



# General Assembly

Distr.: General  
9 July 2012

Original: English

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**Human Rights Council**  
**Twenty-first session**  
**Agenda item 6**  
**Universal Periodic Review**

## Report of the Working Group on the Universal Periodic Review\*

### Philippines

ed as received.

### Contents

	<i>Paragraphs</i>	<i>Page</i>
Introduction .....	1–4	3
I. Summary of the proceedings of the review .....	5–128	3
A. Presentation by the State under review .....	5–32	3
B. Interactive dialogue and responses by the State under review .....	33–128	6
II. Conclusions and/or recommendations .....	129–132	15
Annex		
Composition of the delegation .....		26

#### A. Presentation by the State under review

3. The head of delegation stated that the Philippine Government welcomed this UPR as an opportunity to engage in greater and sustained dialogue with the members, observers and stakeholders of the United Nations Human Rights Council and the international community, and to share the actions taken to implement the recommendations it has accepted during the 2003 UPR, as well as its commitment to the promotion, protection and fulfilment of human rights.

4. Under the President Aquino's Social Justice and Human Rights Agenda, a 10-point agenda was built on a strong foundation of respect for human rights. The key results areas of the Social Justice and Human Rights Agenda are: (a) good governance, poverty alleviation and employment; (b) social justice, inclusive economic growth, building jobs and living wage; (c) promoting the rule of law, and attaching the environment with gender equality and social justice.

5. In order to promote sustainable development, the Philippines maintains that all stakeholders must be included in the development process. The government has implemented various programmes such as the Pantawid Pamilya (Expanded Conditional Cash Transfer) programme which is an integrated in-household-based conditional cash transfer programme that aims to help poor families improve their educational and health outcomes. The government has also implemented various social protection programmes such as the Social Security System (SSS) and the Social Safety Net (SSN) to provide social protection to the poor and vulnerable.

## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its thirteenth session from 21 May to 4 June 2012. The review of the Philippines was held at the 11th meeting on 29 May 2012. The delegation of the Philippines was headed by Leila M. De Lima, Secretary (Minister), Department of Justice. At its 17th meeting held on 1 June 2012, the Working Group adopted the report on the Philippines.
2. On 3 May 2012, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of the Philippines: Hungary, Qatar and Uganda.
3. In accordance with paragraph 15 of the annex to Council resolution 5/1 and paragraph 5 of the annex to resolution 16/21 of 25 March 2011, the following documents were issued for the review of the Philippines:
  - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/13/PHL/1);
  - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/13/PHL/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/13/PHL/3).
4. A list of questions prepared in advance by Germany, Iceland, Ireland, Netherlands, Norway, Slovenia, Sweden, and United Kingdom of Great Britain and Northern Ireland was transmitted to the Philippines through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The head of delegation stated that the Philippine Government welcomed this UPR as an opportunity to engage in open and constructive dialogue with the members, observers and stakeholders of the United Nations Human Rights Council and the international community, and to share the actions taken to implement the recommendations it had accepted during the 2008 UPR, as well as advancements in the promotion, protection and fulfilment of human rights.
6. It stated that President Aquino's Social Contract with the Filipino People, a 16-point agenda, was built on a strong foundation of respect for human rights. The key results areas of the Social Contract are anti-corruption and good governance; poverty alleviation and empowerment of the poor; achieving inclusive economic growth; building just and lasting peace and promoting the rule of law; and protecting the environment, with gender equality as a cross-cutting concern.
7. Under its progressive development orientation, the Philippines maintains that all growth must be inclusive, and that the benefits of a growing economy must be felt by each and every citizen. The Philippines quadrupled the budget for its Pantawid Pamilya programme, a conditional cash-transfer programme which is an investment in human capital provided to poor households to keep their children in school and to keep them healthy, and for mothers to receive pre- and post-natal health care. From the initial 232

million dollars, its budget is now 912 million dollars, and from 800,000 families, it now covers more than three million families throughout the country.

8. The Philippines has strengthened its Maternal, Newborn and Child Health and Nutrition programme by encouraging facility-based deliveries and training itinerant community health teams on basic and comprehensive emergency maternal obstetric and newborn care. In order to address teenage pregnancies, peer facilitators provide youth-friendly health-care services, including comprehensive sexuality education.

9. Some 5.2 million poor households are now covered by the Philippine health insurance programme, and the Philippines is committed to achieving universal health coverage by 2016.

10. The Philippines has expanded the coverage of its Social Pension programme and increased its budget allocation by nearly seven million dollars to improve the conditions of indigent senior citizens.

11. Since 2008, 16,000 core shelters have been built to provide assistance to families displaced by natural disasters.

12. The delegation stated that the Philippines continued to work hard to increase access to quality education and employment. The education sector received the largest increase in the Government expenditure programme in the amount of 867 million dollars. As a component of the Philippine National Action Plan for Education for All, implementation of compulsory kindergarten plus 12 years of formal basic education has been launched. With the aim of reducing the dropout rate and improving student survival, it has implemented Alternative delivery modes and the Alternative learning system have been launched, as well as a Training-for-work scholarship programme to help job-seekers upgrade their skills and competencies.

13. Agrarian reform has been allocated an additional 349 million dollars for the completion of land acquisition and distribution over a five-year period from July 2009 to July 2014. Farmer beneficiaries have been provided easier access to credit, physical infrastructure support and legal assistance.

14. Since the UPR in 2008, the Philippines has ratified the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Rome Statute of the International Criminal Court and Protocol I Additional to the 1949 Geneva Conventions. The Philippines is the first country in Southeast Asia to ratify the 1954 Convention Relating to the Status of Stateless Persons. The Philippines is now a State party to eight core international human rights treaties.

15. Since 2008, the Philippines has taken concrete measures to harmonize its domestic legislation with its obligations under the relevant international human rights treaties to which it is a State party. It enacted the Magna Carta of Women in 2009, a comprehensive law which strengthens the Philippines' legal and institutional framework in accordance with the Convention on the Elimination of All Forms of Discrimination against Women. The Philippines adopted an Anti-Torture Act which is compliant with its obligations under the Convention against Torture.

16. Several new laws have been passed to ensure consistency with the Convention on the Rights of the Child, such as the Act providing for the legitimation of children born to parents below the marriageable age; the Anti-Child Pornography Act and an Act providing for an administrative rather than a judicial process to declare a child legally available for adoption.

