be attained and sustained.

Protection of human lives, uplifting of human dignity, and advancing people’s progress! This is the operative mantra of human rights promotion, protection, and fulfillment under the current administration.

## ***Affirming the 1993 Vienna Declaration and Programme of Action***

The Presidential précis of the administration’s human rights advocacy affirms the substantive directions charted by the Vienna Declaration and Programme of Action (VDPA). Adopted in June 1993 by representatives of 171 States at the World Conference on Human Rights, the VDPA identifies distinct areas of human rights concern needing further focus by States.

Specifically, these areas are the following: protection of women and girls from gender-based violence; ensuring the well-being of indigenous peoples; rendering the “best interest of the child” as a policy for protection; protecting migrant workers’ rights; ensuring accessibility of persons with disabilities; addressing poverty to uplift human dignity; establishing grievance-redress mechanisms; observance of international humanitarian law to curb HR violations in internal armed conflicts; protection from torture and cruel, inhuman and degrading treatment; enabling education as a means to strengthen the respect for HR; institutionalizing HR education as part of governance; advancing regional/global cooperation for HR; and respecting the role of non-government organizations in promoting HR.

Consequently, the VDPA, under paragraph 71, would “*recommend that each State consider the desirability of drawing up a national action plan identifying steps whereby that State would improve the promotion and protection of human rights.*” The VDPA would henceforth be deemed the over-arching plan of action for the global strengthening and advancement of the cause of human rights, serving as the template for States.

### ***Along the Spirit and Substance of the Philippine Constitution***

But President Duterte’s declarations are more than just in keeping with the VDPA. More importantly, they emphasize the respect accorded by the administration to the relevant human rights and human rights-related provisions embodied in the Philippine Constitution that define the wide range of such rights.

The Constitution’s Declaration of Principles and State Policies (Article II) expresses the Philippines’ commitment to guaranteeing the full respect of human rights. Civil and political rights are embodied in the Bill of Rights (Article III). Economic, social, and cultural rights are well recognized, as follows: national economy and patrimony (Article XII); social justice and human rights (Article XIII), covering labor, agrarian and natural resources reform, urban land reform and housing, health, women, and rights of people’s organization; education, science and technology, arts, culture, and sports (Article XIV); and on the family (Article XV).

### ***Translation in the Philippine Development Plan***

In the meantime, the Philippine Development Plan for 2017-2022 translates the President’s desire for the country’s progressive development along a human rights-based approach anchored on a development strategy referred to as *Ambisyon Natin 2040*.

Designed as a 25-year track, *Ambisyon Natin* pursues a vision that “*By 2040, the Philippines shall be a prosperous, predominantly middle-class society where no one is poor; our peoples shall live long and healthy lives, be smart and innovative, and shall live in a high-trust society.*” Its goals are stability (*matatag*), prosperity (*magingawa*), and security (*panatag*) for every Filipino which are to be achieved by way of “inclusive growth, a high-trust and resilient society, and a globally- competitive knowledge economy by 2022.”

Three pillars provide the foundations for these goals. These pillars and the major strategic outcomes as defined in the PDP overall framework are as follows:

*“Pillar 1: Enhancing the social fabric (Malasakit): There will be greater trust in public institutions and across all of society. The government will be people-centered, clean, and efficient. Administration of justice will be swift and fair. There will be greater awareness about and respect for the diversity of our cultures.*

*“Pillar 2: Inequality-reducing transformation (Pagbabago): There will be greater economic opportunities, coming from the domestic market and the rest of the world. Access to these*

*opportunities will be made easier. Special attention will be given to the disadvantaged subsectors and people groups.*

*“Pillar 3: Increasing growth potential (Patuloy na Pag-unlad): Many more will adopt modern technology, especially for production. Innovation will be further encouraged, especially in keeping with the harmonized research and development agenda. And to accelerate economic growth even more in the succeeding Plan periods, interventions to manage population growth will be implemented and investments for human capital development will be increased.”*

### ***In Cognizance of the United Nations and its Bodies***

The human rights directions laid out by the President are also in tune with State commitments to the relevant human rights instruments that the Philippines has ratified in the last 44 years, taking off from the Universal Declaration of Human Rights that it signed 70 years ago, in December 1948.

To date, the Philippines is a State Party to eight (8) core international human rights treaties, namely: International Covenant on Economic, Social and Cultural Rights (7 June 1974); International Convention on the Elimination of All Forms of Racial Discrimination (15 September 1976); International Convention on the Elimination of All Forms of Discrimination against Women (5 August 1981); International Covenant on Civil and Political Rights (23 October 1986); Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (30 April 1986); Convention on the Rights of the Child (21 August 1990); International Convention on the Protection of the Rights of All Migrant Workers and their Families (13 November 1993); and International Convention on the Rights of Persons with Disabilities (15 April 2008).

Furthermore, the administration remains committed to supporting and strengthening the United Nations (UN) mechanisms that ensure State implementation of these treaties. It has always acceded to the conduct of periodic constructive dialogues with the UN treaty committee concerned, as well as the Universal Periodic Review by members of the UN Human Rights Council.

Two of such constructive dialogues were held under the present administration. The UN Committee on Economic, Social, and Cultural Rights considered the combined fifth and sixth periodic reports of the Philippines on the implementation of the International Covenant on Economic, Social and Cultural Rights in September 2016. On the other hand, the UN Committee on the Rights of Persons with Disabilities considered the initial report of the Philippines in September 2018.

In the meantime, during the third cycle of the Universal Periodic Review by the UN Human Rights Council (UNHRC) in May 2017, the Philippines was commended by 95 States for its various milestones on human rights.

These milestones include the State’s progress in rights promotion and protection involving vulnerable sectors, most especially, women, children, older persons, migrant workers, and their families, and persons with disabilities; poverty reduction through a responsive socio-economic agenda, that includes, among others, conditional cash transfer and sustainable livelihood programs; and economic development focused on inclusive growth as pursued through the PDP as anchored on the *Ambisyon Natin 2040*.

In addition, the Philippines was also lauded for broadening people’s access to employment that positively impacts standards of living; strategically implementing the law on responsible parenthood and reproductive healthcare; expanding the “education for all” coverage; addressing environmental protection concerns, including climate change; competently responding to challenges of natural disasters; pursuing women’s empowerment and gender equality, and combatting SOGIE- based discrimination and violence.

Finally, the country was acknowledged for the successful outcomes of the anti-illegal drugs campaign, with its use of rights-based approaches in law enforcement and rehabilitation; tackling incidents of trafficking in persons, including child exploitation; addressing problems of children affected by armed conflict; purposefully advancing the peace process; improving on the criminal justice system; enacting the anti-disappearance act and ratifying of the Optional Protocol to the Convention Against Torture; enjoyment of freedom of religion and belief; continuing its leadership role in the Southeast Asian region in advancing a common human rights agenda; engaging with civil society and non-government organizations; and ensuring a safe and secure environment for the full enjoyment of Filipinos of their human rights.

On 13 October 2018, the UNHRC would elect the Philippines for another 3-year term.

### ***Advancing Human Rights Advocacy in the ASEAN***

Among colleagues in the Association of Southeast Asian Nations (ASEAN), the Philippines remains esteemed for its active role in advancing human rights in the region. As head of the ASEAN Intergovernmental Commission on Human Rights in 2017, which coincided with the 50<sup>th</sup> anniversary of the organization, the Philippines forwarded the theme “*Partnering for Change, Engaging the World!*”.

The Philippines’ ASEAN chairmanship was highlighted by initiatives to address crucial human rights issues, such as the empowerment of players in the micro-to-medium entrepreneurship sector; sustainability of efforts in promoting and protecting society’s most vulnerable members, specifically adults and children with disabilities, women in incidents of natural disasters, trafficked persons, and migrant workers; and the enrichment of the emerging discourse on business and human rights.

The 5-year-old ASEAN Human Rights Declaration (AHRD) was revisited under the Philippines’ chairmanship. This endeavor provided a platform for stakeholders, mostly States officials working on vulnerable sector concerns, to identify and address the needs, opportunities, and gaps of the instrument, and to determine areas for stronger regional cooperation.

### ***Engaging the European Union***

Going beyond its active involvement in the ASEAN, the Philippines continues to actively engage with the European Union (EU). The fruitful relationship of the Philippines with the EU is manifested in more than 100 projects in the country that the latter has supported over the years.

A significant partnership program of the Philippines with the EU is the EU General System of Preference Plus Program (EU-GSP+), a system of exemption that provides a preferential tariff scheme for Filipino goods exported to the EU Member States. Such preference is accorded in keeping with the Philippines’ compliance with certain requirements covering four areas, namely: human rights, labor, good governance, and environmental protection.

The human rights compliance under the EU-GSP+ covers the State’s level of implementation of its various obligations relative to the core human rights treaties to which it is a signatory. The Philippines’ successful compliance to the program’s requirements has translated to zero-tariff trade benefits covering more than 6,000 products exported to the EU Member States every year. The EU GSP+ Mission has finished its compliance scorecard assessment of the Philippines in October of this year.

Further to its engagement with the EU, the Philippines signed the EU-Philippines Partnership Cooperation Agreement (PCA) at the sidelines of the 19<sup>th</sup> ASEAN Regional Forum in July 2012 in Phnom Penh, Cambodia, and ratified the same in January 2018.

This bilateral agreement establishes an umbrella framework for cooperation along with such concerns as counterterrorism, human rights, non-proliferation of weapons of mass destruction, trade and investment, justice and security, migration, and good governance and development. A significant feature of the PCA is the inclusion of mutually acceptable rules of procedure and terms of reference to govern the conduct engagement covering the above-mentioned areas.

### ***The Third Philippine Human Rights Plan***

Against the backdrop of these developments in the country that reflect the country's human rights environment, the third Philippine Human Rights Plan (PHRP-3) is hereby presented.

The Philippines' commitment to put in place the PHRP-3 was underscored during the May 2017 third cycle of the UPR of the Philippines by the UNHRC. At said peer review among States, the Philippines stressed that PHRP-3 (PHRP III) under the Duterte administration shall adopt a "culture-sensitive, gender-sensitive paradigm, and human rights-based approach in public service."<sup>1</sup>

The Philippines further defined the PHRP-3 as an instrument that will seek to mainstream the government's human rights agenda in its development initiatives to protect all, especially the most vulnerable sectors, including but not limited to, the indigenous people, children, women, migrant workers, elderly, domestic workers, persons with disabilities, farmers, laborers, and members of the lesbian, gay, bisexual, and transgender community. Along with this focus, the PHRP-3 shall address the country's obligations under various international human rights treaties, even as it shall seek to address the relevant outcomes of its engagements with UN human rights treaty bodies and other mechanisms.

#### ***Conceptual Framework***

The PHRP-3 was conceptualized along with crucial principles, as follows:

First, the sustainable improvements in human rights promotion, protection, and fulfillment to be brought about through the PHRP-3 will ultimately depend on the government and people deciding to take concrete action, following the duty-bearer and claim-holder nexus. External persuasion and pressure may influence States, but improvements can only be imposed internally

Second, the same improvements arising from the PHRP-3 must be incorporated in policy, defined, and directed by needs analyses, fueled by sufficient resources, and evaluated for their effectiveness.

Third, the same improvements must be inspired by changes in attitude, especially in the crafting of policy, which can be addressed through education and training, commitment to the rule of law, and political will, especially if there must be a prioritization in favor of the most vulnerable groups in the delivery of basic services, i.e., health, education, housing, and social welfare. A change of attitude should likewise characterize the legislative and judicial systems.

Fourth, as there is no single approach applicable to all countries in the design and implementation of their respective national human rights plans, the PHRP-3 shall be in accordance with the Philippines' political, cultural, historical, and legal circumstances.

And fifth, while no country has a perfect human rights record, the PHRP-3 shall be reflective of the State's substantive actions, starting with its pervading political will to bring about change and translating the same in comprehensive and pragmatic programs of activities aimed at progressively bringing about improvements in human rights.

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<sup>1</sup> Opening Statement of then-Senator and later Foreign Affairs Secretary Alan Peter Cayetano, as co-head of the Philippine delegation



### ***Goals and Benefits***

Along with these principles, the following goals and avowed benefits of the PHRP-3 were determined:

First, the PHRP-3 shall provide the State an overview of how its norms are adhered to in a human rights context, especially so if such norms are defined as Constitutional duties and as obligations pursuant to the State being the duty bearer and a party to human rights treaties.

Second, it shall inform and guide the State on how it can translate and realize its compliance to its obligations into key policies, programs, and projects, and how these may be pursued through realistic activities and achievable targets for the benefit of citizens, with special focus on vulnerable sectors, guided by the basic human rights principles of inclusive people participation, accountability, non-discrimination, transparency, uplift of dignity, empowerment, and the exercise of the rule of law.

Third, it shall determine the extent of the challenges in mainstreaming human rights in the bureaucracy as a responsibility and an obligation of the State and its workers.

Fourth, it shall identify areas of linkage or interphase between with other key government plans of action, specifically the PDP and the focused plans of action for vulnerable sectors, such as the Magna Cartas for women, persons with disabilities, migrant workers, and indigenous peoples; and the actions plans for children and older persons, to mention a few.

And fifth, it shall provide opportunities for engagement with non-government and civil society groups on common human rights advocacies, and for citizens' awareness-raising and education on their rights and their entitlement to such rights, thereby demanding accountability from the State of the fulfillment of the latter's obligations.

### ***Methodology***

Administrative Order No. 163, s. 2006, served as the basis for the crafting of the PHRP-3. The process was initiated and supervised by the Presidential Human Rights Committee Secretariat (PHRCS) in partnership with the Department of Foreign Affairs – Office of the United Nations and Other International Organizations (DFA-UNIO).

The PHRP-3 was designed to be treaty-specific for ease in monitoring in line with the periodic treaty implementation reporting process. These are the covenants covering civil, political, economic, social, cultural rights, and the conventions on sector rights. In keeping with the latter instruments, the PHRP-3 shall also be sector-specific as it is in accordance with the particular set of sector rights of women, children, persons with disabilities, indigenous peoples, and migrant workers and their families.

The Executive agencies that were identified under AO 163 (s. 2006) as lead agencies in monitoring the State implementation of specific treaties took the lead in crafting the chapters of the PHRP-3 in coordination and consultation with partner agencies. These agencies and their respective treaties are as follows:

- *National Economic and Development (NEDA) for the International Covenant on Economic, Social and Cultural Rights (ICESCR)*
- *Department of Justice (DOJ) for the International Covenant on Civil and Political Rights (ICCPR)*
- *Philippine Commission on Women (PCW) for the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*

- *Council for the Welfare of Children (CWC) for the Convention on the Rights of the Child (CRC)*
- *National Council on Disability Affairs (NCDA) for the International Convention on the Rights of Persons with Disabilities (CRPD)*
- *National Council on Indigenous Peoples (NCIP) for the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)*
- *Department of Labor and Employment (DOLE) for the International Convention on the Protection of the Rights of All Migrant Workers and their Families (CMW)*
- *Department of the Interior and Local Government (DILG) for the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)*

### **Format**

The PHRP-3 is divided into chapters devoted to a specific set of rights. Each chapter takes off from relevant baseline data or information that establish the extent that the rights concerned are continued to be integrated into laws, policies, programs, and projects. This preliminary discussion includes, as necessary, the identification of existing national implementation mechanisms, multi-sector and multi-stakeholder engagements, legislative actions, and current gaps and challenges.

The second part of each chapter deals with selected thematic objectives which were identified as crucial in rendering a higher level of success in the implementation of the State's human rights obligations under the specific category of rights. And crucial to the discussion is the determination of targets and expected results on a year-to-year track.

The third part presents the ways by which the plan will be set in motion through possible areas of action that will achieve the objectives. These are the modes of operationalization and mobilization.

The fourth part discusses, in brief, the manner of funding or resource generation that will realize the directions set forth under each chapter.

The fifth and final part presents a system of monitoring and evaluation to ensure the effective implementation of the plan. And since the PHRP-3 has been designed to be work-in-constant progress, an annual assessment and strengthening of the plan shall be incorporated in the general scope of implementation.

### **Outcomes**

At the end of the PHRP-3's period of coverage, three major outcomes are envisioned.

First, there shall be a strengthened normative framework – or a better appreciation of existing legal instruments – in advancing human rights as an obligation of the State and all its instrumentalities, especially as it responds to the concerns and needs of society's vulnerable and marginalized sectors. This covers not only the Constitution but also core human rights instruments to which the Philippines is a State party. It shall delve into how the salient rights defined by the treaties have been harmonized in domestic laws and operationalized in action plans.

Second, there shall be the continued support and reinforcement of the human rights preventive and protection mechanisms that were established to effectively implement the normative framework. This shall likewise be accomplished through policies, programs, and projects that were prioritized for this purpose in addition to the mechanisms. These same mechanisms shall continue to enable the engagements of the State with non-government entities.

And third, there shall be the continued pursuit of a culture of human rights as the ultimate outcome, whereby human rights promotion, protection, and fulfillment becomes a way of life, enhanced by continuing education, information, and communication programs.

*Protection of human lives, uplifting of human dignity, and advancing people's progress!* This summarizes a most fitting State legacy on human rights promotion, protection, and fulfillment.

## Summary of Objectives

### **A. Civil and Political Rights and the Protection of Innocent Human Lives**

1. *Further strengthen a national mechanism responsible for monitoring and resolving violations of people's right to life and liberty and for the protection from cruel, inhumane, and degrading treatment*
2. *Further mainstream international human rights standards to domestic norms through the enactment of laws, and to work for the harmonization of enacted legislations and other administrative and judicial measures/actions including, but not limited to local legislations*
3. *Ensure that anti-trafficking efforts of the government are effectively implemented*
4. *Ensure that laws, policies, and programs to protect the rights of men, women, and children are effectively implemented*
5. *Enhance more effective measures to protect and promote the right to freedom of expression and opinion*

### **B. Economic, Social and Cultural Rights as Anchor of Human Progress**

1. *Mainstream HRBA and good governance principles and elements in some of the key processes of government at all levels*
2. *Review existing and/or expedite the passage of proposed legislations related to the promotion and protection of economic, social, and cultural rights*
3. *Increase public spending on social services*
4. *Improve the collection and disaggregation of data on vulnerable sectors*
5. *Improve access to quality education, especially of the disadvantaged, vulnerable, and marginalized groups*
6. *Improve access to quality health services and adequate food and decrease the incidence of malnutrition*

### **C. Empowering Filipino Women**

1. *Strengthen the monitoring, evaluation, and impact assessment of existing programs on gender and development (GAD).*
2. *Ensure that the GAD programs and activities address the cross-cutting concerns of women, particularly those who belong to the sectors that experience multiple and*

*intersecting discrimination such as persons with disabilities, indigenous and Muslim women, rural women, and people with diverse sexual orientation and gender identity, among others.*

- 3. Improve the collection of sex-disaggregated data to facilitate a more meaningful and effective gender analysis.*
- 4. Amend the Magna Carta of Women in keeping with the recent domestic and international developments in human rights standards.*
- 5. Expedite the amendments of the various domestic laws containing discriminatory provisions against women.*
- 6. Continue to effectively guide agencies in mainstreaming the gender dimension in their regular programs, as well as in implementing gender-focused activities.*

#### **D. Caring for Today's Children**

- 1. Institute child-responsive administrative and program measures.*
- 2. Sustain promotion for the passage and implementation of priority legislative agenda on children's protection and welfare.*
- 3. Establish functional monitoring, evaluation, and reporting system.*
- 4. Respond to pressing issues on children through sustained coordinative functional mechanisms.*

#### **E. Mainstreaming Persons with Disabilities**

- 1. Improve the implementation of the Accessibility Law*
- 2. Improve data collection in the DOH registry in the next five years.*
- 3. Increase enrolment of persons with disabilities in the Tertiary Education implementing RA No. 10931*
- 4. Increase accessible ICT in particular government websites*
- 5. Increase employment opportunities for persons with disabilities in government and private companies, implementing RA No. 10524*

#### **F. Enabling Indigenous Peoples**

- 1. Respect and recognize IPs/ ICCs rights over their ancestral land and domains to ensure non-discrimination, productivity, control, management, and sustainable resource use, towards inclusive growth, stability, lasting peace, and development.*
- 2. Ensure the institutionalization and enhancement of mechanisms for the promotion and protection of IPs/ ICCs right to minimize IP vulnerabilities, decrease risks in accessing their territories/ ancestral domains, sources of livelihood, the practice of IP culture in the contexts of armed conflict, natural disasters, violence, community disturbances.*

3. *Improve/ enhance IP capability through the recognition of IP customary laws, indigenous knowledge systems and practices (IKSP) governance/ leadership concepts, structures and promote IP mandatory and effective participation in decision-making processes at all levels and strengthen institutional capacity towards good governance indicative of improved ways of life of IPs with a continuing IP rights education and advocacy to deter or prevent conflict.*
4. *Continuously raise awareness, understanding, and information education on IP rights and culture as a preventive measure to avoid conflict, deter IP recruitment into armed groups, strengthen State reporting in national and international institutions/bodies; strengthening lead, government agencies, and non-government organizations as duty bearers including the general public.*

## **G. Safeguarding Filipino Migrant Workers and their Families**

### **On protecting the rights and improving the well-being of OFWs**

1. *Simplify government transactions that cater services for Overseas Filipinos, particularly job placement and membership*
2. *Reduce recruitment costs for Overseas Filipinos.*
3. *Provide opportunities for skills development and re-tooling for Overseas Filipinos, such as access to quality and relevant TVET opportunities.*
4. *Improve matching of Overseas Filipinos' skills and labor market needs both here and abroad.*
5. *Enhance career advocacy, coaching, and counseling for those seeking employment either locally or overseas.*
6. *Strengthen employment facilitation through online services for Overseas Filipinos.*
7. *Review regulations related to facilitating the eventual reintegration of Overseas Filipinos in the domestic economy.*
8. *Improve technology for online and mobile application platforms for legal aid, guidance, and counseling for migrants, as well as for a 24/7 action line service for nationals in distress, and monitoring of victims of illegal recruitment and trafficking.*

### **On strengthening engagement of overseas Filipinos, their families, and other stakeholders in governance**

1. *Harmonize administrative and field data on international migration, as well as human trafficking-related data of various government agencies.*
2. *Become a "One Connected Government" (one-stop shops to an integrated single-window and single-door approach, i.e. applications for passports).*
3. *Encourage Overseas Filipinos and their families to participate in development planning at the local and national level.*

**On facilitating participation in the country's development through effective reintegration in Philippine Society**

1. *Increase access of Overseas Filipinos to economic opportunities in industry and services.*
2. *Streamline and simplify loan processes for Overseas Filipinos.*
3. *Promote community-based training especially to returning and repatriated Overseas Filipinos.*
4. *Review regulations related to facilitating the eventual reintegration of Overseas Filipinos in the domestic economy.*
5. *Include social security benefits in the standard employment contract for all overseas Filipinos.*
6. *Continue the initiatives towards the successful reintegration of Overseas Filipinos.*
7. *Establish mechanisms through which overseas-based experts will be able to share their knowledge and specializations to the academe and industry through information and communication technology (ICT), such as videoconferencing.*

**H. Addressing Torture and Other Forms of Cruel, Inhumane, and Degrading Treatment**

1. *Heighten community awareness and intensify citizen's participation and involvement with respect to human rights*
2. *Enhance the capacity of all state agents*
3. *Improve conditions of jails and inmates*
4. *Enact appropriate legislation*

# CHAPTER 1

## ***Civil and Political Rights and the Protection of Innocent Human Lives***

### **SECTION 1: BASELINE INFORMATION**

Human rights, taken collectively, refers to the supreme, inherent, and inalienable rights to life, dignity, and self-development. The essence of these rights makes man human.

The United Nations (UN) International Covenant on Civil and Political Rights (ICCPR) is an important treaty in the field of universal human rights. The Covenant covers the civil and political rights of individuals which States are obliged to guarantee, particularly the right to life. No derogation is permitted on this right, even in times of war or public emergency. While International Law provides that the right to life begins at birth, Philippine Law stipulates the same shall begin at conception.

The civil and political rights enshrined in the abovementioned Covenant include ensuring people's integrity and safety; protection from discrimination on grounds of physical or mental disability, gender, religion, race, national origin, age, sexual orientation, or gender identity; and respect for individual rights, such as privacy, freedom of thought and conscience, speech and expression, religion, and movement. Political rights include natural justice (procedural fairness) in law, such as the rights of the accused, including the right to a fair trial; due process; right to seek redress or a legal remedy; and right to participate in civil society and politics, such as freedom of association, right to assembly, right to petition, right of self-defense, and right to vote.

The Philippines signed the Covenant on 19 December 1966, ratified the same on 28 February 1986, and submitted the Instrument of Ratification on 23 October 1986. The treaty entered into force on 23 January 1987, or three months after its submission.

The Philippines submitted its Initial Report to the Human Rights Committee on 22 March 1989 (CCPR/C50/Add. Rev.1), which was considered by the said Committee on 07 April 1989. The combined second and third report was submitted to the Committee on 18 September 2002.

***Objective 1: Further strengthen a national mechanism responsible for monitoring and resolving violations of people's right to life and liberty and for the protection from cruel, inhumane, and degrading treatment***

To serve as the government's machinery dedicated to the resolution of unsolved cases of political violence, Administrative Order No. 35 (AO 35) was issued on 22 November 2012 "Creating the Inter-Agency Committee (IAC) on Extra-Legal Killings, Enforced Disappearances, Torture and



Other Grave Violations to the Rights to Life, Liberty, and Security of Persons” (IAC). A set of Operational Guidelines was thereafter issued to carry out the implementation of AO 35 on 18 April 2013.

The abovementioned IAC shall undertake the following:

1. ***Inventory of cases*** – inventory of all cases of extra-judicial killings (EJK)/extra-legal killings (ELK), enforced disappearances (ED), torture, and other grave violations of the right to life, liberty, and security of persons perpetrated by both state and non-state agents, from all government offices as well as non-government sources (independent and non-partisan international and national human rights organizations and groups);
2. ***Investigation of unsolved cases*** – After conducting the inventory, the IAC shall prioritize the unsolved cases for action, and assign special investigation teams to conduct further investigation on these cases for the possible identification of the perpetrators. Greater priority shall be given to high profile cases perpetrated during the past administration;
3. ***Monitor and report to the IAC of cases under investigation, preliminary investigation, and trial*** – For cases under investigation, preliminary investigation, and trial, the Committee shall designate a special oversight team composed of investigators and prosecutors who shall actively monitor developments on these cases and regularly report and submit recommendations to the Committee;
4. ***Investigate and prosecute new cases*** – The IAC shall also designate a special team of investigators and prosecutors exclusively for new cases, for immediate investigation and prosecution of the perpetrators; and,
5. ***Submit a report to the President*** – The IAC shall submit a report to the President, detailing the inventory of cases according to the category, describing the accomplishments and progress made for each case, or the problems and obstacles encountered, with further recommendations for any additional action that may be taken by the President requiring coordination on a common course of action with the Commission on Human Rights of the Philippines (CHR), the Ombudsman, Congress, and the Judiciary.

Pursuant to Section 2(b) of AO 35, the IAC prioritized the identified unsolved cases for action, pushing forward their investigation with the ultimate objective of finally identifying the perpetrators and bringing them before the bar of justice. As the IAC has reported on 30 June 2014 (*3rd Report of the IAC on the Implementation of AO35 to the President*), an initial 100 cases/incidents were placed on a priority list. Thereafter, Special Investigation Teams (SIT) were assigned to 28 of these 100 priority cases/incidents, with corresponding funding support from the IAC.

Between 2014 and 2016, the IAC successfully trained 129 prosecutors and 118 Philippine National Police (PNP) and National Bureau of Investigation (NBI) personnel on the unique investigation of AO 35 cases/incidents. The IAC strengthened partnerships with other international organizations, NGOs, CSO, and other stakeholders through joint projects involving the sharing of relevant information, promoting grassroots advocacy, and strengthening the capacity of AO 35 structures, such as the National Monitoring Mechanism (NMM), Medical Attention Group (NMG), National Press Club (NPC), The Asia Foundation (TAF), and labor groups.

An area of concern for AO 35 is the insufficiency of evidence and the lack of witnesses in investigating and prosecuting cases falling under its mechanism. Another challenge for AO 35 is the outdated data gathering and updating system.

In relation hereto, the Internal Affairs Service of the PNP was created pursuant to Republic Act (RA) No. 8551, otherwise known as “The PNP Reform and Reorganization Act of 1998”. It was envisioned to be a truly independent and impartial body, manned by professional officers. Its mandate is to instill police discipline, enhance the delivery of police service, and dispense justice. An effective Internal Affairs Service is intended to aid the evolution of a well-disciplined, effective, efficient, and service-oriented PNP.

Administrative Order No. 1 was issued on 11 October 2016, creating the Presidential Task Force on Violations of the Right to Life, Liberty, and Security of the Members of the Media, which is mandated to receive, process, and take necessary action on complaints of abuse and other acts of violence filed by media workers.

Executive Order (EO) No. 15 was issued by the President on 06 March 2017 creating the Inter-Agency Committee on Anti-Illegal Drugs (ICAD) and Anti-Illegal Drug Task Force to suppress the drug problem in the country.

***Objective 2: Further mainstream international human rights standards to domestic norms through the enactment of laws, and to work for the harmonization of enacted legislations and other administrative and judicial measures/actions including, but not limited to local legislations***

The foundations of the legal framework on human rights protection are the Constitution, legislation, court decisions or jurisprudence, and customs and traditional practices.

The Constitution, as the supreme and basic law, provides for the general framework and principles by which the State is ruled. It is the standard on which national legal instruments and government actions, and decisions are based and evaluated.

Important elements of the Constitution include the Bill of Rights, and the articles on human rights and social justice, accountability of public officers, citizenship, suffrage, national economy, and patrimony. The Constitution provides for the establishment and separation of powers of the three major branches of government, namely: Executive, Judiciary, and Legislature. It specifies the mandates and powers of the major institutions responsible for human rights promotion and protection. Furthermore, the Constitution provides that: *“The Congress shall give highest priority to the enactment of measures that protect and enhance the rights of all the people to human dignity, reduce social, economic and political irregularities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.”*<sup>2</sup>

Consequently, the following statutes were enacted to bolster anti-discriminatory measures:

- a) RA No. 10353, or the “Anti-Enforced or Involuntary Disappearance Act of 2012”;
  - b) RA No. 10168, otherwise known as the “Terrorism Financing Prevention and Suppression Act of 2012”;
  - c) RA No. 10575, or the “Bureau of Corrections Act of 2013”;
  - d) RA No. 10592, providing the new conduct time allowance for prisoners, enacted on 29 May 2013;
  - e) RA No. 10867, known as the “National Bureau of Investigation Modernization Act”;
  - f) RA No. 10368, known as the “Human Rights Victims Reparation and Recognition Act of 2013”;
  - g) RA No. 10173, or the “Data Privacy Act of 2012”;
  - h) RA No. 10354, or “The Responsible Parenthood and Reproductive Health Act of 2012”;
- and,

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<sup>2</sup> Section 1, Article XIII, 1987 Philippine Constitution

- i) RA No. 10911, or the “Anti-Age Discrimination and Employment Act.”

***Objective 3: Ensure that anti-trafficking efforts of the government are effectively implemented***

The Philippines, as a signatory to the UN Convention against Transnational Organized Crime (UNTOC), and following the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, enacted RA No. 9208 or the “Anti-Trafficking in Persons Act of 2003,” which was later amended by RA No. 10364 or the “Expanded Anti-Trafficking in Persons Act of 2012,” (collectively known the “Expanded Act”). The Expanded Act provides that trafficking in persons<sup>3</sup> (TIP) is committed by any natural or juridical person where all its elements (i.e., acts, means, and purpose) are present. Under the same Act, the penalties are significantly stiffer compared to its counterpart legislation in other countries.

