



REPUBLIC OF THE PHILIPPINES
COMMISSION ON HUMAN RIGHTS

RESOLUTION
CHR (V) No. POL2021-006

The Commission **RESOLVES** to **APPROVE** the attached Rights during a Pandemic: The 2020 Annual Report on the Human Rights Situation in the Philippines, submitted by the Human Rights Policy Advisory Office.

SO RESOLVED.

Done this 30th day of June 2021, Quezon City, Philippines.

JOSE LUIS MARTIN C. GASCON
Chairperson


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Commissioner


GWENDOLYN LL. PIMENTEL-GANA
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Rights Pandemic

DURING A



The 2020 Annual Report on the
Human Rights Situation in the Philippines



The indigenous people's ancestors have survived pandemics and development aggressions. It is about time for the government to seriously consider the indigenous knowledge and practices. A starting point would be the development of IP plan tackling COVID-19 that incorporates these bodies of knowledge.

COMMISSIONER
GWENDOLYN PIMENTEL-GANA



Educating the public about Covid-19, available health services, and what they can do to protect themselves from the virus is just the beginning. We should also inform them of their rights and the importance of receiving the right information about the virus and health services at the right time. In other words, we should push for rights empowerment and accountability at all times.

CHAIRPERSON
JOSE LUIS MARTIN GASCON



In the country, we are still unaware of their actual situations within homes, institutions and communities. However, news reports and reliable social media posts show how the vulnerability of many sectors has increased. The situation of older persons, who are vulnerable to violence, abuse and neglect, is no different."

COMMISSIONER
KAREN GOMEZ-DUMPUT



Our Constitution guarantees our rights to life, liberty, and property – they cannot be denied without due process of law. So are we guaranteed the exercise of fundamental freedoms, such as the freedoms of speech, of expression, and of the press. These freedoms, we can express individually or collectively, such as in peaceful assembly. We can also form unions and associations in the protection of our rights and the exercise of our freedoms.

COMMISSIONER
ROBERTO EUGENIO CADIZ



The law being weaponized in the form of the Anti-Terror Law is dangerous to the Filipino people. With us being in the midst of a pandemic, this law should not be our priority. Our priority should be the health and livelihood of the Filipino people.

COMMISSIONER
LEAH TANODRA-ARMAIENTO



The number of human rights violations in the country today is unprecedented. This is both a challenge and an opportunity for us. An opportunity, that despite these challenges, to relentlessly investigate so that the rights of the victims including their families, will be protected and respected. And we can truly say that we are true to our mandate.

ATTY. JASMIN NAVARRO-REGINO
Director IV, Protection Cluster



In the continuing effort to address the severity of the current health situation, we continue to stress that an effective national vaccination strategy is a vital component of an efficient national health care program and is an important component of the equitable distribution of vaccines.

ATTY. JACQUELINE ANN DE GUIA
CHR Executive Director



The Covid 19 pandemic is as much a human rights issue as it is a public health concern. The consequences of the pandemic and the measures being implemented to address it have been affecting the enjoyment of the people of their inherent rights. It is therefore important that we all work together ensuring that our rights are protected and our dignity as human beings is respected, even within the new normal brought about by the pandemic.

ATTY. GEMMA PAROJINOG
Director IV, Human Rights Policy Advisory Office



The right to health has been accentuated during this time of the pandemic. There is a need to have accurate information on the organic preparation and the clinical trial results of the vaccines based on scientific studies and for the government to ensure their availability and accessibility to the people especially the disadvantaged, vulnerable, and marginalized sectors of society.

DR. RENANTE BASAS, M.D.
Director IV, Human Rights Centers Management Office



The obligation to respect, protect, and fulfill human rights, especially the right to life and right to health, is more pressing than ever amidst the ongoing COVID-19 pandemic. There must be functioning public health and health-care facilities, goods and services, as well as programs, have to be available in sufficient quantity and of good quality for the right to health to be fulfilled.

ATTY. FRANCIS TOM TEMPROSA
Director IV, Human Rights Education and Promotion Office

Rights DURING A Pandemic

The 2020 Annual Report on the
Human Rights Situation in the Philippines



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Abbreviations and Acronyms

ADL	Activities of Daily Living
A.O. 35	Administrative Order No. 35
ACAT	Action by Christians for the Abolition of Torture and Death Penalty
ACT	Alliance of Concerned Teachers
AFP	Armed Forces of the Philippines
AICS	Assistance to Individuals in Crisis Situation Program
AKMA	<i>Asosasyon ng Katutubong Mahawang</i>
BATARIS	<i>Bahay-Talakayan Para sa Rekonstruksyon at Ikakaunlad ng Sambayanan</i>
BCDA	Bases Conversion and Development Authority
BAIATIK	<i>Bigkis at Tikas ng Mga Katutubo sa Timog Katagalugan</i>
BJMP	Bureau of Jail Management and Penology
BPA	<i>Bahay Pag-Asa</i>
BuCor	Bureau of Corrections
CA	Court of Appeals
CAMP	COVID-19 Adjustment Measure Program
CAR	Cordillera Administrative Region
CICL	Children in Conflict with the Law
CPWG	Child Protection Working Group
CHAD	Citizen's Help and Assistance Division
CPR	Civil and Political Rights
CHRP	Commission on Human Rights of the Philippines
CHR CAR	Commission on Human Rights - Cordillera Administrative Region
CHR NCR	Commission on Human Rights - National Capital Region
CeB	Commission en Banc
CESCR	Committee on Economic, Social and Cultural Rights
COCOPEA	Coordinating Council of Private Educational Associations
DBM	Department of Budget and Management
DepEd	Department of Education
DFA	Department of Foreign Affairs
DOH	Department of Health
DILG	Department of Interior and Local Government
DOJ	Department of Justice
DOLE	Department of Labor and Employment
DPWH	Department of Public Works and Highways
DSWD	Department of Social Welfare and Development
DOTr	Department of Transportation
ECQ	Enhanced Community Quarantine
EJK	Extrajudicial Killings
ESCR	Economic, Social and Cultural Rights
FWA	Flexible Work Arrangement
GBV	Gender-Based Violence
GIDA	Geographically Isolated and Disadvantaged Areas
HLAF	Humanitarian Legal Assistance Foundation, Inc.
IATF-EID	Inter-agency Task Force for the Management of Emerging Infectious Diseases
ICC	Indigenous Cultural Communities
ICT	Information and Communication Technology
IDP	Internally Displaced Persons

IDA	International Disability Alliance
INPM	Interim National Preventive Mechanism
IP	Indigenous Peoples
IASC	Inter-Agency Standing Committee
JJWC	Juvenile Justice and Welfare Council
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual
LGU	Local Government Unit
MGCQ	Modified General Community Quarantine
MSFF	Marginalized and Small Farmers and Fisherfolks
MSE	Micro and Small Enterprises
NCSC	National Commission of Senior Citizens
NDFP	National Democratic Front of the Philippines
NDCC	National Disaster Coordinating Council
NEDA	National Economic Development Authority
NHRI	National Human Rights Institute
NPA	New Peoples' Army
NTF	National Task Force
OVP	Office of the Vice President
OSS	One-stop Shop
OSAEC	Online Sexual Abuse and Exploitation of Children
OPD	Organization of Persons with Disabilities
OFW	Overseas Filipino Worker
OWWA	Overseas Workers Welfare Administration
PDEA	Philippine Drug Enforcement Authority
PDL	Persons Deprived of Liberty
PWD	Persons with Disabilities
PPE	Personal Protective Equipment
PUI	Person Under Investigation
PCW	Philippine Commission on Women
PNP	Philippine National Police
POEA	Philippine Overseas and Employment Agency
POLO	Philippine Overseas Labor Office
PREDA	People's Recovery Empowerment Development Assistance
PSA	Philippine Statistics Authority
PISTON	Pinagkaisang Samahan ng mga Tsuper at Operator Nationwide
PRRD	President Rodrigo Roa Duterte
RRFY	Regional Rehabilitation Center for Youth
RT-PCR	Reverse Transcription Polymerase Chain Reaction
SAP	Social Amelioration Program
SWS	Social Weather Station
TG StratComm	Telegram StratComm
TNVS	Transportation Network Vehicle Service
UNICEF	United Nations Children's Fund
UPPI	University of the Philippines Population Institute
VAWC	Violence Against Women and Children
WCPC	Women and Children Protection Center
WHO	World Health Organization

CHR REGIONAL OFFICES



CHR: Dignity of all

Executive Summary

The National Human Rights Situation Report is an annual report issued by the Commission on Human Rights of the Philippines (CHR). For 2020, this report highlights key events that have transpired, particularly in the context of a global pandemic. Through an analysis of structural changes that affect human rights, such as new pieces of legislation and local ordinances, and developments in procedural mechanisms provided by State duty-bearers, this report aims to draw attention to the outcomes, particularly the societal and essentially the human rights impact of the policies of the government.

The report comprises four key sections. The first section covers Economic, Social, and Cultural Rights (ESCR), wherein special emphasis is given to issues involving the right to health, as it is interdependent and interrelated with other human rights, given the huge impact of COVID-19 on the lives of Filipinos. The report takes special note of how the COVID-19 affects the physical aspect of the Filipinos right to health; its continuing effect on the mental health of the people living in the Philippines, and the subsequent derogation of rights by the state. Various local polling firms provide empirical support on the mental toll that is experienced due to job losses, uncertainties, loss of lives of and kins, and forced prolonged confinement of people in their respective residences.

The report presents data on various core obligations by the Philippine' State against the backdrop of the COVID-19 pandemic. Among these are the following: (1) access to health facilities, goods and services on a non-discriminatory basis; (2) provision of essential medicines; (3) equitable distribution of all health facilities; and (4) adoption and implementation of a national public health strategy and plan of action that addresses the health concerns of the whole population.

Using these core obligations as indicators, the report notes that there has been uneven access to health facilities in the different regions in the country. The most emblematic of these concerns had to do with the issue of testing for COVID-19 cases. As the pandemic raged on, in the third quarter of 2020, the Department of Health (DOH) only recorded about 8,000 tests per day. This indicates that during the first few months of the pandemic, there was inadequate access to preventive health care in response to COVID-19. Only in August did the DOH increase its daily testing capacity to 27,800 and addressed its data backlog.

The resources for health facilities remain largely concentrated in urban centers thereby limiting the access of indigenous communities and internally displaced persons to health care. Furthermore, the national health strategy is largely shaped by a militaristic and police-centric approach which greatly affects the poor and displaced who cannot always afford to self-quarantine or get medical aid.

Another important right that was severely affected by COVID-19 is the right to education. Physical face-to-face classes remain suspended. This has forced State education authorities to adopt other modalities of learning that can cater to the needs of millions of students throughout the country. Already, the digital divide has widened between those that consistently have access to Information and Communication Technology (ICT) infrastructure versus those that have to rely on modular learning using physical reading materials. The lack of adequate preparation by the government has forced those enrolled in public schools to delay their class opening nearly one and a half months later than their counterparts in the private sector.

Indigenous peoples (IP) students also struggled to keep up with the online classes not only due to the aforementioned access to ICT infrastructure but physical access to enrolment due to the remoteness of the area of residence and inadequate educational assistance slots for IP youth.¹

Another ESC Right that is gravely affected is that of the right to work. The devastating effects of the strictest and longest lockdown in the world forced many small and medium enterprises that provide the bulk of employment in the country to either limit their operations or close entirely to prevent further losses. Historic job losses were noted by the country's labor authorities. This prompted the government's duty bearers to provide social amelioration programs for members of this key sector of society. Due to the scale and lingering effects of present restrictions, such assistance had been deemed inadequate by displaced workers in the country.