17. The Philippines has adopted a landmark domestic law to address crimes against international humanitarian law, genocide and other crimes against humanity.
18. The Philippines has also amended its Migrant Workers' Act and Labour Code to better protect its Filipino migrants overseas and strengthen adherence of host governments to the International Convention on the Protection of the Rights of Migrant Workers and Members of Their Families and lift the restrictive provisions against night work for women.
19. There has been a general improvement in gender-sensitive handling of cases relating to violence against women and children. There are over 27,000 violence against women (VAW) desks in villages throughout the country, over and above the 1,868 women and children protection desks in police stations nationwide, staffed by 3,240 female police personnel. Women and children protection units in regional and district government hospitals are being upgraded to better serve victims of rape and domestic violence. The Supreme Court has trained over 2,000 judges and court personnel on the Convention on the Elimination of All Forms of Discrimination against Women and gender sensitivity.
20. The Philippines has adopted its 2nd National Plan of Action for Children (2011-2016) and is implementing the Juvenile Justice Welfare Act of 2006 in accordance with the Convention on the Rights of the Child.
21. The protection cluster of the Philippines' National Disaster Risk Reduction and Management Council conducts rapid assessment and family tracing of separated, unaccompanied, missing, reintegrated or dead children, and provides child-friendly spaces, mental health and psycho-social support and debriefing activities in times of emergencies.
22. Concerted interagency actions have resulted in a dramatic decrease in reported incidents of extrajudicial killings and torture in the Philippines. Task Force Usig, a special unit under the Philippine National Police, along with independent stakeholders and international partners have independently verified that incidents of extrajudicial killings have clearly declined.
23. The Department of Justice has issued its Operational Guidelines on Evidence-Gathering, Investigation and Case Build-Up for cases of political and media-related killings. The Philippines has also partnered with the international community in capacity-building and forensic training for prosecutors in evidence-gathering and case build-up, which has helped to increase the number of convictions in cases of extrajudicial killings. The European Union-Philippines Justice Support Programme is an example of such a partnership.
24. Human rights offices in both the Armed Forces and the National Police play an important role in fostering a culture of human rights in the security sector. Members of the security forces are regularly trained on human rights and international humanitarian law. These responsibilities are embodied in the Internal Peace and Security Plan of the Armed Forces of the Philippines, which was the product of multi-stakeholder consultations.
25. In order to enhance the exercise of the right to freedom of expression, the Philippine Supreme Court has adopted a policy whereby libel convictions should be punished only with a fine. There is also a pending bill to decriminalize libel.
26. In compliance with its obligations, the Philippines is in the process of constituting a multi-stakeholder national preventive mechanism, to be led by the independent Commission on Human Rights of the Philippines.
27. The Anti-Torture Act provides for the Commission on Human Rights of the Philippines to investigate torture complaints and assist in the prosecution of these complaints.

28. Pursuant to its Magna Carta for Persons with Disabilities, the Philippines recognizes and upholds the rights of persons with disabilities, including their right to participate in political and public life.

29. The Philippines continues to promote and protect the rights of indigenous peoples and indigenous cultural communities and observes the provisions of the Indigenous Peoples Rights Act. It advocates responsible mining through the application of more stringent rules under a new mining policy that takes into account the impact of extensive mining operations on indigenous peoples and the environment.

30. With regard to trafficking in persons, the delegation stated that there has been a total of 72 convictions, with 87 persons convicted since the Anti-Trafficking Law was enacted in 2003. Since June 2010, when President Benigno Aquino came to power, 57 persons have been convicted in 43 convictions, representing an increase in successful prosecution of nearly 150 per cent in terms of convictions, and 190 per cent in terms of individuals convicted within such a relatively short time.

31. Measures taken with regard to protection, recovery and reintegration of victims of trafficking include rescue, counselling, financial and legal assistance, skills training, auxiliary services and temporary shelter. The Philippines has invited the Special Rapporteur on trafficking in persons to visit the country this year.

32. At the regional level, the Philippines is actively pursuing the adoption of a Convention on Trafficking in Persons by the Association of Southeast Asian Nations (ASEAN) and supports the formulation of an ASEAN Declaration on Human Rights and the work of the ASEAN Inter-Governmental Commission on Human Rights and the ASEAN Commission for the Promotion and Protection of the Rights of Women and Children.

## **B. Interactive dialogue and responses by the State under review**

33. During the interactive dialogue, 64 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report. The delegations present thanked the Philippines for the preparation of its substantive national report based on a broad national consultation process and for the comprehensive information provided in its presentation.

34. The Republic of Korea highlighted the Philippines accession to the Rome Statute, the Stateless Persons Convention and the Optional Protocol to the Convention against Torture. It welcomed its efforts to form a Special Task Force to address extrajudicial killings and its enactment of the Anti-Torture Act. Republic of Korea made recommendations.

35. The Russian Federation stated that the implementation of recommendations from the first UPR cycle contributed to the improvement of the human rights situation. It noted the Philippines' efforts in relation to economic, social and cultural rights, particularly the adoption of the 2011–2016 Development Plan. The Russian Federation made recommendations.

36. The Kingdom of Saudi Arabia commended the Philippines' efforts to fight poverty and improve living conditions, particularly through the establishment of the Human Development and Poverty Reduction Cluster. It welcomed the financing of integrated social services in small village-based projects and encouraged the creation of jobs and micro projects to strengthen the capacity of households and help the elderly. Saudi Arabia made recommendations.

37. Singapore noted the Philippines' emphasis on advancing gender equality and women's empowerment, as embodied by the signing of the Magna Carta of Women in August 2009. It acknowledged progress on the issue of extrajudicial killings, enforced disappearances, Philippines' resolve to dismantle private armed groups and measures to ensure that the security services observe human rights, particularly through the Bayanihan plan. Singapore made recommendations.
38. Slovakia acknowledged the Philippines' ratification of the Convention on the Rights of Persons with Disabilities, the Rome Statute and the 1954 Convention on the Status of Stateless Persons. It recognized the Philippines' work with ASEAN and its declared commitment to involve the civil society in the follow-up to the review. Slovakia made recommendations.
39. Slovenia welcomed Philippine's leadership on human rights education as well as its policies on access to education, but noted its slow implementation. It commended the ratification of the Rome Statute and the Optional Protocol to the Convention against Torture. It noted outstanding requests to visit from special procedures mandate holders, including the mandate holder on countering terrorism, since the 2008 UPR. Slovenia made recommendations.
40. South Africa welcomed the Philippines' decision to set up a National Monitoring Mechanism to monitor progress on cases of extrajudicial killings, enforced disappearances and torture. It welcomed the establishment in 2011 of the Human Development and Poverty Reduction Cluster and requested further information on results obtained. South Africa made a recommendation.
41. Spain commended the Philippines' ratification in 2011 of the Rome Statute and more recently, the Optional Protocol to the Convention against Torture, as well as its initiative to create a protection mechanism for human rights within ASEAN. Spain made recommendations.
42. Sri Lanka commended the action taken by the Philippines to combat poverty, promote universal primary education and improve local health standards, particularly through the Pantawid Pamilya programme. It acknowledged efforts to protect migrant workers and their families and laws passed, such as the Magna Carta of Women and the Anti-Child Pornography Law of 2009. Sri Lanka made a recommendation.
43. Sweden welcomed the Philippines' progress on extrajudicial killings, enforced disappearances and fighting impunity, embodied by the Enforced or Involuntary Disappearance Act passed in 2010. It welcomed the Philippines' intention to provide human rights training to its military and security personnel. Sweden expressed concern about the high rate of maternal mortality and the Philippines' ability to meet Millennium Development Goal 5. Sweden made recommendations.
44. Switzerland congratulated the Philippines' on its ratification of the Optional Protocol to the Convention against Torture and the Rome Statute. It commended the introduction of its Witness Protection Programme but was concerned about the continuation and number of extrajudicial executions. It welcomed the adoption of laws protecting women, particularly the Magna Carta of Women in 2009. Switzerland made recommendations.
45. Thailand noted the Philippines' many national and local legislations, policies and action plans that have been implemented to protect human rights, particularly those promoting gender equality, women's rights, migrant workers' rights and combating human trafficking, including through the ASEAN Convention on Trafficking in Persons. Thailand made recommendations.