The Expanded Act mandated the creation of the Inter-Agency Council Against Trafficking (IACAT). The IACAT, composed of 11 government agencies and 3 non-government agencies, is the central coordinating body that monitors and oversees the strict implementation of the Expanded Act. It formulates comprehensive and integrated programs to prevent and suppress TIP and likewise promulgates rules and regulations as may be necessary for the effective implementation of the Expanded Act, among others. The Department of Justice (DOJ) and the Department of Social Welfare Development (DSWD) serve as chairperson and co-chairperson respectively of the Council.

Anti-trafficking task forces have also been created under the Expanded Act to ensure that agencies coordinate in a timely and cohesive manner; respond immediately and effectively to cases of TIP; assist in the filing of cases against individuals, agencies, institutions, or establishments that violate the provisions of the Expanded Act; and, protect the rights and needs of trafficked persons. These task forces perform not only investigation and prosecution work, but also initiate, conduct, or coordinate awareness campaigns, trainings, as well as protective and partnership measures and activities necessary to give utmost protection to victims and minimize human trafficking activities in their respective areas of jurisdiction. Presently, there are twenty-four (24) Anti- Trafficking Task Forces in the Philippines.

***Objective 4: Ensure that laws, policies, and programs to protect the rights of men, women, and children are effectively implemented***

To strengthen the policy of the State to promote equal opportunities in employment for every person and prohibit the arbitrary age limitations in employment, RA No. 10911 or the Anti-Age Discrimination in Employment Act, was enacted. Thereafter, implementing rules and regulations (IRR) was issued by the Department of Labor and Employment (DOLE), providing guidelines for its execution.

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<sup>3</sup> Section 3(a) Expanded Act: Trafficking in persons under the Expanded Act refers to any ACT involving the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim’s consent or knowledge, within or across national borders, committed by using any MEANS of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, and for the PURPOSE of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs. If the victim is a minor or a child, the element of “means” is no longer required. So long as a child is recruited, transported, transferred, harbored, or received for exploitation, human trafficking is committed, whether or not deception, threats, or abuse was employed.

To strengthen the fight against human trafficking, RA No. 10175 was enacted on 12 September 2012, defining what constitutes the offense of cybercrime, as well as the impossible penalties for the commission of the same. Its IRR was thereafter issued on 12 August 2015.

An interagency body, also known as the Committee for the Special Protection of Children (CSPC), was created for the purpose of coordinating and monitoring the investigation and prosecution of cases involving violations of RA No. 7610<sup>4</sup> and other child-related criminal laws. Likewise, the CSPC is mandated to formulate and monitor the comprehensive program for the protection of children in coordination with other concerned government agencies and the private sector. It is also directed to report to the President actions taken to address specific issues on child abuse and exploitation.

Aside from the foregoing, there exists the Juvenile Justice Welfare Council (JJWC), an attached inter-agency council to the DOJ. Pursuant to its mandate, the JJWC is tasked to oversee the implementation of RA No. 9344 or the “Juvenile Justice and Welfare Act of 2006,” as well as to formulate, recommend, and undertake/coordinate/monitor/assist in the implementation of policies, strategies, programs, projects, and activities of the juvenile justice and welfare system. Under its current organizational structure, the DSWD serves as Chairperson of the JJWC.

***Objective 5: Enhance more effective measures to protect and promote the right to freedom of expression and opinion***

Concerning the foregoing objective, AO No. 1 was issued on 11 October 2016, creating the Presidential Task Force on Violations of the Right to Life, Liberty, and Security of the Members of the Media, which is mandated to receive, process, and take necessary action upon complaints of abuse and other acts of violence filed by media workers.

Operationalizing the people’s constitutional right to information on matters of public concern and the State policies to full public disclosure and transparency in the public service, President Duterte issued on 23 July 2016, EO No. 02 mandating full public disclosure of all offices under the Executive branch. Local government units have also been encouraged to observe and be guided by the said issuance.

With regard to its implementation, Section 16 thereof directed all government offices concerned to “*formulate their respective implementing details taking into consideration their mandates and the nature of information in their custody or control.*”

Accordingly, on 07 December 2016, the DOJ issued Department Circular No. 064 providing for the inventory of exceptions to the said EO. On 30 March 2017, Department Circular No. 22 was issued to adopt the People's Freedom of Information (FOI) Manual of the Department Proper as a guide for the public on the filing and processing of requests for access to information. Consistent with the guidelines under the Presidential Communications Operations Office Memorandum Circular No. 02, (s. 2016), the aforesaid Manual contains the following:

• General Provisions	<i>(policies, principles, implementors, and exceptions);</i>
• Procedural Standards	<i>(requesting, processing, decisions, and remedies);</i>
• Inventory of Exceptions	<i>(under Office of the President Memorandum from the Executive Secretary, dated 24 November 2016);</i>
• Standard FOI Request Form	

<sup>4</sup> Special Protection of Children Against Abuse, Exploitation and Discrimination Act

- Location and Contact Information of Offices for Submission of Requests

On 28 May 2015, the National Justice Information System (NJIS) was established through a joint circular between the DOJ and the Department of the Interior and Local Government. The NJIS Project aims to address fragmentation in crime and justice information among the various agencies, by providing an ICT mechanism for electronic data exchange and integration. It includes the development and implementation of intra and inter-agency data management systems initially among the following justice sector agencies/institutions.

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

***Objective 1: Establish or strengthen a national mechanism responsible for monitoring and resolving violations of people’s right to life and liberty and for the protection from cruel, inhumane, and degrading treatment.***

### ***Description***

Functional investigative mechanism resulting in 80 – 90 % prosecuted cases on ELKs, EDs, torture, and other grave violations to the rights to life, liberty, and security of persons.

### ***Program of Action***

1. Train AO 35 prosecutors and investigators on AO 35 mechanism and handling of AO 35 cases;
2. Conduct conferences/case build-up involving handling prosecutors and investigators; and,
3. Conduct consultations/dialogue/awareness campaigns with stakeholders on AO 35 mechanisms.

### ***Targets/Results***

This mechanism aims to decrease ELKs, EDs, torture, and other grave violations of the rights to life, liberty, and security of persons; and, successful prosecution of AO 35 cases covered by such mechanism.

### ***Timeline***

2018-	<i>Conduct capacity building activities for prosecutors and investigators</i>
2018-2019	<i>Institute effective investigative mechanism in place</i>
2018-2022	<i>25 percent decrease in ELKs, EDs, torture, and other grave violations to the rights to life, liberty, and security of persons</i>
2018-2022	<i>25 percent prosecuted cases on ELKs, EDs, torture, and other grave violations of the rights to life, liberty, and security of persons</i>

***Objective 2: Mainstream international human rights standards in domestic norms through the enactment of laws, and to work for the harmonization of enacted legislations and other administrative and judicial measures/actions including, but not limited to local legislations.***

***Description***

Enactment of national legislation related to civil and political rights, as well as ordinances at the local level.

***Program of Action***

Active participation in the deliberations of proposed legislations in both chambers of Congress and submission of appropriate position papers for said legislations.

***Targets/Results***

New legislations are harmonized with existing national and local legislations consistent with the ICCPR.

***Timeline***

2018	<i>Advocacy and lobbying up to 1<sup>st</sup> and 2<sup>nd</sup> readings</i>
2019	<i>Advocacy ad lobbying up to deliberation</i>
2020	<i>Advocacy and lobbying up to passage and adoption of IRR</i>
2021-2022	<i>Implementation</i>

***Objective 3: Ensure that anti-trafficking efforts of the government are effectively implemented***

***Description***

Intensify law enforcement and investigation of human trafficking cases, including access to justice and reparation for victims.

***Program of Action***

Conduct capacity-building activities for prosecution, investigation, and law enforcement personnel as well as provisions for access to justice.

***Targets/Results***

Increased trafficking-in-person (TIP) case disposition rates.

***Timeline***

2018-2022	<i>Conduct capacity building activities for prosecutors, investigators, and law enforcement personnel</i>
2018-2022	<i>Enhance engagement with CSOs</i>
2018-2022	<i>Institute prosecution, protection, and prevention measures</i>
2018-2022	<i>percent decrease in TIP cases<sup>5</sup></i>
2018-2022	<i>percent prosecuted TIP cases<sup>6</sup></i>

<sup>5</sup> To be added after IACAT conducted their General Assembly.

2018-2022	<i>Increase in prosecuted cases involving women and children</i>
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***Objective 4: Ensure that laws, policies, and programs to protect the rights of men, women, and children are effectively implemented***

***Description***

Adoption of multi-disciplinary/cross-agency approach in law enforcement and prosecution with respect to child protection, cybercrime, and other issues on child abuse and exploitation.

***Program of Action***

1. Establish gender-sensitive, child-friendly, and accessible service facilities and procedures including frontline services, public assistance desks, and amenity/infrastructure provisions;
2. Establish an Office for Women and Children in the DOJ to facilitate harmonization of gender mainstreaming, and women/child protection programs, to address fragmentation and inefficiency.
3. Facilitate investigation, prosecution, and monitoring of cases in relation thereto; and,
4. Actively take part in the effort against cybercrime due to its increasing incidence in many forms such as fraud, financial or identity theft, harassment, pornography, exploitation, terrorism, and violation of privacy.

***Targets/Results***

Increased technical capacity and effectiveness of criminal investigation and prosecution.

***Timeline***

2018-2022	<i>Establish gender-sensitive, child-friendly, and accessible service facilities and procedures including frontline services, public assistance desks, and amenity/infrastructure provisions</i>
2018-2022	<i>Establish an Office for Women and Children in the DOJ to facilitate harmonization of gender mainstreaming, and women/child protection programs, to address fragmentation and inefficiency</i>
2018-2022	<i>Intensify law enforcement against cybercrime and women/child protection cases</i>

***Objective 5: Enhance more effective measures to protect and promote the right to freedom of expression and opinion***

***Description***

Functional investigative mechanism resulting in 80 – 90 % prosecuted cases on violations of the right to life, liberty, and security of the members of the media; Full implementation of EO No. 2 and the NJIS Program.

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<sup>6</sup> Ibid.

***Program of Action***

1. Train AO1 prosecutors and investigators on AO 1 mechanism and handling of AO 1 cases;
2. Conduct conferences/case build-up involving handling prosecutors and investigators;
3. Undertake consultative dialogue/awareness campaign with stakeholders on AO 1 mechanisms;
4. Formulate the respective implementing details of EO No. 2, taking into consideration the mandates and the nature of information in the custody or control of the Department; and,
5. Pursue the completion and implementation of the National Justice Information System (NJIS) which will facilitate electronic data sharing among justice sector agencies and inter-operability of information systems.

***Targets/Results***

This mechanism aims to decrease cases of violations of the right to life, liberty, and security of the members of the media. The completion of NJIS projects and the implementation of component systems, including the Single Carpeta System are sought. The implementing details of Executive Order No. 02 shall likewise be established, the transparency seal is fully complied with, and FOI procedures/manual shall be in place.

***Timeline***

2018	<i>Conduct capacity building activities for prosecutors and investigators</i>
2018-2019	<i>Institute effective investigative mechanism in place</i>
2018-2022	<i>25 percent decrease in cases on violations of the right to life, liberty, and security of the members of the media</i>
2018-2022	<i>25 percent prosecuted on violations of the right to life, liberty, and security of the member of the media</i>
2018-2022	<i>Completion and implementation of the National Justice Information System (NJIS) Project</i>
2018	<i>Establishment of implementing details of EO No. 02</i>

**SECTION 3: OPERATIONAL AND MOBILIZATION PLAN**

***Objective 1: Establish or strengthen a national mechanism responsible for monitoring and resolving violations of people’s right to life and liberty and for the protection from cruel, inhumane, and degrading treatment***

In the conduct of trainings of AO 35 prosecutors and investigators on AO 35 mechanism and handling of AO 35 cases, there is a need to enter into partnerships with the following identified partners: University of the Philippines Law Center- Institute for the Administration of Justice; and, the International Committee of the Red Cross (ICRC). The identified duty-bearers are the following – DOJ through AO 35, National Prosecution Service (appointed AO 35 Prosecutors), NBI, and the PNP.

In the conduct of conferences/case build-up involving handling prosecutors and investigators, a partnership shall be entered into with TAF. The duty-bearers are the following – DOJ through AO 35, National Prosecution Service (appointed AO 35 Prosecutors), NBI, and the PNP.



In the conduct of consultative dialogue/awareness campaign with stakeholders on AO 35 mechanisms, coordination shall be established with the local prosecution offices (i.e. regional, provincial, city), PNP local offices, NBI Regional Offices, local government units (i.e. provincial, municipal, barangay), NGOs and CSOs.

***Objective 2: Mainstream international human rights standards to domestic norms through the enactment of laws, and to work for the harmonization of enacted legislations and other administrative and judicial measures/actions including, but not limited to local legislations***

For the active participation in the deliberations of proposed legislations in both houses of Congress and submission of appropriate position papers for said legislations, responsible stakeholders will be the concerned agencies depending on the proposed bills.

***Objective 3: Ensure that anti-trafficking efforts of the government are effectively implemented***

In conducting capacity-building activities for prosecution, investigation, and law enforcement personnel, as well as provisions for access to justice, the duty bearers are the Inter-Agency Council Against Trafficking (IACAT) in coordination with law enforcement agents (LEAs), welfare officers, and other relevant stakeholders from other government agencies and NGOs, which perform not only investigation and prosecution work, but also initiate, conduct, or coordinate awareness campaigns, trainings, as well as protective and partnership measures and activities necessary to give utmost protection to victims and minimize human trafficking activities in their respective area of jurisdiction.

***Objective 4: Ensure that laws, policies, and programs to protect the rights of men, women, and children are effectively implemented***

For programs 1-4, the duty bearers are the following: DOJ- Office of Cybercrime, CSPC, JJWC, LEAs, welfare officers, and other relevant stakeholders from other government agencies and NGOs.

***Objective 5: Enhance more effective measures to protect and promote the right to freedom of expression and opinion***

In the conduct of trainings of AO 1 prosecutors and investigators on AO 1 mechanism and handling of AO 35 cases, there is a need to enter into partnerships with the following identified partners: University of the Philippines Law Center- Institute for the Administration of Justice; and, the International Committee of the Red Cross (ICRC). The identified duty-bearers are DOJ through AO 35, National Prosecution Service (appointed AO 35 Prosecutors), NBI, and the PNP.

In the conduct of conferences/case build-up involving handling prosecutors and investigators, a partnership shall be entered into with TAF. The duty-bearers are the following – DOJ through AO 35, National Prosecution Service (appointed AO 35 Prosecutors), NBI, and the PNP.

In the conduct of consultative dialogue/awareness campaign with stakeholders on AO 1 mechanisms, coordination shall be established with the local prosecution offices (i.e. regional,

provincial, city), PNP local offices, NBI Regional Offices, local government units (i.e. provincial, municipal, barangay), NGOs, and CSOs.

In formulating the respective implementing details of EO No. 2 and in taking into consideration the mandates and the nature of information in the custody or control of the Department, the duty bearers are the DOJ and the Presidential Task Force on Media Security.

In completing and implementing the NJIS, the duty bearers are the DOJ – Planning, and Management Service/Management information Service, National Prosecution Services, Corrections Cluster, and Law Enforcement Cluster.

## **SECTION 4: RESOURCE GENERATION**

The identified programs, activities, and projects (PAPs) in the ICCPR Chapter shall be incorporated in government agency plans and programs of agencies concerned, as well as in the next Philippine Development Plan (PDP). This is to ensure the allocation of necessary funds by the Department of Budget and Management (DBM) and by Congress. Other funds and resources shall be generated from donor agencies such as international, regional, and national institutions.

***Objective 1: Establish or strengthen a national mechanism responsible for monitoring and resolving violations of people’s right to life and liberty and for the protection from cruel, inhumane, and degrading treatment***

The potential sources of funds shall be from the following: General Appropriations Acts (2017-2022) for DOJ-AO 35 Program; technical assistance fully funded by ICRC; and, technical assistance fully funded by TAF.

***Objective 2: Mainstream international human rights standards to domestic norms through the enactment of laws, and to work for the harmonization of enacted legislations and other administrative and judicial measures/actions including, but not limited to local legislations***

The potential sources of funds shall be from the General Appropriations Acts (2017-2022) for consultation and advocacy for the passage of proposed legislations for the concerned agencies/offices.

***Objective 3: Ensure that anti-trafficking efforts of the government are effectively implemented***

The potential sources of funds shall be from the following: General Appropriations Acts (2017-2022) for IACAT, and funds from developmental partners.

***Objective 4: Ensure that laws, policies, and programs to protect the rights of men, women, and children are effectively implemented***

The potential sources of funds shall be from the following: General Appropriations Acts (2017-2022) for DOJ Office of the Cybercrime, CSPC, and JJWC; and funds from developmental partners, including UNICEF.

***Objective 5: Enhance more effective measures to protect and promote the right to freedom of expression and opinion***

The potential sources of funds shall be from the General Appropriations Acts (2017-2022) for AO 1 and NJIS Project.

## **SECTION 5: MONITORING AND EVALUATION**

Part of the monitoring and evaluation stage is the systematic collection of necessary data and information to track the progress/accomplishment of targets along the strategic indicators. This includes gathering data for strategic indicators which lack baseline information.

The identified accountable agency, or agencies, shall collect, compile, and disseminate information on the progress and development of each program, activity, and project (PAPs). Any constraint or limitation or hindrance in the completion of the PAPs shall likewise be identified for proper monitoring.

Quarterly reporting shall be submitted by the accountable agencies to the DOJ, as the head of the ICCPR Thematic Cluster, which in turn shall collate all the reports and submit these to the PHRC Secretariat.

In the context of the said frameworks, the following strategic directions shall be continually adopted by the DOJ:

1. Establish/enhance public assistance and complaint desks in all offices nationwide with frontline services;
2. Develop and adopt public/client feedback mechanisms that will measure client satisfaction and facilitate submission/action on complaints about improper services and corruption;
3. Strengthen internal control systems towards better accountability for and predictability of agency systems, processes, and operations;
4. Ensure transparency and freedom of information in terms of inclusive and efficient access to public information;
5. Engage stakeholders particularly in the development, implementation, and evaluation of policies and programs, as applicable;
6. Improve human resource management and personnel productivity by developing core competency standards, harmonizing staffing structures, and addressing compensation disparities;
7. Raise the efficiency of financial and physical resource management towards optimal utilization and less dependency on any other resources;
8. Strengthen the Department's capability on monitoring and evaluation (M&E) of programs and projects, including the establishment of a dedicated M&E unit.

## CHAPTER 2

# *Economic, Social and Cultural Rights as Anchor of Human Progress*

### SECTION 1: BASELINE INFORMATION

The International Covenant on Economic, Social, and Cultural Rights (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly on December 16, 1966 and has 160 State-parties, the Philippines being one of them. It seeks to guarantee the rights of every individual to: (1) self-determination; (2) non-discrimination; (3) gender equality; (4) just and fair conditions of work, fair wages, safe and healthy work conditions; (5) form and join trade unions, which includes the right to strike; (6) social security, which includes the provision of social insurance; (7) protection and assistance accorded to the family, with children being protected from economic exploitation; (8) adequate standard of living, including the provision of adequate food, clothing, and housing; (9) enjoyment of the highest attainable standard of physical and mental health; (10) education; and, (11) take part in cultural life, enjoy the benefits of scientific progress, protection of the moral and material interests resulting from any scientific, literary or artistic production.

The National Economic and Development Authority (NEDA) is designated to coordinate the country's compliance with the ICESCR by virtue of Administrative Order (AO) No. 163, (s. 2006)<sup>7</sup>. As the lead agency for the ICESCR, it also serves as the Secretariat of the inter-agency technical working group constituted for the human rights treaty to which it is assigned. Subsequently, AO No. 249, (s. 2008), was issued for further strengthening of government policies for the effective promotion and protection of rights as embodied in the Universal Declaration of Human Rights (UDHR). Said AO mandated the NEDA to ensure that rights-based principles shall be integrated, reflected, and defined in the formulation of the country's development policies, plans, and programs, and further enhance the government's overall efforts in the promotion and protection of human rights.

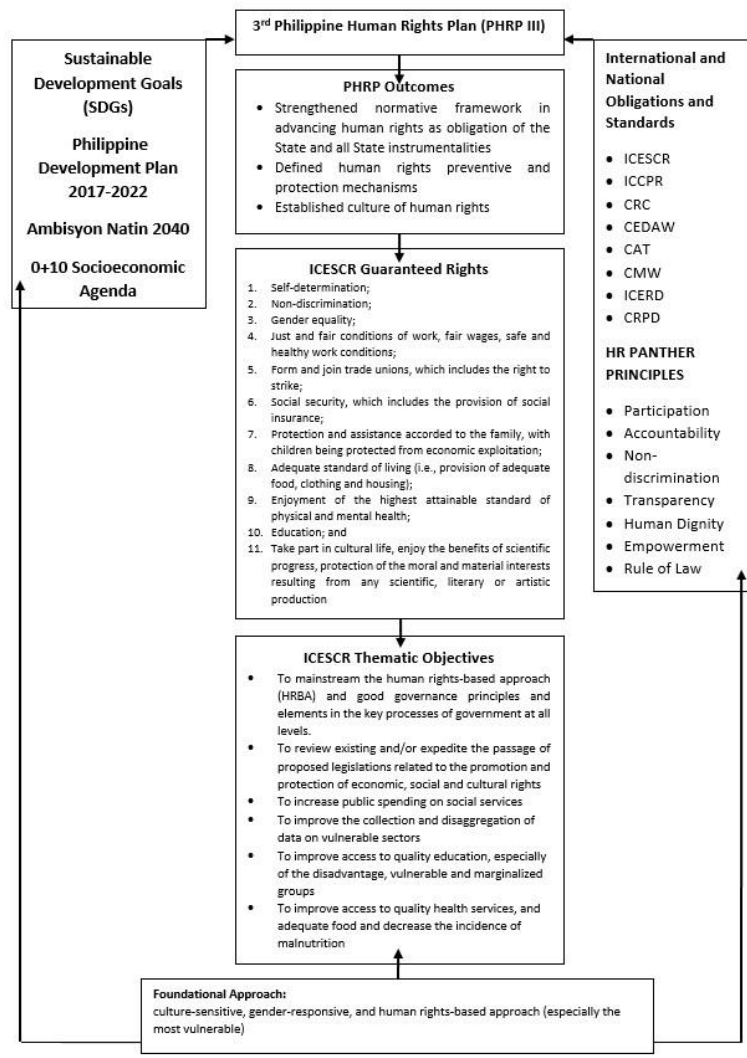
Furthermore, President Rodrigo Roa Duterte, during his first State of the Nation Address,<sup>8</sup> committed to promote, protect, and fulfill the human rights of its citizens, especially the poor, the marginalized, and the vulnerable. Social justice will be pursued and the rule of law shall at all times prevail. His administration will adopt a human approach to development and governance in improving people's welfare in the areas of health, education, adequate food and housing, environmental preservation, and respect for culture. Thus, the crafting of the Philippine Development Plan (PDP) and Public Investment Program (PIP) 2017-2022 which anchored on the 0+10 Socioeconomic Agenda was guided by rights-based parameters, principles, and standards to promote inclusive, equitable, and sustainable development towards the achievement of the country's long-term vision or *Ambisyon*

<sup>7</sup> Strengthening and Increasing the Membership of the Presidential Human Rights Committee and Expanding Further the Functions of Said Committee

<sup>8</sup> The 2016 State of the Nation Address. <http://www.officialgazette.gov.ph/2016/07/26/the-2016-state-of-the-nation-address/> (accessed: 03 October 2017).

Natin 2040 of a *matatag, maginhawa at panatag na buhay* (strongly rooted, comfortable, and secure life).

### 3rd Philippine Human Rights Plan International Covenant on Economic, Social, and Cultural Rights (PHRP III-ICESCR) Development Framework



The formulation of the Philippine Human Rights Plan (PHRP) III 2018-2022 is in line with the government’s commitment to uphold and promote human rights obligations and standards covering the eight core human rights treaties which the Philippines had ratified.

The PHRP III adopts a culture-sensitive, gender-responsive, and human rights-based approach to public service and aims to mainstream the human rights agenda in development to protect all citizens, especially the poorest and most vulnerable. It also upholds the government’s commitment to the attainment of the Sustainable Development Goals (SDGs) and the achievement of the long-term vision of the Ambisyon Natin 2040 of a “*Matatag, Maginhawa, at Panatag na Buhay Para sa Lahat.*” Particularly, the following outcomes will be pursued: (a) strengthened normative framework in advancing human rights as an obligation of the State and all State instrumentalities; (b) defined human rights preventive and protection mechanisms; and, (c) established culture of human rights.

Towards guaranteeing the rights under the ICESCR, six (6) thematic objectives will be pursued which are consistent with the State’s commitment to the attainment of the SDGs, the strategies

outlined in the Philippine Development Plan (PDP) 2017-2022, the aspirations of the Ambisyon Natin 2040 and the government's thrusts as highlighted in the 0+10 Socioeconomic Agenda.

***Major National Mechanisms and Multi-Stakeholder Engagements***

The following are the major national mechanisms and multi-stakeholder engagements in operationalizing the ICESCR:

1. The Technical Working Group on the ICESCR (TWG-ICESCR) is tasked to coordinate the State's compliance with the ICESCR. Particularly, providing technical support to the thematic chapter on the ICESCR of the PHRP III; disseminating information concerning the UN Committee on Economic, Social and Cultural Rights' (CESCR) Concluding Observations emanating from the Philippines' periodic report, and monitoring compliance thereof by the concerned agencies; and, coordinating the preparation of the country's compliance report in response to said concluding observations;
2. The Social Development Committee (SDC) is composed of at least 13 agencies that perform the following functions: (a) advises the President and the NEDA Board on matters concerning social development (SD); (b) coordinates the activities of government agencies concerned with SD; and, (c) recommends to the President, government policies, programs and projects on SD consistent with national development objectives and priorities;
3. The Human Development and Poverty Reduction Cluster (HDPRC) is one of the five thematic Cabinet clusters created by virtue of Executive Order (EO) No. 43 and amended through EO 24 (s.2017) which serves as the primary mechanism of the Executive Branch for directing all efforts towards the realization of the 0+10 Socioeconomic Agenda. Specifically, it focuses on the following sectors: education, health, capacity building among the poor and the marginalized, social protection and community engagement, promotion of gender equality, and coordination of national government programs for poverty reduction at the local level;
4. The PDP Planning Committees are organized based on thematic areas of the PDP and composed of relevant government institutions. They identify and agree on the content of the PDP chapters and sections, specifically, on the issues/challenges, goals/targets, strategic framework, and policy strategies;
5. Other NEDA Board Committees (i.e., Development Budget Coordination, Infrastructure, Investment Coordination, Tariff and Related Matters, Regional Development, National Land Use) recommend appropriate policies, programs, and projects consistent with the national development objectives; and,
6. The National Anti-Poverty Commission (NAPC) Basic Sector Councils serve as a mechanism for consensus-building on cross-sectoral agenda and issues affecting the basic sectors. NEDA is tasked to provide technical assistance in the implementation of the Basic Sector Agenda and to ensure the active participation of the basic sector in policy formulation, advocacy, program implementation, and monitoring and evaluation based on the Memorandum of Agreement entered into by and among NEDA, NAPC, the NGO sector, the Department of the Interior and Local Government (DILG) and the Department of Social Welfare and Development (DSWD) in 2002.

### ***Human Rights– Related Executive/Policy Issuances***

As a guide to development planning, the following orders and circulars which espouse human rights principles were issued:

1. EO No. 05 (s. 2016): Adopting the long-term vision of the country entitled *Ambisyon Natin 2040* which envisions that “By 2040, the Philippines shall be a prosperous, predominantly middle-class society where no one is poor; our peoples shall live long and healthy lives, be smart and innovative, and shall live in a high-trust society”;
2. Memorandum Circular No. 12 (s. 2016): Formulation of the country’s national and regional development plans and the accompanying investment programs, and monitor their implementation;
3. EO No. 27 (s. 2017): Directing all government agencies, including government-owned and controlled corporations (GOCCs), and local government units (LGUs) to align their programs, budgets, and strategies with the PDP and the Public Investment Program (PIP) for 2017-2022; and,
4. Philippine Statistics Authority (PSA) Resolution No. 4 (s. 2016): The PSA Board enjoined all concerned government instrumentalities to provide the necessary data support to monitor the country’s performance vis-à-vis the SDGs.

### ***Institutional Human Rights Programs and Projects***

For the period 2011-2016, NEDA conducted various activities regarding mainstreaming the Human Rights-Based Approach (HRBA) in the planning process. In 2014, it conducted the Executive Course in Governance and Refresher Course to Development Planning, to provide a better appreciation of the theory and practice of HRBA to development planning, heighten confidence in applying HRBA, and expressing critical views on the impact and sustainability of HRBA to development planning. With the conduct of capacity-building activities, NEDA has expanded its pool of trained development planners and planning officers.

Relatedly, for the 2011-2016 planning cycle, NEDA issued the Guidelines on Mainstreaming HRBA Principles in the Medium-Term Philippine Development Plan (MTPDP) and the Medium-Term Regional Development Plan (MTRDP) which intended to facilitate the mainstreaming of the principles of HRBA in the national and regional development plans. Further, the Good Governance Toolkit which incorporates human rights principles was also used as a tool guide in the crafting of the PDP and PIP 2017-2022.

In addition, NEDA as the lead agency in monitoring and reporting the State compliance on the ICESCR has undertaken the following:

1. Preparation of the accomplishment report on the PHRP II – ICESCR Chapter which was then presented in the *Ugnayang Bayan 2015*;
2. Preparation and submission of the combined 5th and 6th periodic report and official replies to the List of Issues (LoI) raised by the CESCR;
3. Leading the Philippine delegation to the Constructive Dialogue with the UNCESCR during their 59th session in Geneva, Switzerland last 28-29 September 2016 and submission of the official response of the Philippine government to the concerns raised by the CESCR;

4. Conduct ~~of a~~ dissemination forum to present the highlights of the CESCR's comments and recommendations as contained in its Concluding Observations to the relevant government agencies;
5. Provision of inputs to the Philippines report for the 3rd Cycle Universal Periodic Review (UPR) and participation in the inter-country review with the UN Human Rights Council (HRC) during the 27th Session of the UPR Working Group on 8 May 2017 in Geneva, Switzerland; and,
6. Submission of inputs to the report on the State Actions on the 3rd Cycle UPR Recommendations.

### ***Legislation***

From 2012 to 2017, ESCR-related legislations have been passed in the areas of health, education, labor, social security, and other social infrastructure services. These include the following:

1. Republic Act (RA) 10606, National Health Insurance Act (2013);
2. RA 10354, Responsible Parenthood and Reproductive Health Act (2012);
3. RA 10351, Sin Tax Reform Law (2012);
4. RA 10645, Mandatory PhilHealth Coverage for all Senior Citizens (2014);
5. RA 10157, Kindergarten Education Act (2012);
6. RA 10533, Enhanced Basic Education Act (2013);
7. RA 10361, The Domestic Workers Act or Batas Kasambahay (2013);
8. RA 10364, The Expanded Anti-Trafficking in Persons Act (2012);
9. RA 10353, The Anti-Enforced or Involuntary Disappearance Act (2012);
10. RA 10368, The Human Rights Victims Reparation and Recognition Act (2013);
11. RA 10665, The Open High School System Act (2015);
12. RA 10884, The Balanced Housing Development Program Amendments (2016);
13. RA 10931, Universal Access to Quality Tertiary Education Act (2017);
14. RA 10932, Strengthening the Anti-Hospital Deposit Law (2016); and,
15. RA 10929, Free Internet Access in the Public Places Act (2017).

Moreover, several bills<sup>9</sup> which have been prioritized to be passed in the areas of health, education, labor, social security, and other social infrastructure services include:

1. Comprehensive Tax Reform;
2. National Land Use Act;
3. Rightsizing of the National Government;
4. Amendments to the National Irrigation Administration Charter RE: Free Irrigation Act;
5. Ease of Doing Business Act;
6. National Mental Health Care Delivery System;
7. Occupational Safety and Health Hazards Compliance;
8. Strengthening the Balik-Scientist Program;
9. Philippine Qualifications Framework;
10. Social Security Act Amendments; and,
11. Department of Housing and Urban Development, among others.