The report presents data on various core obligations by the Philippine state against the backdrop of the COVID-19 pandemic. Among these are the following: (1) access to health facilities, goods and services on a non – discriminatory basis; (2) provision of essential drugs; (3) equitable distribution of all health facilities; and (4) adoption and implementation of a national public health strategy and plan of action that addresses the health concerns of the whole population.

The report also provides several recommendations that the CHR considers as necessary to improve the human rights situation in the country. Duty-bearers that have a responsibility for COVID-19 response have been identified. Inputs for ensuring that the right to health is fully protected have been provided.

The global effects of COVID-19 forced the repatriation of hundreds of thousands of Filipino migrant workers. As a policy response, the State provided financial assistance to these displaced workers. Additional mechanisms to process entry of returning migrant workers were put in place in major transit points. Livelihood assistance programs were likewise initiated. CHR Region I reiterates the importance of a sustained and intensified advocacy and information dissemination on migrant workers even during the pandemic.² The prolonged lockdown also affected other workers in the Philippines, such as farmers and fisherfolk. State authorities also provided those belonging to the agricultural and fisheries sector. Small-time farmers and fisherfolks became recipients of government subsidies.

Owing to the nature of this unprecedented challenge, as well as the attendant policies, medical workers have taken the brunt of the effects of COVID-19 imposed by State authorities. There are reports from CHR Regional Offices CAR, III, IV-CALABARZON, and CARAGA that medical workers only received a few thousand pesos once or twice during enhanced community quarantine (ECQ)/general community quarantine (GCQ). The implementation of SAP also varied per LGU – some received less than others.^{3 4 5 6} An alarming number of health workers were afflicted by COVID-19 in part as a result of the initial late or inadequate response by the government of the virulence of the disease and the scale of the pandemic. Moreover, adverse working conditions and inordinate work hours as well as late payment or non-payment of hazard pay contributed to the problems faced by healthcare workers in the Philippines. Compounding the challenges faced by both rights-holders and duty-bearers are the natural disasters that forced hundreds of families to be

1 Regional reports (January to June) from Regions IX, CAR, and Caraga.

2 Recommendation from CHR Region I (2020). Regional Situation Report on Migrants January to June 2020.

3 CHR CAR (2020, July 30). Regional Human Rights Situation Report January to June 2020, p. 36.

4 CHR Region III (2021). Human Rights Regional Situationer Report Region III – Central Luzon January to December 2020, pp. 56.

5 CHR Region IV-A (2021, Jan. 29) 2020 Report on the Human Rights Situation of Disadvantaged, Marginalized and Vulnerable Sectors in Region IV-A (CALABARZON), pp. 3, 41, 47.

6 CHR CARAGA (2021, Jan. 29) What Kind of Year Has It Been: A Report on the Human Rights Situation in CARAGA Region During the 2020 COVID-19 Pandemic, pp. 18.

internally displaced. This created more pressure on the government, especially local government authorities, as temporary evacuation centers had to factor in physical distancing protocols to prevent

The Indigenous Peoples (IPs), an already vulnerable group, were also affected by the pandemic. CHR spokesperson ⁷Atty. Jacqueline Ann de Guia said that many experienced discrimination in availing themselves of health services. They reported lack of access to safe water and sanitation that are crucial in preventing the spread of the disease.

When the pandemic hit, the situation became even worse as the heavy presence of police and the military made it doubly hard for the local people to move freely in their land. The CHR documented the continuous attacks against indigenous groups and the red-tagging of their tribal leaders amid the community quarantine. In Luzon, a member of the Dumagat-Remontado community was abducted and physically abused while in custody in March. Militarization in the area increased with indigenous community leaders falsely accused of belonging to the rebel group New Peoples' Army (NPA). IP students in Region XI also experienced harassment and surveillance.⁸

Domestic violence worsened not only in the Philippines but in several parts of the world because of the lockdown.⁹ Philippine government data have shown that there was a decrease in reported gender-based violence during the first months of lockdown. The figures presented by the government indicate a decline in reported cases, which is attributable to the barriers brought about by the lockdown, which have hindered victims from reporting.

The economic challenges being suffered by families during the slowdown of economic activities during the enhanced community quarantine (ECQ) makes these families vulnerable to online sexual predators. The worsening economic situation may have pushed adults to resort to peddling children to sexual predators online.

On the rights of older persons, the CHR takes note of the findings of the World Health Organization (WHO), which has identified older persons (or those 60 years old and above) as among the sectors who appear to be more vulnerable to becoming severely ill with COVID-19. Current analysis based on statistics from around the world shows that mortality rates are highest at about



7 Commission on Human Rights. (2020, August 9). Statement of CHR Spokesperson, Atty Jacqueline Ann de Guia, on the celebration of National Indigenous Peoples Day. Retrieved from <https://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-celebration-of-national-indigenous-peoples-day/>.

8 CHR Region XI (2020, July 30). Regional Human Rights Situation Report January 2020 to June 2020, pp. 17-18.

9 See <https://www.omct.org/press-releases/statements/2020/05/d25868/>.

15% in infected persons over 80 years old, whereas it is less than 0.5% in people below 50 years of age.

Another key vulnerable sector affected by COVID-19 is persons with disabilities (PWD). CHR notes that the majority of persons with disabilities in the Philippines belong to poor families with minimum wage earners under the 'no work, no pay' scheme. They do not have the financial resources to stock up on basic food items, medicines, and other essentials, including hygiene kits especially for women. Children with disabilities who are in situations of conflict, emergencies, and disasters, appear to be the least protected. Existing services are designed broadly, and there is little or no customized approach in addressing the specific needs of sub-groups within the sector, such as women and children with disabilities, and their varying requirements across different types of disabilities.



On Persons Deprived of Liberty (PDLs) in various places of detention (POD) all over the country, reports by the media show that many were diagnosed to have been afflicted with COVID-19. The cramped and often below standard detention facilities, combined with overcrowding, likely contributed to the spread of the disease in the country's jails. From the same reports, it was obvious that during the COVID-19 emergency, PDLs did not enjoy the same standards and quality of health care services made available outside prisons or jails.

During the current situation, the foremost clamor of persons with disabilities in the Philippines is to be adequately informed about the pandemic, the health protocols, the government response to the pandemic, and the regulations, including advisories, to ensure the health and well-being of the people. In particular, it is a challenge for the deaf community to obtain information through broadcast media when there are no insets for sign language interpretation and no sufficiently visible captions or subtitles of suitable text size.

The report also features a substantive discussion on the current state of civil and political rights in the country in 2020. A major highlight of this section is the analysis of the alarming situation of human rights defenders who were subjected to harassment, and in some cases, violation of their right to security of the person. Reports of various cases of red-tagging are under investigation by CHR regional offices nationwide.

Relatedly, the CHR notes with grave concern the continuing killings linked to the war on drugs that continued to take place despite the pandemic. From the period of 31 March to 31 May 2020, law enforcement agencies conducted 5,840 anti-drug enforcement operations, which resulted in arrests of 10,105 suspects and the death of 67. Philippine National Police (PNP) Chief Archie Gamboa announced last 26 May 2020¹⁰ that there is no let-up in the anti-illegal drug operations even with the ongoing health crisis. The government's figures gave credence to the statistics that

10 Philippine National Police. (2020, May 26). NO LET-UP IN ANTI-ILLEGAL DRUGS OPERATIONS, NEW RAIDS YIELD P40M OF SHABU – GAMBOA

State agents killed 42 suspects during the lockdown from 15 March to 05 May 2020. Similarly, the CHR documented 69 alleged extrajudicial killings (EJKs) done during the lockdown.

To facilitate the investigation and prosecution of the unlawful killings and any other human rights violations, the Department of Justice (DOJ) and the CHR entered into a data-sharing agreement (DSA) to further strengthen the mandate of Administrative Order No. 35 (A.O. 35), which created an inter-agency committee on EJKs, enforced disappearances, torture, and other grave violations of the right to life, liberty, and security of persons.

Grave human rights violations, other than killings, were also documented by the different CHR offices. Cases of torture, enforced disappearances, and arbitrary arrests were docketed this year. Arbitrary arrest cases were particularly worrying as some were combined with cruel forms of incarceration being in place.

A key pillar for enjoyment of civil rights is the right to information. This is essential in times of public emergencies necessitating derogation of certain civil and political rights. The decision of Congress to deny the renewal of the legislative franchise of ABS-CBN at a critical time when the lack of information dissemination could have serious consequences for the pandemic response of the poor and the marginalized sector.

The CHR provides a set of recommendations to improve the human rights situation in the country. Duty-bearers that bear a responsibility for COVID-19 response have been identified. Inputs for ensuring that the right to health is fully protected have been provided.

Several suggestions for strengthening social amelioration programs to make it more equitable are also contained in this report. The CHR also calls for better humanitarian assistance to internally displaced persons (IDPs) displaced by natural calamities.



Human Rights Situation



- 1 The Commission on Human Rights of the Philippines (CHR), as the country's national human rights institution (NHRI) mandated by the 1987 Philippine Constitution to monitor the Philippine government's compliance with human rights obligations, submits this 2020 annual report on the human rights situation on the Philippines entitled, *Rights During a Pandemic*.
- 2 This human rights national situation report discusses the Philippine Human Rights National Situation 2020 by (1) providing the Economic, Social, Cultural Rights situations, which primarily tackles the right to health, right to education, right to social security, labor and migrant rights, and rights of indigenous people; (2) presenting the Collective and Sectoral Rights statuses, which concentrates on the rights of women, children, older persons, persons with disabilities, internally displaced persons, human rights defenders, and LGBTQIA+; and (3) laying down the Civil and Political Rights (CPRs) conditions, which focuses on the freedom against discrimination, rights of persons deprived of liberty, EJKs, Anti-Terrorism Law, enforced disappearances, arbitrary arrests and detention, right to security, and right to information. This report highlights the impact of the measures to address and prevent the spread of COVID-19 and cites the human rights issues, concerns, and violations that have been exacerbated by the current health and economic condition. Some rights are cross-cutting and therefore do not fit to a particular categorization, but this report still puts specific rights to a category in which its issues and concerns primarily revolves. The order of presentation does not prescribe any priority over the other categories or impose that one category is superior to the other. The State, as the duty-bearer, shall simultaneously promote and implement measures to progressively realize all these rights. Lastly, this report offers recommendations to the government in addressing the various human rights and issues and concerns to improve the country's human rights situation.
- 3 This report utilizes the CHR's documentation of independent monitoring activities and statements, and refers to reports and studies from the government, civil society, media, and academe.