46. Timor-Leste recognized the Philippines' commitment to human rights and its ratification of the Convention on the Rights of Persons with Disabilities, the Optional Protocol to the Convention against Torture, the Rome Statute, the Anti-Torture Law and the Magna Carta of Women. It commended the Philippines' targeted anti-poverty programmes and encouraged their continuation to protect the most vulnerable and disadvantaged from the current economic and financial crisis. It noted that the Philippines' Armed Forces and National Police had been instrumental in combating extrajudicial killings and enforced disappearance. Timor-Leste made a recommendation.
47. Trinidad and Tobago commended the Philippines' initiatives to mainstream and broaden the Government's commitment to human rights, advancements on economic and social rights, the promotion of women's and children's rights and the establishment of mechanisms to protect civil and political rights. It made recommendations.
48. Turkey welcomed the Philippines' development policies, the implementation of programmes to protect vulnerable persons and children, the harmonization of domestic laws with human rights treaties and its role with regard to the United Nations and ASEAN, particularly combating human trafficking. Turkey made a recommendation.
49. United Arab Emirates appreciated the Philippines' initiatives, including that of the President to combat poverty, which deserves further encouragement. It made a recommendation.
50. The United Kingdom of Great Britain and Northern Ireland commended the Philippines' ratification of the Optional Protocol to the Convention against Torture and the Rome Statute, but urged the Philippines to ensure the rule of law, legal redress and an independent judiciary. It voiced concern about corruption levels and slow convictions. The United Kingdom made recommendations.
51. The United States of America commended the Philippines' efforts to combat human trafficking and provide enhanced access to justice in general, but expressed concern at the access to justice for the families of victims of extrajudicial killings and enforced disappearances committed by the security forces. It also noted that institutional barriers to fighting impunity and corruption hindered progress. The United States made recommendations.
52. Uruguay appreciated the Philippines' progress on economic and social rights, the ratification of the Rome Statute and the adoption of new legislation on crimes against humanity. It welcomed the invitation issued to the Special Rapporteur on trafficking in persons. Uruguay made recommendations.
53. Uzbekistan referred to the legislative, administrative and judicial measures taken to promote a human rights culture and ensure the implementation of the Philippines' human rights obligations. It requested information particularly on recent legislative changes to ensure social and security protection for women who were affected by natural disasters and the economic crisis. Uzbekistan made a recommendation.
54. Venezuela (Bolivarian Republic of) noted the Philippines' implementation of the second Human Rights Plan 2012–2017 and the Development Plan 2011–2016 to achieve, among others, the Millennium Development Goals. It welcomed the setting up of the group to combat poverty and the training of law enforcement officials on human rights. Venezuela made recommendations.
55. Viet Nam appreciated the Philippines' commitments to human rights, particularly the second Human Rights Plan 2012–2017, its pursuit of the Millennium Development Goals and implementation of the recommendations of the first UPR. It applauded the Philippines' efforts to meet its commitments to instruments such as the Convention on the Rights of the Child and the Convention against Torture. Viet Nam made recommendations.



56. Argentina commended the Philippines' Development Plan 2011-2016, its progress in providing a legal framework to promote, among others, the rights of women and children and its Human Rights Plan 2012-2017. Argentina made recommendations.
57. Australia commended the Philippines' Human Rights Plan 2012-2017, the recent opening of an office of the Commission on Human Rights in the Muslim Mindanao region and ratification of the Optional Protocol to the Convention against Torture. It expressed concern about impunity in cases of enforced disappearances and extrajudicial killings and encouraged transparency and accountability. Australia made recommendations.
58. Austria commended the Philippines' enactment of the Magna Carta of women and the Anti-Torture Act. It welcomed ratification of the Optional Protocol to the Convention against Torture and the Rome Statute. Austria voiced concern about violations in the areas of torture, ill-treatment, extrajudicial killings, enforced disappearances and harassment. It mentioned attacks on journalists and media workers and issues of impunity. Austria made recommendations.
59. Azerbaijan commended the Philippines' Human Rights Plan 2012-2017 and its monitoring of the Magna Carta of Women. It appreciated the Government's engagement with civil society, particularly the National Human Rights Forum series. Azerbaijan praised efforts to combat human trafficking and requested information on the development of its 2011-2016 Action Plan.
60. Bahrain commended the Philippines' Development Plan 2011-2016, implementation of the Millennium Development Goals and the work of the National Committee to combat poverty. It requested information particularly on the success of the *Pantawid Pamilya* programme. Bahrain made a recommendation.
61. Bangladesh welcomed the Philippines' ratification of the Convention on the Rights of Persons with Disabilities, the Rome Statute, the enactment of the Magna Carta of Women, the *Pantawid Pamilya* programme and efforts made to combat poverty. Bangladesh requested information on the constraints and difficulties encountered vis-à-vis the rights of Filipino migrant workers abroad. Bangladesh made recommendations.
62. Belarus noted with satisfaction the measures to improve legislation and to establish institutions to monitor and oversee compliance with human rights obligations and to ensure access to justice for citizens with low incomes. It commended the Government's commitment to and progress made in combatting human trafficking. Belarus made recommendations.
63. Belgium congratulated the Philippines' ratification of the Rome Statute and its accession to the Optional Protocol to the Convention against Torture. It encouraged the Philippines to reinforce its efforts to combat impunity. It enquired about measures that have been taken or that are planned to record and document cases of extrajudicial killings and forced disappearances. Belgium made recommendations.
64. Brazil noted the Philippines' ratification of the Rome Statute, the launch of the Human Rights Plan 2012-2017, the *Pantawid Pamilya* programme, the Development Plan 2011-2016 to reduce poverty, as well as initiatives to broaden the mandate of the Filipino Commission on Human Rights to include economic, social and cultural rights. Brazil made a recommendation.
65. Brunei Darussalam commended the Philippines' implementation of recommendations from the 2008 UPR and for actively pursuing efforts to further the rights of women and children through the enactment of several laws. It congratulated the Philippines on its National Strategic Plan of Action against Trafficking in Persons (2011-2016). Brunei Darussalam made recommendations.

66. Cambodia welcomed the measures undertaken in the fight against human trafficking and the efforts made to strengthen the justice system. It noted that the Philippines actively promoted human rights within the Southeast Asian region. Cambodia made a recommendation.

67. Canada requested information regarding the violation of human rights by security forces, in particular with regard to how the authorities intended to achieve the objectives established for the training programme and ensure that all members of the security forces are reached and what would be the consequences for anyone not complying with the principles taught during the training. Canada made recommendations.

68. Chile welcomed with satisfaction the progress accomplished by the Philippines with the adoption of the Magna Carta of Women that provided legal protection against all forms of violence and discrimination in the areas of employment, education and instruction, and of the Anti-Torture Act that identifies torture as a punishable criminal act. Chile made recommendations.

69. Cuba commended the efforts undertaken to address the needs of the poor and other vulnerable groups through the setting up of the Philippine Development Plan and the legal framework which enabled the implementation of recommendations in the areas of the rights of women and children. Cuba made recommendations.

70. Denmark requested information on the timeframe for the deposit of the instrument of ratification of the Optional Protocol to the Convention against Torture and on the obstacles to the implementation of the Anti-Torture Act. It remained concerned by reports that State forces remained implicated in torture, enforced disappearances and unlawful killings. Denmark made recommendations.

71. Ecuador highlighted the approval of rules related to the environment and its protection which allowed any citizen to present complaints for obliging the authorities to protect and preserve the environment. Ecuador made recommendations.

72. Egypt welcomed the steps taken towards poverty eradication and ending impunity for human rights violations as well as the adoption of the Magna Carta of Women and the committees on Anti-Violence against Women and their Children. It requested information on measures taken to improve child and maternal health. Egypt made recommendations.

73. France was concerned by the enforced disappearances and extrajudicial killings occurring in the country. It welcomed Philippines' accession to the Optional Protocol to the Convention against Torture, but noted that acts of torture continued in detention places. It also welcomed the steps undertaken in the fight against trafficking in persons. France made recommendations.

74. Germany appreciated the Philippines' accession to the Rome Statute and to the Optional Protocol to the Convention against Torture and thanked it for its commitment and cooperation in the fight against trafficking in persons. However, it was concerned about remaining human rights violations. Germany made recommendations.

75. The Holy See welcomed the approval of the Rules of Procedure for Environmental Cases and the programme to increase access to justice by the poor. It noted that the country was still confronted with human rights issues such as extrajudicial killings, torture, physical violence and enforced disappearances. The Holy See made recommendations.