### ***Gaps and Challenges***

The following are the recommendations given by the CESCR in its Concluding Observations to further the realization of economic, social, and cultural rights:

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<sup>9</sup> LEDAC Approves Legislative Agenda for 17th Congress. <http://www.neda.gov.ph/2017/08/30/ledac-approves-legislative-agenda-for-17th-congress/> (accessed: 28 September 2017).



1. Review and improve data collection system particularly of indigenous peoples, persons with disabilities, people living in poverty, employment, underemployment, unemployment and extent of homelessness disaggregated by gender, race, among others;
2. Undertake a national survey on the nature and extent of child labor;
3. Reformulate disability-related policies and programs;
4. Intensify efforts to increase public spending on/ secure sufficient level of public funding of social services, particularly in the areas of housing, social security, healthcare, education, social protection, and disability-related programs and services;
5. Expand the coverage of the Social Pension for Indigent Senior Citizens to all population of statutory pension age;
6. Establish a nationally defined social protection floor to provide a basic set of universal essential social guaranties;
7. Adopt all appropriate measures to facilitate recovery of the children and access to educational opportunities for the children concerned;
8. Expand coverage to all persons living in poverty and increase benefits of the *Pantawid Pamilyang Pilipino* Program;
9. Ensure that women are not discriminated against in land distribution;
10. Address persisting hunger and malnutrition and, in particular, the critical nutritional needs of children, pregnant women, and lactating mothers;
11. Reduce the incidence of unsafe abortion and maternal mortality;
12. Improve access to sexual and reproductive health information and services;
13. Strengthen age-appropriate sexual and reproductive health education for both sexes;
14. Adopt a right to health approach to drug abuse, increase the availability of treatment services that are evidence-based and respectful of the rights of drug users;
15. Improve access to and the quality of primary and secondary education for all, without hidden costs, particularly for children of low-income families and children living in rural areas; and,
16. Improve access to inclusive education for children with disabilities, among others.

Furthermore, the HRC, in its Outcome Report, provided the following recommendations specific to ICESCR such as:

1. Ratification of the Optional Protocol of the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR);
2. Strengthening efforts in the field of equitable justice through the PDP;

3. Ensuring protection of human rights for inclusive development, to reduce the level of poverty, particularly in rural areas and among the vulnerable strata of population;
4. Implementation of its 0+10 Socioeconomic Agenda and skills-enhancement programs;
5. Engagement and collaboration with communities in the implementation of development projects and social policies, which will ensure better buy-in and social outcomes for the affected communities; and,
6. Implementation of the PDP 2017-2022, the Conditional Cash Transfer (CCT) Program, and the Sustainable Livelihood Program (SLP) which should continue to be adequately financed, and more targeted in their delivery.

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

Based on the identified gaps, challenges, and recommendations given by the CESCO and the HRC, the Philippines will pursue six (6) thematic objectives that are consistent with the State's commitment to the attainment of the SDGs, the aspirations of the Ambisyon Natin 2040, the government's thrusts as highlighted in the 0+10 Socioeconomic Agenda and the strategies outlined in the PDP 2017-2022, as follows:

### ***Objective 1: Mainstream HRBA and good governance principles and elements in some of the key processes of government at all levels***

The HRBA and good governance principles and elements will be mainstreamed in some of the key government processes at all levels, namely: development planning; policy formulation and review; and, investment programming.

#### ***Program of Actions***

In the process of mainstreaming the human rights principles and standards, the SDGs have also been integrated into the national development plan. From this point, direct application of human rights tools, processes, and methodologies as described in the HRBA toolkit will be cascaded in the sectoral and sub-national government agency plans and their subsequent annual updating/review. To date, the DILG, as the lead agency in the localization of the SDGs in collaboration with the NEDA through its Regional Offices, as the lead agency in mainstreaming HRBA principles, is currently holding a series of workshops at the regional and provincial levels to ensure that planners and concerned officers of LGUs are well acquainted with the SDGs and that they integrate the development agenda in their respective plans and programs.

Further, a series of capacity development activities for national government agencies (NGAs) to integrate HRBA and good governance principles in policy formulation and review; and investment programming will be pursued.

#### ***Targets and Results***

By end of 2022,

- a) 100 percent of the TWG-ICESCR member agencies' focal points are capacitated in the use of the HRBA in development planning and good governance checklists;

- b) 100 percent of the TWG-ICESCR member agencies' focal points are capacitated in treaty body reporting; and,
- c) A National Mechanism for Reporting and Follow-up (NMRF) will have been established among NGAs.

***Objective 2: Review existing and/or expedite the passage of proposed legislations related to the promotion and protection of economic, social, and cultural rights***

This thematic objective identified existing laws and proposed legislations that need to be prioritized for review and/or passage to advance the promotion and protection of economic, social, and cultural rights. For the five-year plan period, the three (3) priority legislations, namely: Tax Reform for Acceleration and Inclusion (TRAIN); National Mental Health Care Delivery System; and Enhanced Universal Health Care Act should be passed into law.

The bases for identifying these priority legislative measures include equitable distribution of benefits across sectors and readiness (i.e., bills already in advance stage) and/or likelihood of reaching a consensus (amend and/or pass the law) within the five-year period.

***Priority Legislations***

*Tax Reform for Acceleration and Inclusion (TRAIN).* The goal of the proposed reform is to make the Value Added Tax (VAT) system simpler, fairer, transparent, and more efficient so that it promotes investment, job creation, and poverty reduction. It seeks to: (a) expand the VAT base by limiting exemptions to raw food, agriculture, education, and health; (b) limit zero-rating to direct exporters and provide timely cash refund; and, (c) increase VAT threshold from P 1.9 to P 3 million to protect the poor.

The Senate version of the proposed tax reform stated that “for five (5) years from the effectivity of this act, the yearly incremental revenues generated shall be allocated to fund social mitigating measures and investments in education, health, social protection, employment, housing, and flagship infrastructure that prioritize and directly benefit both the poor and near-poor households.”<sup>10</sup> On the other hand, the House of Representatives (HOR) version provides for the earmarking of incremental revenues to fund social benefits program and other priority programs (i.e., cooperative projects that will increase farmers' productivity and income, prevention of non-communicable diseases, and advocacy measures to curb lifestyle-related risk factors, provision of sports facilities, potable drinking water supply in all public places and measures to ensure safety, efficacy or quality of health products.)<sup>11</sup>

*National Mental Health Care Delivery System.* Senate Bill (SB) No. 1354 or the proposed Mental Health Act reaffirms the State's commitment to promoting the well-being of its people by ensuring that: (a) mental health is valued, promoted, and protected; (b) mental health conditions are treated and prevented; (c) timely, affordable, high-quality, and culturally-appropriate mental health care is made available to the public; and, (d) persons affected by mental health conditions can exercise the full range of human rights, and participate fully in society and at work, free from stigmatization and discrimination. The said bill already passed the third reading in the Senate and has been referred to the HOR for concurrence.

On the other hand, House Bill (HB) No. 6452 or the Comprehensive Mental Health Act (the HOR version of Senate Bill No. 1354) seeks to create and ensure a unified, accountable,

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<sup>10</sup> Senate Bill 1592 Tax Reform for Acceleration and Inclusion (TRAIN) Section 43 (F)

<sup>11</sup> House Bill 5636 Tax Reform for Acceleration and Inclusion (TRAIN) Section 43 (F) and (G)

comprehensive mental health services system. It has already been approved on second reading by the HOR.

*The Universal Health Care Act.* Both SB No. 1458 (Universal Health Care for All Filipinos Act) and HB No. 5784 (Universal Health Coverage Act) aim to provide access to a comprehensive set of health services without financial hardship for every Filipino by adopting a whole-of-system, whole-of-government, and whole-of-society approach which considers and embraces all parts, sectors, and relevant stakeholders in the planning, implementation, monitoring, and evaluation of all health-related policies, programs, and actions. The first public committee hearing for SB No. 1458 was held last 02 August 2017 while the HOR approved HB No. 5784 on its second reading last 22 August 2017.

### ***Targets and Results***

By end of 2022, the three (3) identified priority bills have been passed.

### ***Objective 3: Increase public spending on social services***

This thematic objective recognizes the State's obligation to allocate maximum available resources to improve the welfare of its citizens, most especially the poor and vulnerable. Under this objective are banner programs of the government in alleviating poverty, providing social protection, and provision of housing.

#### ***Program of Actions***

*Pantawid Pamilyang Pilipino Program (Pantawid Pamilya).* This is the country's conditional cash transfer program which aims to help poor families break the intergenerational cycle of poverty. The program covers poor households with children 0-18 years old and/or pregnant or lactating women for the health transfer of P 500 (US\$10) per household per month. The education transfer is P 300 (\$6) per month for 10 months yearly and is applicable to a maximum of three children per family.

Complementing the Pantawid Pamilya is the modified conditional cash transfer (MCCT) Program, which covers beneficiaries who are not covered by the regular CCT such as victims of natural and man-made disaster rendered homeless and with no means of livelihood, homeless street families, and indigenous people in geographically isolated and disadvantaged areas (GIDAs).

*Social Pension Program.* This program commenced in 2011 and provides a monthly stipend of P 500 to indigents who are 77 years old and above to augment their daily subsistence and other medical needs. With the consistent increase of its budget allocation, the program has expanded its coverage to include indigent senior citizens aged 60 years old and above. The budget for social pension increased to P 17.9 billion in 2017 and aims to cover around 2.8 million indigent older persons.

*Socialized and Low-Cost Housing Programs of the Government.* For the period 2018 to 2022, the government, through the Key Shelter Agencies (KSAs), is set to deliver 913, 850 socialized and 312, 619 low-cost housing units under the BALAI Program (Building Adequate, Livable, Affordable, Inclusive Filipino Communities). Most of this direct housing provision will be implemented by the National Housing Authority (NHA) and are classified under two (2) subprograms, namely: (a) Resettlement for Informal Settler Families (ISFs), which involves the resettlement and relocation of ISFs affected by infrastructure projects and those living in danger areas both national and regional; and (b) Housing Programs for Calamity Victims (Permanent Housing), which aims to respond to the housing needs of low and marginal income and/or informal settler families who may be affected by natural and human-induced disasters.

***Targets and Results***

By end of 2022,

- a) Spending for social services expanded to 9.1 percent of GDP<sup>12</sup> from 7.7 percent of GDP in 2016;
- b) The number of beneficiaries covered by the program is retained/maintained; and,
- c) The proportion of the urban population living in informal settlements is reduced from 7.53% (2016) to 5.53%.

***Objective 4: Improve the collection and disaggregation of data on vulnerable sectors***

In view of improving the collection and disaggregation of data on vulnerable sectors, as recommended by the CESCO, relevant agencies such as the National Commission on Indigenous Peoples (NCIP), National Commission on Muslim Filipinos (NCMF), and the National Council on Disability Affairs (NCDA), and the PSA met in September 2016 to finalize the program design to address the low rates of birth and death registration among the indigenous peoples and Muslims and to capture vital statistics, especially for health information.

Specific to the indigenous peoples, an ongoing Philippine Indigenous Peoples Ethnography (PIPE) program of NCIP aims to develop a comprehensive ethnography of all the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs). The program specifically intends to:

1. Gather information on location, socioeconomic conditions, and perspectives of the IPs themselves;
2. Serve as a mechanism for coordination with key government agencies on policies, programs, projects, and activities (PAPs) and concerns within ancestral domains;
3. Provide the baseline for protection, conservation, and development plans;
4. Promote cultural regeneration, focused on supporting the enhancement of the capacities of leaders and recognition of IPs;
5. Support the enhancement of capacities of the NCIP in the fulfillment of its mandate to protect and promote the rights of the IPs; and,
6. Formulate enabling programs for the IP Peace Agenda.

***Targets and Results***

By end of 2022,

- a) Birth registration improved from 94 percent (2016) to 97 percent;
- b) Census of IP Population and Housing in coordination with PSA determined; and,
- c) IP Information System with interactive database established.

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<sup>12</sup> DBM (2016). [http://www.iro.ph/article\\_doc/708bb1ae\\_Department%20of%20Budget%20and%20Management.pdf](http://www.iro.ph/article_doc/708bb1ae_Department%20of%20Budget%20and%20Management.pdf)

***Objective 5: Improve access to quality education, especially of the disadvantaged, vulnerable, and marginalized groups***

This thematic objective focuses on the full implementation of the government's educational reforms and financial assistance programs to increase access to quality education. It also identifies ongoing programs aimed at eradicating illiteracy among the out-of-school youth and adults and indigenous peoples.

***Program of Actions***

*Kindergarten to 12 Years Basic Education Program (K to 12).* The K to 12 Program (provided for by RA 10157 or Kindergarten Act of 2012 and RA 10533 or Enhanced Basic Education Act of 2013) covers Kindergarten and 12 years of basic education (six years of primary education, four years of Junior High School, and two years of Senior High School). The K to 12 seeks to provide sufficient time for mastery of concepts and skills, develop lifelong learners, and prepare graduates for tertiary education, middle-level skills development, employment, and entrepreneurship. This step by the government aims to ensure and provide every Filipino child with education to compete and guarantee learning opportunities in a global context.

*Flexible Learning Options (Alternative Learning Systems) program* consists of two major programs: (1) Basic Literacy (BLP) which is aimed at eradicating illiteracy among out-of-school youth and adults (in extreme cases school-aged children) by developing basic literacy skills of reading, writing and numeracy; and, (2) Accreditation and Equivalency (A&E) which is aimed at providing an alternative pathway of learning for out-of-school children, youth and adults who are literate but who have not completed the 10 years of basic education as mandated by the Philippine Constitution.

*Government Assistance to Students and Teachers in Private Education (GASTPE).* The program aims to improve access to quality secondary education through government extension of financial assistance to deserving elementary school graduates who wish to pursue their secondary education in private schools. The program aims to improve access to quality secondary education through government extension of financial assistance to deserving elementary school graduates who wish to pursue their secondary education in private schools. This can be attained through:

1. *Senior High School Voucher Program (SHS VP)*, which provides financial assistance to senior high school students who will enroll in non-DepEd schools offering SHS, including private JHSs, private higher education institutions (HEIs), state and local universities and colleges (SUCs and LUCs), and technical-vocational institutions (TVIs); and,
2. *Teacher Salary Subsidy (TSS) Program*, which provides a salary subsidy to licensed secondary school teachers in participating private schools in the Educational Service Contracting (ESC) program. The amount of salary subsidy for qualified teachers in ESC participating schools beginning SY 2015-2016 shall be equivalent to P18, 000 per teacher per year subject to withholding tax. The amount of subsidy may be updated or adjusted as approved by the State Assistance Council (SAC).

*Private Education Student Financial Assistance (PESFA).* This program aims to provide equity and access to private Technical-Vocational Education and Training (TVET) provision for the poor but deserving high school graduates.

*Full implementation of the Unified Financial Assistance System for Tertiary Education (UniFAST) Act (RA 10687) Provisions.* The UniFAST consists of all existing national government-funded modalities of student financial assistance programs for tertiary education and special purpose education assistance in both public and private institutions, including scholarships, grants-in-aid,

student loans and such other specialized forms of Student Financial Assistance Programs (STUFAPs). The objectives of the said Act are the following: (a) properly allocate and utilize all government resources intended for students through effective beneficiary-targeting; (b) ensure consistency, continuity, and efficient coordination of student financial assistance policies and programs; (c) ensure equity in the distribution of student financial assistance slots to the regions; (d) produce, through talent-based scholarships, a pool of proficient and competent graduates and technical experts who will contribute to the country's high-level labor force; (e) facilitate access to quality education through grants-in-aid for students belonging to marginalized sectors; and, (f) assist students with liquidity issues through student loans.<sup>13</sup>

*Free Tuition Policy* is a Special Provision in the 2017 GAA to cover the tuition fees of students in State Universities and Colleges for the Academic Year 2017-2018.

*IP Education and Advocacy Services* are composed of three (3) component programs such as:

1. Educational Assistance Program (EAP) which aims to provide financial assistance to qualified IP students/pupils;
2. Merit-Based Scholarship Program (MBSP) aims to provide scholarships to qualified/deserving IP students; and,
3. Support and Advocacy Program (SAP) which refers to education-related projects and activities that complement the EAP and MBSP [i.e., Assistance to IP Community Schools, Culturally-Adaptive Basic Education, and Health integrating Indigenous Knowledge Systems and Practices (CABEH-IIKSP) Project, Bridging Project /Tutorial Activities for IP Groups with Low Cohort Survival Rate, among others.]

### ***Targets and Results***

By end of 2022,

- a) Mean years of schooling increased from 8.9 percent (2014) to 11.3 percent;
- b) Kindergarten net enrolment rate increased from 74.65 percent (2015) to 95 percent;
- c) Elementary net enrolment rate increased from 91.05 percent (2015) to 95 percent;
- d) Junior high school net enrolment rate increased from 68.15 percent (2015) to 75.44 percent;
- e) Elementary completion rate increased from 83.43 percent (2015) to 90 percent;
- f) Junior high school completion rate increased from 73.97 percent (2015) to 90 percent;
- g) Proportion of elementary students performing at moving towards mastery, closely approximating mastery or mastered increased from 64.93 percent (2015) to 74.39 percent;
- h) Proportion of junior high school performing at moving towards mastery, closely approximating mastery or mastered increased from 14.37percent (2015) to 20 percent;
- i) Certification rate of TVET graduates 87.0 percent reached;
- j) Percentage of students awarded scholarships, grants, and other financial assistance increased from 5 percent in 2015 to 10 percent;
- k) 25,000 beneficiaries of Private Education Student Financial Assistance (PESFA) Program per year;
- l) 10,079 EAP grantees and 183 MBSP scholars covered; 965 teachers and 360 development workers trained on IP education; and,
- m) 9,810 IP school children of more vulnerable IP Groups assisted for supplementary feeding.

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<sup>13</sup> UniFAST Implementing Rules and Regulations

***Objective 6: Improve access to quality health services and adequate food and decrease the incidence of malnutrition***

The sixth thematic objective seeks to promote and protect the citizens' right to health by ensuring access to quality and functional health service delivery networks, adequate food, and sustainable financing for health.

***Program of Actions***

*National Health Insurance Program (NHIP).* The National Health Insurance Program was established to provide health insurance coverage and ensure affordable, acceptable, available, and accessible health care services for all citizens of the Philippines. As of 2016, the NHIP coverage was 91 percent (93.4 million members and dependents) of the estimated population. This is a slight decrease from the coverage rate in 2015 (92 percent) due to an increase in the projected population based on the 2015 Census of Population and Housing, as well as a decrease in coverage of beneficiaries under the Informal Economy. About 14.6 million poor families (43.4 million principal members and their dependents), identified through National Household Targeting System for Poverty Reduction (NHTS-PR), are entitled to avail of the benefits under the NHIP.

*Deployment of Human Resources for Health.* To address the growing need for health professionals in geographically isolated and disadvantaged areas (GIDAs), the DOH continues to increase its deployment of human resources for health (HRH) to deliver public health programs.

Through the Doctors to the Barrios (DTTB) program, doctors are deployed to doctorless municipalities for two years. The Nurse Deployment Program (NDP), previously called Registered Nurses for Health Enhancement and Local Service (RN HEALS), is a learning and deployment project designed to mobilize registered nurses in the identified priority areas to improve the delivery of health care services. The Rural Health Midwives Placement Program (RHMPP) was also implemented to provide trained midwives in Barangay Health Stations (BHS) and Rural Health Units (RHUs) for improved maternal and child care.

*Health Facilities Enhancement Program (HFEP).* To improve access to quality primary and tertiary care services, especially those living in far-flung areas, a total of 1,501 Barangay Health Stations (BHSs), 1,717 Rural Health Units (RHUs)/Urban Health Centers (UHCs), and 414 LGU hospitals were constructed and/or upgraded from 2015 to 2016. The upgrade includes construction and/or rehabilitation of infrastructure, as well as provision and improvement of equipment that will ensure that primary health care facilities are ready for PhilHealth accreditation for services like TSeKaP, TB-DOTs, and Maternity Care Package (MCP). As of August 2017, about 95% of the 940 HFEP projects for the year are undergoing various stages of procurement, while construction is ongoing for the remaining 5%.

*Indigenous Peoples Health Services.* The IP Health Services include the following activities: (1) implementation of the DOH-NCIP-DILG Joint Memorandum Circular No. 2013-01, "Guidelines on the Delivery of Basic Health Services for ICCs/IPs," which aims to set the standards that will address the access, utilization, coverage and equity issues in the provision of health care services to ICCs/IPs to achieve better health outcomes; (2) health promotion and disease prevention through provision of medical support (i.e., medical, dental); and (3) advocacy on indigenous healing practices through the conduct of health-related researches and documentation of indigenous knowledge.



***Targets and Results***

By end of 2022,

- a) Achieve half of the World Health Organization's (WHO) health workforce requirement of 4.45 HRH per 1,000 population;
- b) All current government infirmaries and municipal and district hospitals upgraded to Level 1 Hospital with at least 50-bed capacity;
- c) All provinces to have one Level 2 250 bed provincial hospital and all provincial hospitals upgraded;
- d) 211 culture sensitivity orientation/training on the Delivery of Basic Health Services conducted for various partner-stakeholders;
- e) 314 activities on the formulation of Ancestral Domain Investment Plan for Health (ADIPH) implemented;
- f) 399 culturally-sensitive medical and dental missions conducted in IP areas; and,
- g) 231 documentation activities on indigenous health knowledge and practices conducted.

## **SECTION 3: OPERATIONAL AND MOBILIZATION PLAN**

***Objective 1: Mainstream HRBA and good governance principles and elements in some of the key processes of government at all levels***

To mainstream the HRBA and good governance principles and elements, the following activities will be conducted by NEDA among TWG-ICESCR member agencies:

- Refresher Course on HRBA; and
- Training on the Use of Good Governance Toolkit in development planning, policy formulation and review, and investment programming

Further, a National Mechanism for Reporting (NMRF) will be established among treaty body lead agencies with the Presidential Human Rights Committee (PHRC) Secretariat as its lead.

***Objective 2: Review existing and/or expedite the passage of proposed legislations related to the promotion and protection of economic, social, and cultural rights***

Strong support from all concerned government agencies (e.g. DOH and DOF, among others), civil society organizations, and other stakeholders as well as the general acceptability from both chambers of Congress will ensure that the identified priority bills will be passed within the five-year period.

***Objective 3: Increase public spending on social services***

The guidelines in the formulation of the PIP 2017-2022 provide that the linkage of gender-responsive development planning, programming, and budgeting shall be of the highest priority in planning, programming, and budgeting activities. This only means that the provision of resources will take into consideration the needs of both men and women across sectors with special attention to the most vulnerable groups. In this particular thematic objective, the following agencies will be responsible for ensuring that the equitable distribution of resources will be observed:

- The Department of Budget and Management (DBM) for ensuring that relevant social programs with the greatest impact to the most vulnerable groups will be funded;
- The DSWD in the review of qualified beneficiaries for the Pantawid Pamilya and Social Pension Programs; and,
- The NHA, Socialized Housing Finance Corporation (SHFC), and Home Development Mutual Fund (HDMF) in the screening of qualified beneficiaries for socialized and low-cost housing programs.

***Objective 4: Improve the collection and disaggregation of data on vulnerable sectors***

The implementation of the Philippine Indigenous Peoples Ethnography (PIPE) of the NCIP in close coordination with the PSA, LGUs, and civil society organizations (CSOs) working directly with the indigenous cultural communities (ICCs) on the ground will hopefully generate rich data that would be the basis for enhanced program design intended for IPs.

***Objective 5: Improve access to quality education, especially of the disadvantaged, vulnerable, and marginalized groups***

Increased access to quality education will be ensured by the DepEd and in its implementation of the K to 12 Program and Flexible Learning Options (Alternative Learning Systems) with financial assistance to disadvantaged, vulnerable, and marginalized groups secured through its various financial assistance programs.

The Commission on Higher Education (CHED) shall ensure that implementing mechanisms are in place towards increasing enrolment in tertiary education, especially among poor but academically proficient and highly motivated students through the implementation of the UniFAST law and the Free Tuition Policy.

The private sector will also be tapped to support public schools in augmenting resources needed through the DepEd's Adopt-A-School Program.

The NCIP shall ensure that the selection of qualified/deserving IP students to the Educational Assistance Program shall be based on the set screening criteria.

The DBM shall ensure that adequate funding shall be allocated to education-related programs.

***Objective 6: Improve access to quality health services and adequate food and decrease the incidence of malnutrition***

The DOH-PhilHealth shall ensure that all Filipinos are covered against all health-related financial risk by negotiating and buying services from public and private providers so that it pays for

100 percent of the bill if admitted in basic accommodation or a fixed percentage of the bill if admitted in higher accommodation.

The DOH shall ensure the continuous increase of deployment of human resources for health and prioritize the improvement of quality tertiary care services most especially in GIDAs.

The DOH, NCIP, and DILG shall strengthen the monitoring of accomplishment of the implementation of DOH-NCIP-DILG Joint Memorandum Circular No. 2013-01 Guidelines on the Delivery of Basic Health Services for Indigenous Peoples.

The DBM shall ensure that adequate funding shall be allocated to health-related programs.

## **SECTION 4: RESOURCE GENERATION**

The identified programs, projects, and activities (PAPs) in the ICESCR Chapter shall be annually updated by the NGAs in their online submission to the Public Investment Program 2017-2022 for DBM and Congress to allocate the necessary budget for the said PAPs. Funding for the PAPs may also be sourced from Official Development Assistance (ODA) being mindful of the five to thirty percent (5-30 percent) of funds received from foreign governments and multilateral agencies are in support of gender-responsive programs and projects<sup>14</sup>. The government may also enter into agreements and partnerships with the private sector as an alternative and/or additional source of funding.

## **SECTION 5: MONITORING AND EVALUATION**

The identified NGAs shall submit midterm and end-of-plan accomplishment reports to NEDA as lead for the ICESCR Chapter. The latter shall consolidate and endorse the reports to the PHRC for validation.

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<sup>14</sup> RA 9710 Magna Carta of Women

# CHAPTER 3

## *Empowering Filipino Women*

### **SECTION 1: BASELINE INFORMATION**

The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), known as the International Bill of Rights of Women, is the only human rights treaty, which affirms the reproductive rights of women, and targets culture and tradition as influential forces shaping gender roles and family relations.

Republic Act (RA) No. 9710 (s. 2009), otherwise known as the Magna Carta of Women (MCW), is the Philippines' national translation of CEDAW, which seeks to eliminate discrimination against women by recognizing, protecting, fulfilling, and promoting the rights of Filipino women, especially those in the marginalized sectors.

The Philippine Commission on Women (PCW), being the lead oversight and monitoring government agency that champions women's empowerment and gender equality, monitors the implementation of the CEDAW and the MCW.

#### *Major National Mechanisms*

The Philippines has adopted gender mainstreaming as the primary strategy for implementing the MCW. To pursue gender mainstreaming, the MCW provided for the creation and establishment of institutional or enabling mechanisms which include (1) gender-responsive planning and budgeting; (2) creation of gender and development (GAD) focal point system (GFPS); (3) generation of sex-disaggregated data and maintenance of a GAD database; and, (4) conduct of gender audit.

Gender mainstreaming is facilitated through the GAD budget policy, which mandates all line departments, bureaus, offices, and agencies to allocate at least 5 percent of their annual budget appropriations to GAD programs, projects, and activities (PAPs).

The MCW provides for the establishment and/or strengthening of the GFPS in all national government agencies, attached agencies, regional offices, government-owned and controlled corporations (GOCCs), and LGUs. Per PCW Memorandum Circular 2011-01, the GFPS shall be composed of representatives from various divisions or offices from both operations and support units within the agency.

All government instrumentalities are also mandated to develop and maintain a GAD database containing gender statistics and sex-disaggregated data that shall be the basis for conducting gender analysis for planning, programming, and policy formulation.

On gender audit, the PCW developed and updated the Gender Mainstreaming Evaluation Framework (GMEF), an assessment tool to measure the extent of the gender mainstreaming efforts of national government agencies (NGAs) and local government units (LGUs). GMEF could also serve

as a tool to assist the GFPS members in measuring gains and successes, as well as pinpoint areas for improvement in the way GAD perspective is mainstreamed in their respective organizations in terms of the four entry points: policies; people; programs, activities, and projects; and enabling mechanisms.

A gender audit is essential as it determines whether the organization's internal practices and related support systems for gender mainstreaming are effective and are reinforcing each other. It also assists the organizations in establishing a baseline, identifying critical gaps and challenges, and recommending ways of addressing gender issues and concerns.

The Women's Month Celebration, celebrated every March and the 18-Day Campaign to End Violence Against Women (VAW) commemorated every November, are regular annual campaigns conducted to raise awareness on CEDAW, MCW, and other related laws and international human rights standards.

There are inter-agency mechanisms established to stop/ end VAW. These include the Interagency Council on Anti-Violence against Women and Their Children (IACVAWC), Inter-agency Council against Trafficking (IACAT), and the Inter-agency Council against Child Pornography (IACACP). These mechanisms have their respective national action plans to provide action points for concerned government agencies in curbing violence and abuses against women and girls.

Other efforts to address VAW include the creation of Barangay VAW Desks and Local Committees on Anti-Trafficking and Violence against Women and Their Children (LCAT-VAWC) established under Joint Memorandum Circular 2010-01 of the Department of Justice (DOJ) and the Department of Social Welfare and Development (DSWD).

In 2013, the PCW developed the Barangay VAW Desk Handbook on the establishment of VAW Desks in all villages (barangays). The said handbook is meant to assist barangay workers and officials in responding to VAW cases. Further, the handbook details the tasks and responsibilities of the Punong Barangay and the VAW Desk Officer in the barangay, as well as the role of the barangay itself. The handbook also details the pre-requisites in setting up and maintaining a VAW Desk and provides information to guide barangay officials and volunteers on how to give efficient and effective services and aid for victim-survivors.

As of 2017, 37, 224 (88.55%) of the 42,036 barangays nationwide have operational barangay VAW Desks. In the same year, the Department of Interior and Local Government (DILG) issued the Guidelines in Assessing the Functionality of VAW Desks to ensure that the effectiveness and efficiency of the said facility are regularly monitored.

### ***Human Rights-Related Executive/Department Issuances/Plans***

The 2013-2016 Women's Empowerment, Development and Gender Equality Plan (Women's EDGE Plan) - operationalizes the MCW and recognizes VAW as a priority gender issue. It is the fourth gender-focused plan formulated by the Philippines since 1989. Previous plans covered the following periods:

- Philippine Development Plan for Women (PDPW) 1989 - 1992;
- Philippine Plan for Gender-Responsive Development (PPGD) 1995- 2025; and,
- Framework Plan for Women (FPW) 2004-2010.

The National Action Plan on Women, Peace, and Security (NAPWPS) 2017-2022 is the local translation of the United Nations Security Council Resolutions (UNSCR) Nos.1325 and 1820. The NAPWPS provides specific action points in addressing concerns and issues of women and girls- children in situations of armed conflict. Moreover, it gives proper recognition to the important role of

women in peace and nation-building. Tasked to implement the NAPWPS are the National Steering Committee on Women, Peace, and Security (NSCWPS), together with the Technical Working Group (TWG) and PAMANA (Payapa at Masaganang Pamayanan).

In light of the armed conflict in Mindanao, the NSCWPS issued in 2017 a Joint Resolution on Ensuring Gender-Responsive Conflict Management, Conflict Resolution and Humanitarian Action in the Crisis in Marawi City, Lanao Del Sur, and the Whole of Mindanao. This is to ensure that the differentiated needs of women and children as the most vulnerable victims in times of war and armed conflicts are met and responded to.