General Context

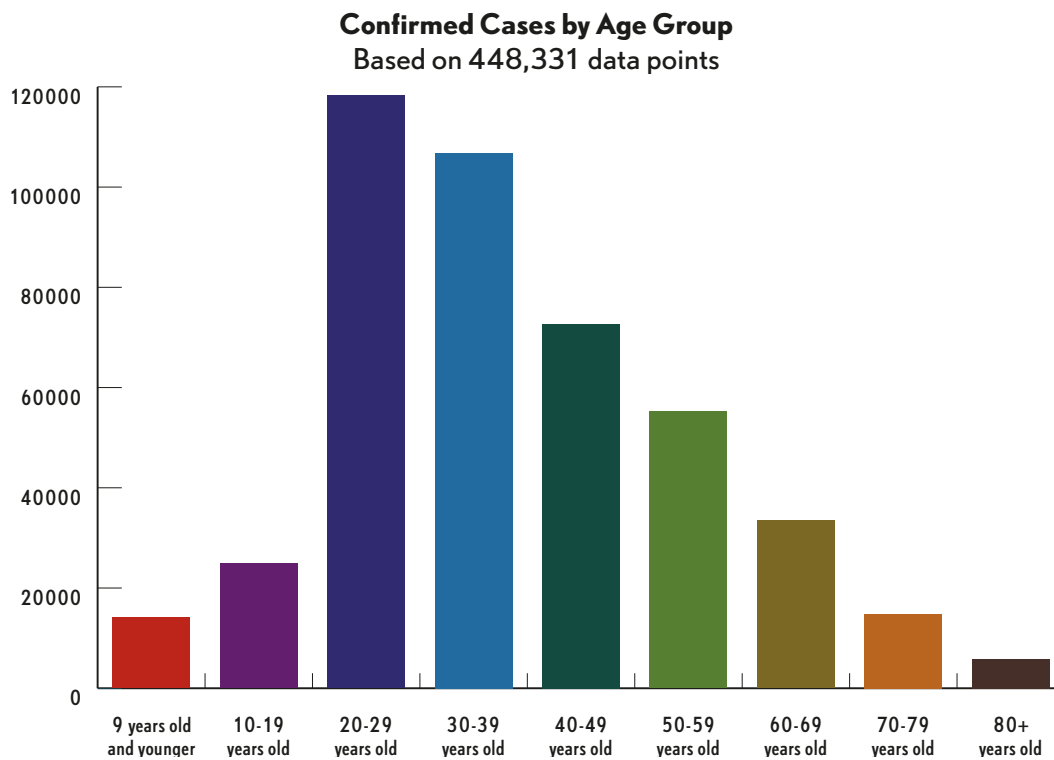
- 4 On 31 December 2019, Wuhan Municipal Health Commission in China announced cases of pneumonia with unknown source in Wuhan, Hubei Province. This was identified as the Novel Coronavirus and eventually called COVID-19.¹¹ On 30 January 2020, the DOH of the Philippines identified a 38-year-old female Chinese national as the first case of COVID-19 in the country. As of 07 March 2020, the DOH announced the first local transmission of COVID-19.¹² As of 16 December 2020, the Health Department recorded 452,988 confirmed cases with 24,873 active cases, 419,282 recoveries, and 8,833 deaths.¹³ The Philippines ranked 30 out of 182 countries in terms of the number of recorded deaths by COVID-19.
- 5 The table next page shows the disaggregated data of confirmed cases by age group as of 17 December 2020.¹⁴

11 World Health Organization, Archived: WHO Timeline – COVID-19, available at <https://www.who.int/news/item/27-04-2020-who-timeline---COVID-19>, accessed 4 November 2020.

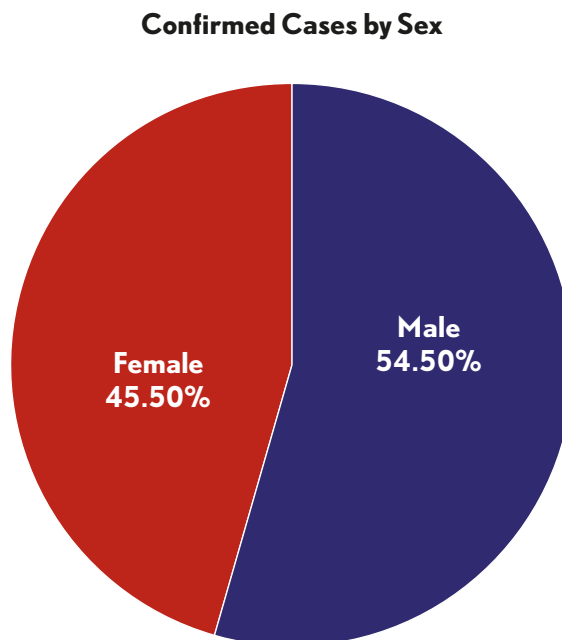
12 World Health Organization, COVID-19 in the Philippines, available at <https://www.who.int/philippines/emergencies/COVID-19-response-in-the-philippines#:~:text=On%2030%20January%202020%2C%20the,of%20COVID%2D19%20was%20confirmed.>

13 See https://ncovtracker.doh.gov.ph/?fbclid=IwAR3lG74J8FNrP21ITFN9AQXlP6zovetrA_BxrV95oJtgkiwoSeiL—sbac

14 See <https://covid19stats.ph/stats/by-demographics>



6 The table below shows the disaggregated data of confirmed cases by sex as of 17 December 2020.¹⁵



7 The COVID-19 pandemic prevented the Filipino people from fully exercising and fulfilling their human rights and opens the door for even more human rights abuses as the State places a heavy emphasis on a securitization strategy to deal with the pandemic.¹⁶

¹⁷Aside from this, the pandemic has impacted the Philippine Economy by making the

¹⁵ Ibid.

¹⁶ See <https://www.hrw.org/news/2020/09/08/killings-philippines-50-percent-during-pandemic>.

¹⁷ See <https://www.cnnphilippines.com/news/2020/9/9/Human-Rights-Watch-drug-war-worsened-COVID-pandemic.html>.

growth rate drop by a staggering – 16.5% in the 2nd quarter of the year, as reported by the Philippine Statistics Authority in August 2020.¹⁸ Based on the report of the same agency in July 2020, the pandemic has also made a huge dent on the unemployment rate, making it to skyrocket to 10% from 5.4% last year.¹⁹ This makes poor people even more vulnerable and marginalized as experienced by various basic sectors, especially the urban poor.^{20 21}

8 The Philippine government issued the following proclamations and statutes to mitigate the virulence and negative effects of the pandemic:

- a** Proclamation No. 922, placing the country under a State of Public Health Emergency, which facilitated the implementation of RA No. 11332 – the Mandatory Reporting of Notifiable Diseases and Health Events Public Health Concern Act on 08 March 2020;²²
- b** Presidential Proclamation No. 929 Declaring a State of Calamity throughout the Philippines Due to Coronavirus Disease 2019;
- c** Memorandum from the Executive Secretary on Community Quarantine Over the Entire Luzon and Further Guidelines for the Management of the Coronavirus Disease 2019 (COVID-19) Situation 16 March 2020;
- d** Republic Act No. 11469 – “*Bayanihan to Heal as One Act*” on 26 March 2020.²³ In line with this, the CHR issued a series of advisories on the human rights impact of COVID-19, including one on this law.²⁴ The *Bayanihan to Heal as One Act* is a law that has implications on several rights. Here are the following provisions that concern human rights:

Right or Concern	Section of the Bayanihan to Heal as One Act
Non-discrimination (Prioritization of vulnerable sectors of society)	Sections 4(b), 4(e), 4(n)
Rights of the poor and social amelioration measures	Sections 4(c), 4(n), 4(aa), 4(bb), 4(cc) [penal clause in 6(e) for a violation of the thirty-day grace periods]
Labor rights, including the rights of health workers	Sections 4(d), 4(e), 4(f), 4(m), 4(t)
Right to property	Sections 4(h), 4(i) [penal clauses in 6(b) and 6(c)]
Right to food	Section 4(i), 4(p) [penal clause in 6(c)]

¹⁸ See <http://www.psa.gov.ph/press-releases/id/162842>.

¹⁹ See <https://psa.gov.ph/content/employment-situation-july-2020>.

²⁰ See <https://mb.com.ph/2020/08/19/urban-poor-most-devastated-by-pandemic-lockdowns/>.

²¹ Karaos, A. M., Urban Poor Vulnerabilities, Solidarity Networks, and Pathways to Resilience, 12 May 2020

²² Office of the President, Presidential Proclamation No. 922, s. March 8, 2020 available at <https://www.officialgazette.gov.ph/downloads/2020/02feb/20200308-PROC-922-RRD-1.pdf>, accessed 21 September 2020.

²³ See the implementing rules and regulation here: <http://www.covid19.gov.ph/bayanihan-irr-and-guidelines/>.

²⁴ Commission on Human Rights, Advisory Series on Human Rights in the Time of COVID-19 in the Philippines, CHR (V) A2020-002, available at http://chr.gov.ph/wp-content/uploads/2020/04/CHR-Advisory_Human-Rights-in-the-Time-of-COVID-19-in-the-Philippines-CHR-V-A2020-002.pdf, accessed 21 September 2020.

Right or Concern	Section of the Bayanihan to Heal as One Act
Right to freedom of contract	Sections 4(q) [penal clause in 6(d)]
Right to freedom of movement	Sections 4(r), 4(s) [penal clauses in 6(g) and 6(h)]
Right to water, sanitation, and hygiene	Section 4(u)
Right to information	Section 5, 4(k)
Right to freedom of opinion and expression	Penal clause in Section 6(f)

- e Republic Act No. 11494, the *Bayanihan* to Recover as One Act, to mitigate the adverse impact of the pandemic, to serve as a stimulus for the country's economic recovery, and to grant the president the authority to direct financial institutions to implement grace periods for payments of loans and on residential rents to alleviate the economic burden experienced by the people.

- 9 The CHR urged the government to put human rights at the center of its effort²⁵ and reminded them on using a human rights-based approach in combating the pandemic, after some violators were apprehended and given harsh and inhumane punishments.²⁶ The CHR also reminded the government to look out for the welfare of the most vulnerable and marginalized, including the elderly, the homeless, persons with disabilities, and the poorest of the poor. There should also be appropriate reinforcements for our frontliners, who equally need all the support from the government for them to carry their duties, as well as to protect themselves from getting infected. In its following statements, the CHR said that protecting public health entails due diligence and nuancing such that all factors are considered, and no rights are violated.²⁷

25 See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-community-quarantine-imposed-in-metro-manila-and-other-areas-affected-by-COVID-19/>.

26 See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-reminding-the-government-on-using-a-human-rights-based-approach-to-the-pandemic/>.

27 See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-value-of-human-rights-during-the-State-of-national-emergency/>.

30 PhilHealth (2020). PhilHealth extends special privileges to patients during fortuitous events. https://www.philhealth.gov.ph/news/2020/privs_fortuitous.pdf.