76. Hungary commended the Government for its programmes aimed at reducing extrajudicial killings and forced disappearances in the Philippines. While welcoming initiatives taken, Hungary enquired about the efforts made to improve the right to education, especially for children with disabilities and children working or living on the street. Hungary made recommendations.

77. India appreciated the Philippines' role in the drafting of the implementing protocols of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers. It also welcomed the launch of the International Peace and Security Plan of the Armed Forces.

78. Indonesia welcomed the measures taken to address cases of past incidents of extrajudicial killings, enforced disappearances and torture, and noted the success of the Philippine Inter-Agency Council against Trafficking in bringing perpetrators to justice and providing assistance to victims. Indonesia made recommendations.

79. In response to questions raised, the head of delegation appreciated the recognition given to the Philippines' efforts and achievements in protecting and promoting human rights.

80. The Philippines is gratified by the recognition of the member States as well as those with observer status in the Human Rights Council for its stepped-up efforts to address such complex issues as extrajudicial killings, enforced disappearances and torture. The head of delegation assured States that the Philippines considered them as priority cases was addressing all such cases through its criminal justice system, which is continually being enhanced.

81. Cases verified by the authorities as genuine cases are now at different stages of the process, from investigation to prosecution, and some are already being tried in the courts.

82. The head of delegation said that the Department of Justice files cases involving human rights violations and corruption even against those perceived to be beyond the reach of the law.

83. The Department of Justice has set up a special task force to gather, collate and monitor the progress of cases in collaboration with the independent Commission on Human Rights of the Philippines.

84. The Philippines is also looking to establish a National Monitoring Mechanism, a tripartite arrangement by and between the Government, the Commission on Human Rights, and civil society and NGOs to review all pending cases of extrajudicial killings, enforced disappearances and torture and to recommend solutions to impediments to progress in the resolution of these cases.

85. The Philippine Supreme Court has provided for novel remedies, namely, the extraordinary writs of Amparo and Habeas Data, to protect and promote human rights. Several cases have already been filed in various courts.

86. Access to justice has been improved by, inter alia, the elimination of filing fees for criminal complaints with the Department of Justice and the Government has deployed concrete efforts to strengthen the witness protection programme. The current rate of convictions is more than 94 per cent when victims are covered by the witness protection programme.

87. The Philippines has adopted the implementing rules and regulations of the Anti-Torture Law of 2009.

88. The enactment of the Act on Crimes against International Humanitarian Law, Genocide, and Other Crimes Against Humanity, or Republic Act No. 9851, and the Anti-Torture Act support the principle of complementarity under the Rome Statute of the International Criminal Court.

89. The Philippines deposited the instrument of accession to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 17 April 2012.

90. The Philippines is open to constructive dialogue and cooperation with international human rights mechanisms. The head of delegation stated that the Philippines has issued an invitation to the Special Rapporteur on the human rights of internally displaced persons for an official country visit.
91. The delegation elaborated on the plan for Women's Empowerment and Development towards Gender Equality that advocates a participatory process and a human rights-based approach. She mentioned the establishment and strengthening of Gender and Development Focal Points at the national and local levels, including foreign service posts to accelerate gender mainstreaming in policies and programmes and to improve gender budgeting.
92. The delegation expounded on its efforts to promote sexual and reproductive health, such as the allocation of 11 per cent of its annual budget to women's health under the Maternal, Newborn and Child Health and Nutrition programme. This programme will equip rural health units with up-to-date medical equipment for safe birthing and essential newborn screening by trained health service providers.
93. As of April 2012, over 24,000 members of the Community Health teams have been deployed to enrol poor households in health insurance which covers maternal health and family planning.
94. In addition to the pending Anti-Discrimination Bill, the Philippines has embarked on a number of initiatives to protect and promote the rights of lesbian, gay, bisexual and transgender people (LGBTs).
95. The delegation said that in order to ensure access to quality education and fulfil the right to education by children towards achieving education for all goal, the Philippines, through its Basic Education Reform Agenda, was seeking to achieve universal coverage of out-of-school youth, universal school participation and elimination of drop-outs and class repetition.
96. The 2008 National Demographic and Health Survey showed that the infant mortality rate has declined from 35 infant deaths per 1,000 live births in 1993–1997 to 25 deaths per 1,000 live births in 2003–2007. The Philippines is implementing programmes on essential newborn care; birthing facilities for mothers; expanded immunization, injury prevention, among others, as well as applying the Newborn Screening Act of 2004 and the Newborn Hearing Act of 2010.
97. Based on a study conducted in 2001, a total of 7.2 million children aged 0–14 years old have benefitted from the Philippines' conditional cash transfer programme. Data on the *Pantawid Pamilya* programme showed that there was an increase in the number of pupils in public elementary schools from 0.6 per cent from 2004 to 2007, to 3.5 per cent from 2008 to 2010. There was also an increase in the number of students in public secondary schools in the same areas from 0.5 per cent from 2004 to 2007, to 3.2 per cent from 2008 to 2010.
98. The delegation stated that the Philippines was stepping up its efforts to eliminate the worst forms of child labour by rescuing child labourers in hazardous and exploitative working conditions, providing livelihood programmes for parents, eliminating child labour in the tobacco industry and providing integrated services for migratory sugar workers.
99. The delegation said that the Child Policy on Social Protection in Schools was launched in May 2012 to protect children from all forms of violence, including bullying. The policy requires the creation of a child protection committee in every school, training of teaching and administrative personnel and a referral and monitoring system.

100. The Philippines has organized a council composed of Government and non-government organizations, including the organizations of Internet service providers to ensure effective implementation of the Anti-Child Pornography Law.
101. The Philippines has adopted a National Strategic Framework for Action to End Violence against Children with a 3-year Action Plan that includes the organization of a national network to monitor its implementation.
102. Iraq commended the Philippines' action with regard to implementation and noted the Social Contract with the Filipino People and the Human Rights Action Plan 2007-2012, as well as the adoption of the Magna Carta of Women and the Anti-Child Pornography Law. Iraq made recommendations.
103. Ireland noted the adoption of the Anti-Torture Act and hoped that the Commission on Human Rights would be strengthened, as recommended by the Convention against Torture. However, it remained concerned about reports of arrest, detention and intimidation of human rights defenders. Ireland made recommendations.
104. Japan commended the measures taken against torture and extrajudicial killings, in particular with regard to building the capacity of Government officials, but noted that political killings continued to be a significant human rights issue. It applauded the progress made in combating human trafficking. Japan made recommendations.
105. The Lao People's Democratic Republic congratulated the Philippines for its achievements in attaining political stability, equality and social justice and encouraged it to strengthen its cooperation with the United Nations, international organizations and all stakeholders to overcome remaining constraints and challenges and to ensure the fulfilment of the rights of its citizens.
106. Latvia appreciated the invitation issued to the Special Rapporteur on trafficking in persons, but noted that several requests by other mandate holders had not yet been accepted. It commended the efforts undertaken to combat human trafficking, but was concerned by the number of women and children trafficked for sexual exploitation and forced labour. Latvia made recommendations.
107. Liechtenstein, while welcoming initiatives taken, referred to reported concerns about the prevalence of corporal punishment of children and the increasing number of cases of domestic violence. It welcomed the Philippines' ratification of the Rome Statute. Liechtenstein made recommendations.
108. Madagascar noted with satisfaction the Philippines' ratification of several international human rights instruments. It underlined that follow-up and implementation in priority areas, with regard to human rights deserved to be supported and further fostered. Madagascar made a recommendation.
109. Malaysia was pleased with the creation of several new laws on women's and children's rights. It also noted the serious efforts undertaken towards poverty eradication, social and economic development and meeting the basic needs of the poor and other vulnerable groups. Malaysia made recommendations.
110. Mexico hoped that the full implementation of the Rome Statute would be carried out as soon as possible. It also asked about the measures taken to ensure the participation of persons with disabilities in the development and implementation of the policies and programmes related to their interests. Mexico made recommendations.
111. Qatar valued the national policies and strategies adopted by the Philippines to combat trafficking in persons and its cooperation at the regional and international levels to eradicate this phenomenon. Qatar made recommendations.