### ***Institutional Human Rights Programs and Projects***

The PCW is the executing agency of the Supporting Women's Economic Empowerment Project in the Philippines, also known as the WEE Project or GREAT Women Project 2. The project aims to improve the competitiveness and sustainability of Women's Micro Enterprises (WMEs) and serves as an enabling environment for women's economic empowerment. It builds upon the lessons of the Gender Responsive Economic Actions for the Transformation of Women (GREAT Women Project) which was implemented in 2007-2013.

As of March 2017, 15 regions with 2,148 women micro-enterprises were already enrolled in the GREAT Women Project 2.

Section 39 of the MCW designates the Commission on Human Rights (CHR) as the Gender Ombud. In April 2015, the CHR adopted its Gender Ombud Guidelines, providing the process in accessing its different services, which include investigation, provision of legal assistance, policy advisory, monitoring, and promotion of women's human rights including those of persons with diverse sexual orientation and gender identity and expression (SOGIE).

The Guidelines include three protocols for the gender-sensitive handling of cases: Protocol 1 on the handling of women's cases, specifically handling cases involving indigenous women and Moro women, elderly women, and women with disabilities; Protocol 2 on the handling of cases on the girl-child and general cases on children; and Protocol 3 involving cases of persons with diverse SOGIE.

### ***Relevant Legislations***

Among the various laws protecting women and girls from violence and abuse are:

1. Anti-Mail Order Bride Act (R.A. No. 6955) as amended by the Anti-Mail Order Spouse Law (R.A. No. 10906);
2. Anti-Sexual Harassment Act (R.A. No. 7877);
3. Anti-Rape Law of 1997 as amended (R.A. No. 8353);
4. Rape Victim Assistance and Protection Act of 1998 (R.A. No. 8505);
5. Anti-Trafficking in Persons Act of 2003 (R.A. No. 9208 as amended by R.A. No. 10364);
6. Anti-Violence against Women and Their Children Act of 2004 (R.A. No. 9262);
7. Special Protection of Children against Abuse, Exploitation and Discrimination Act (R.A. No. 7610);
8. Anti-Child Pornography Act of 2009 (R.A. No. 9775);
9. Anti-Photo and Video Voyeurism Act of 2009 (R.A. No. 9995); and laws on Revised Penal Code (RPC) amendments.

Signed on March 13, 2015, R.A. No. 10655 was enacted during the 16<sup>th</sup> Congress repealing the discriminatory Article 351 of the RPC, which penalizes women who marry within 301 days from the death of her husband or before having delivered if she shall have been pregnant at the time of his death.

### ***Multi-Stakeholder Engagements***

For the development and prioritization of the Women's Priority Legislative Agenda (WPLA) for the 17th Congress, a series of consultations with various local women's groups and stakeholders in three key cities in Luzon, Visayas, and Mindanao were conducted. The WPLA is a set of proposed topics of bills that seeks to amend or repeal discriminatory provisions of existing laws and moves for the formulation and adoption of new legislation that promote gender equality and women's empowerment (GEWE).

To ensure a participatory and inclusive approach, the PCW Commissioners are from select government agencies, civil society organizations (CSOs), peoples' organizations (POs), and/or non-government organizations (NGOs) representing diverse sectors such as peasant and fisherfolk, media, and the arts.

The National Anti-Poverty Commission (NAPC) Women Sectoral Council represents women NGOs from the 17 regions of the country.

Regular consultations with CSOs, POs, and NGOs are conducted during the crafting of reports, policies, and development plans for women, including, in selecting women representatives to international bodies and in implementing other activities related to women's empowerment.

### ***Gaps/Challenges***

Despite the country's achievement in terms of legal frameworks, there are still barriers that continue to impede the full attainment of the fundamental equality of women and men. The WPLA serves as the main channel for PCW's advocacy on the repeal/amendment of discriminatory laws and the enactment of new laws on GEWE.

As a result of consultations among stakeholders, the following are the WPLA for the 17<sup>th</sup> Congress:

- Strengthening the provisions of R.A. No. 8353, amending the Anti-Rape Law;
- Increasing and harmonizing maternity leave for those in the government and private sectors;
- Eliminating discrimination against women in the RPC, decriminalizing adultery and concubinage;
- Enacting a Women's Political Participation and Representation Law;
- Strengthening law enforcement and protection against sexual offenses, expanding the Anti-Sexual Harassment Law;
- Ensuring women's equal rights in marriage and family relations, amending Articles 14,19,124, 211, and 225 of the Family Code of the Philippines.
- Recognizing sexual abuse and focusing on the violence and abusive conduct as grounds for legal separation, amending the Family Code provision on legal separation;
- Upholding the rights of women in the informal economy, providing measures for the transition from the informal to the formal economy;
- Enacting the Anti-Prostitution Law: amending Articles 202 and 341 of the RPC;
- Upholding the right to life and security of spouses and daughters, repealing Article 247 of the RPC;
- Enacting an Anti-Discrimination Based on Sexual Orientation and Gender Identity Law; and,
- Adopting divorce in the Family Code.

The combined 7<sup>th</sup> and 8<sup>th</sup> State Compliance Report (SCR) on the implementation of the CEDAW was submitted to the Committee on the Elimination of Discrimination Against Women

(CEDAW Committee) in 2016 contain information that may also serve as a baseline for the country with respect to women's empowerment and gender equality. Correspondingly, the Concluding Observations made by the CEDAW Committee on the SCR of the Philippines contain relevant recommendations to address the gaps and challenges identified.<sup>15</sup>

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

The PCW is the agency that promotes gender equality and women's empowerment. It strives to ensure the State's compliance with the CEDAW. As the main oversight and monitoring body on the implementation of the MCW, which is the local legislation directly translating the CEDAW, the PCW sets its objective per its mandate of ensuring the implementation of the abovementioned law. It also takes into consideration the recommendations and findings of the CEDAW Committee which were communicated during various reportorial processes and constructive dialogues conducted between the State and the said Committee.

### ***Objective 1: Strengthen the monitoring, evaluation, and impact assessment of existing programs on gender and development (GAD).***

The Philippines has been recognized for its exemplary laws and policies on gender equality. However, there is a need to improve the implementation of the programs and actions which are anchored on such laws and policies. The first step in improving the implementation of GAD-related programs is by assessing the effectiveness of the existing ones. This can be done through the conduct of effective monitoring, evaluation, and impact assessment.

#### ***Program of action***

- 1) Explore partnerships with funding agencies, external organizations, agencies, CSOs, the academe, and qualified experts to conduct impact assessment studies on existing GAD programs;
- 2) Conduct focused research and impact studies on critical and relevant areas of GAD.

#### ***Targets/ Results***

- 1) At least one assessment or impact study conducted on a particular GAD related program or project;
- 2) Assessed program will be replicated, modified, improved, recalibrated, changed, or replaced depending on the result of the impact study or assessment.

#### ***Timeline***

Targets are to be achieved from 2018 to 2022

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<sup>15</sup> These Reports are published on the website of the United Nations Office of the High Commissioner for Human Rights (UN OHCHR):  
<[http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/countries.aspx?CountryCode=PHL&Lang=EN](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/countries.aspx?CountryCode=PHL&Lang=EN)>



***Objective 2: Ensure that the GAD programs and activities address the cross-cutting concerns of women, particularly those who belong to the sectors that experience multiple and intersecting discrimination such as persons with disabilities, indigenous and Muslim women, rural women, and people with diverse sexual orientation and gender identity, among others.***

This objective is in line with the core pledge of the 2030 Agenda for Sustainable Development to “leave no one behind” and the vision of a “just, equitable, tolerant, open and socially inclusive world in which the needs of the most vulnerable are met”.

Inclusiveness, as a goal, should be reflected in the State’s policies and integrated into the implementation thereof. It calls for recognizing and addressing the barriers faced by disadvantaged and vulnerable groups in their access to resources, services, facilities, and opportunities. This can be achieved by involving in the decision-making, policy formulation, and implementation of GAD-related programs the groups that are usually excluded from these processes and consequently, are left behind in the outcomes.

***Program of action***

Issuance of a Memorandum Circular (MC) enjoining agencies, providing frontline services and programs, to ensure that women who experience multiple and intersecting discrimination are represented in stakeholders’ consultations, and are equally able to access agencies’ programs and services.

***Targets/ Results***

Approval, issuance, and dissemination by the PCW Board of a document pertaining to the MC.

***Timeline***

Targets are to be achieved within 2018.

***Objective 3: Improve the collection of sex-disaggregated data to facilitate a more meaningful and effective gender analysis.***

A standard and systematic collection of sex-disaggregated data should become an established practice in the country, in addition to monitoring the implementation of relevant laws and national policies. This is consistent with the mandate of all government agencies under the MCW to establish and maintain a sex-disaggregated data collection and reporting system. Sex-disaggregated data are crucial in conducting gender analysis which is necessary to determine and formulate appropriate actions that respond to the actual and differentiated needs of women who are considered as among the vulnerable or marginalized groups of the affected population. Data will facilitate projections of trends on the status of women, assess options to achieve the objectives of GAD-related programs, as well as to enable evidence-based policy and program formulation.

To have accurate data/ information on the status of women and girls, sex-disaggregated statistics, and gender-based indicators must be collected on a national, regional, and global scale to measure gender gaps and adjust development programs to rectify inequalities. Data should be disaggregated as much as possible by age, sex, geography, income,

disability, race, ethnicity, and other factors relevant to monitoring inequalities (including multiple inequalities experienced by women and girls).<sup>16</sup>

***Program of action***

- 1) Possible partnership with the Philippine Statistics Authority on the collection of sex-disaggregated data and information;
- 2) Issuance of an Inter-Agency Committee on Gender Statistics (IACGS) Resolution enjoining agencies to regularly gather sex-disaggregated data and update and maintain their own GAD Database.

***Targets/ Results***

- 1) MC enjoining the concerned agencies to regularly gather sex-disaggregated data and update and maintain their own GAD Database;
- 2) IACGS Resolution enjoining agencies to gather sex-disaggregated data regularly, and maintain and update their respective GAD Database

***Timeline***

Targets are to be achieved within the period of 2018 to 2019.

***Objective 4: Amend the Magna Carta of Women in keeping with the recent domestic and international developments in human rights standards.***

The MCW is a comprehensive women's human rights law that seeks to eliminate discrimination through the recognition, protection, fulfillment, and promotion of the rights of Filipino women, especially those in the marginalized sectors of society. It conveys a framework of rights for women based on international law. The MCW establishes the Philippine government's commitment to the CEDAW Committee during its 36th Session in 2006 and to the UN Human Rights Council during the conduct of the Philippines' first Universal Periodic Review in 2009.

As previously mentioned, the MCW is the local translation of the provisions of the CEDAW, particularly in defining gender discrimination, State obligations, substantive equality, and temporary special measures. It also recognizes human rights guaranteed by the International Covenant on Economic, Social, and Cultural Rights.

While the MCW remains to be an important legislation on women's rights, the Philippines recognizes the need to amend and update the said law to keep up with the recent domestic and international developments in human rights standards. By doing so, the MCW will be a more effective instrument in protecting and ensuring the rights of women and girls, especially those who are experiencing multiple and intersecting burdens/discrimination.

***Program of action***

- 1) Conduct consultations for the review and assessment of the implementation and effectiveness of the MCW to determine (a) most recent developments in human rights standards; and (b) provisions that need to be amended in the MCW;
- 2) Draft and file a bill recommending pertinent amendments to the MCW.

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<sup>16</sup> "Women's Empowerment and its Link to Sustainable Development: A Cross-Cutting and Integrated Approach", Soroptimist International  
<[www.soroptimistinternational.org/assets/media](http://www.soroptimistinternational.org/assets/media)>

***Targets/ Results***

Amendatory bill on the MCW.

***Timeline***

While having an amendatory bill on the MCW is targeted for 2018, no timeline can be committed for its passage as it will heavily depend on the internal processes of Congress which are beyond the control of Executive agencies.

***Objective 5: Expedite the amendments of the various domestic laws containing discriminatory provisions against women.***

The MCW mandates the State to take steps to review, and when necessary, amend and/or repeal existing laws that are discriminatory to women. Corollarily, executive and legislative bodies are mandated to prioritize bills that will amend or repeal discriminatory provisions of existing laws, while LGUs are also mandated to review existing discriminatory ordinances and policies and repeal or amend them accordingly.

The PCW, as the overall monitoring body and oversight of the implementation of the MCW, is mandated to review, evaluate, and recommend measures, including setting priorities, to ensure the full integration of women for economic, social, and cultural development at national, regional, and international levels, to ensure further equality between women and men. As part of such mandate, the PCW shall take steps to expedite amendments of various domestic laws containing discriminatory provisions against women through lobbying and advocacy work.

***Program of action***

- 1) Formulation of the WPLA for the 18<sup>th</sup> Congress;
- 2) Identification of legislators who will file and champion bills amending various domestic laws containing discriminatory provisions against women;
- 3) Focused lobbying and networking; and,
- 4) Partnerships with NGOs/ CSOs.

***Targets/ Results***

Discriminatory provisions of various laws amended and/or repealed.

***Timeline***

No timeline can be committed because the passage of the amendatory bill heavily depends on the internal processes of Congress, which are beyond the control of Executive agencies.

***Objective 6: Continue to effectively guide agencies in mainstreaming the gender dimension in their regular programs, as well as in implementing gender-focused activities.***

The MCW mandates all government offices, including government-owned and controlled corporations and local government units to adopt gender mainstreaming as a strategy for implementing the law and attaining its objectives. The MCW also mandates (a) planning, budgeting, monitoring, and evaluation for gender and development; (b) creation and/or strengthening of gender and development focal points; and (c) generation and maintenance of gender statistics and sex-disaggregated databases to aid in planning, programming, and policy formulation.

***Program of action***

- 1) Ensure that annual GAD plans and budgets of agencies address gender issues and concerns and contribute to gender mainstreaming of agencies;
- 2) Lobby for the expansion of the PCW through an Executive Order (EO), which includes the creation of regional offices in strategic provinces for the Commission to be more visible and be of service to more women in rural and/or remote areas;
- 3) Lobby for the issuance of an EO creating GAD units in all government agencies and LGUs to ensure the implementation of the MCW;
- 4) Conduct capacity development trainings for technical officers of the PCW;
- 5) Formulate Gender Equality and Women Empowerment Plan (GEWEP) 2018-2022.

***Targets/ Results***

- 1) Annual report on the GAD plan and budget of agencies;
- 2) Strengthened mandate and influence of the PCW as the oversight and monitoring body as to the implementation of the MCW in all government agencies, and more effective policies and programs to uplift the status of women in the country;
- 3) Increased knowledge and skills on GAD of technical officers of the PCW;
- 4) GEWEP 2018-2022.

***Timeline***

- 1) 2018 - 2022 - Annual report on the GAD plan and budget of agencies;
- 2) 2018 - 2019 - Issuance of EO providing for the expansion of the PCW and the creation of GAD units in government agencies and LGUs;
- 3) March 2018- Launch of the GEWEP 2018 - 2022;
- 4) 2018 - 2022 - Regular capacity development trainings on GAD for technical officers of the PCW.

## **SECTION 3: OPERATIONAL AND MOBILIZATION PLAN**

The PCW is the primary policy-making and coordinating body on women and gender equality concerns. As the oversight body on women's concerns, the PCW acts as a catalyst for gender mainstreaming. Thus, PCW's activities are focused on mainstreaming gender/women's concerns in policymaking, planning, and programming of all government agencies. As such, it shall continue to push for stronger policies and programs on gender mainstreaming through institutional strengthening and capacity building of government agencies.

More particularly, PCW commits to provide appropriate and strategic technical assistance, relevant and responsive policy development, advocacy, monitoring and evaluation, and sustained promotion of women's socio-cultural, economic, civil, and political rights. To achieve these, PCW shall continually improve the effectiveness of its Quality Management System and its services to the satisfaction of its clients and relevant interested parties, in accordance with national and international mandates and requirements.

On the other hand, for programs of action specified in this Chapter that cannot be carried out by PCW alone, PCW will partner with other government agencies, non-government organizations, civil society organizations, the academe, or the private sectors. Memorandum of Agreements (MOA) or Memorandum of Understanding (MOU) between the PCW and its partner/s shall be forged to ensure the implementation of the program.

The creation of a CEDAW Task Force or Technical Working Group will be pushed, which shall be responsible for devising strategies, policies, and measures to implement the CEDAW Committee Concluding Observations. It will be composed of core government agencies that actively participated in the crafting and reporting of the SCR to the CEDAW Committee, together with other key implementing agencies of the MCW.

The CEDAW Task Force of Technical Working Group shall conduct regular monthly meetings and will consider conducting monitoring field visits as often as deemed necessary by the body.

## SECTION 4: RESOURCE GENERATION

The PCW receives an annual budget under the General Appropriations Act enacted each year by Congress. This budget is used to implement the mandate of the Commission in the form of programs, projects, activities, and issuances of policies throughout the year.

Nonetheless, to broaden its funding base, the PCW may also utilize a hybrid of revenue streams like funding from donors and partners which can come from official development assistance or multilateral agencies, government agencies, non-government organizations, civil society organizations, the academe, or the private sector. Partnerships with these sectors are also usually undertaken to divide the responsibilities and commitments in implementing a project/program without necessarily involving the download of money from one sector to another.

OBJECTIVES	PROGRAM OF ACTION	RESOURCE COMMITMENT	LEAD/ RESPONSIBLE AGENCY/IES
<b>I. Strengthen the monitoring, evaluation, and impact assessment of existing programs on gender and development (GAD).</b>	Explore partnerships with funding agencies, external organizations, agencies, civil society organizations, the academe, and qualified experts to conduct impact assessment studies on existing GAD programs	Php 3,000,000 for 2018	PCW
	Conduct Focused Research and Impact Studies on Critical and Relevant Areas in GAD.	Php2,000,000 for 2018	PCW
<b>II. Ensure that agencies with frontline services and programs implement GAD programs and activities that address the crosscutting concerns of women, especially those who belong in the sectors that experience multiple and intersecting discrimination such as persons with disabilities, indigenous and Muslim women, rural women, and people with diverse sexual orientations, among others.</b>	Issuance of a memorandum circular enjoining agencies that provide frontline services and programs to ensure that women who belong in the sectors that experience multiple and intersecting discrimination are represented in their stakeholders' consultations.		PCW

**The Philippine Human Rights Plan, 2018-2022**

<b>OBJECTIVES</b>	<b>PROGRAM OF ACTION</b>	<b>RESOURCE COMMITMENT</b>	<b>LEAD/ RESPONSIBLE AGENCY/IES</b>
<b>I. Strengthen the monitoring, evaluation, and impact assessment of existing programs on gender and development (GAD).</b>	Explore partnerships with funding agencies, external organizations, agencies, civil society organizations, the academe, and qualified experts to conduct impact assessment studies on existing GAD programs	Php 3,000,000 for 2018	PCW
	Conduct Focused Research and Impact Studies on Critical and Relevant Areas in GAD.	Php2,000,000 for 2018	PCW
<b>II. Ensure that agencies with frontline services and programs implement GAD programs and activities that address the crosscutting concerns of women, especially those who belong in the sectors that experience multiple and intersecting discrimination such as persons with disabilities, indigenous and Muslim women, rural women, and people with diverse sexual orientations, among others.</b>	Issuance of a memorandum circular enjoining agencies that provide frontline services and programs to ensure that women who belong in the sectors that experience multiple and intersecting discrimination are represented in their stakeholders' consultations.		PCW
<b>III. Improve the collection of sex-disaggregated data to facilitate a more meaningful and effective gender analysis.</b>	Partnership with the Philippine Statistics Authority (the central statistical authority of the government on primary data collection) on the collection of sex-disaggregated data and information		PCW PSA
	Issuance of an Inter-Agency Committee on Gender Statistics (IACGS) Resolution enjoining concerned agencies to regularly gather sex-disaggregated data and update and maintain their own GAD Database		PCW
<b>IV. Amend the Magna Carta of Women in keeping with the recent domestic and international developments in human rights standards.</b>	Conduct consultations for the review and assessment of the implementation and effectiveness of the Magna Carta of Women	Five Hundred Thousand Pesos (P 500,000.00)	PCW
	Draft and file a bill recommending pertinent amendments to the Magna Carta of Women		HOR Senate
<b>V. Expedite the amendments of the various domestic laws containing discriminatory provisions against women.</b>	Formulation of the Women's Priority Legislative Agenda for the 18 <sup>th</sup> Congress.	to be determined later	PCW
	Identification of legislators that will file and champion the bills amending various domestic laws containing discriminatory provisions against women.		PCW HOR Senate

**The Philippine Human Rights Plan, 2018-2022**

OBJECTIVES	PROGRAM OF ACTION	RESOURCE COMMITMENT	LEAD/ RESPONSIBLE AGENCY/IES
<b>I. Strengthen the monitoring, evaluation, and impact assessment of existing programs on gender and development (GAD).</b>	Explore partnerships with funding agencies, external organizations, agencies, civil society organizations, the academe, and qualified experts to conduct impact assessment studies on existing GAD programs	Php 3,000,000 for 2018	PCW
	Conduct Focused Research and Impact Studies on Critical and Relevant Areas in GAD.	Php2,000,000 for 2018	PCW
<b>II. Ensure that agencies with frontline services and programs implement GAD programs and activities that address the crosscutting concerns of women, especially those who belong in the sectors that experience multiple and intersecting discrimination such as persons with disabilities, indigenous and Muslim women, rural women, and people with diverse sexual orientations, among others.</b>	Issuance of a memorandum circular enjoining agencies that provide frontline services and programs to ensure that women who belong in the sectors that experience multiple and intersecting discrimination are represented in their stakeholders' consultations.		PCW
	Focused lobbying and networking	to be determined later	PCW
	Partnerships with NGOs/ CSOs	to be determined later	PCW NGOs
<b>VI. Continue to effectively guide agencies in mainstreaming the gender dimension in their regular programs, as well as in implementing gender-focused activities.</b>	Ensuring that annual GAD plans and budgets of agencies address gender issues and concerns and contribute to gender mainstreaming of the agency		
	Lobbying for the expansion of the PCW through an EO, which includes the creation of regional offices of PCW in strategic provinces in order for the Commission to be more visible and to be of service to more women in rural and/or remote areas.		PCW
	Lobbying for the issuance of an EO creating GAD units in all government agencies and LGUs to ensure the implementation of the MCW		
	Conduct of capacity development trainings for the technical officers of the PCW	<i>For MANCOM decision</i>	PCW
	Formulation of the GEWEP 2018-2022		PCW

## SECTION 5: MONITORING AND EVALUATION

OBJECTIVES	PROGRAM OF ACTION	TIME FRAME	LEAD/ RESPONSIBLE AGENCY	MONITORING AND EVALUATION PROCESS
<p><b>I. Strengthen the monitoring, evaluation and impact assessment of existing programs on gender and development (GAD).</b></p>	<p>Explore partnerships with funding agencies, external organizations, agencies, civil society organizations, the academe and qualified experts to conduct impact assessment studies on existing GAD programs</p>	<p>2018 - 2022</p>	<p>PCW Other government agencies NGOs Academe and/or the private sector</p>	<p>Submission of Accomplishment/ Progress Reports on the GAD programs conducted by partnering agencies</p>
	<p>Conduct Focused Research and Impact Studies on Critical and Relevant Areas in GAD.</p>	<p>2018 - 2022</p>	<p>PCW and a partner government agency, NGOs academe and/or the private sector</p>	<p>--</p>
<p><b>II. Ensure that the GAD programs and activities address the cross-cutting concerns of women, particularly those who belong in the sectors that experience multiple and intersecting discrimination such as persons with disabilities, indigenous and Muslim women, rural women, and people with diverse sexual orientations, among others.</b></p>	<p>Issuance of a memorandum circular enjoining agencies that provide frontline services and programs to ensure that women who belong in the sectors that experience multiple and intersecting discrimination are represented in their stakeholders' consultations</p>	<p>2018</p>	<p>PCW</p>	<p>Conduct impact assessment and/or evaluation of the concerned agencies' implementation of the policies issued.</p> <p>Conduct consultations with the stakeholders to determine the effectiveness of the issued policies as well as the level of compliance of the concerned agencies thereto.</p>
<p><b>III. Improve the collection of sex-disaggregated data to facilitate a more meaningful and effective gender analysis.</b></p>	<p>Partnership with the PSA on the collection of sex-disaggregated data and information</p>	<p>2018-2019</p>	<p>PCW PSA</p>	<p>Submission of Accomplishment/ Progress Reports on the proposed activities to be undertaken.</p>



	Issuance of an IACGS Resolution enjoining concerned agencies to gather sex-disaggregated data regularly and update and maintain their respective GAD Database	2018-2019	PCW	Conduct regular review/assessment to determine the effectiveness of the issued policies as well as the level of compliance of the concerned agencies thereto.  Submission of the sex-disaggregated data collected by concerned agencies to PCW
<b>IV. Amend the Magna Carta of Women in keeping with the recent domestic and international developments in human rights standards.</b>	Conduct consultations for the review and assessment of the implementation and effectiveness of the MCW	2018-2019	PCW	Conduct assessment of the amended Magna Carta of Women five years after its enactment.
	Draft and file a bill recommending pertinent amendments to the MCW	2019-2020	HOR Senate	
<b>V. Expedite the amendments of the various domestic laws containing discriminatory provisions against women.</b>	Formulation of the WPLA for the 18 <sup>th</sup> Congress.	2017	PCW	Submission of Accomplishment Report after every term of Congress
	Identification of legislators that will file and champion the bills amending various domestic laws containing discriminatory provisions against women.	2018-2022	PCW HOR Senate	
	Focused lobbying and networking	2018-2022	PCW	
	Partnerships with NGOs/ CSOs	2018-2022	PCW NGOs	

<p><b>VI. Continue to effectively guide agencies in mainstreaming the gender dimension in their regular programs, as well as in implementing gender-focused activities.</b></p>	<p>Ensuring that annual GAD plans and budgets of agencies address gender issues and concerns and contribute to gender mainstreaming of the agency</p>	<p>2018-2022</p>	<p>PCW All concerned government agencies</p>	<p>Review and Endorsement of the Annual GAD Plan and Budget and the accompanying GAD Accomplishment Reports of agencies</p>
	<p>Lobbying for the expansion of the PCW through an EO, which includes the creation of regional offices of PCW in strategic provinces to be more visible and of service to women in the rural and/or remote areas.</p>	<p>2018-2019</p>	<p>PCW Office of the President</p>	<p>--</p>
	<p>Lobbying for the issuance of an Executive Order creating GAD Unit in every government agency and LGUs to ensure the implementation of the MCW</p>	<p>2018-2019</p>	<p>PCW Office of the President</p>	<p>--</p>
	<p>Conduct of capacity development trainings for the technical officers of the Philippine Commission on Women</p>	<p>2018-2022</p>	<p>PCW</p>	<p>Submission of Accomplishment Report</p>
	<p>Formulation of the Gender Equality and Women Empowerment Plan 2017-2022</p>	<p>2018</p>	<p>PCW</p>	<p>Submission of Accomplishment Report  Evaluation/Review of the Plan at the end of the term</p>



# CHAPTER 4

## *Caring for Today's Children*

### **SECTION 1: BASELINE INFORMATION**

#### *Major National Mechanisms*

The Council for the Welfare of Children (CWC) remains the focal inter-agency coordinating body of the government on children by virtue of Presidential Decree 603 or the Child and Youth Welfare Code.

Among its major undertakings include the development of the (a) country report on the implementation of the UN Convention on the Rights of the Child (CRC); (b) national plan of action on children; and (c) publication of materials on the protection and promotion of the rights of children. The CWC is headed by the Council Board, which is composed of seven (7) government line agencies, three (3) ex-officio members, two (2) private individuals, and a child representative.

To address specific concerns of children the CWC, together with other government agencies, constituted several inter-agency bodies which include the following:

- (a) Committee on Children and HIV/AIDS (ComCHA);
- (b) Committee on Family and Alternative Parental Care (ComFAPC);
- (c) Committee on Children in Need of Special Protection (CNSP);
- (d) National Steering Committee on Child Rights Advocacy (NSC-CRA); and,
- (e) National Committee on Child and Youth Participation (NCCYP).

In addition to the foregoing, an Inter-Agency Committee on Children in Armed Conflict (IAC-CIAC) was established pursuant to Executive Order (EO) No. 138 (s. 2013). A National Network to End Violence against Children (NNEVAC) was also formed, as part of the State's efforts to protect children from all forms of violence.

Aside from the aforementioned inter-agency bodies, a Monitoring & Evaluation System (MES) and a Results-Based Monitoring and Evaluation System (RbM&ES) have also been set up to assist in preparing simplified, unified, and streamlined reports thus avoiding duplication of the same. Common indicators required by both the SBMS and RbM&ES are then captured in one harmonized tool.

In October 2017, the Council Board approved the 3<sup>rd</sup> National Plan of Action for Children 2017-2022, which is anchored on the Philippine Development Plan 2017-2022 (PDP). Consistently, the 3<sup>rd</sup> NPAC maintains its rights-based approach to programming and it is the only medium-term plan of action for children that lays the foundation and defines the key results and outcomes towards achieving the Sustainable Development Goals (SDG) by 2030.

From 2012 to the present, four (4) State of the Filipino Children Report (SOFCR) have been prepared by the CWC with the following themes:

- (a) Strengthening the Local Mechanisms for Children: Institutionalizing Local Councils for the Protection of Children (2011-2012);
- (b) Child and Adolescent Pregnancy (2013);
- (c) Ensuring Children's Right to a Safe and Meaningful Participation (2014); and,
- (d) A Safe and Protective Environment for Children (2015).

The SOFCRs are aimed at enhancing the program and policy environment for children. For the past year 2017, the theme was focused on protecting children from illegal drugs.

Through a Children's Summit in 2012, the Convergence of Councils and Committees on Children (4Cs) was formed to ensure structures and systems on child protection, which have been created under special laws and Executive issuances, work with each other smoothly.

At the regional level, the CWC extends its support to the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children wherein the Philippines is a member.

### ***Executive Human Rights–Related Issuances***

Executive Order No. 56 (s. 2001),<sup>17</sup> which provides for the adoption of a comprehensive program framework for children in armed conflict, as amended by EO No. 138 (s. 2013)<sup>18</sup> which, among other things, directed the creation of a Monitoring, Reporting and Response System for Grave Child Rights Violations in Situations of Armed Conflict (MRRS-GCRVSAC) to serve as the monitoring arm within the Children Involved in Armed Conflict (CIAC) Program Framework with the primary objective of protecting children in situations of armed conflict by preventing the occurrence of grave child rights violations and ensuring the provision of appropriate and timely response in the event of such violations. Further, the establishment of the MRRS-GCRVSAC is a strategy in achieving peace and security. The MRRS-GCRVSAC covers six (6) grave child rights violations committed against children below eighteen (18) years of age in the context of armed conflict, which are as follows:

- (a) killing and maiming of children;
- (b) recruitment and use of children;
- (c) attacks on schools and hospitals;
- (d) abduction of children;
- (e) rape and other grave sexual violence; and,
- (f) denial of humanitarian access.

Aside from the foregoing, RA No. 10821 (s. 2016), also known as the Children's Emergency Relief and Protection Act, mandates the provision of services and protection to children as well as pregnant and lactating mothers affected by calamities, disasters, and other emergencies.

### ***HR Programs and Projects***

There is continuing implementation of programs and projects relative to the promotion and protection of the rights of children. Some of which include the following:

- (a) National Baseline Study on Violence against Children, (2015);

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<sup>17</sup> Adopting the Comprehensive Program Framework for Children in Armed Conflict and Directing National Government Agencies and Local Government Units to implement the same

<sup>18</sup> Amending Executive Order No. 56 s. 2001 (Adopting the Comprehensive Program Framework for Children in Armed Conflict, Strengthening the Council for the Welfare of Children and for Other Purposes

- (b) Systematic Literature Review on the Drivers of Violence on Children;
- (c) Philippine Plan of Action to End Violence Against Children, (2016);
- (d) Study on Children whose Parents are in Correctional Facilities, 2016;
- (e) 3<sup>rd</sup> NPAC, (2017);
- (f) MRRS Database on GRCVs;
- (g) Presidential Award for Child-Friendly Municipalities & Cities;
- (h) Seal of the Child-Friendly Local Governance;
- (i) Communities of Practice;
- (j) Local Councils for the Protection of Children Consortium;
- (k) Advocacy and Communication Plan on Children; and,
- (l) Monitoring, Evaluation and Reporting System on Children.