- 12** While on the equitable distribution of health protective equipment, as of 14 September 2020, a total of 4,327,149 sets of government-procured personal protective equipment (PPE) were delivered to various recipients detailed as follows: National Offices – 97,950; Regional Offices – 1,157,612; LGUs – 460,537; Government Hospitals – 2,156,240; and Private Hospitals – 454. Breakdown per Region:³¹

	REGIONS	PPE SETS
LUZON	NCR	1,637,050
	Region I	210,300
	Region II	145,387
	Region III	884,612
	CALABARZON	452,300
	MIMAROPA	104,400
	CAR	111,200
	Region V	156,000
VISAYAS	Region VI	145,400
	Region VII	171,500
	Region VIII	93,300
	Region IX	34,500
	Region X	34,700
MINDANAO	Region XI	52,300
	Region XII	33,500
	CARAGA	25,500
	BARMM	35,200
TOTAL		4,327,149

- 13** The DOH said that they would intensify and expand the daily testing capacity to 30,000. Only in August did the DOH increase its daily testing capacity to 27,800 and addressed its data backlog. As of 6 August 2020, the DOH said that there are a total of 100 testing laboratories throughout the Philippines eligible to conduct RT-PCR (Reverse transcription polymerase chain reaction) tests to diagnose possible infections of COVID-19.^{32 33} Other than the pandemic's actual impact on public health, the DOH drew flak after providing VIP treatment to several public officials and their spouses and/or other family members instead of prioritizing the most vulnerable and medical workers. There were also reports that some persons exhibiting signs of COVID-19 died without knowing their results.³⁴
- 14** As a complementary to the performance of the national government, some local government units have shown outstanding performances in combating the ill-effects of the pandemic. According to the survey conducted by Publicus Asia, Valenzuela, Pasig, Manila, Marikina,

31 See <https://www.doh.gov.ph/doh-press-release/FIRST-BATCH-OF-1M-PROCURED-PERSONAL%20-PROTECTIVE-EQUIPMENT-SETS-ARRIVES-IN-THE-COUNTRY>.

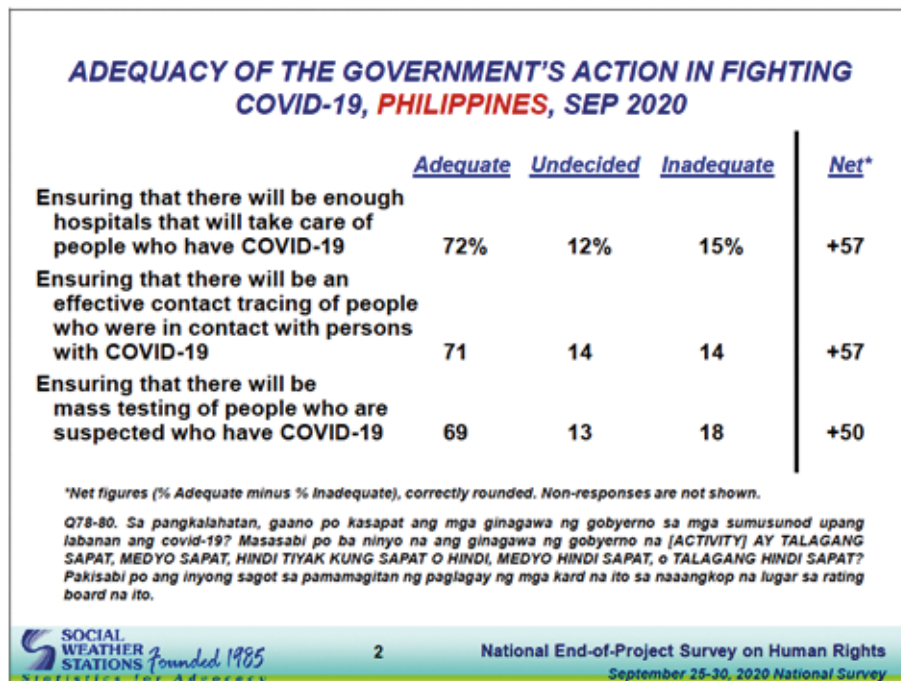
32 Neil Arwin Mercado, Duque admits no COVID-19 mass testing ever conducted since outbreak, Inquirer, May 21 2020, available at <https://newsinfo.inquirer.net/1278855/duque-admits-no-COVID-19-mass-testing-ever-conducted-since-outbreak#ixzz6QHe6PfL>, accessed 24 June 2020.

33 Madarang, Catalina Ricci S., An 85% COVID-19 response score? Philippines quarantine stretches 6 months, Philstar.com, September 16, 2020 available at <https://interaksyon.philstar.com/trends-spotlights/2020/09/16/176963/6-months-quarantine-philippines-covid19-response-duterte-admin/>, accessed 22 September 2020.

34 Gaea Katreena Cabico, "DOH: No VIP treatment on testing but courtesy given to important officials," Philstar, March 23, 2020, available at <https://www.philstar.com/headlines/2020/03/23/2002929/doh-no-vip-treatment-testing-courtesy-given-important-officials>, accessed 15 June 2020.

and Taguig were in the top 5 among local government units (LGUs) in NCR in terms of their COVID-19 response performance such as the way these cities meet the living standards, needs, and their proposed and existing COVID-19 policies.³⁵ Policies such as “Contain and Delay” policy in Manila, on misting, on provision of, vitamins for older persons and medical supplies to last for at least three days, and dissemination of accurate information and guidelines on how to stop the spread of the virus.³⁶ In Tacloban, most LGUs have already enacted measures, such as community quarantine, disinfection, border closure, and monitoring of persons who recently traveled to COVID-19 affected areas, among others, to contain the spread of COVID-19.³⁷

- 15 As the current pandemic exhausted the capacity of the country’s health system, the CHR recognizes the contribution of the health workers as the backbone of the healthcare system³⁸ and expressed support for the measure granting scholarships to prospective medical students, believing that sufficient investment for healthcare and medical workers will be beneficial to national development.^{39 40}



- 16 On the alleged corruption at PhilHealth, the CHR called for an immediate and independent investigation, pointing out that the reforms in political structures, rule of law, and governance are vital for the healthcare system to work effectively and efficiently.⁴¹

35 See <http://www.publicusasia.com/ncr-COVID-19-survey-3-valenzuela-pasig-manila-marikina-taguig-top-5-in-mayor-lgu-approval/>.

36 See <https://business.inquirer.net/292521/lgu-step-up-efforts-to-contain-combat-COVID-19>.

37 Commission on Human Rights (2020). Consolidated COVID-19 Reports from Region VIII and Mindanao Regions(16-20 March, 2020). Philippines: N.P.

38 See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-observance-of-philippine-medicine-day/>.

39 See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-de-guia-expressing-support-for-the-proposed-measure-granting-medical-scholarships/>.

40 National End-of-Project Survey on Human Rights September 25-30, 2020 National Survey.

41 See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-allegations-of-corruption-and-irregularities-in-the-philippine-health-insurance-corporation/>.

Mental Health during the COVID-19 Pandemic

- 17 Since the Philippines has the longest uninterrupted quarantine in the world and is now among the top 20 countries with the greatest number of COVID-19 cases, this put a huge toll on the current state of mental health of the people.⁴² The pandemic heightened the urgency of ensuring and fortifying the mental health of all, considering the major disruptions and alterations of one's life, that many are experiencing due to the impact of the health crisis. One of its manifestations is the surge of calls made to suicide prevention hotlines based on WHO and DOH data.^{43 44}



- 18 A study by the Social Weather Station (SWS) conducted from 4 to 10 May 2020 showed that the pandemic brought great stress to 55% of the surveyed working-age Filipinos, and 34% experienced “much stress”. Of those who experienced great stress, at least 4.2 million families, or 16.7% of those surveyed, experienced involuntary hunger due to lack of food to eat. This shows how the enjoyment or non-enjoyment of ESCR greatly affects one's mental health.⁴⁵ Both WHO and DOH are fully aware of the situation and have launched a multi-sectoral approach for mental health, with programs and interventions across a variety of settings (e.g., workplaces, schools, communities) aimed at high-risk groups. The commemoration of World Suicide Prevention Day also calls attention to the plight of those who are undergoing severe forms of depression.⁴⁶
- 19 As primary response to people's deteriorating mental health with or without a pandemic, the government enacted RA 11036, or the Mental Health Act, which mandates the provision of comprehensive suicide prevention services encompassing crisis intervention, and a response strategy on a nationwide scale. Also, the development of a multi-sectoral National Suicide Prevention Strategy that includes psychosocial services was implemented by the National Mental Health Commission. It offers services available 24/7 for prompt

42 (2020). Statement of CHR spokesperson, Atty Jacqueline de Guia, in observance of National Mental Health Week. Commission on Human Rights. Retrieved from <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-de-guia-in-observance-of-national-mental-health-week/>, accessed 15 October 2020.

43 See <https://www.who.int/philippines/news/detail/10-09-2020-doh-and-who-promote-holistic-mental-health-wellness-in-light-of-world-suicide-prevention-day>.

44 See <https://www.who.int/philippines/emergencies/COVID-19-response-in-the-philippines/information/mental-health>.

45 Rey, A. 9 in 10 Filipinos 'stressed' with coronavirus pandemic – SWS. Rappler. June 13, 2020, available at <https://rappler.com/nation/filipinos-stressed-coronavirus-pandemic-sws>

46 See <https://www.who.int/philippines/news/detail/10-09-2020-doh-and-who-promote-holistic-mental-health-wellness-in-light-of-world-suicide-prevention-day>.

psychological first aid. The UP Diliman Psychosocial Services (UPD PsychServ) also provides free counseling via telephone for frontliners.⁴⁷

Right to Education During the COVID-19 Pandemic

- 20** On 12 March 2020, classes were suspended in Metro Manila until 12 April 2020 when the government raised the status of the COVID-19 pandemic in the whole Philippines to “Code Red Sub-Level 2” as part of a partial lockdown measure in Metro Manila. The class suspensions were later extended up to 14 April 2020 through a memorandum circular released by Malacañang on 14 March 2020. After a few months, DepEd has continued the blended learning approach to continue the school year.⁴⁸ Class suspension was also mentioned in Community Quarantine Over the Entire Luzon and Further Guidelines for the Management of the Coronavirus Disease 2019 (COVID-19) Situation.⁴⁹
- 21** As of 1 September 2020, DepEd reported the total number of enrollees for school year 2020–2021 has reached 23,987,944 nationwide, in both public and private schools. Of this number, 22,019,105 students are enrolled in public schools and 1,923,179 students in private schools. DepEd said that the current enrollment rate is 86.31% of the total enrollment in SY 2019–2020 at 27.7 million.⁵⁰ According to Secretary Leonor Briones, enrollment in public schools dropped by 3% compared to last year’s enrollment. On the other hand, 748 out of the total 14,435 private schools offering basic education are not operating this school year. This affected 3,233 teachers and 40,345 learners.⁵¹
- 22** DepEd issued policy directives to provide measures to prevent and control COVID-19 at basic education schools and DepEd Offices. They conducted continuous health monitoring of learners and personnel, such as a webinar series on capacity building on the provision of remote psychological support through play for elementary learners participated by public elementary school teachers, school heads, and non-teaching personnel. Considering the effects of the long community quarantine on the mental health of DepEd personnel, DepEd also organized a webinar series entitled “Wellness Check Series for DepEd Personnel” via the DepEd Philippines Facebook page. Given the pandemic situation, DepEd pushed through with enrollment through remote methods. CHR Region XI however reports that IPs faced challenges during the online enrolment due to the remoteness of their area and unavailability of internet or cellular signal.⁵² This includes the implementation of the use of e-books as part of the “new normal” in Philippine education.⁵³
- 23** Also, several local government units (LGUs) have shown good practices in providing the needs of students in their respective communities. Parañaque, Pasig, San Juan, Manila, Quezon City, and LGUs from other regions distributed tablets and laptops for students

⁴⁷ Ibid.

⁴⁸ See <https://www.manilatimes.net/2020/07/24/supplements/blended-learning-is-the-new-normal-in-philippine-education/744913/>.