112. The Republic of the Union of Myanmar noted the remarkable progress achieved in the context of human rights and recognized the Philippines' constructive role as an active member of the Human Rights Council. Myanmar made recommendations.

113. The Netherlands acknowledged the Philippines' commitment to improving the human rights of its citizens and commended it for its accession to the Rome Statute. The Netherlands made recommendations.

114. New Zealand requested information on the steps taken to ensure that national legislation was in full alignment with the Philippines' obligations under the Rome Statute. It also noted concerns regarding maternal mortality and the impact of restrictions to health care on women's human rights. It made recommendations.

115. Nicaragua highlighted the Philippines' endeavours through both its adhesion to new international human rights instruments and its adoption of new laws and designing of national policies. It underscored the progress made in the promotion of the rights of vulnerable groups. Nicaragua made recommendations.

116. Norway welcomed the Philippines' accession to the Rome Statute but noted that institutional deficiencies and weak law enforcement mechanisms hampered the implementation of basic human rights. It also noted that the police and military forces continued to be among the top human rights violators. Norway made recommendations.

117. Pakistan appreciated the emphasis placed on advancing economic, social and cultural rights to combat poverty. It enquired about feedback from litigants on the effectiveness of the informal and inexpensive procedures introduced to increase access to justice for poor people. Pakistan made a recommendation.

118. Palestine underlined the efforts undertaken by the Philippines to promote economic, social and cultural rights as well as the rights of women and children. It also welcomed the ratification of the 1954 Stateless Persons Convention and the Rome Statute. Palestine made recommendations.

119. Portugal highlighted the progress achieved by the Philippines in fighting corruption, good governance and poverty alleviation. It also welcomed the pledge to strengthen the Commission on Human Rights, especially to include monitoring of economic, social and cultural rights. Portugal made recommendations.

120. Morocco requested information on the main lines of the Social Contract, especially with regard to the fight against corruption and poverty, and enquired whether the Contract included a section on education and training in human rights. Morocco made a recommendation.

121. In response to questions raised, the head of delegation stated that the prosecution and conviction of traffickers had more than doubled in the recent short period of time that the Administration has been in power. She said that national, local and regional task force offices conducted rescue operations for trafficking victims. The Philippines has also stepped up and maximized awareness-raising programmes relating to trafficking, especially in rural areas.

122. The delegation stated that in order to address issues related to persons with disabilities, the Philippines had enacted a Magna Carta for Persons with Disabilities – a comprehensive law providing for the enjoyment of basic rights and privileges of persons with disabilities (PWDs).

123. In the Philippines, PWDs enjoy a 20-per-cent discount when purchasing medicine and food, as well as for hospitalization, transportation, entertainment and in lodging establishments, and a 5-per-cent discount on purchases of basic and prime commodities.

124. The Philippines has laid down policies and mechanisms for PWDs to exercise their right to vote and has established satellite registration sites for PWDs as well as provides assistance during elections.

125. In the Philippines, PWDs are actively engaged in policy and decision-making at the national and sub-national levels through the National Council on Disability Affairs, and in the 17 regional committees on Disability Affairs, and as one of the 14 basic sectors under the National Anti-Poverty Council. Persons with Disability Affairs offices have also been established in 259 local government units; while 617 offices have designated focal persons and 214 offices have organized committees.

126. The Philippines is promoting a non-handicapping environment, aimed at promoting physical and social accessibility. The Philippines has formed a Task Force on Accessibility that ensures mobility in public transportation and regularly conducts accessibility audits in public and private buildings.

127. The Philippines thanked all the delegations and stakeholders of the Human Rights Council for their interest in the Philippines' continuing mission to promote and protect the human rights of its peoples. The Philippines deeply appreciated the recognition given to its efforts and humble achievements in the field of human rights, while at the same time acknowledged that many challenges remained and that much more work needs to be done.

128. The head of delegation announced that the Presidential Human Rights Committee would work closely with the Philippine Commission on Human Rights in setting up a monitoring group for the implementation of the accepted recommendations arising from this review. Civil society and non-governmental organizations will be invited to participate in this undertaking.

## II. Conclusions and/or recommendations\*\*

129. The recommendations formulated during the interactive dialogue and listed below enjoy the support of the Philippines:

- 129.1. Further consolidate its national human rights infrastructure, including support to the Commission on Human Rights (Egypt); Continue to improve its capacity to uphold human rights, including by increasing the Commission on Human Rights' (CHR) fiscal autonomy and organizational capacity, as well as further efforts to prevent human rights violations by Armed Forces of the Philippines and Philippines National Police personnel (Australia); Continue the work to build-up the capacity in the area of human rights protection, including through strengthening the national human rights institution (Russian Federation); Intensify the efforts and measures to consolidate the state of law and its national mechanisms on human rights (Viet Nam);
- 129.2. Continue human rights education and training programmes, including for security and law enforcement officials (Egypt); Pursue its efforts in promoting education and training in human rights, in particular for the capacity-building of law enforcement officials (Morocco); Guarantee that armed forces and police benefit from human rights training (France); Further capacity building, such as

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\*\* Conclusions and recommendations have not been edited.

- through human rights education targeting government authorities, particularly law enforcement agencies, and an effective implementation of a national oversight mechanism (Japan); Increase human rights training, awareness, and funding at all levels of the Armed Forces and National Police to ensure military and law enforcement officials protect human rights and thoroughly investigate allegations of violations (United States of America); Continue to promote the education and training in human rights of the law enforcement officials to increase the awareness about their role on the protection of fundamental rights of people, in particular the most vulnerable and marginalized groups (Venezuela, Bolivarian Republic of);
- 129.3. Continue to work on the elaboration of the National Human Rights Action Plans (Palestine); Continue implementing the plans and programmes of the second Philippines Human Rights Plan 2012-2017 (Qatar);
- 129.4. Continue to mainstream human rights in the public sector (Sri Lanka); Further mainstream human rights in all policies, programmes and activities of the Government (Viet Nam);
- 129.5. Endorse a closer cooperation with national and international human rights institutions, and work for the full and effective participation of young people and youth-led organizations at all levels (from local to international) (Norway);
- 129.6. Continue cooperating with the special procedures of the Human Rights Council on the basis of its national priorities (Belarus);
- 129.7. Fully implement the Magna Carta of Women for promoting gender equality (Republic of Korea); Provide more resources to support the effective implementation of the Magna Carta of Women (Malaysia); Effective implementation of the Magna Carta of Women in all fields, inter alia, labour relations, access to justice and health care, including aspects of sexual and reproductive health; and sexual violence (Spain);
- 129.8. Continue promoting the empowerment of women (Nicaragua); Continue its efforts to implement domestic policies to further promote gender equality and strengthen the protection of women against discrimination and violence (Singapore); Intensify efforts to fight violence against women by the public awareness-raising campaigns, by adequately resourcing the relevant initiatives and by training law enforcement personnel (Liechtenstein); Undertake concrete measures to further promote gender equality in employment, gender responsive approach in the judicial system and better maternal care (Thailand);
- 129.9. Ensure free and effective birth registration for all children (Portugal);
- 129.10. Maintain the momentum in actively pursuing efforts to further protect the rights of women and children, especially through the enactment of legislation (Brunei Darussalam); Continue to intensify its efforts in addressing all the remaining challenges of human rights, in particular, in the fields of promotion of economic growth, and