### ***Legislation***

Thirty-one (31) bills on children (i.e. child protection, child participation, education, and health) have so far been enacted into law (Annex A). The CWC continues to lobby for the following which is included in the latter's Priority Legislative Agenda for Children:

- (a) promotion of positive discipline;
- (b) special protection of children in situations of armed conflict;
- (c) strengthening of the CWC;
- (d) protection of children with disabilities;
- (e) increasing the age of statutory rape; and,
- (f) removing the distinction between legitimate & illegitimate children.

### ***Multi-Stakeholder Engagements***

The CWC sustains the use of multi-sectoral platforms that draws together various stakeholders and representatives from different sectors (i.e. government, non-governmental organizations/ civil society organizations, private entities, faith-based groups), including children themselves, to make decisions. They are convened to harness the benefits of collaboration in tackling concerns involving children that require a coordinated response in policy and plan formulation and implementation.

The government's engagement with non-governmental/ civil society organizations, as well as the private sector, has helped in carrying out important programs, activities, and projects of the CWC such as (a) preparation of the initial draft of the CRC State Compliance Report; (b) Summit on Children; (b) National Strategic Plan on Child and Youth Participation; (d) 3<sup>rd</sup> NPAC; (e) SOFCR, among others.

This multi-sectoral platform/engagement is cascaded to the local level where participation of the local government units and communities is pertinent. The improved participation, transparency, and accountability they embody are seen as best practices in governance for children and are mostly invoked in the design or reform of policy processes that span multiple sectors. The importance of this multi-sectoral platform/engagement is further seen in resolving issues and concerns affecting the situation of children where their rights are at stake.

### ***Gaps/Challenges***

Despite the progress/efforts made towards the promotion and protection of child rights, the following challenges remain:

- Structures (i.e. Committee for the Special Protection of Children; Inter-Agency Council against Child Pornography; Juvenile Justice and Welfare Council; Inter-Agency Council

on Violence against Women and Children) need to be more responsive to children's concerns and avoid duplication of the same;

- Efforts in addressing the situation of children affected by armed conflict and emergencies;
- Limited staff complement and budget of the CWC Secretariat which has significantly affected its coordination efforts and the effective monitoring of the implementation of child protection laws;
- Sustaining the gains in the Monitoring and Evaluation System for children; and,
- Implementation of the recommendations made during the Universal Periodic Review as well as the Concluding Observations of the UN Committee on the Rights of the Child (UNCRC).

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

The objectives set in this section are similar to those indicated in the 3<sup>rd</sup> NPAC but have a specific focus on priority issues affecting children.

### ***Objective 1: Institute child-responsive administrative and program measures.***

The 3<sup>rd</sup> NPAC will serve as the framework and roadmap of all efforts on children. It is aligned with the PDP and is committed to the SDGs relevant to children. For the next five (5) years, the following targets will be achieved:

#### ***Targets and Results***

- (a) By 2018, the 3<sup>rd</sup> NPAC is mainstreamed at the national and regional levels. All CWC member-agencies and all Regional Committees/ Sub-Committees for the Welfare of Children must have developed their respective plans of action. At least 10 percent of completed action plans must have commenced implementation during the said period;
- (b) By 2019 to 2022, national and regional action plans on children must have been implemented. Annual monitoring reports prepared by CWC shall be used as a basis in enhancing program, activity, and project implementation; and,
- (c) By the end of 2022, a terminal review shall be conducted to determine the extent of NPAC implementation.

#### ***Program of Action***

- (a) Conduct of mainstreaming workshop at the national and regional levels (i.e. mainstreaming workshop for national agencies will be in Metro Manila, while mainstreaming workshops in Luzon, Visayas, and Mindanao will follow the cluster approach). For purposes of manageability, the aforementioned activity will be participated in by around 50 participants for a minimum of three (3) days;
- (b) Conduct of midterm and terminal review to ensure that the 3<sup>rd</sup> NPAC is moving towards the achievement of the goals and targets indicated therein within the specified timeframe. The reports will be used to adjust targets and program implementation, and even cost requirements, if necessary; and,
- (c) Preparation and dissemination of annual, midterm, and terminal reports. The terminal report will set the tone for the preparation of the next medium-term NPAC and shall be discussed and presented in relevant fora and events for information sharing, and more importantly, to serve as a tool for better policy and planning for children.

The CWC Secretariat shall also spearhead the mainstreaming as well as the monitoring of the 3<sup>rd</sup> NPAC. Cooperating agencies include the: (a) Department of Education; (b) Department of Health;

(c) Department of the Interior and Local Government; (d) Department of Justice; (e) National Nutrition Council; (f) National Economic and Development Authority; (g) Department of Social Welfare and Development; and (h) Department of Agriculture. CSOs (e.g. World Vision, ERDA Foundation Inc., Plan International, etc.). LGUs will likewise be encouraged to participate in these activities.

***Objective 2: Sustain promotion for the passage and implementation of priority legislative agenda on children's protection and welfare.***

***Targets and Results***

- (a) By 2017-2022, at least one (1) of the six priority legislative agenda on children will be enacted:
- Promotion of positive and non-violent discipline of children;
  - Removing the distinction/ discrimination against illegitimate children;
  - Protection of children with disabilities;
  - Strengthening the CWC;
  - Special protection of children in situations of armed conflict; and,
  - Increasing the age of statutory rape; and,
- (b) By 2017-2022, development of position papers on various child-related and child-focused bills and submitted to Congress.

***Program of Action***

- (a) Regular conduct of policy fora to gather the stand of stakeholders on different legislative priorities on children to ensure that a more comprehensive proposal to lawmakers will be made;
- (b) Development of policy advocacy plans to ensure that support to the priority legislative agenda on children shall be pursued in an organized and strategic manner, accompanied with videos, brochures, policy briefs, etc.; and,
- (c) Conduct of capability-building activities for assigned CWC staff and partners involved in these activities.

The CWC Secretariat, through its partnership with other networks, such as the Child Rights Network, Philippine Legislator's Committee on Population and Development, Foundation (PLCPD) shall ensure that this objective is achieved. Partnership with legal luminaries, academicians, private entities, and non-governmental/ civil society organizations will be strengthened to extend support to priority legislations on the promotion and protection of the rights of children. The participation of children will be significant in the said activities, as it is their fundamental right to participate in decision-making processes that are relevant in their lives.

***Objective 3: Establish a functional monitoring, evaluation, and reporting system.***

A Monitoring, Evaluation, and Reporting System (MERS) will be used to measure the impact and progress of the country's efforts in protecting and promoting child rights. This will be complemented by the conduct of research and other assessment/ evaluation reports on the CRC and the 3<sup>rd</sup> NPAC; and, guide the development of policy decisions for children.



***Targets and Results***

- (a) By 2017-2022, annual monitoring & evaluation reports shall be prepared, for the benefit and use of policymakers, planners, and other stakeholders;
- (b) By 2018-2022, regular fora will be conducted to inform the public of the situation of children using the results of MERS; and,
- (c) By 2017, the establishment of a regular structure to ensure the functionality of the MERS.

***Program of Action***

- (a) Preparation of annual SOFCR and a MERS report on children;
- (b) Continuing capability building to ensure that CWC staff will be able to deliver the expected outputs within a given timeframe;
- (c) Creation of a Technical Working Group (TWG), composed of various government agencies, to ensure the timely generation of regular/annual reports, among others; and,
- (d) Pursue regular fora or any relevant activity/event to disseminate the abovementioned TWG report.

A TWG, together with the CWC Secretariat, will take the lead in this endeavor. A highly consultative process, especially in the development and finalization of reports and in their dissemination, shall be observed to ensure that a wider public will be well-informed and will be able to use the TWG report as a basis for better program planning for children. Children's participation in this activity will likewise be important.

***Objective 4: Respond to pressing issues on children through sustained coordinative functional mechanisms.***

Despite efforts to keep children safe and free from harm, there are emerging situations that place children in dangerous and exploitative conditions. The effects of armed conflict in areas like Marawi City reflect the vulnerability of children to various conditions resulting in the disruption of schooling, displacement from their dwelling, separation from family, exposure to recruitment by armed groups, death, and the like. The extreme weather conditions bringing floods, typhoons, earthquakes predispose children to dangers that result in death, displacement, deprivation of basic services, and diseases resulting from overcrowding in evacuation centers.

As shown by the National Baseline Study on Violence against Children, various forms of violence are experienced by children, especially at home, committed by their parents and other family members. Children are also exposed to substance abuse as family members, peers, and neighbors are drug users or are involved in the trade of drugs and other illegal substances.

***Targets***

By 2017 - 2022, the functionality of existing structures for the protection of children (i.e. NNEVAC, IAC-CIAC, National Child Protection Working Group, Local Councils for the Protection of Children) is sustained and strengthened.

***Program of Action***

- (a) Conduct regular meetings to discuss current issues/ concerns and appropriate recommendations/ ways forward for adoption by concerned partner agencies;
- (b) Conduct of trainings, conferences, and capability building activities for members of existing CWC structures and join networks pursuing similar advocacies; and,

- (c) Regularize information sharing to ensure that each partner agency is updated in terms of development on children's issues and concerns and the appropriate action needed including other relevant developments in the field.

### **SECTION 3: OPERATIONAL AND MOBILIZATION PLAN**

The mode of operation to accomplish the goals and targets contained in the 3<sup>rd</sup> NPAC shall remain or shall be coursed through the various inter-agency structures: the highest of which is the Council Board composed of heads of select government line agencies. This is where approval of children's agenda and direction-setting happens.

As children's agenda are multifarious in nature, the government, through the CWC, calls for the support and partnership with other government agencies, civil society/ non-governmental organizations, private/ business sector, faith-based groups, as well as children's organizations. These partnerships are expected to share resources in terms of human and technical assistance to implement programs, projects, and activities geared towards the promotion and protection of the rights of children.

Involvement with international organizations such as UN Children's Fund or UNICEF, Save the Children, Plan International among others, will continue. Involvement of other funding organizations especially the private sector will be a priority as they have the capacity to augment resources and provide technical assistance to the government and become child rights allies.

### **SECTION 4: RESOURCE GENERATION**

The Philippine government shall provide for the implementation and monitoring of the PHRP III through the budget lodged and approved in each of the government agencies with commitments to the same. However, partnerships with other agencies, local and international, will be sustained to strengthen fiscal space and technical assistance for children.

A more focused resource generation plan will ensure that resources are targeted and collected to support specific goals and targets of the PHRP III, especially those that do not have funding support. Aligned and crucial to this is the capacity of agencies and sectors to handle resources effectively, that such are utilized according to how they have been planned.

### **SECTION 5: MONITORING AND EVALUATION**

Regular monitoring of the CRC-PHRP III goals and targets will be observed and implemented annually, midterm, and at the "endline," and shall be within the overall MERS. Focal points to facilitate regular submission of monitoring reports will be identified and agreements will be secured. The role of existing inter-agency structures on children at the national and sub-national levels will be clearly defined to ensure that data on children are properly identified and collected using the prescribed monitoring and evaluation forms, and, submitted using the prescribed and approved reporting process.

All the submitted data/reports shall be consolidated into annual, midterm, and final reports and presented to the CWC structures, as well as to other government structures like the National Economic and Development Authority-Social Development Committee, for information. More importantly, the reports presented shall serve as sources of policy and planning guides. Dissemination of these consolidated reports will likewise be done to ensure that all sectors concerned, especially the local government units and stakeholders will be properly informed.



# CHAPTER 5

## *Mainstreaming Persons with Disabilities*

### SECTION 1: BASELINE INFORMATION

#### *Major National Mechanism*

The National Council on Disability Affairs (NCDA) has organized sub-committees on education, employment, health, Accessibility Law compliance, advocacy, auxiliary social services, information communication and technology (ICT), international disability network (IDN), policy development and legislation, access to justice, and anti-discrimination. These sub-committees, as inter-agency bodies, are NCDA structures to monitor the implementation of the United Nations Convention on the Rights of Persons with Disabilities (CRPD). These mechanisms are designed to ensure that different levels of political governance are operationalized and that the human rights of PWDs are promoted, respected, protected, and fulfilled.

Among the significant accomplishments of these sub-committees concerning accessibility, employment, access to justice, anti-discrimination, health, ICT, policy development and legislation, and IDN are as follows:

1. *Accessibility.* Since 2014, the Department of the Interior and Local Government (DILG) has included as one of the indicators under the Social Protection component/ criteria of the Seal of Good Local Governance (SGLG) the local government units (LGU) adherence to Batas Pambansa Blg. No. 344, otherwise known as the Accessibility Law. The inclusion of said indicator has made LGUs work towards providing PWDs easier access and mobility through access ramps in city/ municipal halls, health centers, including toilets.

In addition, the DILG issued a Memorandum Circular (MC) mandating all rural health units to be accessible to ensure the provision of health care services under Republic Act (RA) No. 10354 or the “Responsible Parenthood and Reproductive Health (RPRH) Act of 2012”.

Concerning access to transportation, airports in Manila and Cebu have been considered PWD-friendly as these air transport terminals have been deemed compliant with international standards on promoting access for PWDs. Major seaports in Batangas, Mindoro, Cebu City, and Ormoc City have likewise been determined as consistent with accessibility requirements for PWDs.

In connection with the foregoing, disability-sensitivity trainings have been conducted for frontline service providers such as airport terminal and seaport personnel, Philippine Coast Guard, and Philippine National Railway personnel. As an outcome, there has been a corresponding decrease in the number of complaints filed/ reported by passengers with disabilities.

Moreover, there has been an increase in the number of PWDs exercising their right of suffrage given the measures taken by the Commission on Elections to ensure full participation of

PWDs in the electoral process, consistent with the provisions of RA No. 10366 (s. 2013).<sup>19</sup> In relation thereto, the Department of Education (DepEd) has made voting for PWDs easier through its project called EASE (Ensuring Accessibility of Schools on Elections) which ensures that public and secondary schools are used as voting centers are user-friendly for all PWDs.

Also, in line with the DepEd's thrust in providing quality education and inclusive basic education for all, the agency continues to provide the necessary educational interventions for PWDs.

2. *Employment.* The sub-committee on employment, in partnership with the Technical Skills Development Authority (TESDA), has allocated training vouchers for 1,000 qualified PWDs nationwide who want to engage in skills training to enhance their employment opportunities.

Another opportunity for Filipino PWDs to demonstrate their professional excellence in a competition setting is the Olympics of Abilities of PWDs or the "Abilympics". The Abilympics is a skills-based international competition that provides a platform for PWDs to showcase their skills and abilities. The Abilympics is held every four years to raise awareness on the employment of PWDs. In the 9<sup>th</sup> Abilympics, the Philippines competed in the following areas: cake decoration, photography, floral arrangement, painting, waste reuse, cooking, desktop publishing, creating web pages, restaurant service, pottery, poster design, and basket weaving. Aside from the Abilympics, the Philippines likewise competed in the Global IT Challenge for Youth with Disabilities.

The TESDA and the Commission Higher Education (CHED) have likewise been extending scholarships to qualified PWDs, such as the Private Education Student Financial Assistance (PESFA). It has been noted that the PESFA program under TESDA has more beneficiaries compared to that of CHED because of the latter's stringent requirements<sup>20</sup>.

3. *Access to Justice.* The sub-committee on access to justice and anti-discrimination has partnered with the Department of Justice (DOJ) and the Public Attorney's Office (PAO) in providing legal assistance to PWDs. Relative thereto, the DOJ issued an MC designating focal persons in the PAO to provide legal assistance to PWDs. The NCDA and the IBP- Manila Chapter have entered into a MOA for this purpose. From 2014-2015, the NCDA and the DOJ conducted "Disability Sensitivity and Access to Justice for PWDs" for prosecutors and PAO lawyers in National Capital Region, Regions 5, 6, 7, 10, and 11. The Supreme Court also issued a Circular authorizing Judges to spend any amount for the utilization of sign language interpreters in Court hearings to ensure that deaf litigants will be given due process in all judicial proceedings.

4. *Health.* The sub-committee on health continues to update the Philippine Registry for PWDs for the issuance of PWD ID and the enjoyment of a full range of PWD benefits and privileges, i.e., health and wellness program of the Department of Health (DOH); Philippine Health Insurance Corporation (PhilHealth) packages: Z benefit package for Mobility, Orthosis, Rehabilitation, Prosthesis Help (ZMORPH), and the rehabilitation package for children with disabilities as provided for by RA No. 9442 (s. 2007)<sup>21</sup>, and as amended by RA No. 10754 (s. 2016)<sup>22</sup>. To ensure that the benefit packages are responsive to the number of PWDs' needs, the DOH funded a disability prevalence survey with the Philippine Statistical Authority (PSA).

5. *Information and Communication Technology.* The sub-committee on ICT, in compliance with the CRPD and the Incheon Strategy Framework, has been working towards increasing the level

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<sup>19</sup> An Act Authorizing the Commission on Elections to Establish Precincts Assigned to Accessible Polling Places Exclusively for Persons with Disabilities and Senior Citizens

<sup>20</sup>Disability Data (NCDA website)

<sup>21</sup> An Act Amending Republic Act No. 7277, otherwise known as the "Magna Carta for Disabled Persons, and for other purposes

<sup>22</sup> An Act Expanding the Benefits and Privileges of Persons with Disabilities

of accessibility of PWDs to information and communication through various engagements with government agencies and the business sector. The Department of Information, Communication, and Technology (DICT) issued a Circular requiring all government websites to adopt the Web Content Accessibility Guidelines or WCAG 2.0 to ensure that web contents are more accessible to a wider range of PWDs.

In addition, PWDs now enjoy a 20% discount for all domestic flights booked online. They also enjoy a 20% discount on their transportation fare in all Transport Network Vehicle Services (TNVS) (i.e. Uber and Grab).

6. *Policy and legislation.* The sub-committee on policy and legislation vigorously lobbied for the passage of the following laws:

- a. RA No. 10524, “An Act Expanding Positions reserved for Persons with Disabilities”;
- b. RA No. 10366, “An Act Authorizing the Commission on Elections (COMELEC) to establish Precinct assigned to Accessible Polling Places Exclusively for Persons with Disabilities and Senior Citizens;
- c. RA No. 10754, amending RA 9442 for the VAT exemption,
- d. RA No. 10882, “An Act Exempting Surviving Children of Military Personnel who are mentally incapacitated from termination of benefits upon reaching the age of twenty-one (21);
- e. RA No. 10905, or “The Closed-Caption Law,” which obliges television stations to use the subtitling system that transcribes spoken lines and describes nonverbal elements in television programs;
- f. RA No. 10372, amending Intellectual Property Code of the Philippines, by exempting copyright limitations on reproduction or distribution of published articles or materials for the use of visually impaired students and those with a print disability;
- g. RA No. 10931 on the inclusion of the special services and personal assistance expenses for students with disability in the Tertiary Education Subsidy of the Universal Access to Quality Tertiary Education Act implementation.

At present, the sub-committee is in the process of lobbying to amend BP No. 344 or “Accessibility Law,” as well as the Magna Carta for PWDs to include a provision on assistive technology.

7. *International Disability Network.* During the Philippines’ hosting of the 2015 Asia-Pacific Economic Cooperation (APEC), the sub-committee on IDN’s proposal for the inclusion of PWDs as one of the priority sectors in all the thematic agenda, was considered in the 2015 APEC Leaders’ Declaration. Further, the NCDA, together with the APEC Group of Friends on Disability discussed the relationship between PWDs and economic development and further advocated for the economic empowerment of PWDs.

During the conduct of the 31<sup>st</sup> ASEAN Summit, as well as in the Conference of Parties in the Climate Change Agenda, the sub-committee worked for the inclusion of PWD concerns in both events.

Finally, contributing to the realization of the CRPD, particularly in the participation of PWDs in local government affairs, is RA No. 10070 requiring the establishment of Persons with Disability Affairs Office (PDAO) in Provincial, City, and Municipal LGUs (i.e. 1<sup>st</sup> to 3<sup>rd</sup> class municipalities) and, the designation of Focal Persons in 4<sup>th</sup> to 6<sup>th</sup> class municipalities for the implementation of programs for PWDs. At present, 182 LGUs have passed ordinances relative to the establishment of PDAOs.

### ***Gaps and Challenges***

In the implementation of the CRPD, there are several challenges in ensuring the participation of PWDs in local affairs and the enjoyment of their guaranteed rights. Among these are:

1. Limited personnel capable of conducting capacity building activities for local officials and employees;
2. Limited number of health and rehabilitation professionals providing services for PWDs at the local level;
3. Data collection system that will enhance the DOH registry since most LGUs have no skilled IT personnel; as well as limited access to the internet, IT resources (e.g. IT hardware and software); and,
4. Low priority on disability data collection on the part of government agencies which may be due to their non-appreciation of the value of disability data, resulting in low implementation of disability-related laws and low budget support despite the provision under the General Appropriations Act.

Despite these challenges, however, there are continuing efforts for the promotion, protection, and fulfillment of PWD rights, as enshrined in the CRPD and domestic laws. As an example, the Philippine Development Plan (PDP) 2017-2022 includes programs, activities, and projects for the benefit of PWDs such as the establishment of the Disability Trust Fund.

The NCDA will likewise be engaging with Congress for the amendment of the PCSO Charter for the inclusion of the former as one of the recipients of charity funds.

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

The following objectives are expressions of programs described in Section 1 of this chapter revolving around the promotion, protection, respect, and fulfillment of the rights of persons with disabilities:

### ***Objective 1: Improve the implementation of the Accessibility Law***

The NCDA will continue its partnership with the DILG in the implementation of the SGLG. The NCDA will push for the establishment of PDAOs as an additional criterion in the SGLG. This will result in the establishment of PDAOs in LGUs and will likewise result in increased participation of PWDs in local governance ensuring compliance by LGUs of the provisions of the Accessibility Law.

#### ***Program of Action***

Lobby for the establishment of PDAOs in all LGUs in accordance to RA No. 10070 (s. 2010).

***Timeline:*** 2018-2022

### ***Objective 2: Improve data collection in the DOH registry in the next five years.***

The NCDA will partner with the DOH and the Department of Social Welfare and Development (DSWD) in the conduct of trainings on the DOH-PWD registry in the LGUs.

***Program of Action***

Capacity building of IT personnel of LGUs and City/ Municipal Social Welfare and Development Officers responsible for the issuance of PWD IDs and, in the uploading of data in the DOH-PWD registry.

***Timeline:*** 2018-2022

***Objective 3: Increase enrolment of persons with disabilities in the Tertiary Education implementing RA No. 10931***

The NCDA will partner with CHED in identifying qualified PWD beneficiaries/ grantees of the Unified Student Financial Assistance System for Tertiary Education (UniFAST) to ensure compliance with Section 7 (d) of RA No. 10931 (s. 2017) or the “Universal Access to Quality Tertiary Education Act.” Under the said law, students with a disability shall be provided an allowance for expenses related to the student’s disability, including special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred.

***Program Action***

Orientation on the establishment of disability support services for State universities and colleges (SUC), and local universities and colleges (LUC).

***Timeline:*** 2018-2022

***Objective 4: Increase accessible ICT in particular government websites***

The NCDA will partner with the DICT in promoting web accessibility for PWDs.

***Program of Action***

Conduct of ICT accessibility audit of government agency websites, taking into account the provisions of DICT MC No. 2017-004.

***Timeline:*** 2018-2022

***Objective 5: Increase employment opportunities for persons with disabilities in government and private companies, implementing RA No. 10524***

To meet the abovementioned objective, the NCDA will partner with DOLE, TESDA, and the Civil Service Commission to ensure the effective implementation of RA No. 10524 (s. 2013), specifically on increasing access to gainful employment and livelihood opportunities for PWDs.

***Program of Action***

- Conduct of job fairs and employment fora to discuss the need to have a disability-inclusive work environment; and,
- Conduct of TESDA, DTI, and ECC-skills training programs for PWDs.

***Timeline:*** 2018-2022



## **SECTION 3: OPERATIONAL AND MOBILIZATION PLAN**

NCDA will adopt the following strategies to operationalize the program of action mentioned in the foregoing section:

- (1) *Non-Handicapping Environment* - Composed of a twin-track approach:
  - (a) Access to Physical Environment; and,
  - (b) Change of Attitude of Service Providers from Exclusion to Inclusion.

The first approach will ensure the implementation of the Accessibility Law, with the support of the DILG, DOTr, and the DPWH, specifically in the conduct of access audits of physical facilities.

The second approach is the change of attitude of service providers towards PWDs from exclusion to inclusion through the conduct of disability sensitivity trainings among stakeholders.

(2) *Development of Data Collection System* - This will ensure the enhancement of the DOH-PWD registry, such as information on the number of PWD ID cards issued, availing of the 20% discount under RA No. 10754 (s. 2016), among others.

The NCDA website will have a disability data link that will connect to different government agencies (i.e. TESDA, DepEd, DSWD, DOH, and CSC) having disability information on disability-related programs.

By 2018-2022, the NCDA targets to establish more disability data linkages with other government agencies and institutions. The DOH will lead to the increased inclusion of LGUs in the uploading of data in the DOH-PWD registry.

(3) *Community-Based Inclusive Development* – This strategy will ensure strong participation of PWD organizations and NGOs in activities/ efforts to increase awareness of PWD rights at the community level; and, assist in compliance monitoring and enforcement by government agencies and LGUs of disability-related laws. The establishment of PDAOs shall likewise be prioritized.

(4) *Disability Inclusive Legislation* – The NCDA will continue to lobby for the amendment of laws to improve programs and services for PWDs.

## **SECTION 4: RESOURCE GENERATION**

The NCDA, in its disability data project, has an approved Information Systems Strategic Plan (ISSP) for 2018-2020. This will help NCDA in improving its capacity to acquire hardware, software, and resources needed for the project.

Moreover, the General Annual Appropriation (GAA) mandates all National Government Agencies (NGAs) to allocate a budget for programs and services for PWDs.

## **SECTION 5: MONITORING AND EVALUATION**

### ***Objective 1: Improve the implementation of the Accessibility Law***

For 2018:

- 1<sup>st</sup> Quarter - DILG will conduct an access audit in LGUs for the awarding of 2017 SGLG;
- 2<sup>nd</sup> Quarter - NCDA participate in the evaluation of reports to determine LGUs compliance of the SGLG criteria on Social Protection (BP 344);
- 3<sup>rd</sup> Quarter - Meeting with evaluation focal persons to finalize the 2017 SGLG awardees; and,
- 4<sup>th</sup> Quarter - DILG Awarding of 2017 SGLG to identified LGUs.

### ***Objective 2: Improve data collection in the DOH registry in the next five years.***

For 2018:

- 1<sup>st</sup> to 3<sup>rd</sup> Quarter - DOH, through the KMITS and NCDA, to conduct training on PWD Registry at the local level in the different regions;
- 4<sup>th</sup> Quarter - Generation of a report from the DOH registry.

### ***Objective 3: Increase enrollment of persons with disabilities in the Tertiary Education***

For 2018:

- 1<sup>st</sup> Quarter - NCDA to provide inputs concerning the Implementing Rules and Regulations (IRR) of RA No. 10931 (s. 2017);
- 2<sup>nd</sup> to 4<sup>th</sup> Quarter - Implementation and monitoring of RA 10931 (s. 2017).

### ***Objective 4: Increase accessible ICT in particular government websites***

The NCDA will partner with DICT in promoting accessible websites for all PWDs.

For 2018:

- January to June 2018 - Conduct of Web Accessibility Audit by DICT in partnership with the NCDA (*target: 500 government agencies*);
- July to December 2018 - Finalization and submission of reports.

### ***Objective 5: Increase employment opportunities for persons with disabilities in government and private companies, implementing RA No. 10524***

For 2018:

- January to June – Conduct of employers forum;
- July to December – Inclusive job fairs and fora to be conducted by DOLE-ECC; Submission of reports.

The NCDA will be implementing a Results-Based Monitoring and Evaluation System (RBMES) to capture all the data of the thematic chapters. It will be the basis for planning and improved policy and program development from 2018-2022.



# CHAPTER 6

## SECTION 1: BASELINE INFORMATION

The Philippines, as a State-Party to the UN International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), has continuously ensured the enjoyment of the rights under the ICERD as well as those provided by domestic laws and has addressed various concerns affecting the nation's indigenous peoples/indigenous cultural communities (IPs/ ICCs).

The 3<sup>rd</sup> Philippine Human Rights Plan, or PHRP III, serves as a pivotal driver in translating the ICERD into an instrument that will help alleviate the plight of vulnerable and marginalized IPs in Philippine society.

The National Commission on Indigenous Peoples (NCIP), as the identified lead agency in coordinating the State's compliance with the ICERD, works for the recognition, promotion, and protection of IPs/ ICCs' human rights, and advocates/ encourages government agencies to provide accurate and disaggregated data on IP beneficiaries of their respective programs, activities, and projects, for IPs/ ICCs to be visible/ included in national and in regional statistics.

This section provides baseline information as to the implementation of the ICERD in the country (e.g. discussions on major national mechanisms, ICERD-related issuances, and guidelines, legislation, multi-stakeholders engagements, including gaps/challenges).

### *Major National Mechanisms*

Over the past years, the implementation of the ICERD in the country has involved several major national mechanisms, among which is the NCIP's Commission-En-Banc (NCIP-CEB). The NCIP-CEB, together with IPs/ ICCs, non-government organizations, and government partners, regularly meet to discuss concerns affecting the recognition, promotion, and protection of indigenous peoples' human rights, such as their right to participate in decision-making and planning processes.

Another mechanism is the conduct of regular consultative fora/ assemblies held by the NCIP to holders of IP Certificates of Ancestral Domain Title (CADT)<sup>23</sup> and IP Mandatory Representatives (IPMR)<sup>24</sup>.

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<sup>23</sup> Certificate of Ancestral Domain Title (CADT)- refers to a title formally recognizing the rights of possession and ownership of IPs/ICCs over their ancestral domains identified and delineated under the Indigenous Peoples Rights Act of 1997 (IPRA) or Republic Act 8371 (Section 3(c), Chapter II, IPRA). CADT holders are issued the same in recognition of the ownership of their lands, territories in the concept of native titles. The native title refers to the pre-conquest rights to lands and domains which, as far back as memory reaches, have been held under a claim of private ownership by IPs/ICCs, have never been public lands, and are thus indisputable presumed to have been held that way since before the Spanish Conquest (Section 3(l), Chapter II, IPRA).

<sup>24</sup> Indigenous Peoples Mandatory Representative (IPMR)- are Indigenous Peoples selected given IPs/ICCs right to participate in decision making given mandatory representation in policy-making bodies and other local legislative councils (Section 16, IPRA)

An Inter-Agency Committee on Women, Peace, and Security (IAC-WPS) has likewise been established pursuant to Executive Order No. 865 (s. 2010)<sup>25</sup>, for the purpose of managing/ resolving issues of discrimination, recruitment of IPs into armed groups, forced displacement, and other IP rights violations (IPRVs).

Furthermore, in the Legislative branch of government, several bills aimed towards the promotion, protection, and fulfillment of the rights of IPs/ ICCs under the ICERD are being considered in both chambers of Congress.

Noteworthy to mention is the Presidential Human Rights Committee (PHRC), which is the “primary advisory body to the President in effectively addressing all human rights concerns/ issues in the country.” The PHRC, which is established pursuant to Administrative Order (AO) No. 163 (s. 2006)<sup>26</sup>, ensures compliance with and strict adherence by the government to all its obligations under international human rights instruments where the Philippines is a party, including the timely submission of treaty implementation reports, replies, and comments on cases filed with the United Nations.<sup>27</sup> The NCIP is a member of the PHRC, having been designated as the lead agency in coordinating the State’s compliance with the ICERD, pursuant to AO No. 163 (s. 2006).