⁴⁹ Office of the President of the Philippines (2020, March 16) Community Quarantine Over the Entire Luzon and Further Guidelines for the Management of the Coronavirus Disease (COVID-19) Situation, available at <https://www.officialgazette.gov.ph/downloads/2020/03mar/20200316-MEMORANDUM-FROM-ES-RRD.pdf>.

⁵⁰ Department of Education, Official Statement on Enrollment Data. July 17, 2020 available at <https://www.deped.gov.ph/2020/07/17/official-statement-11/>, accessed 22 September 2020.

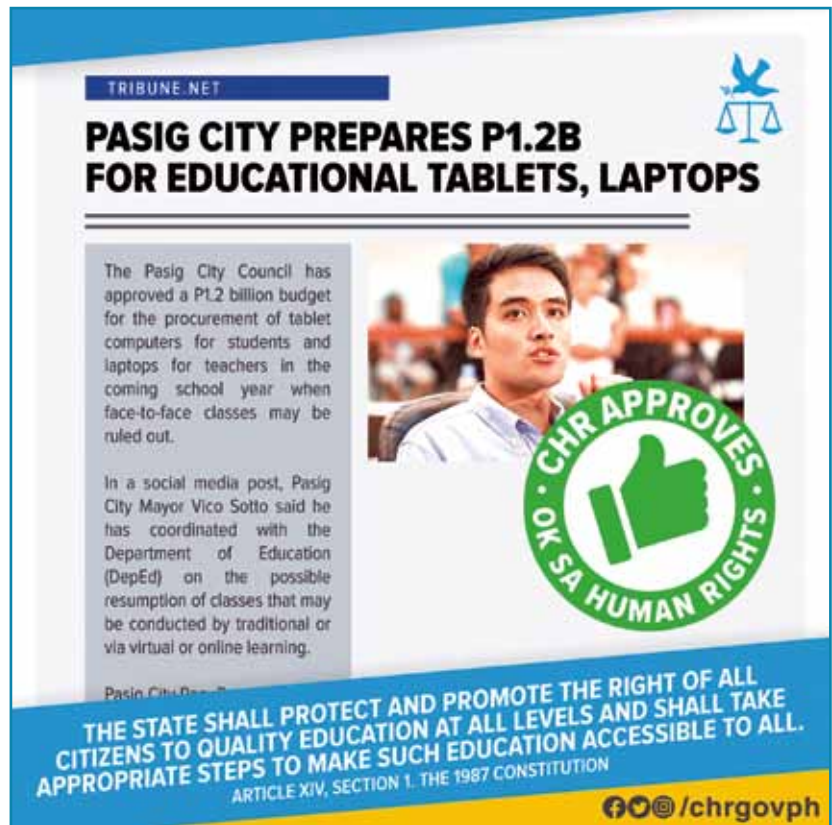
⁵¹ <https://www.cnnphilippines.com/news/2020/9/9/Private-schools-temporary-closure-DepEd-.html>, accessed 22 September 2020.

⁵² CHR Region XI (2020, July 30). Regional Human Rights Situation Report January 2020 to June 2020, p. 17.

⁵³ National Disaster Risk and Reduction and Management Council, National Task Force Coronavirus Disease-2019 Situational Report No. 173, September 21, 2020, available at http://www.ndrrmc.gov.ph/attachments/article/4036/National_Task_force_CORONAVIRUS_Disease_2019_issued_on_21September2020.pdf, accessed 22 September 2020.

who are in need.^{54 55 56 57 58 59} In doing so, the Department of Interior and Local Government (DILG) reminded all LGUs to comply with the standards and technical specs prescribed by DepEd to ensure the quality of the items.⁶⁰

- 24** On the other hand, the DepEd commends the LGUs for the distribution of these gadgets for distance learning. Secretary Leonor Briones said that together with the LGUs and the national government, the public will see them work together for the continuance of education. She said that the computerization program is ‘our future’ and that transmission of education is dependent on the use of technology because this is the call of the times.⁶¹



- 25** The use of digital technologies in the Philippines, however, is still below its potential, with the country’s digital adoption generally trailing behind many regional neighbors. The ‘digital divide’ between those with and without the internet leads to unequal access to social services and life-changing economic opportunities. According to Ndiame Diop, World Bank Country Director for Brunei, Malaysia, Philippines and Thailand “Internet connectivity is limited in rural areas, and where they are available, services are relatively expensive and of weak quality. Upgrading digital infrastructure all over the country will introduce fundamental changes that can improve social service delivery, enhance resilience against shocks, and create more economic opportunities for all Filipinos.”⁶²

54 See <https://mb.com.ph/2020/10/06/paranaque-lgu-gives-out-16000-tablets-to-kinder-grade-1-students-1500-laptops-to-teachers/>.

55 See <https://mb.com.ph/2020/10/01/san-juan-lgu-turns-over-learning-package-for-public-school-students/>.

56 See <https://www.manilatimes.net/2020/07/09/news/regions/lgu-to-provide-55000-tablets/739545/>.

57 See <https://www.gmanetwork.com/news/news/metro/753363/qc-to-distribute-176k-tablets-to-public-high-school-students/story/>.

58 See <https://newsinfo.inquirer.net/1333455/pasig-public-school-students-teachers-to-get-tablets-laptops-by-october>.

59 See <https://www.manilatimes.net/2020/08/19/news/national/manila-students-get-free-laptops-tablets/757480/>.

60 DILG, LGUs planning to donate gadgets to schools should comply with DepEd technical specs, 18 June 2020.

61 Department of Education (2020, August 26). DepEd commends Manila in laptop, gadget distribution for distance learning. Retrieved from Press Releases: <https://www.deped.gov.ph/2020/08/28/deped-commends-manila-in-laptop-gadget-distribution-for-distance-learning/>.

62 The World Bank. (2020, October 5). Harnessing Digital Technologies Can Help Philippines Overcome Impact of Pandemic, Hasten Recovery. Retrieved from Press Releases: <https://www.worldbank.org/en/news/press-release/2020/10/05/harnessing-digital-technologies-can-help-philippines-overcome-impact-of-pandemic-hasten-recovery>

- 26** The CHR commends all city governments that provided gadgets, internet access, and other needs for blended learning, especially for those who are in need. These supports, according to the statement, are important in securing the right to education during the pandemic. It alleviated some of the burdens of students, parents, and teachers, as students continue their education during these trying times. The CHR hopes that more local and city governments — with the aid of the DepEd and the national government — will provide the needed support, especially to the underprivileged ones to ensure equal access to education and make sure that no students are left behind.⁶³
- 27** To supplement holistic education, the CHR is utilizing social media to draw attention to key human rights issues and concerns. It published social media cards with topics such as freedom of expression, access to information, quarantine, lockdowns, travel bans, women's rights, rights of persons deprived of liberty, health workers' rights, and the right to education.⁶⁴
- 28** Regional Offices also conducted the Online Kabataan Karapatan Caravan, the flagship advocacy program of CHR for children and youth in the school setting. The Caravan aims to educate students of their rights under the United Nation Convention on the Rights of the Child (UNCRC) and domestic child protection laws, and their responsibilities, as children, to their families, school, community and the society, as a whole. It also serves as a venue for children to discuss among themselves concerns and issues affecting their enjoyment of rights, and be informed of the role of CHR in protecting these rights.
- 29** Another positive development in the education sector is the enactment of RA 11476, which institutionalized the Good Manners and Right Conduct and Values Education in the K to 12 Curriculum. This statute institutionalized a subject for basic education to teach students the basic tenets of the observance of respect for oneself, others, and elders, intercultural diversity, gender equality, ecology, and integrity of creation, peace and justice, obedience to the law, nationalism, and global citizenship.⁶⁵
- 30** To provide clear guidance to all offices, units, schools, and community learning centers (CLCs) of the Department, and to the learners, their parents, and other stakeholders on how to respond to the challenges brought about by COVID 19, DepEd adopted the Basic Education Learning Continuity Plan (BE-LCP) for School Year 2020–2021 in June 2020.⁶⁶
- 31** The BE-LCP⁶⁷ provides learning delivery strategies and operational directions that aims to protect the health, safety and well-being of all learners, teachers and school personnel. It also offers multiple learning delivery modalities such as blended learning, distance learning, and homeschooling, either on top or in place of the face-to-face learning modality in order to personalized learning opportunities among children shall continue to be provided in School Year (SY) 2020–2021.
- 32** However, under BE-LCP, face-to-face classes are not yet allowed. Learning opportunities are to be provided through blended distance learning modalities until such time that the

63 See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-de-guia-commending-city-governments-that-provide-gadgets-internet-and-other-provisions-for-blended-learning/>.

64 See <https://www.asiapacificforum.net/news/advocating-human-rights-amid-COVID-19/>.

65 See <https://www.officialgazette.gov.ph/downloads/2020/06jun/20200625-RA-NO-11476-RRD.pdf>

66 Department of Education, Department Order No. 12, s. 2020, Adoption of the Basic Education Learning Continuity Plan for School Year 2020–2021 in the Light of the COVID-19 Public Health Emergency, 19 June 2020, available at https://www.deped.gov.ph/wp-content/uploads/2020/06/DO_s2020_012.pdf

67 Department of Education, Department Order No. 12, s. 2020, Adoption of the Basic Education Learning Continuity Plan for School Year 2020–2021 in the Light of the COVID-19 Public Health Emergency, 19 June 2020, available at https://www.deped.gov.ph/wp-content/uploads/2020/06/DO_s2020_012.pdf

Department of Health (DOH), the Inter-Agency Task Force on Emerging Infectious Diseases (IATF-EID), or the President lift or relax the prohibition on face-to-face learning.

- 33 To adhere with the guidelines set by the IATF-EID, DepEd also issued Department Order No. 008⁶⁸ Series of 2020 to provide schools and community learning centers (CLCs) various options for implementing a modified enrollment process amidst the COVID Pandemic.
- 34 In a survey organized by DepEd, 87 percent of teachers who answered have laptops or computers at home and 13 percent have none.⁶⁹ Among those who have gadgets, only 41 percent have a stable internet connection.⁷⁰ Some teachers have also voiced out their concerns over the seemingly unpreparedness of schools, teachers, parents and learners for online learning. They pointed out that the Philippines' educational system is still struggling to adjust to the change brought about by the K-12 program, and to bring up online classes will cause another major change in the educational system.⁷¹
- 35 Even parents are apprehensive about enrolling their children this coming school year. In a distance learning approach, parents will have to play an active role in the learning process as they will have to facilitate and guide their children through modular lessons sent by the school. Some parents feel that they are not capable of guiding their children in the learning process at home. There are also doubts as to whether the children could learn their lessons effectively through the proposed alternative modes.⁷²
- 36 In response, DepEd will be purchasing laptops, televisions, lapel microphones and speakers for public school teachers. DepEd also assured parents that there is no need to buy new gadgets or devices as printed modules or learning materials will be provided to learners who have limited or no access to the internet and digital devices. DepEd is seeking the help of local government units (LGUs) in distributing learning modules for students.⁷³
- 37 The government will also use television and radio stations to broadcast educational programs at specific times to ensure that students from far-flung barrios can still learn during the time of Pandemic.