- social protection and equity with special attention given to women's and children's rights through ongoing programs and plans of action (Cambodia);
- 129.11. Intensify its efforts to protect the rights of other vulnerable groups, especially persons with disability, minorities and indigenous peoples so as to allow them equal access to social, educational, health and other services (Thailand); Continue its work in relation to the promotion of the protection of the rights of specific vulnerable groups in society such as senior citizens, the poor and those affected by natural disasters (Trinidad and Tobago); Study the possibility to develop new measures so that programs to combat poverty include vulnerable people such as seniors and people with disabilities (Argentina);
- 129.12. Further its efforts to effectively eliminate extrajudicial killings (Republic of Korea); Continue its efforts to tackle extrajudicial killings and enforced disappearance to strengthen the rule of law and respect for human rights (Singapore); Work towards the complete elimination of torture and extrajudicial killings, and intensify efforts to carry out the prosecution of such crimes (Holy See);
- 129.13. Carry out impartial investigations into all allegations of enforced disappearances perpetrated by law enforcement officers (Germany); Conduct independent and impartial inquiry in relation to all enforced disappearances and extrajudicial executions and that the perpetrators of these crimes be brought to justice (France); Continue to work as a matter of urgency to ensure that there are mechanisms to completely eliminate torture and extrajudicial killings, and to intensify its efforts to carry out investigations and prosecutions on extrajudicial killings and punish those responsible (Trinidad and Tobago);
- 129.14. Effectively fight against extrajudicial killings, including by non-State actors, by strengthening accountability mechanisms and implementing the necessary reforms (Germany)<sup>1</sup>;
- 129.15. Eliminate completely extrajudicial executions, as promised in the previous UPR, in this way bringing to justice those responsible and intensify efforts to eradicate the use of torture and inhuman or degrading treatment from the armed and security forces of the State (Spain); End impunity for extrajudicial killings, enforced disappearances and torture, including those perpetrated by security forces, by undertaking thorough investigations and vigorous prosecutions of perpetrators (United States of America);
- 129.16. Take further steps to combat extrajudicial killings and enforced disappearances, including by providing sufficient funding to the national police force and by ensuring that alleged perpetrators of extrajudicial killings are swiftly brought to justice (Sweden);

<sup>1</sup> The recommendation as read during the interactive dialogue: "Effectively fight against extrajudicial killings, including by non-State actors, by strengthening accountability mechanisms and implementing the necessary reforms identified by the Special Rapporteur on extrajudicial, summary or arbitrary executions."

- Continue to reassess the necessity, and, where the need exists, consider devising programmes that incorporate the prohibition of extrajudicial killings and enforced disappearances for the Philippines Army and National Police; and establish the adequate safeguards and monitoring mechanisms to guarantee compliance (Timor-Leste); Ensure that the police and National Bureau of Investigation pursue serious rights violations allegedly committed by military and police personnel (United Kingdom of Great Britain and Northern Ireland);
- 129.17. Continue its efforts to fully prohibit torture and eliminate all forms of other ill-treatment at every level (Republic of Korea); Continue to consolidate its national action aimed at prohibiting torture (Egypt);
- 129.18. Prevent cases of torture in facilities of detention through the provision of legal safeguards for detainees and effective investigations into allegations of torture and the prosecution and sentencing of perpetrators (Austria);
- 129.19. Reinforce its training programmes for all law enforcement personnel on the absolute prohibition of torture (Turkey);
- 129.20. Effectively implement the Anti-Torture Act with a special focus on the responsibility of superior officers, access to medical services and the establishment of a sufficiently resourced rehabilitation programme for victims (Ireland); Carry out the necessary measures to implement fully the 2009 Act against Torture, making special emphasis in investigation and sanction of those responsible for each crime (Mexico); Effectively implement the 2009 Anti-Torture Act, with a particular focus on ensuring that all investigations and prosecutions of allegations of torture and ill-treatment fully cover the possibility of command responsibility as stipulated in section 13 of the Act (Denmark);
- 129.21. Establish without delay a national mechanism to prevent torture, such as provided for by the OP-CAT (France); Start an open, transparent and inclusive consultation on the most appropriate National Preventive Mechanism (New Zealand); Prepare and implement an action plan for the establishment of an effective OPCAT-compliant National Preventative Mechanism, with access to the necessary resources for it to adequately fulfil its mandate (Denmark);
- 129.22. Recognize victims of trafficking, often young people, as such and provide them with protection and assistance (Norway);
- 129.23. Ensure the effective enforcement of domestic legislation and further strive to eradicate human trafficking through cooperation with the international community, including by accepting a visit by the Special Rapporteur (Japan);
- 129.24. Extend the prohibition of corporal punishment to the home and the family (Portugal); Ensure compliance with the rights of children and women, in prohibiting in particular corporal punishment and in implementing a plan of action against domestic violence (France); Explicitly prohibit all corporal punishment when raising children, at home, at school, institutions, the penal system and in all other areas, in accordance with Article 19 of the Convention on the Rights of the

- Child (Uruguay); Carry out education and awareness raising campaigns to inform parents and other actors of non-violent methods of disciplining and educating children (and the right of children to protection) (Uruguay); Intensify its awareness-raising campaign on the harmful effect of corporal punishment and on the use of alternative and non-violent forms of discipline in a manner consistent with the child's dignity (Liechtenstein);
- 129.25. Continue the promotion of measures to disarm and dismantle private armed groups as well as to impede the utilization of child soldiers (Chile);
- 129.26. Continue with judicial reform, improving the capacity of the penal system to combat impunity (Spain);
- 129.27. Allocate adequate resources to the National Monitoring Mechanism to ensure it effectively carries out its mandate (South Africa);
- 129.28. Continue its efforts in addressing cases or reports of past incidents of extrajudicial killings, enforced disappearance and torture in the country, including through the EPJUST Programme, the Joint Coordinating Centres on Private Armies, and the National Monitoring Mechanism (Indonesia);
- 129.29. Take measures to resolve the cases of delayed justice and impunity, including through judicial reforms (Republic of Korea); Effectively fight impunity for cases of extrajudicial killings and enforced disappearance committed by the armed forces and the police, as well as non-state actors (Austria); Address concerns about impunity, through reforms in the criminal justice system, as well as by ensuring the speedy investigation, arrest, prosecution, trial and conviction of perpetrators (Netherlands);
- 129.30. Continue efforts to combat impunity and ensure alleged perpetrators of serious human rights violations are brought to justice, including through renewed efforts to arrest Major General Jovito Palparan Jr., former Governor Joel Reyes and the perpetrators of the Maguindanao massacre (Australia);
- 129.31. Take new, additional measures, to ensure that the military exercises full control over Civilian Armed Forces Geographical Units and the police over Civilian Volunteer Organizations, holding these units accountable for the Philippines' obligations under international human rights law (United States of America);
- 129.32. Promote accountability by taking the necessary measures to allow the responsible entities (such as the Ministry of Justice, the National Police, the National Bureau of Investigation, the Commission on Human Rights and the Office of the Ombudsman) to conduct investigations into allegations of human rights violations in an efficient, independent and impartial manner so that justice is served (Canada);
- 129.33. Take immediate measures to effectively implement the Juvenile Justice and Welfare Act of 2006 (Norway);
- 129.34. Continue improving the conditions of detention centres and ensure that juvenile offenders do not share spaces of detention with adult