### ***Human Rights-Related Executive/Department Issuances***

Reinforcing the abovementioned national mechanisms are the following issuances recognizing, protecting, and promoting the rights of IPs/ ICCs:

- NCIP AO No. 02, (s. 2012), “General Guidelines on the Confirmation of Indigenous Political Structures and the Registration of IP Organizations”;
- NCIP AO No. 01, (s. 2009), “National Guidelines for the Mandatory Representation of Indigenous Peoples in Local Legislative Councils”;
- NCIP AO No. 03, (s. 2012), “The Revised Guidelines on Free and Prior Informed Consent (FPIC) and Related Processes of 2012”;
- NCIP AO No. 01, (s. 2012), “The Indigenous Knowledge Systems and Practices (IKSP) and Customary Laws (CLs) Research and Documentation Guidelines of 2012”;
- DOH-NCIP-DILG Joint Memorandum Circular 2013-01, “Guidelines on the Implementation of Basic Health Services for Indigenous Peoples”;
- Memorandum of Understanding (MoU) between NCIP and Philippine Institute of Traditional and Alternative Health Care (PITAHC);
- 2013 MoU between NCIP and the Philippine Health Research Ethics Board (PHREB); and,
- Administrative Circular No. 1, (s. 2014), “The 2014 Revised Rules of Proceedings before the NCIP”.

### ***Relevant Legislation***

Laws that have significantly contributed to the protection, promotion, and fulfillment of the rights of indigenous people include the following:

- Republic Act (RA) No. 8371 (s. 1997), “Indigenous Peoples Rights Act (IPRA)”;
- RA No. 10689 (s. 2015), “An Act Declaring August 09 as National Indigenous Peoples Day and Mandating the Meaningful Observance Thereof”;

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<sup>25</sup> Executive Order (EO) No. 865 (s. 2010), “Creation of a National Steering Committee on Women, Peace, and Security to implement UN Security Council Resolutions 1325 and 1820 and Providing Funds Thereof”

<sup>26</sup> Administrative Order (AO) No. 163 (s. 2006) “Strengthening and Increasing the Membership of the Presidential Human Rights Committee, and Expanding Further the Functions of said Committee”

<sup>27</sup> Paragraph (f), Section 3 of AO No. 163 (s. 2006).

- RA No. 10908 (s. 2016), “An Act Mandating the Integration of Filipino-Muslim and Indigenous Peoples History Culture and Identity in the Study of Philippine History in Both Basic and Higher Education”;
- RA No. 9710 (s. 2009), “The Magna Carta of Women”;
- RA No. 9729 (s. 2009), “Climate Change Act of 2009”; and,
- RA No. 8293 (s. 1997), “Intellectual Property Code of the Philippines.”

### ***Multi-Stakeholders Engagements***

Meaningful stakeholder engagements are important in ensuring the successful implementation of the identified programs, activities, and projects for IPs/ ICCs under the PHRP III.

Thus, the conduct of regular/ periodic national, regional, provincial, and community consultations, assemblies, workshop/ seminars, and validation activities with claim holders (i.e., IP communities, individuals/ entities focused on IP/ICC issues and concerns, IPMRs, CADT holders, IP women and youth, IP leaders), CSOs/ NGOs, as well as with government partners, shall be undertaken by the NCIP.

### ***Gaps/Challenges***

During the conduct of cluster consultations with IPs/ ICCs in Luzon, Visayas, and Mindanao in 2016 and 2017, the following issues were raised:

- Peace and security in ancestral domains;
- Recognition of ancestral domains;
- Violations of FPIC processes;
- Destruction of the ecosystem in ancestral domains;
- Displacement of IPs from their ancestral domains;
- Discrimination of IPs;
- Loss of IP culture;
- Weak IP governance;
- Lack of awareness and knowledge of IP, and human rights;
- Non-recognition of IP (traditional) leaders/ elders;
- Impact of government services not felt;
- Institutional capability of the NCIP for the full implementation of its mandate; and,
- Overlapping claims in ancestral domains.

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

The ICERD shall be complied with four (4) objectives:

- Ancestral lands/ domains security and development;
- Mechanisms for IP/ ICC rights promotion and protection;
- Capacity building for IPs/ ICCs and other stakeholders, and institutional capability enhancement for IP institutions (i.e. government and community-based organizations); and,
- IP rights and culture advocacy, and monitoring and evaluation.

***Objective I: Respect and recognize IPs/ ICCs rights over their ancestral land and domains to ensure non-discrimination, productivity, control, management, and sustainable resource use, towards inclusive growth, stability, lasting peace, and development.***

Several policy measures are in place for the recognition, promotion, and protection of IPs/ ICCs. However, issues on ownership/ collective rights of IPs/ ICCs over their ancestral lands and domains remain to be critical concerns.

Non-recognition of ancestral lands and domains of IPs/ ICCs has caused the loss of their culture, unrest, and disorder, conflicts, and violence, food and territorial insecurities, IPRVs including violations of the FPIC<sup>28</sup> process, forced displacement of IPs/ ICCs. Exacerbating the problem is the lack of awareness/ knowledge of duty bearers, especially government agencies, policy implementers, and partners, on IP rights and culture.

### ***Program of Action***

Under Objective 1, the following will be undertaken to further recognize and strengthen IPs/ ICCs rights over their ancestral lands/ domains, and their time immemorial claims over their territories, culture, people, identity, and Indigenous Knowledge Systems and Practices (IKSPs)<sup>29</sup>, to wit:

1. Issuance of CADTs;
2. Formulation of IPs/ ICCs Ancestral Domain Sustainable Development and Protection Plan (ADSDPP)<sup>30</sup>;
3. Capability development for IP focal persons to coordinate and facilitate support for the implementation of Indigenous Peoples Culturally Responsive Socio-Economic, Agro-Technology, Ecology, and Special Services Framework (IP-CREATESSF).

### ***Targets/Results and Timeline***

Targets under Objective 1 include the following:

1. Approval of 249 CADTs;
2. Formulation of 34 ADSDPPs; and,
3. Capacity building for 90 indigenous focal persons, which will all be accomplished by the year 2022.

For yearly distribution of targets, please refer to the attached Objectives and Results matrix. Section

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<sup>28</sup> Free and Prior Informed Consent (FPIC)-refers to the consensus of all members of the IPs/ICCs to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference, and coercion, and obtained after fully disclosing the intent and scope of activity, in a language and process understandable to the community (Section 3(g), Chapter II, IPRA)

<sup>29</sup>Indigenous Knowledge Systems and Practices (IKSP)-refer to the systems, institutions, mechanisms, and technologies comprising a unique body of knowledge evolved through time that embody patterns of relationships between and among peoples and between peoples, their lands and resource environment, including such spheres of relationships which may include social, political, cultural, economic, religious spheres, and which are the direct outcome of the indigenous peoples, responses to certain needs consisting of adaptive mechanisms which have allowed indigenous peoples to survive and thrive within their given socio-cultural and biophysical conditions (Section 6f, NCIP Administrative Order No. 1, Series of 2012," The IKSPs and CLs Research and Documentation Guidelines of 2012").

<sup>30</sup>Ancestral Domains Sustainable Development and Protection Plan (ADSDPP)-refers to the consolidation of the plans of IPs/ICCs within an ancestral domain for the sustainable management and development of their land and natural resources as well as the development of their human and cultural resources based on their indigenous knowledge systems and practices. Such plan shall be the basis of the Five Year Master Plan for IPs/ICCs (Section 6a, NCIP Administrative Order No. 1, Series of 2004, "Guidelines on the Formulation of the ADSDPP").

***Objective 2: Ensure the institutionalization and enhancement of mechanisms for the promotion and protection of IPs /ICCs right to minimize IP vulnerabilities, decrease risks in accessing their territories/ ancestral domains, sources of livelihood, the practice of IP culture in the contexts of armed conflict, natural disasters, violence, community disturbances.***

Towards the realization of IPs/ ICCs rights to self-determination and empowerment, social justice, human rights, and development, Objective 2 envisions the institutionalization and enhancement of mechanisms for the promotion and protection of IPs/ ICCs rights in the context of armed conflict, natural disasters, violence and community disturbances.

***Program of Action***

1. Strengthening IPOs to implement their ADSDPPs (i.e., 208 ADSDPPs) with a focus on the IP-CREATESF (1million per ADSDPP area);
2. Capability-building on disaster preparedness and management training in 3 piloted vulnerable areas in ancestral domains;
3. Implementation of the action plan of the TESDA-NCIP MOA, specifically in the development of curriculum for IP skills development;
4. Support for infrastructure projects;
5. Provision of program interventions on agro-technology development;
6. Socio-entrepreneurship & livelihood, sustainable tourism, ancestral domain ecology development;
7. IP education and advocacy activities that will include the following component programs: (a) IP assistance; (b) Merit-Based Scholarship (MBS) and Educational Assistance Program (EAP); (c) Culturally Adaptive Basic Education and Health Integrating Indigenous Knowledge Systems and Practices (CABEH-IKSP); (d) Assistance to IP community schools and IP education initiatives; (e) Conduct of review classes for licensure examinations for teachers and other professional board examinations; (f) Supplementary feeding for school-based children of more vulnerable IP groups.

***Target/ Results and Timeline***

By the year 2022, Objective 2 would have achieved the following targets:

1. Provision of 170 culturally responsive socio-economic projects to IPs/ICCs;
2. Capacity-building of 3,100 IP leaders in three (3) pilot ancestral domains areas;
3. Development of 15 community-based curricula in pilot ancestral domain areas for the TESDA-NCIP MOA commitments.
4. Implementation of 84 infrastructure projects that will target 2,245 IP beneficiaries;
5. Implementation of 348 projects/activities for agrotechnology development with 9,218 IP beneficiaries;
6. Provision of education to 92,130 IP beneficiaries, including scholarship grantees, children, teachers, workers, and IPs/ICCs.

The breakdown as to the number of beneficiaries and specific targets per year from 2017 to 2022 are reflected in the attached matrix under Objective 2.

***Objective 3: Improve/ enhance IP capability through the recognition of IP customary laws, indigenous knowledge systems and practices (IKSP) governance/ leadership concepts, structures and promote IP mandatory and effective participation in decision-making processes at all levels and strengthen institutional capacity towards good***



***governance indicative of improved ways of life of IPs with a continuing IP rights education and advocacy to deter or prevent conflict.***

Objective 3 deals with the capacity-building of IPs/ ICCs, as well as the NCIP. Strengthening the NCIP's Human Rights Division, as the institutional human rights mechanism, is central and crucial to the full implementation and realization of IP rights enshrined in the IPRA. IPs/ ICCs, on one hand, should be trained to be able to assert their aspirations in any venue whether in the local, national, or international development arena.

***Program of Action***

Strong institutions are associated with assertive and empowered IPs/ICCs. Objective 3 realizes this tenet through the following:

1. Facilitation of IPMRs in local legislative councils;
2. Documentation of IP structures (IPS);
3. Documentation of IP/ ICC customary laws; and,
4. Strengthening of NCIP Human Rights Division.

***Target/Results and Timeline***

By the year 2022, the following should have been accomplished: (a) 35, 876 IPMRs in local legislative councils or decision-making bodies; (b) 914 IP structures documented<sup>31</sup>; (c) 88 IP/ ICC customary laws documented; and, (d) NCIP Human Rights Division strengthened as a mechanism for the full implementation and realization of IP rights.

Timelines for these targets are presented in the attached Objective and Results matrix.

***Objective 4: Continuously raise awareness, understanding, and information education on IP rights and culture as a preventive measure to avoid conflict, deter IP recruitment into armed groups, strengthen State reporting in national and international institutions/bodies; strengthening lead, government agencies, and non-government organizations as duty bearers including the general public.***

One of the issues that need to be addressed is the lack of awareness and understanding of the human rights of IPs/ ICCs, hinged on their collective nature as groups of people. Often, this has become an impediment to the fulfillment of IP rights, peace, security, and development of IPs/ ICCs, and ancestral domains. To some extent, this has also been a reason for brewing arguments escalating into violence and conflict affecting IP communities and threatening national security.

The foregoing are the issues wherein Objective 4 shall focus on, with the end in view of preventing or de-escalating conflicts.

***Program of Action***

Major programs and activities under this Objective include the following:

1. IP human rights advocacy & monitoring treaty obligations;
2. Documentation of IKSPs in support of policy formulation, legislation & program development;

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<sup>31</sup> Indigenous Political Structures (IPS)-refer to organizational and cultural leadership systems, institutions, relationships, patterns, and processes for decision-making and participation identified by IPs/ICCs such as, but not limited to Council of Elders, Council of Timuays, Bodong Holders, or any other tribunal or body of similar nature (Section 3(i), Chapter II, IPRA).

3. Support to IP cultural festivals/advocacy; IP month celebration; IP summit cum inter-cultural exchange/tribal congress;
4. Support to IP summit cum inter-cultural exchange/ tribal congress;
5. Cultural sensitivity campaign for IP rights and welfare;
6. Culture sensitivity orientation/ training ;
7. Ancestral domains investment plan for health (ADIPH);
8. Conduct of culturally sensitive medical and dental missions/services;
9. Documentation of indigenous health knowledge and practices (IHKPs); and,
10. Philippine Indigenous Peoples Ethnographic Survey (PIPES).

### ***Targets/Results and Timeline***

By 2022, some 252 activities related to IP rights advocacy and human rights treaty monitoring, including culture sensitivity campaigns, shall have been conducted.

Likewise, the following must be accomplished during the same period:

- 483 projects/ activities for documentation of IKSPs and Indigenous Health Knowledge and Practices (IHKP) with 231 projects/ activities documentation for IKSP and implementation of 231 projects/ activities for documentation of IHKP;
- implementation of 110 activities/ projects concerning the PIPES program; and
- 1,826 activities/projects in relation to IP cultural festivals/celebrations, IP summit, inter-cultural exchange, tribal congress, culture-sensitivity campaigns, orientation and training, ADIPH, medical and dental missions/services, including the establishment and maintenance of 74 IP mini-museums, libraries or heritage centers.

Details of activities/ projects per year are shown in the attached Objective and Results matrix.

## **SECTION 3: OPERATIONAL AND MOBILIZATION PLAN**

To ensure the effective implementation of the ICERD, the following are the strategies to be adopted:

1. Ensure the participation and involvement of IPs/ ICCs, together with government agencies, NGOs, CSOs, local government units (LGU), and international organizations, in the pursuit of commitments under the PHRP;
2. Strengthen inter-agency coordination, collaboration, and linkages, including international development partners, to ensure inclusion of IPs/ ICCs in plans, actions, and programs towards effective monitoring and implementation of the national government and NGOs/CSOs plans/programs affecting IPs/ICCs;
3. Capacity-building/ training on IP/ ICC rights, and culture advocacy to members of IP groups/ ICCs, government partners, NGOs, CSOs, and LGUs;
4. Establish and strengthen international cooperation through the PHRC, DFA, and other organizations;
5. Level-off the playing field for IPs/ ICCs focused on the effects of global issues on IPs/ICCs;
6. Strengthen the NCIP as a national IP mechanism, and promote its mandatory participation and representation in UN discussions as well as conferences on IP concerns/ issues;

7. Coordinate with the UN and other international organizations on matters affecting IPs/ ICCs;
8. Pursue and ensure wide and substantial dissemination of proper and accurate information about IPs/ ICCs;
9. Ensure the promotion, implementation, and monitoring of international IP rights-related conventions, treaties, and instruments to which the Philippines is a party/signatory;
10. Strengthen the NCIP Human Rights Division as an effective mechanism in the field of IP human rights and the establishment or strengthening of a national NCIP mechanism responsible for the coordination, implementation, reporting, and analysis in line with its lead role in ICERD State Reporting to the UN; and,
11. Mobilize institutional support to ensure IP visibility in State Reporting from the PHRC, lead agencies and members, and major departments.

## **SECTION 4: RESOURCE GENERATION**

The ICERD chapter of the PHRP is based on the NCIP's submission to the Philippine Development Plan for 2017-2022. Resource allocation and targets to this chapter are from the NCIP as the lead agency on the ICERD implementation and monitoring. Multi-agency funding or allocation may also be considered during the implementation of the programs, activities, and projects indicated in the ICERD chapter.

## **SECTION 5: MONITORING AND EVALUATION**

The NCIP shall serve as the lead agency in the monitoring and evaluation of the State's compliance with its ICERD obligations.

Employing an assessment system, monitoring and evaluation shall entail the development of tools, enhanced indicators, and work processes based on final enhancements, revisions, and added commitments and targets from other government agencies, partners and stakeholders gleaned through the (a) conduct of ICERD chapter periodic assessments; (b) analysis of project processes and results; (c) resource or financial monitoring and analysis that may include those of other government agencies' related programs; and (d) conduct of field visits and evaluation.

Monitoring State compliance with the ICERD shall likewise be geared toward the mainstreaming or interfacing of the said instrument with other human rights core treaties/ conventions that give focus on IP/ICC matters.

Finally, the monitoring and evaluation shall be managed through the existing mechanisms of coordination with the PHRCS at various inter-agency and organizational levels and with all government and non-government partners concerned.

# CHAPTER 7

## ***Safeguarding Filipino Migrant Workers and their Families***

### **SECTION 1: BASELINE INFORMATION**

The Philippines has been recognized by the international community as a model country in managing international labor migration in Asia, if not in the world. This is because the Philippines placed the protection of the rights and promotion of the welfare and interest of Filipinos overseas as one of its primary interests alongside the preservation and enhancement of national security, and the promotion and attainment of economic security.

The Philippines gives primordial importance to the safety and welfare of overseas Filipinos and their families through the adoption of policies on protection covering the entire migration management process – from pre-employment; on-site employment; and return migration and reintegration.

The Department of Labor and Employment (DOLE), as the primary agency responsible for the protection and promotion of the rights of overseas Filipino workers (OFW), has continuously found ways to ensure that the working environment in destination countries is within the standards set internationally, or at the very least acceptable to the country.

This is achieved through diplomatic and other appropriate means of coordinating with the host governments in a bilateral, regional, and multilateral setting. Further, the Philippines is a signatory to international treaties and conventions that ensure the protection and promotion of the rights and welfare of migrant workers. One example of this would be the UN Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW) which was adopted on 18 December 1990 and which took effect on 01 July 2003.

In advancing the protection of migrant workers, the DOLE aligns its directions with the State's international commitments and obligations, as well as to recent development, challenges, and trends in international migration, the world of work, and international affairs.

Migration has been one of the key areas where Filipinos are recognized internationally. But this fact has also proved to be a prevailing challenge for the Philippine government as it remains committed to protecting its citizens while they are abroad.

Limited employment opportunities have forced Filipinos to migrate by necessity and not by choice. Many overseas Filipino workers (OFW) have been pushed to take on low-skilled jobs abroad. In 2015, for instance, some 37.8 percent of overseas workers were employed as household help. And while Filipinos are regarded well for their resilience in taking on even low-skilled jobs and keeping them as steady sources of income, there remains the threat of abuse and exploitation that renders OFWs extremely vulnerable.

More than 10 million Filipinos are based abroad, with more than half of them being temporary and irregular migrants. In 2015, newly-hired household service workers made up the largest proportion of deployed OFWs at 37.8 percent, up from 28.2 percent in 2010. These OFWs are vulnerable to external shocks such as economic downturns in host countries; protectionist policies, such as “Saudization”; political instabilities; and the like.

### ***Major National Mechanisms***

The protection of the rights and the promotion of the welfare and interest of Filipinos overseas is one of the three (3) pillars of the Philippine foreign policy. In this regard, the Department of Foreign Affairs (DFA) and the DOLE are seen at the forefront.

The 1987 Philippine Constitution, in Article 2, Section 11, provides as follows: *“The State values the dignity of every human person and guarantees full respect for human rights.”* Furthermore, in Article 2, Section 18, the Constitution stresses thus: *“State affirms labor as a primary social economic force. It shall protect the rights of workers and promote their welfare.”*

In the meantime, Article 3 of the Philippine Labor Code states the following: *“The State shall afford protection to labor, promote full employment, ensure equal work opportunities regardless of sex, race, or creed, and regulate the relations between workers and employers. The State shall assure the rights of workers to self-organization, collective bargaining, security of tenure, and just and humane conditions of work.”*

The DOLE’s platform and policy agenda ensure inclusive development, prosperity, and labor justice as implied in the 8-point labor and employment agenda which complements the zero + 10-point agenda of the current administration.

To intensify these policy directives, RA No. 10022, amending RA No. 8042, otherwise known as the Migrant Workers and Overseas Filipinos Act of 1995, was promulgated. Under the said Act, the concerned agencies are mandated to perform the following:

- 1) Pursue an independent foreign policy suitable to the overall welfare of Filipino migrant workers;
- 2) Affirm the guarantee of equal protection of laws, due process, and non-discrimination;
- 3) Provide free access to the courts and quasi-judicial bodies and legal assistance;
- 4) Provide measures on repatriation, re-placement, and reintegration to the community; and,
- 5) Develop and enhance the competitiveness of the Filipino migrant workers towards nation-building.

To complement and strengthen the objectives of the afore-cited provisions and RA No. 10022, the Overseas Workers Welfare Administration Act (RA No. 10801) was enacted in May 2016. Under said Act, protection of OFWs was fully recognized through guidelines on matters concerning the OWWA; its mandate and purposes and objectives; membership, collection of contributions, and availing of benefits and services. This Act also embodies the policies on fund management, programs, and services administration.

### ***Human Rights-related Executive/ Department Issuances***

The Philippine Government has various issuances to better improve the protection and promotion of the rights and welfare of the country’s migrant workers, as follows:

- Omnibus Rules and Regulations Implementing the Migrant Workers and Overseas Filipinos Act of 1995. This issuance ensures that there is a framework set in meeting the

principles provided for by RA No. 10022, amending RA No. 8042, which is the main legislation enabling the Philippines' compliance to the rights afforded by the CMW;

- Department Order No. 2, Series of 2012. This issuance serves as a manual of procedures in handling complaints on illegal recruitment and trafficking in persons. This is to ensure that there is a standard procedure in providing immediate and appropriate action and/or assistance to complainants/victims of illegal recruitment, trafficking in persons, and child labor;
- 2016 Revised Philippine Overseas Employment Administration (POEA) Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Filipino Workers;
- 2016 Revised POEA Rules and Regulations Governing the Recruitment and Employment of Seafarers;
- Policy on Reforms Package of Filipino Household Service Workers. The policy aims to professionalize domestic work and minimize vulnerabilities. It sets the minimum age of household workers at 23. It requires the upgrading of skills of the domestic workers through training and certification with the Technical Education and Skills Development Authority (TESDA). The policy also gives household workers additional benefits by obliging the employer to shoulder the cost of deployment or a “no placement policy” and setting the minimum wage at \$400;
- POLO Manual of Operations. The manual serves as the guidebook of all Philippine Overseas Labor Offices in providing maximum services to Filipino migrant workers to protect their rights and promote their welfare through employment protection and facilitation, provision of welfare services and skills enhancement and other training programs, employment promotion and market development, and forging of linkages with other governments;
- Administrative Order No. 163, series of 2006. This order serves as the basis for national government agencies to ensure compliance with ratified international human rights treaties;
- Joint Memorandum Circular on the Integrated Policy Guidelines and Procedures in the Conduct of Medical Repatriation of Overseas Filipinos. This issuance streamlines the inter-agency efforts of the Philippine government in facilitating the Medical Repatriation Assistance Package which assists Overseas Filipinos who need to be transported back to the country for further medical care and attention;
- Joint Manual of Operations in Providing Assistance to Migrant Workers and Other Filipinos Overseas. This manual was promulgated to advance this policy and ensure efficient and effective delivery of services to OFWs, particularly those in distress, who require prompt and proper assistance at all times.

### ***Institutional Human Rights Programs and Projects***

The DOLE also gives access to Filipino migrant workers and their families, as well as other constituents, on various programs and projects in the migration cycle which are as follows:

#### Pre-employment

- Pre-Employment Orientation Seminar (PEOS);
- Pre-Departure Orientation Seminar (PDOS);
- Pre-Departure Education Program; and,

- Skills Training.

#### On-Site

- Post-Arrival Orientation Seminar;
- Repatriation Services;
- On-Site Welfare Case Management;
- In-Country Welfare Case Management;
- Welfare Assistance Fund (Legal Assistance);
- Online Complaint and Legal Counselling Facility; and,
- Crisis Management Operational Framework of IOM.

#### Return Migration and Reintegration

##### 1. National Reintegration Program

- Financial Awareness Seminars (FAS) and Small Business Management Trainings (SBMT);
- Balik Pinay! Balik Hanapbuhay! (BPBH);
- Livelihood Development Assistance Program (LDAP);
- Sa 'Pinas, Ikaw and Ma'am/Sir (SPIMS); and,
- Business Plan Competition for Seafarers.

#### Other Relevant Programs

- OFW Development Scholarship Program (ODSP);
- Education and Livelihood Assistance Program (ELAP);
- Congressional Migrant Workers Scholar Program for Dependents of Migrant Workers;
- Online Trafficking-In-Persons (TIP) Blacklist Database;
- Illegal Recruitment and Trafficking in Persons (IRTIP) Priority Targets List; and,
- National Illegal Recruitment Case Monitoring.

### ***Relevant Legislation***

Republic Act No. 10022 is the main legislation encompassing the realization of the rights of Filipino migrant workers, covering the migration cycle.

Apart from this legislation, the Legislature has also enacted RA No. 10801 (Overseas Workers Welfare Administration Act) which seeks to streamline the work of the Overseas Workers Welfare Administration (OWWA) to provide efficacious services to migrant workers.

### ***Multi-stakeholder Engagements***

Overseas Land-based Tripartite Consultative Council. This serves as a forum through which labor, management, and government work together to address issues and concerns involving land-based OFWs. It also acts as an advisory body to the Secretary of Labor and Employment in terms of policies and programs affecting labor and employment in the overseas employment sector. It also endeavors to arrive at a consensus on matters brought to it for consideration, deliberation, and/or resolution.

Maritime Industrial Tripartite Council. This council will engage Filipino seafarer's groups and the local and overseas shipping industry in the crafting of policies and programs for the advancement of the Philippine maritime industry, particularly in facilitating employment and in enhancing the welfare of Filipino seafarers and port workers.

Regional Maritime Industrial Tripartite Councils (MITC). These councils engage Filipino seafarer's groups at the regional levels to ensure that the realities of various regions are recognized in

the crafting of policies and programs for the advancement of the Philippine maritime industry. Currently, the Philippine government has regional MITCs in seven of its 18 regions, namely in Southern Tagalog Mainland (Region 4-A), South Western Tagalog (Region 4-B), Central Visayas (Region 7), Zamboanga Peninsula (Region 9), Northern Mindanao (Region 10), Davao (Region 11), and CARAGA (Region 13).

### ***Gaps / Challenges***

The DOLE's 8-Point Labor and Employment Agenda under the current leadership seeks to address previously identified policy and programmatic gaps applicable both in local and overseas employment:

- Continue to enhance and transform DOLE into an efficient, responsive, purposeful, and accountable institution;
- Address persistent problems of unemployment and underemployment by dealing with inadequate employment opportunities, mismatches between skills and jobs, and limited access to labor market information;
- Ensure full respect of labor standards and fundamental principles and rights at work;
- Increase protection for vulnerable workers;
- Focus on improving accessibility in workers' protection and welfare programs;
- Achieve a sound, dynamic, and stable industrial peace with free and democratic participation of workers and employers in policy and decision-making processes affecting them;
- Ensure just, simplified, and expeditious resolution of all labor disputes; and
- Adopt responsive, enabling, and equitable labor policies, laws, and regulations.

The following are identified gaps/challenges hindering the effective protection of migrant workers:

- No official “callback” from the State for OFWs to come back;
- Replication of reintegration programs and services among government actors;
- Baseline data on returning OFWs;
- Support to OFWs;
- Government efforts to encourage return and reintegration of OFWs;
- Effective/ full implementation of laws that benefit OFWs;
- Expand further institutional infrastructure to forecast the influx of mass repatriations;
- Jobs economy having low “absorptive capacity” for returning OFWs;
- Misconceptions about reintegration – *Reintegration service is largely equated to displacement assistance due to the volume and prevalence of distress & crises. Displacement assistance involves humanitarian & emergency response or welfare services which are not necessarily reintegration; reintegration also equated to entrepreneurship because of the difficulty to offer employment;*
- Communication and advocacy on reintegration.

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

The DOLE will continuously strengthen the protection and security of our OFWs. Specifically, it shall aim to:

- 1) Protect the rights and improve the well-being of OFWs;
  - 2) Strengthen the engagement of OFWs, their families, and other stakeholders in governance;
- and,



- 3) Facilitate participation in the country's development through effective reintegration in Philippine society.

**On protecting the rights and improving the well-being of OFWs**

***Objective 1: Simplify government transactions that cater services for Overseas Filipinos, particularly job placement and membership***

***Program of Actions***

- 1) Regular conduct of pre-employment seminar and pre-departure orientation seminars for ready-to-leave OFWs;
- 2) Strengthen cashless transaction and online payment of OWWA membership contribution; and,
- 3) Operationalization of the OWWA application.

***Targets / Results***

- 1) Increased number of OFWs provided PEOS/PDOS;
- 2) Increased number of OFWs registered with OWWA through the online payment system; and,
- 3) Increased number of OFWs registered.

***Timeline:*** 2018-2022.

***Objective 2: Reduce recruitment costs for Overseas Filipinos.***

***Program of Actions***

- 1) Conduct better regulation and monitoring of recruitment agencies;
- 2) Encourage direct recruitment to minimize broker charges; and,
- 3) Minimize regulations and red tape through online and e-governance processes.

***Targets / Results***

- 1) Increased number of inspections and assessments undertaken;
- 2) Increased number of agencies covered by inspections and assessment;
- 3) Increased number of agencies adopted and implemented; and,
- 4) Increased number of OFWs served under the One-Stop Service Center for OFWs (OSSCO), by service and region.

***Timeline:*** 2018-2022.

***Objective 3: Provide opportunities for skills development and re-tooling for Overseas Filipinos, such as access to quality and relevant TVET opportunities.***

***Program of Action***

Conduct skills competency training for OFWs and OFW-returnees.

***Targets / Results***

- 1) Increased number of OFWs certified;
- 2) Increased number of OFWs trained; and
- 3) Increased number of women returning workers trained.

***Timeline:*** 2018-2022.

***Objective 4: Improve matching of Overseas Filipinos' skills and labor market needs both here and abroad.***

***Program of Action***

Conduct career guidance and employment coaching for OFWs continue.

***Targets / Results***

Increased number of potential OFWs assisted.

***Timeline:*** 2018-2022.

***Objective 5: Enhance career advocacy, coaching, and counseling for those seeking employment either locally or overseas.***

***Program of Action***

Enhance government-to-government hiring services through e-registration.

***Targets / Results***

Increased number of OFWs registered.

***Timeline:*** 2018-2022.

***Objective 6: Strengthen employment facilitation through online services for Overseas Filipinos.***

***Program of Action***

Conduct advocacy of employment facilitation for OFWs.

***Targets / Results***

Increased number of Overseas Filipinos provided with employment facilitation

***Timeline:*** 2018-2022.

***Objective 7: Review regulations related to facilitating the eventual reintegration of Overseas Filipinos in the domestic economy.***

***Program of Action***

- 1) Review existing provisions on short, mid-term, and long-term recovery and reintegration assistance to human trafficking victims and other related cases;
- 2) Provide a standard package of assistance to be provided to OFW/OFW families affected by crisis or man-made/natural calamities; and,
- 3) Develop an early warning system to track the displacement of OFWs in countries in crisis.

***Targets / Results***

Increased number of OFWs assisted.