Right to Social Security During the COVID-19 Pandemic

- 38 In the Northern Mindanao Region, the initial estimates of the National Economic and Development Authority-X (NEDA-X) of COVID-19's direct impact to the gross regional domestic product (GRDP) at current prices, the potential output of the region may decrease by almost 5 percent, from the expected output of PHP839.7 billion at current

68 Department of Education, Department Order No. 008, s. 2020, Guidelines on Enrollment for School Year 2020-2021 in the Context of the Public Health Emergency due to COVID, May 28, 2020, may be accessed at https://www.deped.gov.ph/wp-content/uploads/2020/05/DO_s2020_008-Guidelines-on-Enrollment-for-SY-2020-2021.pdf

69 Thousands of teachers lack gadgets, internet to cope with pandemic: DepEd, ABS-CBN News, June 26, 2020, available at <https://news.abs-cbn.com/news/06/16/20/thousands-of-teachers-lack-gadgets-internet-to-cope-with-pandemic-deped> (last accessed June 28, 2020)

70 Id

71 Maan D'Asis Pamaran, Education post COVID-19 will be largely virtual, but is the Philippines ready?, ANC, available at <https://news.abs-cbn.com/ancx/culture/spotlight/04/23/20/education-post-covid-19-will-be-largely-virtualbut-is-the-philippines-ready> (last accessed May 9, 2020).

72 Bonz Magsambol, Decline in enrollees: Parents cite finances, doubts about distance learning, Rappler, May 29, 2020, available at <https://www.rappler.com/nation/262270-decline-enrollees-students-not-attending-school-coronavirus-pandemic> (last accessed June 28, 2020)

73 Jeffrey Damicog, DepEd to seek help from LGU in distributing learning materials to students, Manila Bulletin, May 12, 2020, available at <https://news.mb.com.ph/2020/05/12/deped-to-seek-help-from-lgu-in-distributing-learning-materials-to-students/> (last accessed July 3, 2020)

prices to PHP800.6 billion. The reduction in output is due to the effect of quarantine measures on the service sector, primarily from the wholesale, retail, and other sub-sectors that include hospitality services and entertainment, which comprises more than 40 percent of the total employment in the region. Thus, instead of the projected 10.6% growth in 2020, the economy will grow by 4.4% only because of the pandemic.^{74 75} About 45 percent of affected establishments (4,178 firms) are in the regional center – Cagayan de Oro City, employing 84,624 workers (52% of the regional total). This is followed by the province of Bukidnon, with 1,550 firms employing 24,312 workers (15%), Lanao del Norte, including Iligan City (13.9%), Misamis Oriental (10.8%), Misamis Occidental (10.1%), and Camiguin (3.7%). In an interview, the NEDA-X director stated that 35 establishments in the region had declared closure, 23 of which are in Cagayan de Oro City. 181 establishments had also reported to the Department of Labor and Employment (DOLE) that they have retrenched or reduced their workforce, 117 are from Cagayan de Oro City.⁷⁶

- 39** As a response to the socio-economic impact of the pandemic, the government injected various stimulus and social amelioration programs that served as economic relief and spurred economic activities. As of 15 June 2020, about 13,310,857 low income non-4Ps families (or 98.19%) out of the 13,556,093 targeted family beneficiaries received cash assistance, while a total of 4,239,125 4Ps families (or 98.87%) out of the targeted 4,287,676 households benefited from the emergency cash assistance distributed by the DSWD, with a total amount of cash assistance disbursed at PHP18,374,010,750.00. DSWD provided emergency cash subsidy to 242,453 public utility vehicles (PUVs) and transportation network vehicle services (TNVS) drivers (or 109%) out of the targeted 90,000 beneficiaries, with a total assistance of PHP1,713,168,500.001. DSWD also provided an Assistance to Individuals in Crisis Situation (AICS) program. A total of 399,730 recipients for COVID-19-related concerns (e.g., medical and burial assistance) benefited for a total amount of PHP1,767,109,378.23. A total of 2,837,445 indigent senior citizens received their social pension amounting to PHP8,512,335,000.00.⁷⁷
- 40** On April 27, 2020, CHR launched an online system where people can report incidents of gender-based violence (GBV) occurring while the Philippines is on lockdown due to the coronavirus pandemic. Through its website, users will be prompted to provide details about the incident to be reported. CHR commits to respond to the cases through its referral network, to ensure the observance of safety protocols and increase awareness about domestic violence while in quarantine. In relation, the CHR together with The Philippine Commission on Women (PCW), Department of Health (DOH), Department of the Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD), and the Commission on Population and Development (POPCOM) strongly condemn all forms of gender-based violence (GBV) during the COVID-19 crisis in a Joint Solidarity Statement last May 2020.⁷⁸
- 41** To combat hunger, DSWD distributed 1,914,066 family food packs, 5,110 ready-to-eat food, 2,570 tents, 78,198 hygiene kits, 4,305 sleeping kits, 20 kitchen kits, 1,759 family kits, and other food and non-food items to LGUs for a total of PHP992,920,485.56. In addition, a supplementary feeding program for a total of 1,755,363 children included meals amounting

74 NEDA, COVID-19 Regional Recovery Program 2020-2022, available at <http://nro10.neda.gov.ph/COVID-19-regional-recovery-program-2020-2022/>, accessed 4 November 2020.

75 (2020). 1st Semester 2020 Regional Situation Report. Cagayan De Oro City: CHR Regional Office 10.

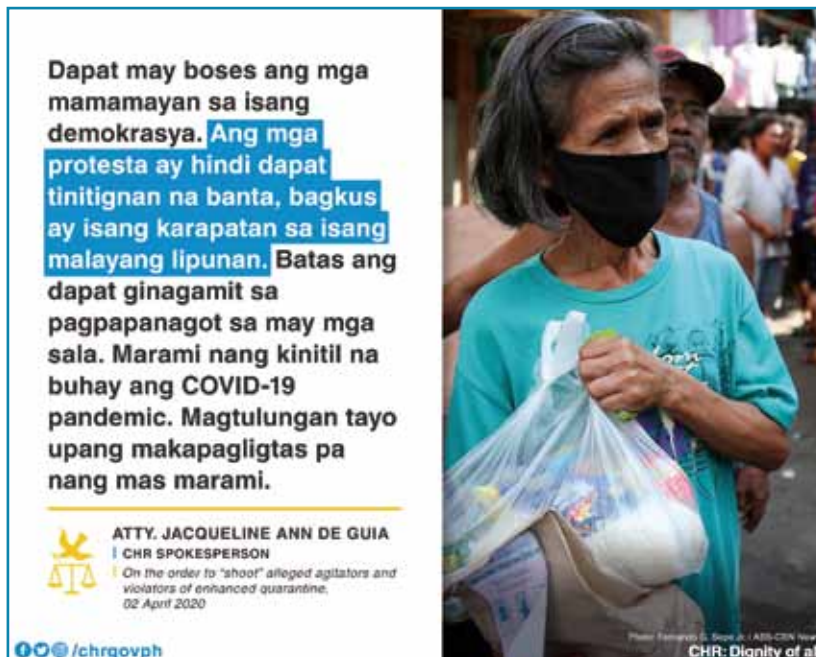
76 Ibid.

77 See http://ndrrmc.gov.ph/attachments/article/4036/National_Task_force_CORONAVIRUS_Disease_2019_issued_on_21September2020.pdf.

78 Gavilan, J. (2020, April 27). CHR launches online reporting portal for gender-based violence during lockdown. Retrieved from Rappler: <https://www.rappler.com/nation/chr-online-reporting-portal-gender-based-violence-coronavirus-lockdown>.

to PHP2,865,006,126.19.⁷⁹ As of 25 May 2020, a total of 320,852 displaced worker-beneficiaries from the informal sector availed of the program *Tulong Panghanapbuhay sa Ating Displaced / Disadvantaged Workers / Barangay Ko, Bahay Ko* Disinfection / Sanitation Project and received payment for a total of PHP1,217,452,668.29.⁸⁰

- 42 The Department of Labor and Employment (DOLE) distributed one-time assistance worth PHP5,000.00 to 657,201 employees for a total amount of PHP3,286,005,000.00 as of 19 May 2020. As for the Abot Kamay at Pagtulong for OFWs program, assistance amounting to PHP2,398,000,000.00 was disbursed to 234,060 OFWs.



- 43 As of 24 August 2020, a total of 32,354 or 79% out of the targeted 40,000 marginalized and small farmers and fisherfolks (MSFF) were served with PHP1,200,573,000.00 cash assistance transferred to partner lending conduits and a total of PHP809,740,000.00 worth of loans disbursed. 72 agri-fishery micro- and small-enterprises (MSEs) were served out of the targeted 150 MSEs with a total of PHP675,850,000.00 worth of loan released for MSEs.⁸¹ There is unequal access to social security because there are LGUs that have more resources than others.
- 44 Some local government units are top performers in providing social services to its constituents aside from the help provided by the national government. LGUs provided food packs, supplies, and other necessities to their respective locations. In Pasig, their amelioration program covered all its citizens, including LGBTQ parents or “every person/couple supporting a child.”⁸² In Makati, qualified residents received a 5,000 cash aid from the LGU while senior citizens received 5,000 on top of their other benefits.⁸³

Right of Medical Workers During the COVID-19 Pandemic

- 45 The Inter-Agency Task Force⁸⁴ for the management of Emerging Infectious Diseases (IATF-EID) is a body tasked to prevent and address the consequence of disease outbreaks that can lead to epidemics or even a worldwide pandemic, there is a need for an inter-sectoral collaboration to establish preparedness and ensure efficient government response

79 Ibid.

80 Ibid.

81 Ibid

82 See <https://www.cnnphilippines.com/news/2020/5/5/lgbtq-cash-aid-pasig.html>.

83 See <https://cnnphilippines.com/news/2020/5/11/Makati-city-residents-to-receive-5000-cash-aid.html>.

84 Executive Order No. 168, s. 2014. (2014, May 26). Retrieved from Official Gazette: <https://www.officialgazette.gov.ph/2014/05/26/executive-order-no-168-s-2014/>.

to assess, monitor, contain, control, and prevent the spread of any potential epidemic in the Philippines.