- offenders (Ecuador); Improve prison conditions in line with the BJMP Modernization Act and with special regard to assuring the separation of the child and juvenile from adult prisoners (Germany);
- 129.35. Take necessary measures to provide adequate protection to journalists and human rights defenders, in particular regarding enforced disappearances and extrajudicial killings (France);
- 129.36. Continue its efforts to fight against poverty (Bangladesh); Continue implementing the current policies to reduce poverty (Cuba); Continue its efforts to work against poverty and to try to link the fight against poverty and education (Saudi Arabia); Continue to increase its social programmes which are essential for the eradication of poverty and social marginalization (Venezuela, Bolivarian Republic of); Continue social-economic reforms directed towards the creation of new jobs, fighting poverty, increasing the quality of education and medical care (Russian Federation);
- 129.37. Continue devising strategies and programmes to put an end to poverty for vulnerable groups, particularly women and children, and implement them (Bahrain); maintain the efforts to meet the basic needs of the poor and other vulnerable groups with the view to achieving an adequate standard of living for all (Brunei Darussalam); redouble its efforts in the area of wealth distribution and poverty eradication, including by allocating adequate human and financial resources and providing support and material assistance to the vulnerable groups in the rural areas (Malaysia); redouble its efforts, in assisting poor sections of the population, by endowing the Working Human Development Group with both the human and financial resources required to operate effectively and carry out its calling to ensure a decent living standard for all Filipinos (United Arab Emirates);
- 129.38. Make additional efforts to achieve the Millennium Development Goals (Qatar); Provide more resources for the pursuit of all MDGs and the promotion of economic, social and cultural rights for the population, particularly social vulnerable groups and those who live in remote areas (Viet Nam);
- 129.39. Continue adopting measures to promote and protect the enjoyment of economic, social and cultural rights (Cuba); Continue strengthening institutional measures to realize economic, social and cultural rights (Pakistan);
- 129.40. Strengthen its normative protection of maternal health, approve and implement the bill on reproductive health, and release necessary financial resources for its implementation (Switzerland); Intensify efforts to meet the MDG5 on maternal mortality, including by ensuring universal access to SRHR and to information, education and counselling (Sweden);
- 129.41. Increase its efforts, as a matter of urgency, in addressing high infant and maternal mortality rates, including providing an access to sexual and reproductive health information (Slovakia); Take steps to increase efforts to ensure the rights of individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to the highest

- attainable standard of sexual and reproductive health (New Zealand);
- 129.42. Continue efforts to ensure access to education for all (Saudi Arabia); Increase measures on the right to education to ensure equal access to education for all children (Holy See);
- 129.43. Continue implementing the work to promote the right to education and the rights of the child, through strengthening interagency coordination on the activities of the law enforcement bodies (Uzbekistan);
- 129.44. Implement the Indigenous Peoples' Rights Act to ensure that economic activity, in particular mining; does not negatively affect the rights of indigenous peoples (Mexico);
- 129.45. Continue its efforts for the preservation and sustainability of the environment (Ecuador); Intensify efforts on a national scale for the sustainable use of natural resources (Myanmar).
130. The following recommendations enjoy the support of the Philippines which considers that they are already implemented or in the process of implementation”:
- 130.1. Ratify the OP-CAT (Palestine);
- 130.2. Continue to uphold and enact national laws and legislation in accordance with universally agreed human rights standards it has ratified (Egypt)<sup>2</sup>;
- 130.3. Fight against human trafficking, especially in women and children (Spain); Continue stepping up efforts in the area of combating trafficking in human beings, including continuing the practice of implementing national plans of actions and other strategies in this area (Belarus); Continue in the successful policy of combating the trafficking of persons at the national level and participate in such efforts at the international level (Holy See); Keep up the fight against human trafficking, illegal recruitment and labour exploitation, including the exploitation of domestic workers, especially of women (Netherlands); Prosecute and punish traffickers and those who exploit the prostitution of women; and also protect victims of trafficking (Uruguay); Further strengthen the measures to combat human trafficking and provide the necessary assistance to the victims of trafficking (Latvia);
- 130.4. Further strengthen bilateral cooperation, regional and international cooperation with countries of origin, transit and destination in order to more effectively address trafficking in women; and establish rehabilitation programs for social integration and economic autonomy for women victims of sexual exploitation and trafficking (Uruguay); Step up its collaborative efforts at the regional and international level, including in the ASEAN-Senior Officials Meeting on Transnational Crimes (SOMTC) Working Group on Trafficking in Persons (Indonesia); Share its experiences and best practices in

<sup>2</sup> The recommendation as read during the interactive dialogue: “Continue to uphold and enact national laws and legislation in accordance with universally agreed human rights standards it has signed up to.”

- strengthening efforts to combat the problem of trafficking in persons at the national and international levels (Brunei Darussalam);
- 130.5. Intensify efforts to bring to justice the cases of corruption and revise its sentencing policy for crimes of corruption (Chile);
- 130.6. Adopt inclusive legislation for people with disabilities (Spain);
- 130.7. Continue its efforts to promote the rights of migrants (Bangladesh); Continue to play a leading role in the promotion and protection of the rights of migrant workers (Myanmar); Step up efforts to meet the basic needs of society's exposed groups, in particular the millions of migrants and seafarers (Holy See);
- 130.8. Continue carrying out efforts so that the Philippines Development Plan (2011–2016) is in accordance with its international human rights obligations (Nicaragua).
131. The following recommendations will be examined by the Philippines which will provide responses in due course, but no later than the twenty-first session of the Human Rights Council in September 2012:
- 131.1. Consider the possibility of strengthening efforts to ratify the International Convention for the Protection of All Persons from Enforced Disappearances (Argentina); consider ratifying the International Convention on the Protection of All Persons from Enforced Disappearance (Belgium); consider ratifying the International Convention on the Protection of All Persons from Enforced Disappearance and enact domestic legislation to penalize enforced disappearance as defined in that Convention (Brazil); ratify the International Convention on the Protection of All Persons from Enforced Disappearance in a timely manner, as was recommended during the previous review (Japan); ratify the CED without delay and criminalize enforced disappearances and extrajudicial killings in its national legislation (France); accelerate the enactment and implementation of CED (Chile);
- 131.2. Ratify CED, OP-CRPD (Spain);
- 131.3. Ratify ILO Convention No. 189 on domestic workers as well as enact the Domestic Workers' Bill (Slovakia);
- 131.4. Accede to the CED and two ILO Conventions Nos. 169 and 189 (Iraq);
- 131.5. Intensify its efforts to combat, in particular, the worst forms of child labour in line with Philippine's obligations under the ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour as well as No. 138 on Minimum Age for Admission to Employment (Slovakia);
- 131.6. Consider the possibility of ratifying the OP-ICESCR (Palestine); Sign the OP-ICESCR (Portugal); Ratify OP-ICESCR (Germany);
- 131.7. Consider an early ratification of the newest international human rights instrument – the third OP to CRC on a communication procedure (Slovakia);
- 131.8. Withdraw all reservations to OP-CAT (Slovenia);