***Timeline:*** 2018-2022.

***Objective 8: Improve technology for online and mobile application platforms for legal aid, guidance, and counseling for migrants, as well as for a 24/7 action line service for nationals in distress, and monitoring of victims of illegal recruitment and trafficking.***

***Program of Action***

- 1) Enhance/improve the online services/assistance for the Overseas Filipinos;
- 2) Develop and implement an online legal assistance system;
- 3) Implement National Illegal Recruitment Case Monitoring System;
- 4) Implement a trafficking-in-person blacklist database that will enlist all persons, entities, and recruitment agencies that are involved in human trafficking; and,
- 5) Reconstitute Presidential Task Force Against Illegal Recruitment.

***Targets / Results***

Increased number of OFWs assisted.

***Timeline:*** 2018-2022.

**On strengthening engagement of overseas Filipinos, their families, and other stakeholders in governance**

***Objective 1: Harmonize administrative and field data on international migration, as well as human trafficking-related data of various government agencies.***

***Program of Action***

- 1) Operationalize the Shared Government Information System by the Department of Information and Communications Technology, taking into consideration the initiatives of the Interagency Committee on Migration Statistics, Community-Based Monitoring System, and the Overseas Filipinos Information System; and,
- 2) Operationalize the integrated DOLE System or the “iDOLE that includes the OFW ID System as its major component.

***Targets / Results***

- 1) Increasing number of OFW registrants on iDOLE;
- 2) Increasing number of OFWs issued with the ID.

***Timeline:*** 2018-2022.

***Objective 2: Becoming a “One Connected Government” (one-stop shops to an integrated single-window and single-door approach, i.e. applications for passports).***

***Program of Action***

- 1) Establish and maintain a one-stop service center for OFWs.
- 2) Establish and maintain OFW Helpdesks in cities and municipalities.

***Targets / Results***

Increasing the number of OFWs served under the OSSC, by region, service, and agency.

***Timeline:*** 2018-2022.

***Objective 3: Encourage Overseas Filipinos and their families to participate in development planning at the local and national level.***

***Program of Action***

Expand/strengthen OFW family circles (OFC).

***Targets / Results***

Increasing the number of assisted newly-formed/maintained OFCs.

***Timeline:*** 2018-2022.

**On facilitating participation in the country’s development through effective reintegration in Philippine Society**

***Objective 1: Increase access of Overseas Filipinos economic opportunities in industry and services.***

***Program of Action***

Develop an integrated strategy to encourage Overseas Filipinos to venture into business back in their home country through the programs initiated by the Department of Trade and Industry Foreign Trade Service Offices.

***Targets / Results***

- 1) Number of Overseas Filipinos engaged in business activities; and,
- 2) Number of Overseas Filipinos provided with seminars/trainings.

*Timeline:* 2018-2022.

***Objective 2: Streamline and simplify loan processes for Overseas Filipinos.***

***Program of Action***

Replicate the Overseas Filipinos RED (remittances for development) model in applicable LGUs.

***Targets / Results***

Increased number of OFWs availing of the Enterprise Development and Loan Program of OWWA.

*Timeline:* 2018-2022.

***Objective 3: Promote community-based training especially to returning and repatriated Overseas Filipinos.***

***Program of Action***

- 1) Conduct community-based training for OFWs and OFWs returnees; and,
- 2) Push/rally for the inclusion of provisions on their eventual return and reintegration in bilateral labor agreements.

***Targets / Results***

- 1) Increasing number of repatriated OFW returnees provided with community-based trainings; and,
- 2) Increasing number of LGUs that implement community-based trainings to returning and repatriated OFWs.

*Timeline:* 2018-2022.

***Objective 4: Review regulations related to facilitating the eventual reintegration of Overseas Filipinos in the domestic economy.***

***Program of Action***

Adopt the following reintegration frameworks:

- 1) Proposed reintegration framework for OFWs displaced by conflict and natural disasters; and,
- 2) Proposed reintegration framework for OFWs in distress.

***Targets / Results***

Finalization and implementation of the proposed reintegration framework, through the development of a National Reintegration Masterplan (NRM).

***Timeline***

The target is achievable before the end of 2022, with the NRM launched in 2018.

***Objective 5: Include social security benefits in the standard employment contract for all overseas Filipinos.***

***Program of Action***

- 1) Include social security benefits in the standard employment contract for all OFWs;
- 2) Encourage OFWs to avail of membership to OWWA; and,
- 3) Inventory of benefits as OWWA members.

***Targets / Results***

- 1) Increasing the percentage of OFWs with access to social security benefits;
- 2) Increasing the number of OFWs with social security benefits;
- 3) Increasing the number of OFWs health and insurance claims facilitated;
- 4) Increasing the percentage of share of OFWs with social security.

***Timeline:*** 2018-2022.

***Objective 6: Continue the initiatives towards the successful reintegration of Overseas Filipinos.***

***Program of Action***

- 1) Sustain the initiatives under the Assist-WELL (i.e. welfare, employment, legal, and livelihood) program of the POEA;
- 2) Draw up a national master plan for the absorption of returning migrant workers into the local economy through the Enhancing Reintegration Programme for OFWs Project; and,
- 3) Sustain consultative engagements among government, civic society, private and corporate, and OFW organizations for their participation in policy formulation and implementation.

***Targets / Results***

- 1) Increasing number of repatriated OFWs provided with technical and administrative support; and,
- 2) Finalization and implementation of the investment roadmap and national master plan, duty-bearers handbook on reintegration program and services.

***Timeline:*** 2018-2022.

***Objective 7: Establish mechanisms through which overseas-based experts will be able to share their knowledge and specializations to the academe and industry through information and communication technology (ICT), such as videoconferencing.***

***Program of Action***

Create a team in coordinating with OFWs with expertise possible to be tapped.

**Targets / Results**

Creation of a database which includes OFWs with expertise monitored and list of Overseas Filipinos recommended.

*Timeline:* 2018-2022.

## SECTION 3: OPERATIONAL AND MOBILIZATION PLAN

At the immediate and towards the medium-term, the Philippine Government, through the DOLE, shall prioritize different thrusts which respond not only to operational concerns but also to the developmental approaches that can create an enabling policy environment for protecting the rights of overseas workers and affording decent and productive employment even beyond the national borders.

The following table depicts some of the immediate thrusts of the DOLE in ensuring that the protection of migrant workers and their families are recognized:

PROGRAMS	DESCRIPTION
<p><b>A. Documentation of OFWs</b></p> <p>a.1 One-Stop Service Center for OFWs (OSSCOs) – Maintained the operations of 17 existing OSSCOs in all regional offices and <b>expand its operations in Palayan City-Nueva Ecija and Bacoor-Cavite by 1<sup>st</sup> Semester 2018.</b></p>	<p>The Mayor of Palayan City and Congressman Revilla of the 2<sup>nd</sup> District of Cavite Province requested for the creation of OSSCO to assist OFWs and their families in their respective areas.</p>
<p>a.2 Full implementation of the <b>POEA e-Services Portal</b> with the following online services by <b>4<sup>th</sup> Quarter 2018:</b></p> <ul style="list-style-type: none"> <li>• E-Registration</li> <li>• E-Accreditation</li> <li>• E-Licensing</li> <li>• E-Inspection</li> <li>• E-Recruitment (for Government Hiring)</li> <li>• E-Contracts Processing</li> <li>• E-Direct Hires</li> <li>• My POEA</li> </ul>	<p>The online service facility is to provide convenient, responsive, speedy, and easy access to applicant workers, overseas Filipino workers, licensed agencies, foreign principals and employers, and other government agencies and entities involved in the overseas employment program.</p>
<p><b>B. Licensing Program</b></p> <p>b.1 Agency Performance Evaluation and Conferment of Outstanding Agency Awards by <b>1<sup>st</sup> Semester 2018</b></p>	<p>The Department, through POEA has, for the last 30 years, continuously recognized the exemplary performance of license recruitment and manning agencies in the field of overseas employment through Outstanding Agency Awards.</p>
<p>b.2 Continuing Agency Education Program (CAEP) <b>throughout the year.</b></p>	<p>CAEP is a training program envisioned as an important intervention to further professionalize and improve the technical capabilities and promote ethical recruitment practices among the officers and staff of licensed recruitment and</p>

PROGRAMS	DESCRIPTION
	manning agencies.
b.3 Pre-Licensing Orientation Seminar (PLOS) throughout the year	To serve as a venue to familiarize the prospective applicants for a license to recruit for overseas employment on the complex laws, policies, rules, and regulations, and other government programs governing overseas employment and to help enhance their technical capabilities/ competencies by providing them accurate labor market information realities which will help them negotiate and secure better overseas employment opportunities for Filipino workers among others.
<b>C. Welfare Services:</b>	
c.1 Bilateral/Regional/Multilateral Agreements	The pursuance/ forging of labor agreements is an approach where there is a commitment of governments (whether bilateral/ regional/ multilateral) of the labor-sending and labor receiving countries for cooperative action on concerns in the field of labor and employment. BLAs can be an effective mechanism to manage the process of migration of workers to the labor receiving countries and promote their welfare through control of abuses in recruitment and prevention of illegal recruitment, irregular migration, and trafficking.
c.2 Country-specific Standard Employment Contracts (SECs)	Based on Sections 134 and 135 of the Revised POEA Rules and Regulations Governing the Recruitment and Employment of Land-based Overseas Workers of 2016, the Administration shall develop and continually review employment standards in accordance with policy thrusts and market developments, where specifically the review should be based on the minimum provisions of the employment contract. The Administration may likewise formulate country- or-skills-specific policies and guidelines based on the existing labor and social laws of the host country; relevant bilateral and multilateral agreements or arrangements with the host country; and prevailing conditions/ realities in the market.
c.3 Hosting of Joint Committee Meetings (JCMs)	For 2018, two (2) Joint Committee Meetings are targeted, namely: KSA and New Zealand.
c.4 Conduct of the 3 <sup>rd</sup> International Employers Awards (IEA)	The event is tentatively scheduled for the 1 <sup>st</sup> week of March to honor deserving foreign employers who have been major providers of employment to Filipino workers for the past decades.

Also, with the passage of RA No. 10801, the DOLE can further strengthen the institutionalization of reintegration as one of the core principles towards the sustainable return and reintegration of OFWs.



The DOLE, assuming authority to recognize the objectives of RA No. 10022, will continue to provide mechanisms for OFWs' reintegration into the Philippine society, serve as a promotion house for their local employment, and tap their skills and potentials for national development. The DOLE will harmonize its reintegration programs, as well as provide monitoring and evaluation to all other migrant reintegration-related efforts and initiatives from other government as well as non-government actors.

The DOLE is currently implementing a project, supported by the International Organization for Migration, on the enhancement of the National Reintegration Program. The most important output, an NRM for returning OFWs, will act as guidance for the current government administration and shall ensure comprehensiveness, efficiency, effectiveness, and efficacy of program and service delivery. This shall be done with continuous engagement with other actors that serve the interests of overseas Filipino workers, especially those returning until concerted efforts from these actors show considerable outcome on the country's goal of making migration, especially its aspect of reintegration, a tool towards the country's development.

## **SECTION 4: RESOURCE GENERATION**

The programs and services of the DOLE are funded by the General Appropriations Act.

## **SECTION 5: MONITORING AND EVALUATION**

Part of the monitoring and evaluation stage concerns collecting necessary data and information for the strategic indicators identified which lacks baseline studies. The DOLE, as the focal agency shall collect, compile, and disseminate information, as necessary, on the progress and development of each plan, program, or action.

Any limitations and/or hindrances in the completion of each plan, program, or action shall likewise be identified for proper monitoring. Annual reporting shall be submitted by these accountable agencies to the DOLE which, as head of the CMW Thematic Cluster, collates and submits reports to the Presidential Human Rights Committee as requested.

Furthermore, all of the priority thrusts of the Department shall form part of the Office Performance and Review commitments which are linked to the Civil Service Commission Performance Management System as well as the Commission of Audit Agency-based Performance Audit.

The ISO-Certified processes of the DOLE are subject to routine feedback, evaluations and audits.

Implementation of programs, as well as policymaking, shall also be subjected to stakeholder consultations, as necessary. Dialogues with partners on matters affecting the rights of workers and employers alike shall be continually undertaken.

## CHAPTER 8

# ***Addressing Torture and Other Forms of Cruel, Inhumane, and Degrading Treatment***

### **SECTION 1: BASELINE INFORMATION**

The United Nations Convention against Torture (CAT) is an international human rights treaty which aims to prevent torture and other cruel, inhuman, or degrading treatment or punishment around the world. The text of the CAT was adopted by the United Nations General Assembly on 10 December 1984. The Philippines acceded to the CAT on 18 June 1986.

Through its current legal and institutional mechanisms, the Philippine government addresses incidents of torture and ill-treatment with seriousness and firm resolve. On November 10, 2009, Republic Act (RA) No. 9745, otherwise known as the “Anti-Torture Act of 2009” was enacted. The Anti-Torture Act of 2009 reiterates the definition of torture under Article 1 of the CAT. Through the Anti-Torture Act, the establishment and full institutionalization of preventive and protective mechanisms on torture, as well as the heightening of awareness of and respect for human rights of State agents, and the general public, is pursued.

The Philippine government adheres to the principle of inclusive participation in human rights promotion and protection, particularly as regards the anti-torture campaign. It remains zealous of its obligation to promote, protect, and fulfill the rights of persons deprived of liberty especially the vulnerable groups to be free from torture and ill-treatment. It will continue to pursue just, humane, and peaceful communities through its anti-torture campaign.

#### ***Major National Mechanisms***

Administrative Order (AO) No. 35, (s. 2012), provided for the creation of the Inter-Agency Committee (IAC) on extra-legal killings, enforced disappearances, torture, and other grave violations of the right to life, liberty, and security of persons. The IAC, which is chaired by the Secretary of Justice, is mandated to (a) carry out the immediate inventory of all alleged human rights violations committed by State and Non-State forces; (b) monitor the development of cases that are pending in courts or under investigation; (c) investigate unsolved and new cases and prosecute the perpetrators; (d) submit to the President every 6 months a progress report, a detailed inventory of pending human rights abuse cases, and accomplishments and recommendations. The Philippine National Police Human Rights Affairs Office (PNP-HRAO) serves as a member of the IAC.

The AO 35 mechanism complements and enhances the regular conduct of operations and functions of government agencies. While it adds another layer to the bureaucratic processes or regulations. It also aims to build on the strengths of the different agencies, foster synergies and

collaboration among the security forces, academe, and non-governmental organizations. Over the past years, the role of the IAC has evolved from a mechanism for inventory and monitoring of cases to an instrument for the identification of patterns of impunity, vulnerabilities, and as well as areas for improvement, leading to important policy changes.

To further ensure that cases of torture and other acts of cruel, inhuman, or degrading treatment will be eliminated, all PNP personnel who are charged with human rights violations, such as torture, shall undergo preventive suspension and shall be entitled to a formal hearing as stated in the National Police Commission (NAPOLCOM) Memorandum Circular 2000-001.

The PNP-HRAO and Human Rights Officers (HROs) are active in implementing the reporting mechanisms in custodial facilities, as required under the Anti-Torture Act. The reporting mechanisms enable the CHR to track the status of persons under police custody. The periodic inspection of lock-up cells nationwide with the monthly reporting of data to the CHR regarding the condition of persons deprived of liberty (PDL) is being done every first week of the month.

The capacity of HROs was further strengthened, thus, making human rights promotion and protection a reality at the level of all National Operational Support Units (NOSUs), Police Regional Offices (PROs), Police Provincial and City Police Offices (PPO/CPOs), and City and Municipal Police Stations (CPS/MPS). This resulted in the concrete establishment of a foundation for a national human rights monitoring system. The designated HROs serve as the focal points and front liners in the implementation of the PNP Human Rights Development Program as they present the best means of ensuring that police practices recognize the human rights and dignity of every person while providing him/her a practical and effective venue to air alleged human rights violations committed by both State and non-State actors.

Moreover, the Bureau of Corrections (BuCor) has created an Internal Affairs Division to investigate cases of erring personnel and has set up an Integrity Development Review, in coordination with the resident Ombudsman, to clean up its ranks. It has installed a computerized inmate database, and a centralized information processing section for the guidance of concerned parties. To decongest national penitentiary facilities, the BuCor has established the Inmate Transfer Board that deliberated on requests of inmates who wish to transfer to penal farms.

### ***Human Rights-related Executive/Department Issuances***

In line with Letter of Instructions (LOI) No. 55/07, otherwise known as the Human Rights Development Program, the PNP-HRAO has formulated key policies that are now being implemented such as the Policy on Prohibition of All Forms of Torture, Hazing and other Cruel, Inhuman, and Degrading Acts in the conduct of Police Training Courses and all other police functions and memorandum-directives which prohibit fake arrests and arbitrary detention.

An internal bureau issuance of the Bureau of Jail Management and Penology (BJMP) was also issued in 2010 regulating the use of force by jail officers on erring PDLs. In August 2013, the State, again through the BJMP, effected a memorandum which banned the use and ordered the confiscation and destruction of sticks, paddles, belts, and similar devices in jails that are reportedly used to impose corporal punishment on inmates.

A 2013 Circular (OCA Circular No. 107-2013) issued by the Office of the Court Administrator of the Supreme Court, on the other hand, mandates judges to do quarterly inspections of provincial or city jails, as well as of youth detention homes and youth rehabilitation centers within their respective jurisdictions and to report on matters such as the duration of detention and health condition of prisoners.

Lastly, Proclamation No. 551, (s. 1995) issued by former President Fidel V. Ramos declaring the last week of October as “National Correctional Consciousness Week”.

### ***Institutional HR Programs and Projects***

With the assistance of HROs nationwide, the PNP HRAO has been active in torture prevention campaigns. Specifically, HRAO personnel and HROs were at the forefront in addressing the so-called “Biñan Torture Chamber” incident last 2014. As a result, a major survey of existing police custodial facilities was undertaken to ensure transparency and accountability in custodial management and in upholding the rights of persons under custody. The PNP HRAO immediately disseminated a policy requiring all Regional Directors of Police Regional Offices (PROs) and Directors of National Support Unit to sign and submit an Affidavit of Undertaking stating primarily that all facilities are properly reported and that they are taking full responsibility for any omission or inaccuracy in the reporting thereof.

In accordance with the Anti-Torture Law, education, and information activities regarding the prohibition of torture are integrated into trainings of law enforcement and medical personnel, public officials and other persons who may be involved in the custody, interrogation, or treatment of any individual subjected to any form of arrest, detention, or imprisonment have been undertaken.

The Department of the Interior and Local Government (DILG), together with its partners Hanns Seidel Foundation of Germany (HSF) and the International Committee of the Red Cross (ICRC), has distributed copies of human rights information/advocacy materials (e.g., posters on the rights of persons arrested, detained and under custodial investigation; and, citizen’s primer on law enforcement) to police personnel and civil society organizations as initiatives on the campaign against torture and to enhance their practical knowledge on human rights and the international humanitarian law. Likewise, copies of the New PNP Miranda Warning Pocket Cards, which also include provisions of the Anti-Torture Act, have been translated into 10 Filipino dialects and have been distributed to PNP personnel nationwide in 2016. The PNP Miranda Warning Pocket Cards with Anti- Torture reminders aim to equip members of the PNP with information/ materials with which to advise citizens or persons placed under police custody of the Constitutional guarantees (i.e., right to remain silent, right to counsel, etc.). Furthermore, the Miranda Warning Pocket Cards serve as reminders to PNP personnel to always adhere to human rights standards and police operational procedures.

Partnership with the Department of Justice (DOJ) and Medical Action Group (MAG) has also been established for the conduct of a joint prosecutors-investigators’ training on Anti-Torture Act and handling of other human rights violations to enhance the capacities of police investigators and government prosecutors for a more effective investigation and prosecution of torture cases using medical evidence.

The BuCor, under the aegis of the DOJ, has a principal task of safekeeping and rehabilitation of PDLs who have been sentenced by a court of competent jurisdiction with a penalty of more than three years or a fine of more than one thousand pesos. The circumferential reformation programs institutionalized by BuCor for inmates comprise of the following: (a) moral and spiritual program; (b) education and training program; (c) work and livelihood program; (d) sports and recreation program; (e) health and welfare program, and, (f) behavior modification program.

As for the Bureau of Jail Management and Penology (BJMP), a series of seminar-workshops were conducted from June 2015 to April 2016 as follows:

- Seminar-Workshop on Torture Prevention, Documentation and Rehabilitation for Regional Inmates Welfare Development (IWD), Therapeutic Community Modality Program (TCMP) Implementers and Regional Paralegal Officers;

- Seminar-Workshop on the Implementation of BJMP's Anti-Torture Policy for BJMP-NCR Health Personnel, Human Rights Personnel and Wardens;
- Seminar-Orientation on the Implementation of BJMP's Anti-Torture Policy for Wardens, Legal Officers and Health Personnel of BJMP Luzon and Visayas Cluster;
- Seminar-Orientation on the Implementation of BJMP's Anti-Torture Policy for Wardens, Legal Officers and Health Personnel for BJMP Region V; and,
- Seminar-Workshop on Effective Jail Management.

### ***Relevant Legislation***

In August 2009, the Magna Carta of Women (MCW), a comprehensive women's human rights law that seeks to eliminate discrimination against women, especially those in the marginalized sectors of society, was enacted. The MCW mandates various government agencies to provide the required services to women and children victims of violence with psychosocial, therapeutic, medical, and legal interventions and assistance towards healing, recovery, and empowerment.

In November 2009, RA No. 9745, or the Anti-Torture Law, was enacted, criminalizing acts of torture. This was followed by the issuance of its Implementing Rules and Regulations (IRR) in December 2010.

In December 2009, RA No. 9851, or the "Philippine Act on crimes against international humanitarian law, genocide, and other crimes against humanity" was enacted. Said law defines and penalizes war crimes, genocide, and crimes against humanity.

In 2012, RA No. 10389, otherwise known as the "Recognizance Act of 2012", was enacted. It institutionalized recognizance as a way of releasing an indigent person in custody who has been accused in a criminal case but whose crime is not punishable by life imprisonment, and who has yet to be convicted under our Regional Trial Courts.

In May 2013, RA No. 10592, or the Good Conduct Time Allowance Law was enacted amending Articles 29, 94, 97, 98, and 99 of the Revised Penal Code. Said law provides for a "good conduct time allowance" where inmates earn additional credits, thus reducing the number of years to be served in prison.

In October 2013, RA No. 10630 was enacted, amending the Juvenile Justice and Welfare Act of 2006, henceforth prohibiting children from being committed to jails and establishing intervention programs for children ages 12 to 15 years old who have committed serious crimes.

Most recently, President Duterte signed into law Republic Act No. 10951 which adjusts the amount or the value of property and damage on which a penalty is based and the fines imposed under the Revised Penal Code (RPC). The law mandates that certain less serious felonies would now have a fine of P40, 000 instead of P200 as provided in the RPC. Those found guilty of committing treason shall be subject to *reclusion perpetua* to death and a fine of at most P4 million. Furthermore, publishing false news that could endanger public order or cause damage to the interest or credit of the State would be fined P40,000 to P200, 000.

### ***Multi-Stakeholder Engagements***

The active and effective role of the community in maintaining peace and order in our country is recognized. Thus, partnership and multi-stakeholder engagements with various sectors of the community and even organizations and agencies at the national level are essential.

Through the nationwide conduct of the PNP - Civil Society Organization Forum, refinements in program planning were made and the concept of Human Rights-Based Policing was further

explained to the community. As a result, vital partnerships were built with human rights NGOs, civil society groups including several government agencies. The PNP has an active partnership with the HSF and ICRC in the conduct of human rights, international humanitarian law (IHL), international policing standards seminars which include UN International Human Rights Principles on the Use of Force and Firearms by Law Enforcement Officials; distribution of information, education, communication (IEC) materials on human rights and IHL to police personnel; and trainings/seminars/workshops on “human rights-based policing” which is essentially about strict adherence to the PNP policies and police operational procedures; demonstrating professional competence which includes the delivery of prompt, courteous service; and having a deep respect for human rights, the rule of law, and civilian supremacy.

In the meantime, the circumferential reformation programs institutionalized by the BuCor for the inmates are being carried out in cooperation with other institutions, such as the Perpetual Help School System (for college education inside BuCor); Itaas Elementary School (for elementary education); Philippine Jesuit Society and other religious societies, sectarian and non-sectarian (for religious programs); Philippine Red Cross and other medical societies (for health programs); Dangerous Drugs Board (in connection with treatment and rehabilitation of prisoners convicted of substance abuse); and Tagum Agricultural Development Company Incorporated or TADECO (for issues regarding the banana production in Davao in the area of work and livelihood programs).

### ***Gaps/Challenges***

In 2012, the Philippines ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), making it the 63<sup>rd</sup> country in the world to do so. Under the OPCAT, the Philippines is under the obligation to establish a National Preventive Mechanism (NPM). Although there are efforts towards the creation of the NPM, to date there is still no legislation setting up the same.

## **SECTION 2: OBJECTIVES AND PROGRAMS OF ACTION**

The Philippine Government is relentless in its effort in promoting a community free from torture, abuse, cruelty, and other inhumane treatment. Toward this end, institutional measures for the prevention of and protection against torture must be put in place to ensure effective implementation of RA No. 9745 or the Anti-Torture Law.

Existing programs and projects carried out by the national government shall also be strengthened and continued for the sustained implementation of all measures possible to prevent torture, to enforce human rights-based policing, corrections, prosecution, judicial system, and community programs/services. The State is gaining ground in addressing the ills brought about by injustice, specifically of torture. But with the collaboration of the government, cause-oriented non-government organizations, local institutions, and international bodies, a community where justice and equality prevails are attainable.

### ***Objective 1: Heighten community awareness and intensify citizen’s participation and involvement with respect to human rights***

Respect for human rights among State agents and the general public starts from being aware of their rights. The community must be informed and educated on the following: (a) right to be free from torture; (b) remedies available for torture victims and their families; (c) rules on arrest; and, (d) court procedures, which must all be presented in an easily understandable manner. Intensive human rights education campaign through strategic information and communications technology systems to reach and influence communities.

### ***Program of Action***

- ***“PNP Know Your Rights” mobile application.*** Mobile phones are nowadays considered as major communication devices as they reach even the farthest and isolated areas in the Philippines. Thus, exploring this avenue of communication can yield higher positive results that can bridge the gap between the PNP and the communities as a result of the negative perception/ image hounding the PNP.

The “PNP Know Your Rights Mobile App” will provide relevant information in such a way that:

1. Citizens will understand their rights during police operations;
2. PNP personnel can access human rights advisories/policies and the contents of the new PNP Miranda Warning Pocket Card with anti-torture reminders translated in four (4) foreign languages (i.e. Chinese, Japanese, Korean and Taiwanese Language with audio recording) and 10 Filipino dialects.
3. Access to the PNP Hotline 117 to report any human rights violation through call or SMS (text message); and,
4. For feedback, recommendations, or error reports on the application for troubleshooting/debugging and upgrade by the development team.

The mobile application can be easily downloaded from the Google Play Store by android mobile device users. Through this, all human rights advisories/policies crafted by the PNP, including contents of the new Miranda Warning Pocket Card with anti-torture reminders, can be stored in all android smartphones. This can be accessed anytime by police personnel even without internet connectivity, most especially, by PNP field offices located in far-flung areas.

Indeed, this mobile application is more than just a technology-driven mechanism. It is the PNP’s affirmation of its duty to promote, protect, and fulfill human rights.

### ***Target Results***

Through the mobile application, the community or public may be considered as force multipliers by empowering them to actively participate in law enforcement. The community can immediately report the violation as a deterrent to criminal activities. But more importantly, it will serve as a handy reference for police officers who are in close contact with the people, providing them practical guidelines on community and rights-based policing.

### ***Timeline***

The targets shall be achieved in 2018 and shall be sustained onwards

### ***Objective 2: Enhance the capacity of all state agents***

There shall be capacity-building for State agents, especially law enforcers, for them to perform their roles and functions more effectively. They must be made conscious of their obligations under CAT and RA 9745.

### ***Program of Action***

- ***Police Human Rights Officers Course.*** The “Police Human Rights Officers Course (PHROC)” aims to provide PHROs with the necessary knowledge, skills, attitude, and

values related to human rights, international humanitarian law, human rights-based policing, among others.

Further, the PHROC seeks to create a pool of competent and eligible police human rights officers that would enable them to lead and manage PNP Human Rights Desks; address various human rights issues and concerns by internal/external stakeholders including alleged human rights violations; conduct seminars and activities related to human rights-based policing and establish partnerships with various sectors involved in human rights promotion and protection.

A position paper was submitted to the PNP Leadership recommending for the issuance of National (NHQ) Orders by the Directorate for Personnel and Records Management (TDPRM) designating the participants of the said PHROC an 18-month term as PHROs after completing the 10-day PHROC; and upon issuance of the NHQ Orders, the newly designated PHROs shall not be wantonly relieved by the Regional Directors (RD) of PROs unless for valid reasons and in the exigency of service. Further, HRAO should be consulted of the relief of PHROs and the replacement of the relieved PHROs should only be coming from the list of the pool of Police Commissioned Officers (PCO) who have undergone the PHROC and are eligible to occupy the position based on competency.

### ***Target Results***

With the proposed PHROC, the PNP has treaded one step forward in further strengthening the Human Rights Desks established in the National Operational Support Units (NOSUs), Police Regional Offices (PROs), Provincial and City Police Offices (P/CPOs), and City/Municipal Police Stations (C/MPS).

The strengthening of the Human Rights Desks is essential in pursuing an effective human-rights-based policing by developing and adopting proactive and practical measures to handle and monitor alleged violations of human rights at the local level where victims can report such cases at the first instance stations nationwide.

### ***Timeline***

The PHROC will be conducted twice a year starting from 2018.

### ***Program of Action***

- **Seminar-workshop on BJMP anti-torture policy implementation for Mindanao cluster.** Conduct of seminar-workshop for all wardens on RA No. 9745 and its IRR and the creation of Human Rights Desk Officer to orient wardens on various principles of effective, gender-sensitive, and human rights-adhering correctional management.

### ***Targets/Results***

Role of wardens in the management of torture cases (i.e., reporting, documentation, and rehabilitation of torture cases, supervision of personnel, and coordination with other agencies) discussed.

### ***Timeline***

Target to be achieved in 2018 and sustained onwards



***Program of Action***

- **Seminar-workshop on torture prevention, documentation, and rehabilitation for inmates welfare development officer (IWDO) and paralegal officers.** Orientation of the phenomenon of torture and the role of the IWDO and Paralegal Officers in the reporting of cases and rehabilitation of torture victims discussed through the conduct of seminar-workshop to all IWDO and Paralegal Officers regarding RA No. 9745 and its IRR, creation of Human Rights Desk Officer.

***Targets/Results***

Role of HRAO, IWDO, and Paralegal Officers in the reporting of torture cases and rehabilitation of torture victims discussed.

***Timeline***

Target to be achieved in 2018 and sustained onwards

***Program of Action***

- **Seminar-Workshop on Effective Jail Management for Female Personnel.** Orientation on various principles of effective, gender-sensitive, and human rights-adhering correctional management through seminar-workshop to all-female personnel regarding the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders which is otherwise referred to as the “Bangkok Rules”, RA No. 9745, BJMP Rules and Regulations on the Handling of Inmates with Special Needs and the Revised Comprehensive Policy on Treatment of Female Inmates in BJMP.

***Targets/Results***

Role of female personnel in the effective and humane safekeeping of female PDLs discussed.

***Timeline***

Target to be achieved in 2018 and sustained onwards

***Objective 3: Improve conditions of jails and inmates***

It is the policy of the State to promote the general welfare and safeguard the basic rights of every prisoner by promoting and ensuring their reformation and social reintegration, creating an environment conducive to rehabilitation and compliant with the United Nations Standard Minimum Rules for Treatment of Prisoners (UNSMRTP). Maintenance of complete and reliable records of PDLs is one of the fundamental safeguards against torture or ill-treatment. Thus, monitoring of torture cases and inspection of jail facilities must also be done to improve jail conditions.