- 46** The IATF-EID is composed of representatives from Department of Health (DOH) as the Chairperson and members from Department of Foreign Affairs (DFA), Department of Interior and Local Government (DILG), Department of Justice (DOJ), Department of Labor and Employment (DOLE), Department of Tourism (DOT) and Department of Transportation and Communications (DOTC). It is mandated to:
- a** Establish a system to identify, screen, and assist Filipinos suspected or confirmed to be infected with EID;
 - b** Prevent and/or minimize the entry of suspected or confirmed patients with EID into the country. This should include rigid screening and identification of EID suspects, and the institutionalization of a surveillance, alert, and quarantine system in all ports of entry;
 - c** Prevent and/or minimize the local spread of EID in the country through the establishment or reinforcement of a system in screening possible patients with EID, contact tracing, identification of the mode of exposure to the virus, and implementation of effective quarantine and proper isolation procedures;
 - d** Prevent and/or minimize mortality through effective clinical management by capacitating healthcare facilities government and private medical practitioners, healthcare workers, and public safety enforcers;
 - e** Educate the public on EID and its prevention, control and management to promote positive health behaviors, and address public fear and anxiety through the conduct of a nationwide EID awareness campaign;
 - f** Adopt measures to strengthen the Emerging and Re-emerging Infectious Diseases Program of the DOH or its equivalent in other local health units;
 - g** Notify the WHO of the EID cases in the country and its assessment of the EID situation;
 - h** Submit to the Office of the President regular status reports in the monitoring of EID;
 - i** Formulate, develop, implement, and oversee the EID Preparedness Manual for the prevention and control of EID; and
 - j** Perform such other functions and activities as may be necessary to carry out the provisions of this Order, or as the President may direct.
- 47** Medical workers have received stigma, abuse, and discrimination from the public.^{85 86 87} As a response, the IATF urged the local government to investigate these discriminatory acts. The President has mobilized the security to address untoward behavior against medical workers. Metro Manila Council passed a resolution recommending the passage of local

85 See <https://www.nst.com.my/world/world/2020/03/579698/COVID-19-philippines-health-care-workers-suffer-abuse-stigma>.

86 See <https://www.ispionline.it/en/publicazione/COVID-19-and-discrimination-medical-personnel-philippines-25725>.

87 See <https://www.straitstimes.com/asia/stigmatisation-of-frontline-health-workers-appalling-inquirer>.

ordinances prohibiting such discriminatory practices towards medical workers.⁸⁸

- 48** Given this situation, the need to protect all healthcare professionals in the country amid the COVID-19 pandemic is crucial as the doctor-to-patient ratio currently stands at 1:40,000, far from the ideal 1:10,000.⁸⁹ In line with this, PhilHealth Circular 2020-0011 provided health workers and those working under government health agencies, regardless of employment status, with full financial coverage status if ever they are infected by COVID-19.⁹⁰



- 49** As a response to the lack of transportation during the lockdown, the Department of Transportation (DOTr) and the Office of the Vice President (OVP) provided free transport to all health workers and other frontliners for the duration of the community quarantine.⁹¹
- 50** The Department of Public Works and Highways (DPWH), Office of the Vice President (OVP), and several LGUs have set up temporary dormitories for health care workers.^{93 94 95}
- 51** The CHR is deeply concerned with the rising number of healthcare workers being infected with COVID-19. According to its statement, the WHO sees the figures worrisome as health workers cover 15% of confirmed COVID-19 cases in the Philippines, compared to the 2-3% for the Western Pacific region. The CHR urged the DOH to review its policy to decentralize and ensure that more laboratories are accredited or made capable of conducting real-time polymerase chain reaction (RT-PCR) tests, ensure the efficient transportation of medical equipment and other lifesaving saving devices through sustained coordination

⁸⁸ See <https://www.cnn.ph/news/2020/4/7/Metro-Manila-mayors-discrimination-COVID-19.html>.

⁸⁹ Sanchez, Martha Jean, "Number of Doctors per 10,000 population in the Philippines by Region," Statista, June 9, 2020 <https://www.statista.com/statistics/1122063/philippines-number-of-doctors-by-region/>, accessed 24 September 2020.

⁹⁰ Philippine Health Insurance Corporation, Full financial risk protection for Filipino health workers and patients against coronavirus disease (COVID-19), PhilHealth Circular No. 2020-0011, April 8, 2020, available at <https://www.PhilHealth.gov.ph/circulars/2020/circ2020-0011.pdf>, accessed 25 June 2020.

⁹¹ Department of Transportation, DOTr Free Bus Ride for Health Workers, April 12, 2020 available at <http://www.dotr.gov.ph/55-dotrnews/1156-good-news-dotr-free-ride-for-health-workers-expands-to-20-routes.html#:~:text=To%20date%2C%20the%20DOTr%20Free,12%2C%20CAR%2C%20and%20CARAGA>, accessed 25 June 2020

⁹² See <https://newsinfo.inquirer.net/1316781/ovps-free-shuttle-service-for-frontliners-resumes-on-day-1-of-mecq>.

⁹³ Ferdinand Patinio, DPWH to build dorms for workers in QC hospitals, Philippine News Agency, May 21, 2020, available at <https://www.pna.gov.ph/articles/1103571>, accessed 25 June 2020.

⁹⁴ See <https://mb.com.ph/2020/07/30/dorm-for-healthcare-workers-completed-in-pampanga/>.

⁹⁵ See <https://www.rappler.com/nation/list-office-vice-president-robredo-free-dormitories-coronavirus-frontliners>.

with hospitals and local governments, and to be transparent in the procurement of PPE and in full compliance with the government procurement standards.⁹⁶

- 52** The CHR recognizes the invaluable contribution of our medical staff, and calls for a stronger government prioritization of their welfare, especially in this state of a national health emergency.⁹⁷ As it condemned the senseless acts of physical violence and discrimination against health workers, it has investigated the reported assaults committed against health workers.⁹⁸

Labor Rights During the COVID-19 Pandemic

- 53** There were reports from CHR Regional Offices III and XI on the situation of workers in the informal economy, such as stranded construction workers and tricycle drivers.
- 54** ESCRC takes note of reports of livelihood concerns from blind massagists and musicians who are forced to stop working because of social distancing.
- 55** Public utility vehicle drivers were left no choice but to beg for alms in the streets because of mobility restrictions that affected their livelihood and the looming jeepney modernization.⁹⁹
- 56** The Department of Labor and Employment (DOLE) showed that 727 establishments implemented Flexible Work Arrangement (FWA) (reduction of workdays, rotation of workers, forced leave, telecommuting) affecting 12,981 workers, while 4,203 establishments underwent Temporary Closure (TC) affecting 70,268 workers. 72 industries implemented retrenchment and permanent closure, resulting in 909 retrenched workers. Through the COVID-19 Adjustment Measure Program (CAMP), 25,734 workers affected by the FWA and TC were given an assistance of PHP5,000.00 each, with a total amount of PHP128,670,000 assistance given.¹⁰⁰ The DOLE reported that 2.6 million workers have already lost their jobs due to the temporary closure of businesses affected by the COVID-19 pandemic.¹⁰¹ The results of the Philippine Statistics Authority's (PSA) 2020 Annual Labor Force showed that the unemployment rate in 2020 rose to 10.3 percent accounting for 4.5 million unemployed Filipinos in the labor force, compared to 5.1 percent in 2019. The employment rate fell from 94.9 percent in 2019 to 89.7 percent.¹⁰²
- 57** According to Philippine Statistics Authority (PSA), unemployment soared to 17.7% in April 2020, about a month into a sweeping lockdown that saw the country closing off its borders and imposing strict shelter-at-home restrictions.¹⁰³

⁹⁶ <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-rising-number-of-COVID-19-infected-health-workers/>

⁹⁷ See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-c-de-guia-on-safeguarding-the-rights-and-welfare-of-our-healthcare-workers-in-the-fight-against-COVID-19/>.

⁹⁸ See <http://chr.gov.ph/statement-of-commissioner-karen-gomez-dumpit-on-violences-carried-out-against-health-workers-in-time-of-the-COVID-19-pandemic/>.

⁹⁹ (2020). Hungry, homeless, jeepney drivers resort to begging. Available at <https://www.manilatimes.net/2020/08/17/news/top-stories/hungry-homeless-jeepney-drivers-resort-to-begging/756492/>.

¹⁰⁰ Ibid.

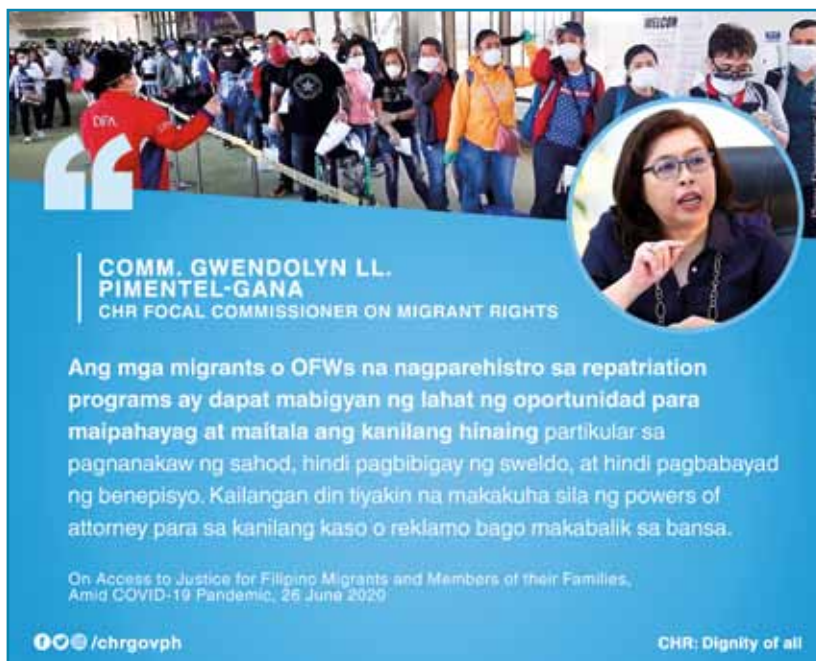
¹⁰¹ David Tristan Yumol, DOLE estimates 10 million workers will lose jobs this year due to COVID-19 pandemic, CNN Philippines, 21 May 2020, available at <https://www.cnn.ph/news/2020/5/21/dole-estimates-ten-million-workers-will-lose-jobs-covid-pandemic.html>, accessed 19 June 2020.

¹⁰² Philippine Statistics Authority 2021, March 8). *2020 Annual Preliminary Estimates of Labor Force Survey (LFS)*. Retrieved from <https://psa.gov.ph/content/2020-annual-preliminary-estimates-labor-force-survey-lfs>

¹⁰³ Raul Dancel, Philippines' unemployment rate at record high in April, StraitsTimes, 6 June 2020, available at <https://www.straitstimes.com/asia/se-asia/philippines-unemployment-rate-at-record-high-in-april>, accessed 22 June 2020.

58 In the Cordillera Administrative Region (CAR), for instance, the NEDA-CAR reported that various sectors in the region incurred more than ₱15.6 billion losses with the implementation of the Luzon-wide Enhanced Community Quarantine (ECQ) to contain the spread of the COVID-19.¹⁰⁴

59 In its advisory on the human rights of workers, the CHR notes that the health crisis escalates rapidly and continues to take its toll in many countries. It poses serious threats to the global economy and puts immense pressure on businesses, jobs, and livelihoods and the pandemic likewise exacerbates already existing inequalities. Those working in the informal economy face higher exposure to health and safety risks in addition to the reduction of their economic activities and earnings with no income replacement solution. CHR also lays down its proposals and recommendations to protect and promote the human rights of our workers in times of the pandemic.¹⁰⁵



Right of Migrant Workers During the COVID-19 Pandemic

60 At least 4,000 OFWs were stranded after the Philippine Red Cross stopped conducting the COVID-19 tests for the government due to unpaid 930 million PhP debt by the PhilHealth.¹⁰⁶

61 About 204,481 OFWs affected by COVID-19 were repatriated by the Department of Foreign Affairs (DFA) as of the end of September. Sea-based overseas Filipino comprised 33.98%, or a total of 69,477, while land-based Filipino workers totaled 135,004 or 66.02%. With the help of various foreign service posts and Filipino communities abroad, the DFA was also able to repatriate stranded overseas Filipinos from remote locations.¹⁰⁷ As displaced Overseas Filipino Workers (OFWs) continue to soar past 600,000, DOLE has assisted 237,778 OFWs amounting to PHP2,436,000,000.00. Additional funding of PHP5,000,000,000.00 was ordered released by the President for the continuous repatriation and assistance to other OFWs. Meanwhile, a total of 146,658 returning OFWs have been transported to their home provinces as of 15 August 2020. Aside from transportation, the OFWs were provided with hotel accommodation and other assistance while waiting for their test results.¹⁰⁸

104 (2020). Regional Human Rights Situation Report January 2020 to June 2020. Baguio City: Cordillera Administrative Region Office.