- 131.9. Fully align the national legislation with all obligations arising out of the Rome Statute of the ICC (Slovakia); take the necessary measures to ensure that the Rome Statute is fully implemented in its national legislation (Switzerland); adapt its national legislation to the requirement of the Rome Statute (Belgium); review its national legislation in order to ensure its full alignment with obligations under the Rome Statute, including incorporating the Rome Statute definition of crimes and general principles, as well as adopting provisions enabling cooperation with the Court (Latvia);
- 131.10. Adopt legislation to ensure full cooperation with the ICC and to accede to the Agreement on the Privileges and Immunities of ICC (Slovenia); fully align its national legislation with the Rome Statute, including by incorporating the definition of crimes and principles and acceding to the Agreement on Privileges and Immunities of the Court (APIC) (Liechtenstein);
- 131.11. Ratify the Kampala amendments to the Rome Statute (Liechtenstein);
- 131.12. Promulgate draft law 2817, approved by the Philippine Senate in July 2011, which defines and sanctions enforced disappearances (Canada);
- 131.13. Take on challenges facing the Philippines Human Rights Commission and strengthen it on the institutional level (Iraq);
- 131.14. Extend standing invitations to all special procedures of the Human Rights Council (Uruguay); extend a standing invitation to special procedures of the Human Rights Council (Madagascar); issue a standing invitation to all United Nations Special Rapporteurs and Working Groups (Austria); consider issuing a standing invitation to special procedures for a visit to the country (Slovenia); engage further with the Human Rights Council and its mechanisms and consider positively the pending requests for visits by mandate holder and extend an open invitation to all special procedures of the HRC (Portugal); step up cooperation with special procedures mandate holders by responding positively to the pending visit requests and eventually consider extending a standing invitation to all special procedures mandate holders of the Human Rights Council (Latvia);
- 131.15. Engage in closer contact with United Nations bodies and, inter alia, accept the request by the Special Rapporteur on human rights defenders to visit the country (Norway); accept the request of the Working Group on Enforced Disappearances to visit the country (Mexico); invite the UN Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on human rights defenders to visit the Philippines (United Kingdom of Great Britain and Northern Ireland);
- 131.16. Review and repeal all discriminatory provisions that still exist in national legislation to achieve de jure and de facto gender equality (Portugal);
- 131.17. Enact legislation to address the status of children born out of wedlock (Liechtenstein);
- 131.18. Effectively implement the 2009 Anti-Torture Act, with a particular focus on ensuring that all alleged victims of torture and ill-treatment

- have effective access to a medical evaluation of their injuries by institutionalising the use of the Istanbul Protocol, including by providing guidelines to judges, prosecutors, forensic doctors and medical personnel dealing with detained persons, to detect and document physical and psychological trauma of torture (Denmark);
- 131.19. Communicate on a regular basis to the Commission on Human Rights of the Philippines a list of all detainees indicating their place of detention (Germany);
- 131.20. Embark on substantial reform of its judicial system in order to achieve progressive development for human rights (Norway);
- 131.21. Ensure, in the context of the judicial reform, a gender sensitive and accessible judiciary, both in terms of procedures and attitude (Austria);
- 131.22. Strengthen its legal framework, institutions and instruments aimed at guaranteeing that those responsible for crimes of extrajudicial executions are subjected to fair procedure and, if convicted, punished (Switzerland);
- 131.23. Update the Human Rights Council on the findings of the National Monitoring Mechanism and the measures taken to address the issue of extrajudicial killings, including the results of the relevant court procedures (Hungary);
- 131.24. Revoke executive order 546 which has been used as a basis for armed civilian volunteer units (Netherlands);
- 131.25. Dismantle and disarm the paramilitary forces, militias and armies through the revocation of Executive Order 546 that protects their existence, putting an end to the use of child soldiers (Spain);
- 131.26. Disarm and dismantle all paramilitary organizations and private militias, or, short of a complete dismantling, ensure that the army exercises control over all militias and that the Minister of National Defence defines their role and puts in place mechanisms so that they are held accountable for their actions (Canada);
- 131.27. Adopt and implement swiftly the law on reparation for victims of violations of human rights during the Marcos dictatorship (Switzerland);
- 131.28. With reference to the situation of children in detention, follow-up the recommendations in chapter VI of the Human Rights Council resolution on the Rights of the Child adopted in March 2012 (Hungary);
- 131.29. Ensure that the age of criminal responsibility is not lowered (Germany);
- 131.30. Consider establishing a comprehensive legislation to combat discrimination faced by LGBT people (Argentina);
- 131.31. Effectively investigate and prosecute attacks against journalists and introduce into domestic laws strong legislation prohibiting these practices and imposing criminal penalties (Austria);



- 131.32. Enhance its cooperation with the Special Rapporteur on the situation of human rights defenders including by accepting the mandate holder's request to visit the country and finally, take urgent measures to end extra-judicial killings, and enforced disappearances of human rights defenders, to investigate all cases and bring those responsible to justice. (Ireland);
- 131.33. Amend the abortion law to allow for safe abortion in cases of rape, incest or when the health and life of the pregnant woman is at risk (Sweden);
- 131.34. Provide complete and accurate information and access to all methods of family planning irrespective of sex or religion and embed this policy in a legal framework with the adoption of the pending Reproductive Health Bill. (Netherlands);
- 131.35. Establish a legal framework in order to help women and men develop knowledge to enable them to decide freely and responsibly on matters related to their sexuality, including their sexual and reproductive health (Norway).

132. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

## Annex

*[English only]*

### Composition of the delegation

The delegation of the Philippines was headed by Honourable Leila M. De Lima, Secretary (Minister), Department of Justice, and composed of the following members:

- H.E. Evan P. Garcia, Permanent Representative, Permanent Mission of the Philippines, Geneva;
- Honourable Teofilo S. Pilando, JR. Deputy Executive Secretary, Office of the Executive Secretary;
- Honourable Leah T. Armamento, Undersecretary, Department of Justice;
- Honourable Francisco F. Baraan III, Undersecretary, Department of Justice;
- Honourable Alicia R. Bala, Undersecretary, Department of Social Welfare and Development;
- Honourable Jose Luis Martin C. Gascon, Undersecretary, Office of Political Affairs, representing the Office of the Presidential Adviser on the Peace Process;
- Honourable Severo S. Catura, Undersecretary, Presidential Human Rights Committee;
- Mr. Ricardo V. Paras III, Chief State Counsel, Department of Justice;
- Mr. Denis Y. Lepatan, Deputy Permanent Representative, Permanent Mission of the Philippines;
- Mr. Eduardo Martin R. Menez, Assistant Secretary, United Nations and Other International Organizations, Department of Foreign Affairs;
- Mrs. Maria Teresa C. Lepatan, Minister, Permanent Mission of the Philippines, Geneva;
- Mr. Jesus Ricardo S. Domingo, Minister and Consul General, Permanent Mission of the Philippines, Geneva;
- Ms. Josephine M. Reynante, First Secretary, Permanent Mission of the Philippines, Geneva;
- Mr. Enrico T. Fos, First Secretary, Permanent Mission of the Philippines, Geneva;
- Ms. Elizabeth T. Te, First Secretary, Permanent Mission of the Philippines, Geneva;
- Mr. Jesus Enrique G. Garcia, Special Assistant, Office of the Undersecretary for Policy, Department of Foreign Affairs;
- Mr. Joselito N. Jacinto, Jr., Director, Office of the United Nations and Other International Organizations, Department of Foreign Affairs;
- Ms. Jocelyn P. Reyes, Director, National Economic Development Authority;
- Mr. Francisco Uyami, Jr., Police Chief Superintendent, Philippine National Police;
- Ms. Herminia T. Angeles, State Counsel IV, Department of Justice;
- Ms. Emmeline L. Verzosa, Executive Director, Philippine Commission on Women;

- Ms. Brenda S. Vigo, Executive Director, Council for the Welfare of Children;
- Mr. Josel Mostajo, Special Assistant, Department of Foreign Affairs;
- Col. Domingo J. Tutaan, Jr., Chief of the Armed Forces of the Philippines—Human Rights Office;
- Mr. Manuel G. Imson, Labour Attaché, Permanent Mission of the Philippines, Geneva;
- Atty. Justine Nicole V. Torres, Executive Assistant, National Commission on Indigenous Peoples;
- Mr. Cresenciano G. Erpe, Attaché, Permanent Mission of the Philippines, Geneva;
- Ms. Marivil V. Valles, Attaché, Permanent Mission of the Philippines, Geneva.