***Program of Action***

- **PNP Custodial Facilities Monitoring System (PNP-CFMS).** The PNP-CFMS is a web-based application system that captures and facilitates real-time and accurate reporting of persons under police custody nationwide and seeks to ensure strict and uniform implementation of practices in the treatment and the handling of persons under police custody. It has the following objectives:

1. To create digital records of all persons under custody by the PNP accessible via the internet in a controlled and secured environment.
2. To establish internal mechanisms and strategies to create, manage and retain web-based records for as long as those records are required;
3. To enable the PNP to access the information needed easily and comprehensively;
4. To support policy formulation and decision-making of the PNP by providing ready information as a reference;
5. To provide security of records in the event of a disaster or other fortuitous events;
6. To provide evidence of records in the context of its activity and contribute to the PNP's identity and collective memory; and,
7. To support the mission of the PNP and provide current information to the PNP leaders.

The proposed PNP-CFMS shall address the concerns on the registry of persons under police custody, whether written in logbooks or blotters and ensure a security feature in the computers and programs used to reflect modifications, alterations, and deletions whether authorized or not. The CFMS servers shall be available 24/7. Should there be any interruption of CFMS services, projected or unforeseen, the overall administrator shall inform the PNP Information Technology Management Service (ITMS) and the Directorate for Investigation Detective Management (DIDM) administrators of the disruption of service.

### ***Target Results***

This monitoring system shall benefit both the persons under police custody and the PNP because the concerned PNP personnel are given precise information and accounting of persons under custody, thereby reducing liability and arbitrariness. Moreover, through the system, the PNP will be able to monitor police stations that require budgetary allocations for the upkeep of custodial facilities and persons under police custody.

With regards to the benefit for the persons under police custody, all information as to their whereabouts and relevant data pertaining to them shall be made available to their relatives and lawyers, thereby, reducing anxiety and fear.

This shall guarantee transparency, organizational efficiency, and accountability which are the primary objectives of the government. But most of all, it shall function as a deterrent to the commission of torture and enforced disappearance.

### ***Timeline***

Target to be achieved in 2018 and sustained onwards

### ***Program of Action***

- ***Hustisyeah!*** To address the problem of overcrowding, the Supreme Court conducts *Hustisyeah!*, a one-time case decongestion project. The *Hustisyeah!* project is focused on heavily congested courts throughout the country and involves three phases: a) inventory of court dockets; b) formulation of case decongestion plans; and c) project implementation.

### ***Target Results***

The Supreme Court has put out a call for the employment of 635 specially-trained Court Decongestion Officers (CDOs), who are at the minimum, law graduates. These CDOs will be tasked to handle the decongestion of the dockets of trial courts with caseloads of 500 cases or more.

The CDOs will be deployed in a total of 235 trial courts, which together, handle 54% of the total caseload in the trial courts. Their deployment aims to reduce by a minimum of 5%, the caseload of the target courts within 12 months from the start of their deployment. This means that the ending balance after the 12-month period will be 5% less compared to the beginning balance at the start of the program, even considering the additional cases filed with these courts during the same period.

### ***Timeline***

Target to be achieved in 2018 and sustained onwards.

### ***Programs of Action***

- ***Moral and Spiritual Program.*** This refers to the moral and spiritual values-formation of inmates which shall be institutionalized by the Directorate for Moral and Spiritual Welfare (DMSW), which includes the practice of one's religion and beliefs. Participating religious Volunteer Organizations (RVO) and individuals shall be regulated and managed by DMSW.
- ***Education and Training Program.*** This refers to the administration of formal and non-formal education, and skill development of inmates which shall be institutionalized by the Directorate for Education and Training (DET). Participating volunteer teachers, professors, instructors, and trainers shall be regulated and managed by DET.
- ***Work and Livelihood Program.*** This refers to the administration of skills development programs on work and livelihood to achieve self-sufficiency of inmates in the prison community and for income generation of the agency. This shall be institutionalized by the Directorate for Work and Livelihood (DWL). Volunteer participating agencies, non-government organizations, and individuals shall be regulated and managed by DWL.
- ***Sports and Recreation Program.*** This refers to the administration of physical and recreational engagement to achieve mental alertness and physical agility in the spirit of sportsmanship. This shall be institutionalized by the Directorate for Sports and Recreation (DSR). Volunteer participating agencies, non-government organizations, and individuals shall be regulated and managed by DSR.
- ***Health and Welfare Program.*** This refers to the administration of proper nutrition, hygiene, sanitation, cleanliness, and promotion of good health to inmates. This also includes the appropriate provision of medical care or hospitalization of the sick, mentally impaired, old aged, and disabled inmates. This shall be institutionalized by the Directorate for Health and Welfare Services (DHWS). Volunteer participating agencies, non-government organizations, and individuals shall be regulated and managed by DHWS.
- ***Behavior Modification Program.*** This refers to the administration of programs for the character formation of an inmate necessary for effective interpersonal relationships in the prison community. This program also includes Therapeutic Community. This shall be institutionalized by the directorate for Behavior Modification (DBM). Volunteer

participating agencies, Non-Government Organizations, and individuals shall be regulated and managed by DBM.

***Timeline***

Targets to be achieved in 2018 and sustained onwards

***Objective 4: Enact appropriate legislation***

Priority bills relative to the effective implementation of R.A. No. 9745 and improvement of the BJMP shall be given serious attention for immediate enactment to decongest jails and to alleviate the living conditions of inmates inside congested jails under its jurisdiction.

**SECTION 3: OPERATIONAL AND MOBILIZATION PLAN**

Under Section 5 of Administrative Order No. 163 s. 2006, the DILG is designated as the lead agency in coordinating compliance with the international human rights treaty on the CAT. As such, the DILG shall be responsible for coordinating and ensuring the State's compliance with the said convention.

National line agencies that are directly implementing programs, projects, and activities relative to the State's compliance with the CAT are the (a) Armed Forces of the Philippines (AFP); (b) Bureau of Investigation (BI); (c) Bureau of Jail Management and Penology (BJMP); (d) Bureau of Corrections (BuCor); (e) Council for the Welfare of Children (CWC); (f) Department of Education (DepEd); (g) Department of National Defense (DND); (h) Department of Health (DOH); (i) Department of Justice (DOJ); (j) Department of Labor and Employment (DOLE); (k) Department of Social Welfare and Development (DSWD); (l) Juvenile Justice and Welfare Council (JJWC); (m) National Bureau of Investigation (NBI); (n) National Commission on Indigenous Peoples (NCIP); (o) Office of the Presidential Adviser on the Peace Process (OPAPP); (p) Philippine Commission on Women (PCW); and, PNP.

These specified agencies shall be responsible with the following areas of concern relative to the implementation of CAT:

AGENCY	AREAS OF CONCERN
AFP	<ul style="list-style-type: none"> <li>• List of all detention centers and facilities under their respective jurisdictions</li> <li>• Information on measures taken to address extrajudicial killings and enforced disappearances issues</li> <li>• Information on AFP - HRAO and Human Rights Desk</li> <li>• Data on cases of military operations</li> <li>• Pre-trial detention</li> </ul>
BI	<ul style="list-style-type: none"> <li>• Data on complaints of sexual abuse in custody received and the action taken on the matter</li> <li>• Data on alleged cases of torture and other inhumane treatment</li> <li>• Data on trafficking cases</li> <li>• Data on the number of claims of abuse received</li> <li>• Data on asylum seekers and refugees</li> </ul>
BJMP	<ul style="list-style-type: none"> <li>• Education and Information Campaign regarding the prohibition against torture and other cruel, inhuman, and degrading treatment or punishment</li> <li>• Data on jail facilities</li> <li>• Data on inmates released and other related information</li> <li>• Data on cases filed through their reporting mechanism</li> </ul>

AGENCY	AREAS OF CONCERN
	<ul style="list-style-type: none"> <li>• Data on cases of alleged torture or inhumane treatment of inmates in jails</li> <li>• Data on CHR/Human Rights Desk Offices' random inspections of jail facilities</li> <li>• Data on the number of claims of abuse received</li> <li>• Information on interrogation rules, instructions, methods, and practices</li> <li>• Information on rehabilitation programs for inmates</li> <li>• Information on measures taken to prevent, combat, and punish violence against women including domestic violence</li> </ul>
BuCor	<ul style="list-style-type: none"> <li>• Data on inmates</li> <li>• Data on prison facilities</li> <li>• Data on cases of alleged Torture and other inhumane treatment</li> <li>• Data on the number of claims of abuse received</li> <li>• Information on rehabilitation for national offenders under their care</li> </ul>
CWC / JJWC	<ul style="list-style-type: none"> <li>• Bahay Pag-Asa and the Regional Rehabilitation Center for Youth</li> <li>• Data on Juvenile Correctional institutions and family courts in special cases</li> <li>• Data on child detainees</li> <li>• Child Protection Policy</li> <li>• Juvenile Justice Welfare Act</li> </ul>
DND	<ul style="list-style-type: none"> <li>• Education and Information Campaign regarding the prohibition against torture and other cruel, inhuman, and degrading treatment or punishment</li> <li>• Update on the Human Security Act of 2007</li> </ul>
DOH	<ul style="list-style-type: none"> <li>• Institutional protection of torture victims and other persons involved</li> <li>• Protocol in medical examination of detainees and inmates</li> <li>• Data on medical records of detainees and inmates</li> <li>• Mental Health Facilities</li> </ul>
DOJ	<ul style="list-style-type: none"> <li>• Status of cases of alleged torture and other inhumane treatment</li> <li>• Education and Information Campaign regarding the prohibition against torture and other cruel, inhuman, and degrading treatment or punishment</li> <li>• Data on Administrative Order (AO) No. 35 monitoring and reporting mechanism</li> <li>• Data on alleged Extrajudicial Killings and Enforced Disappearance</li> <li>• Data on asylum seekers and refugees</li> <li>• Information on interrogation rules, instructions, methods, and practices</li> <li>• Information on investigations, prosecutions, and penal sanctions</li> </ul>
DOLE	<ul style="list-style-type: none"> <li>• Data on human rights defenders</li> <li>• Data on trafficking cases</li> </ul>
DSWD	<ul style="list-style-type: none"> <li>• Data on alleged Violence Against Women (VAW) cases</li> <li>• Rape Crisis Centers</li> <li>• Data on Child Abuse and WEDC Cases served by the DSWD (Center-Based and Community Based)</li> <li>• Bahay Pag-Asa and the Regional Rehabilitation Center for Youth</li> <li>• Data on child detainees</li> <li>• Data on trafficking cases</li> <li>• Comprehensive Rehabilitation Program for Torture Victims and their Families</li> </ul>
NBI	<ul style="list-style-type: none"> <li>• Data on inmates</li> <li>• Data on complaints of sexual abuse</li> <li>• Data on cases of alleged Torture and other inhumane treatment</li> <li>• Information on interrogation rules, instructions, methods, and practices</li> </ul>
NCIP	<ul style="list-style-type: none"> <li>• Data on IP human rights defenders</li> <li>• Data on cases of alleged torture and other inhumane treatment involving IPs</li> <li>• Information on conflict resolution within IP communities</li> </ul>
OPAPP	<ul style="list-style-type: none"> <li>• Data on conflict-affected areas</li> <li>• Data on cases of military operations</li> <li>• Data on private armies</li> </ul>
PCW	<ul style="list-style-type: none"> <li>• Data on alleged Violence Against Women (VAW) cases</li> <li>• Data on complaints of sexual abuse</li> </ul>

AGENCY	AREAS OF CONCERN
	<ul style="list-style-type: none"> <li>• Data on complaints relating to violence against women, including rape and sexual harassment, and on the related investigations, prosecutions, and penal sanctions</li> <li>• Implementation of the Magna Carta of Women</li> </ul>
PNP	<ul style="list-style-type: none"> <li>• Data on Persons under Police Custody</li> <li>• Data on PNP Custodial Facilities/Cells including visits to police stations</li> <li>• Data on alleged cases of torture and other inhumane treatment being investigated by the PNP Directorate for Investigation and Detective Management (PNP-DIDM)</li> <li>• Data on complaints relating to violence against women, including rape and sexual harassment, under the PNP Women’s Desk and on the related investigations, prosecutions, and penal sanctions</li> <li>• Information on the E-blotter system or Crime Incident Reporting System (CIRS) and Integrated Ballistics Identification System (IBIS)</li> <li>• Information on investigations, prosecutions, and convictions for torture and ill-treatment and the penal or disciplinary sanctions</li> <li>• Information on measures undertaken to prevent acts of torture and other inhumane treatment</li> </ul>

As to the agencies responsible for the implementation of the specific programs and projects stated in this Chapter, refer to the table below.

PROGRAM/PROJECT	IMPLEMENTING AGENCIES
Administrative Order (AO) No. 35 Mechanism	Chair: DOJ Members: PHRC DILG DND OPAPP OPAPA AFP PNP NBI
Human Rights Development Program	PNP
Joint Prosecutors-Investigators’ Training on Anti-Torture Act and Handling of other Human Rights Violations	PNP in partnership with DOJ and MAG
Series of Seminar-Workshop on Torture Prevention, Documentation and Rehabilitation	BJMP
“Know Your Rights” Mobile Application	PNP
Police Human Rights Officers Course	PNP
Seminar-workshop on BJMP Anti-Torture Policy implementation for Mindanao Cluster	BJMP
Seminar-workshop on torture Prevention, Documentation, and Rehabilitation for IWDO and Paralegal Officers	BJMP
Seminar-Workshop on Effective Jail Management for Female Personnel	BJMP
Custodial Facilities Monitoring System (CFMS)	PNP
Programs for Inmates such as Moral and Spiritual, Education and Skills Training, Work and Livelihood, Sports and Recreation, Health and Welfare and Therapeutic Community	BJMP BuCor
Decongestion Program: <i>Hustisyeah!</i>	Supreme Court/Sandiganbayan
Paralegal Program	BJMP

The fulfillment of the programs and projects of the State is not solely the work of national line agencies but also the result of partnerships forged with NGOs/ CSOs, local resource institutes (LRIs), and international sponsors.

Some of the foreign-assisted projects relating to the CAT, specifically in partnership with ICRC and the HSF, are focused on the development of information and advocacy materials on rights of persons arrested, detained, and under custodial investigation, citizen's primer on law enforcement, Miranda rights, and international humanitarian law. On the other hand, the conduct of Joint Prosecutors-Investigators' Training on Anti-Torture Act and Handling of other Human Rights Violations is in partnership with the Medical Action Group Inc. (MAG), a human rights advocates group.

Furthermore, circumferential reformation programs by BuCor are undertaken in cooperation with the Perpetual Help Colleges system, Itaas Elementary School, Tagum Agricultural Development Company, Inc. (TADECO), Philippine Red Cross and other medical societies, Philippine Jesuit Society and other religious societies, sectarian and non-sectarian.

Some of the anti-torture advocacy activities and information and education campaigns are also being organized by human rights-related groups, such as the Philippine Alliance of Human Rights Advocates (PAHRA), Balay Rehabilitation Center Inc., and Amnesty International Philippines.

## **SECTION 4: RESOURCE GENERATION**

To realize the targets identified in the implementation of the CAT, corresponding budgetary requirements shall be appropriated. For continuing programs and projects of the different implementing national agencies, funds appropriated will come from the agency's regular funds. A counterpart will come from some of our partners for projects in partnership with NGOs, CSOs, and LRIs. On the other hand, foreign-assisted projects shall be funded through sponsorships from some of the international partners, such as the ICRC, HSF, and the European Union (EU).

## **SECTION 5: MONITORING AND EVALUATION**

One of the most important parts of program implementation is the monitoring of the progress and the evaluation of the strategies executed to ensure that the goals of the program are achieved. The DILG, as the lead agency in implementing the CAT in the Philippines, shall ensure that all programs, projects, and activities planned are executed expeditiously. This will be done through the regular submission of reports and year-end reviews. These reports will come from various agencies tasked to implement a certain project.

The following are the means of verification to monitor and evaluate the interventions employed for the CAT:

- Quarterly/Semestral Progress Reports
- Annual Reports
- Financial Reports
- Program Training Records
- Program/Project Review
- Statistical Data
- Documentations
- Terminal Reports

An inventory of all inmates is being submitted to the Commission on Human Rights (CHR) by BuCor. The submission of inmate inventory is done by camps and by colonies. The Overseers Office of each camp shall be responsible for transmitting the reports. Moreover, CHR officials are allowed free entry in all BuCor penal facilities and are given access to interview and observe inmates. The recent visitations of CHR officials as per record from the Supt. Office of NBO is as follows: October 4, 2016, conducted by Atty. Brenda Canapi and others, July 10, 2017, conducted by Dr. Narciso Maniquis and others, and June 9, 2017, conducted by Dr. Ludivino Lagat and others.

The DILG shall also establish a database of focal persons in all the agencies concerned for ease of communication. To assess interventions employed specifically on capacity development, project reviews and evaluations shall be conducted.





## *Acronyms*

### **A**

ADIPH	Ancestral Domains Investment Plan for Health
ADSDPP	Ancestral Domains Sustainable Development and Protection Plan
A&E	Accreditation and Equivalency
AFP	Armed Forces of the Philippines
AHRD	ASEAN Human Rights Declaration
AIDTF	Anti-Illegal Drug Task Force
AI	Amnesty International
ALS	Alternative Learning System
AO	Administrative Order
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations

### **B**

BALAI	Building Adequate, Livable, Affordable, Inclusive Filipino Communities
BHS	Barangay Health Stations
BI	Bureau of Immigration
BJMP	Bureau of Jail Management and Penology
BLP	Basic Literacy Program
BP	Batasang Pambansa
BPBH	Balik Pinay! Balik Hanapbuhay!
BuCor	Bureau of Corrections
BRC	Balay Rehabilitation Center

### **C**

CADT	Certificates of Ancestral Domain Title
CAEP	Continuing Agency Education Program
CAT	Convention against Torture
CABEH-IIKSP	Culturally-Adaptive Basic Education and Health integrating Indigenous Knowledge Systems and Practices
CCT	Conditional Cash Transfer
CDOs	Court Decongestion Officers
CEB	Commission-En-Banc
CFMS	Custodial Facilities Monitoring System
CHED	Commission on Higher Education
CHR	Commission on Human Rights
CIAC	Children Involved in Armed Conflict
CRC	Convention on the Rights of Children
CIRS	Crime Incident Reporting System
CSO	Civil Society Organization
CLs	Customary Laws

ComCHA	Committee on Children and HIV/AIDS
ComFAPC	Committee on Family and Alternative Parental Care
COMELEC	Commission on Elections
CNSP	Committee on Children in Need of Special Protection
CRPD	Convention on the Rights of Persons with Disabilities
CSC	Civil Service Commission
CSPC	Committee for the Special Protection of Children
CWC	Council for the Welfare of Children

**D**

DA	Department of Agriculture
DBM	Department of Budget and Management
DDB	Dangerous Drugs Board
DepEd	Department of Education
DET	Directorate for Education and Training
DFA	Department of Foreign Affairs
DFA-UNIO	Department of Foreign Affairs- United Nations International Organizations
DHWS	Directorate for Health and Welfare Services
DICT	Department Information and Communication Technology
DIDM	Directorate for Investigation Detective Management
DILG	Department of the Interior and Local Government
DMSW	Directorate for Moral and Spiritual Welfare
DND	Department of National Defense
DOF	Department of Finance
DOH	Department of Health
DOJ	Department of Justice
DOLE	Department of Labor and Employment
DOTr	Department of Transportation
DPWH	Department of Public Works and High Ways
DSWD	Department of Social Welfare and Development
DSR	Directorate for Sports and Recreation
DTTB	Doctors to the Barrios
DTI	Department of Trade and Industry
DWL	Directorate for Work and Livelihood

**E**

EAP	Educational Assistance Program
EASE	Ensuring Accessibility of Schools on Elections
ECC	Employee's Compensation Commission
ED	Enforced Disappearances
EJK	Extra- Judicial Killing
ELK	Extra- Legal Killings
ELAP	Education and Livelihood Assistance Program
EO	Executive Order
ERDA	Education Research Development Assistance Foundation
ESCR	Economic Social and Cultural Rights
ESC	Educational Service Contracting
EU	European Union
EU-GSP	EU- General System of Preference Plus Program

**F**

FAS	Financial Awareness Seminars
FPIC	Free, Prior and Informed Consent
FPW	Framework Plan for Women
FOI	Freedom of Information

**G**

GAA	General Annual Appropriations
GAD	Gender and Development
GASTPE	Government Assistance to Students and Teachers in Private Education
GDP	Gross Domestic Product
GEWE	Gender Equality and Women's Empowerment
GEWEP	Gender Equality and Women's Empowerment Plan
GFPS	Gender and Development Focal Point System
GIDAs	Geographically Isolated and Disadvantaged Areas
GREAT	Gender Responsive Economic Actions for the Transformation of Women
GOCC	Government-Owned and Controlled Corporations

**H**

HB	House Bill
HDMF	Home Development Mutual Fund
HDPRC	Human Development and Poverty Reduction Cluster
HEI	Higher Education Institutions
HFEP	Health Facilities Enhancement Program
HIV/AIDS	Human immunodeficiency virus/ acquired immunodeficiency syndrome
HoR	House of Representative HRDO Human Rights Desk Officer
HRBA	Human Rights-Based Approach
HRC	Human Rights Council
HRBP	Human Rights-Based Policing
HRH	Human Resources for Health
HRO	Human Rights Office
HSF	Hanns Seidel Foundation

**I**

ICAD	Inter-Agency Committee on Anti-Illegal Drugs
IAC	Inter-Agency Committee
IACVAWC	Inter-agency Council on Anti-Violence against Women and Their Children
IACACP	Inter-agency Council Against Child Pornography
IAC-CIAC	Inter-Agency Committee on Children in Armed Conflict
IACGS	Inter-Agency Committee on Gender Statistics
IACAT	Inter-Agency Council Against Trafficking
IAC-WPS	Inter-Agency Committee on Women, Peace, and Security
ICT	Information Communication Technology
IEA	International Employers Award
IBIS	Integrated Ballistics Identification System

IBP		Integrated Bar of the Philippines
ICAT		International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
ICC		Indigenous Cultural Communities
ICCs/IPs		Indigenous Cultural Communities/Indigenous Peoples
ICCPR		International Covenant on Civil and Political Rights
ICEDAW	I	International Convention on the Elimination of All Forms of Discrimination against Women
ICERD		International Convention on the Eliminations of All Forms of Racial Discrimination
ICESCR		International Covenant on Economic, Social and Cultural Rights
ICMW		International Convention on the Protection of the Rights of All Migrant Workers and their Families
ICRC		International Committee of the Red Cross
ICRPD		International Convention on the Rights of Persons with Disabilities
IEC		Information, Education, Communication
IHL		International Humanitarian Law
IHKPs		Indigenous Health Knowledge and Practices
IKSP		Indigenous Knowledge Systems and Practices
IOM		International Organization for Migration
IP-CREATESSF		Indigenous Peoples Culturally Responsive Socio-Economic, Agro-Technology, Ecology, and Special Services Framework
IPMR		IP Mandatory Representatives
IPRA		Indigenous People's Right Act
IRR		Implementing Rules and Regulation
IPRA		Indigenous People's Right Act
IPRVs		IP Rights Violations
IPs		Indigenous Peoples
IPOs		Indigenous Peoples Organizations
IRTIP		Illegal Recruitment and Trafficking in Persons
ISFs		Informal Settler Families
ISO		International Organization for Standardization
ISSP		Information Systems Strategic Plan
IT		Information Technology
ITMS		Information Technology Management Service
IWD		Inmates Welfare Development
IWDO		Inmates Welfare Development Officers

**J**

JCMs		Joint Committee Meetings
JJWC		Juvenile Justice Welfare Council

**K**

KMITs		Knowledge Management and Information Technology
K to 12		Kindergarten to 12 Years Basic Education Program
KSAs		Key Shelter Agencies

**L**

LCAT-VAWC		Local Committees on Anti-Trafficking and Violence against Women and Their Children
LDAP		Livelihood Development Assistance Program

LEAs	Law Enforcement Agents
LGUs	Local Government Units
LOI	Letter of Instructions
LRIs	Local Resource Institutes
LUC	Local Universities and Colleges
<b>M</b>	
MAG	Medical Action Group
MBSP	Merit-Based Scholarship Program
MC	Memorandum Circular
MCP	Maternity Care Package
MCW	Magna Carta of Women
M&E	Monitoring and Evaluation
MES	Monitoring & Evaluation System
MERS	Monitoring, Evaluation and Reporting System
MITC	Maritime Industrial Tripartite Councils
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
MRRS-GCRVSAC	Monitoring, Reporting and Response System for Grave Child Rights Violations in Situations of Armed Conflict
MTPDP	Medium-Term Philippine Development Plan
MTRDP	Medium-Term Regional Development Plan
<b>N</b>	
NAPC	National Anti- Poverty Commission
NCCW	National Correctional Consciousness Week
NHIA	National Health Insurance Act
NHIP	National Health Insurance Program
NAPOLCOM	National Police Commission
NAPWPS	National Action Plan on Women, Peace, and Security
NBI	National Bureau of Investigation
NCCYP	National Committee on Child and Youth Participation
NCDA	National Council on Disability Affairs
NCIP	National Commission on Indigenous Peoples
NCMF	National Commission on Muslim Filipinos
NCR	National Capital Region
NDP	Nurse Deployment Program
NEDA	National Economic and Development Authority
NGAs	National Government Agencies
NGO	Non- Government Organization
NHA	National Housing Authority
NHIP	National Health Insurance Program
NHTS-PR	National Household Targeting System for Poverty Reduction
NHQ	National Headquarters
NJIS	National Justice Information System
NMHCDS	National Mental Health Care Delivery System
NMM	National Monitoring Mechanism
NMRF	National Mechanism for Reporting and Follow-up
NNEVAC	National Network to End Violence against Children
NNC	National Nutrition Council
NOSUs	National Operational Support Units
NPAC	National Plan Action for Children

NPC	National Press Club
NPS	National Prosecution Service
NPM	National Preventive Mechanism
NRM	National Reintegration Masterplan
NSC-CRA	National Steering Committee on Child Rights Advocacy
<b>O</b>	
OCA	Office of the Court Administrator
ODA	Official Development Assistance
ODSP	OFW Development Scholarship Program
OFC	OFW Family Circles
OFW	Overseas Filipino Workers
OLTCC	Overseas Land-based Tripartite Consultative Council
OPCAT	Optional Protocol to the Convention against Torture
OPAPA	Office of the Presidential Adviser on Political Affairs
OPAPP	Office of the Presidential Adviser on the Peace Process
OP- ICESCR	Optional Protocol- International Covenant on Economic, Social and Cultural Rights
OSSCO	One-Stop Service Center for OFWs
OWWA	Overseas Worker Welfare Administration
<b>P</b>	
PAHRA	Philippine Alliance of Human Rights Advocates
PAMANA	Payapa at Masaganang Pamayanan
PAO	Public Attorney's Office
PAPs	Programs Activities and Projects
PCA-	Philippine- Partnership Cooperation Agreement
PCOO	Presidential Communications Operations Office
PCSO	Philippine Charity Sweepstakes Office
PCG	Philippine Coast Guard
PCW	Philippine Commission on Women
PDAO	Persons with Disability Affairs Office
PDL	Persons Deprived of Liberty
PDP	Philippine Development Plan
PDPW	Philippine Development Plan for Women
PDOS	Pre-Departure Orientation Seminar
PEOS	Pre-Employment Orientation Seminar
PESFA	Private Education Student Financial Assistance
PhilHealth	Philippine Health Insurance Corporation
PHRC	Presidential Human Rights Committee
PHRCS	Presidential Human Rights Committee Secretariat
PHREB	Philippine Health Research Ethics Board
PHROC	Police Human Rights Officers Course
PHRP	Philippine Human Rights Plan
PIP	Public Investment Program
PIPEs	Philippine Indigenous Peoples Ethnography
PITAHC	Philippine Institute of Traditional and Alternative Health Care
PLCPD	Philippine Legislator's Committee on Population and Development, Foundation
PLOS	Pre-Licensing Orientation Seminar
PNP-CFMS	PNP- Custodial Facilities Monitoring System
PNP-HRAO	Philippine National Police-Human Rights Affairs Office

PNP	Philippine National Police
PNR	Philippine National Railway
POEA	Philippine Overseas Employment Administration
POLO	Philippine Overseas Labor Offices
POs	People's Organization
PPGD	Philippine Plan for Gender-Responsive Development
PPO/CPOs	Police Provincial and City Police Offices
PRC	Philippine Red Cross
PROs	Police Regional Offices
PSA	Philippine Statistics Authority
PWDs	Persons with Disability

**R**

RA	Republic Act
RbM&ES	Results-Based Monitoring and Evaluation System
RHUs	Rural Health Units
RHMPP	Rural Health Midwives Placement Program
RN HEALS	Registered Nurses for Health Enhancement and Local Service
RPC	Revised Penal Code
RPRH	Responsible Parenthood and Reproductive Health
RTC	Regional Trial Court
RVO	Religious Volunteer Organizations

**S**

SAC	State Assistance Council
SAP	Support and Advocacy Program
SB	Senate Bill
SBMT	Small Business Management Trainings
SCR	State Compliance Report
SDC	Social Development Committee
SD	Social Development
SDG	Sustainable Development Goals
SECs	Standard Employment Contracts
SGLG	Seal of Good Local Governance
SHFC	Socialized Housing Finance Corporation
SHS	Senior High School
SHS VP	Senior High School Voucher Program
SIT	Special Investigation Team
SLP	Sustainable Livelihood Program
SOFCR	State of the Filipino Children Report
SOGIE	Sexual Orientation and Gender Identity Expression Equality
SONA	State of the Nation Address
SPIMS	Sa 'Pinas, Ikaw and Ma'am/Sir
STUFAPs	Student Financial Assistance Programs
SUC	State Universities and Colleges

**T**

TADECO	Tagum Agricultural Development Company Incorporated
TAF	The Asia Foundation
TCMP	Therapeutic Community Modality Program
TDPRM	The Directorate for Personnel and Records Management



TESDA	Technical Skills Development Authority
TIP	Trafficking in Persons
TNVS	Transport Network Vehicle Services
TRAIN	Tax Reform for Acceleration and Inclusion
TSS	Teacher Salary Subsidy
TVET	Technical-Vocational Education and Training
TVIs	Technical-Vocational Institutions
TWG	Technical Working Groups
TWG- ICESCR	Technical Working Group- International Covenant on Economic, Social and Cultural Rights
<b>U</b>	
UDHR	Universal Declaration of Human Rights
UHCs	Urban Health Centers
UHR	Universal Health Care Act
UN	United Nations
UNCESCR	United Nations Committee on Economic, Social and Cultural Rights
UNCRC	United Nations Committee on the Rights of the Child
UNCRPD	United Nations Committee on the Rights of Persons with Disabilities
UNGA	United Nations General Assembly
UNSCR	United Nations Security Council Resolutions
UNHRC	United Nations Human Rights Council
UNICEF	United Nations International Children’s Emergency Fund
UniFAST	Unified Financial Assistance System for Tertiary Education
UNSMRTP	United Nations Standard Minimum Rules for Treatment of Prisoners
UNTOC	UN Convention against Transnational Organized Crime
UPLC	University of the Philippines Law Center
UPR	Universal Periodic Review
<b>V</b>	
VAT	Value Added Tax
VAW	Violence against Women
VDPA	Vienna Declaration and Programme of Action
<b>W</b>	
WCAG	Web Content Accessibility Guidelines
WEDC	Women in especially difficult circumstances
WEE	Women Economic Empowerment
WHO	World Health Organizations
WMEs	Women’s Micro Enterprises
WPLA	Women’s Priority Legislative Agenda
<b>Z</b>	
ZMORPH	Z-Benefit Package for Mobility, Orthosis, Rehabilitation, Prosthesis Help



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