105 See CHR (V) A2020-010.

106 Patinio, F. (2020 October 20). Stranded OFWs due to unpaid debt of Philhealth to Philippine Red Cross. Philippine News Agency. Available at <https://www.pna.gov.ph/articles/1119134>.

107 Department of Foreign Affairs, available at <https://www.dfa.gov.ph/dfa-news/dfa-releasesupdate/27837-dfa-repatriates-200k-overseas-filipinos-as-september-ends>, accessed 5 October 2020.

108 Department of Labor and Employment, Displaced OFWs soar past 600k, August 16, 2020 available at <https://www.dole.gov.ph>.

62 The Philippine government has implemented a series of responses. Moreover, POEA released Memorandum Circular 9-2020 the adoption of the protocols set by the DOH for arrival and repatriation of overseas Filipinos and the guidelines at seaports for all maritime vessels.¹⁰⁹ The DOTr and its attached agencies such as Manila International Airport Authority (MIAA), Civil Aviation Authority of the Philippines (CAAP), Civil Aeronautics Board (CAB), Maritime Industry Authority (MARINA), Philippine Coast Guard (PCG); and other government agencies such as the Department of Tourism – Philippines (DOT), Department of Social Welfare and Development (DSWD), Department of National Defense – Philippines (DND), Office of Civil Defense – Department of National Defense (OCD), Department of Labor and Employment – DOLE OWWA Overseas Workers Welfare Administration (DOLE – OWWA), Department of Foreign Affairs, Republic of the Philippines (DFA), Philippine National Police (PNP), and the Bureau of Quarantine (BOQ), set up a One-Stop-Shop (OSS) at Terminals 1 and 2 of the Ninoy Aquino International Airport. The OSS has overseen the processing of returning OFWs, who arrive at the airport from their testing for the coronavirus to their quarantine at government-accredited quarantine facilities, until such time they can go home to their respective homes. As of 4 July 2020, the OSS has assisted a total of 70,882 returning OFWs who arrived.¹¹⁰ DOLE also issued Department Order No. 211, which provides guidelines on the provision of hotel accommodation for distressed land-based and sea-based Filipino workers during the period of ECQ.¹¹¹ ¹¹² To complement these efforts, the IATF endorsed the proposal of DOLE for the immediate release of the amount of PHP1.5 billion for financial assistance for overseas workers and repatriated overseas workers to be submitted to the Department of Budget and Management (DBM).¹¹³

63 In addition, Overseas Workers Welfare Administration (OWWA) will resume its livelihood program for distressed OFWs who are back in their hometowns due to the COVID-19 pandemic.¹¹⁴ The POEA also issued Memorandum Circular No. 08-2020 that instructs all licensed manning agencies (LMA) and recruitment agencies to closely monitor their deployed OFWs and to coordinate with the concerned Philippine Overseas Labor Office (POLO) in extending needed assistance to migrant workers.¹¹⁵ The government has extended its support to returning OFWs. As of 20 August 2020, the ‘Hatid-Tulong Program’ has assisted and served a total of 151,152 OFWs, 47,558 of whom were transported by land, 66,038 using air transport (data for land and air transport are from 25 May 25 to 20 August)

gov.ph/news/displaced-ofws-soar-past-600k/.

109 Philippine Overseas Employment Agency, Adoption of the Guidelines on the Arrival and Repatriation of Overseas Filipinos, and the Guidelines at Seaports for All Maritime Vessels Issued by the Department Of Health, Memorandum Circular No. 09, s. of 2020, available at <http://www.poea.gov.ph/memorandumcirculars/2020/MC-09-2020.pdf>, accessed 25 June 2020.

110 Office of Transportation, NAIA One-Stop Shop Serves more than 70,000 returning Overseas Filipino, available at <http://www.ots.gov.ph/naia-one-stop-shop-serves-more-than-70-000-returning-overseas-filipinos>, accessed 22 September 2020.

111 Ferdinand Patinio, DOLE to focus on OFW livelihood in post-COVID-19 plan, Philippine News Agency, May15, 2020, available at [https://www.pna.gov.ph/articles/1102985#:~:text=MANILA%20%E2%80%93%20The%20Department%20of%20Labor,Covid%2D19\)%20recovery%20plan.&text=We%20will%20give%20them%20livelihood%20assistance%20of%20PHP20%2C000](https://www.pna.gov.ph/articles/1102985#:~:text=MANILA%20%E2%80%93%20The%20Department%20of%20Labor,Covid%2D19)%20recovery%20plan.&text=We%20will%20give%20them%20livelihood%20assistance%20of%20PHP20%2C000), accessed 25 June 2020.

112 Department of Labor and Employment, Prescribing Guidelines Governing The Provisions of Hotel Accommodation for Distress Landbased and Sea Based Filipino Workers During the Period Of Enhanced Community Quarantine or the OWWA Project Care, Department Order No. 211, March 25, 2020, available at <https://www.dole.gov.ph/news/departament-order-no-211-prescribing-guidelines-governing-the-provisions-of-hotel-accommodation-for-distress-landbased-and-sea-based-filipino-workers-during-the-period-of-enhanced-community-quarantine/>, accessed 25 June 2020.

113 See IATF Resolution No. 15, D.

114 Ferdinand Patinio, OWWA to resume livelihood program for OFWs, May 26, 2020 available at <https://www.pna.gov.ph/articles/1103976>, accessed 25 June 2020.

115 Philippine Overseas Employment Agency, Close Monitoring and Assistance to Overseas Filipino Workers (OFWs) and Seafarers Affected by the Corona Virus Diseases (COVID-19), Memorandum Circular 08, s. of 2020, available at <http://www.poea.gov.ph/memorandumcirculars/2020/MC-08-2020.pdf>, accessed 25 June 2020.

and 37,556 via sea transport (sea travel from 27 April to 21 August).¹¹⁶

- 64 In documenting migrant workers' cases and concerns, the CHR's Citizens' Help and Assistance Division (CHAD) received and referred 38 cases to concerned authorities from 5 March to 18 September 2020.¹¹⁷

- 65 The programmatic relationship between the CHR and UP Law, through OLA, hopes to accomplish two objectives at once: First is the mitigation or pre-emption of human rights abuses or violations through the rendering of quick legal advice to (potential) victims and/or violators; second is the enhancement of the experience of our legal interns in public-interest lawyering.



- 66 This [E-Lawyering] project primarily intends to provide real-time legal advice to our citizens through the use of smart technology. Through this simple but innovative partnership, we hope to address, if not pre-empt, at least some human rights violations by the government or abuses by private parties, especially against the poor and vulnerable sectors of our society (*Opening Remarks, Launching of HRELS, 10 December 2020*).
- 67 The CHR acknowledges the efforts of the Philippine Government to address the COVID-19 pandemic and directs particular attention to the plight of OFWs and their families during this time. In its analysis, the CHR highlighted that the International Labor Organization estimated that the COVID-19 pandemic has affected a total number of 2.7 billion workers or around 81% of the world's workforce. Lockdowns and related business disruptions, travel restrictions, and other containment measures had a drastic impact on workers and enterprises.

Rights of Farmers and Fisherfolks During the COVID-19 Pandemic

- 68 In its statement last 22 April 2020, the CHR recognizes that the quarantine and lockdown protocols have greatly impacted the ability of farmers and fisherfolks to sell their products, even though the government has ensured unhampered distribution of their products. Farmers in the Mountain Province, for instance, had to throw their harvest as no buyers were able to procure them. Lockdown measures have also limited their ability to tend to their farms due to the limited time and the low price of *palay* (unhusked rice) has continued to worsen due to the pandemic and the Rice Tariffication Law. In another instance,

116 Department of Transportation <https://dotr.gov.ph/55-dotrnews/2184-in-response-to-the-call-of-president-rodolfo-roa-duterte-to-send-our-ofws-back-to-their-provinces-the-department-of-transportation-joins-the-national-task-force-for-COVID-19-and-concerned-government-agencies-in-establishing-the-hatid-tulong-program-to-assist-and-transport-our-stranded-ofws-in-metro-manila-back-to-their-respective-provinces-13.html>, accessed 25 September 2020.

117 See 10-07-2020_CHAD OFW Endorsements_Final.

fisherfolks within the National Capital Region, particularly in Navotas, Las Piñas, and Malabon, have reported a variety of issues – from inconsistency between local government units in allowing them to fish, to regulations which they deem as an additional economic burden to them during this pandemic.¹¹⁸

- 69** CHR CAR conducted FGDs and Key Informant Interviews (KIIs) with government service providers and women fisherfolks in the municipality of Bokod, Benguet on October 13 and 21, 2020. Bokod is a home to the Ambuklao Dam, by reason of which the people in the area learned the art of fishing in order to sustain their families. Here are the issues and challenges they raised:
- a** Utilization of the water reservoir of the Ambuklao Dam Water management is currently under SN Aboitiz Power Group and they were able to build fish cages within the facility because the company agreed to. The fisherfolks are always in a dilemma that the current agreement might be altered and one day, their source of livelihood would just stop.
 - b** Residents surrounding the Ambuklao Dam are considered informal settlers. The sad and tragic story about this was that these residents were displaced when the Ambuklao Dam was built. They were not welcomed to the place and the government told them to relocate so they had to come back and find themselves as illegal settlers in their very own land. In the earlier years, the local government of Bokod raised a list of issues such as uncompensated properties submerged by the dam, the ambiguity on relocation of those displaced and the non-compliance to provisions on employing locals in the power plant. The latter issue urged the SN Aboitiz Power Group to prioritize the employment of the locals suspended by the building of the dam and provide subsidy to the LGU enabling it to implement projects benefiting the indigenous community.
 - c** Travel [and mobility] restrictions and other [social distancing] protocols brought challenges and loss of income to the fisherfolks since it is difficult to market and sell the *tilapia* to the nearby municipalities.
 - d** A lot of changes in the set up among families and communities; apart from social distancing and wearing of masks.
 - e** The method of education: modular learning has startled most families.
 - f** Participants from the FGDs and KIIS recommend to explore arrangements with the government where they can buy their *tilapia* harvests, shrimp and crab production; look into increasing the market for Ambuklao *tilapia*; alternative livelihood seminars, trainings and continuing capability to market their products; and lend capital-soft loans.
- 70** State authorities have also provided help to those belonging to the agricultural and fisheries sector. Small-time farmers and fisherfolks became recipients of government subsidies. As of 13 June 2020, a total of 18,527, or 46.31% out of the targeted 40,000 marginalized and small farmers and fisherfolk (MSFF), were given PHP997.818 million cash assistance transferred to partner lending conduits and a total of PHP463.095 million worth of loans disbursed.

118

See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-plight-of-farmers-and-fisherfolk-during-the-COVID-19-pandemic/>

- 71** Under its recovery program, the State allocated additional funding support for these sectors. As of 24 August 2020, a total of 32,354, or 79% out of the targeted 40,000 marginalized and small farmers and fisherfolk (MSFF), were given PHP1,200,573,000.00 cash assistance transferred to partner lending conduits, and a total of PHP809,740,000.00 worth of loans disbursed. 72 agri-fishery micro and small enterprises (MSEs) were served out of the targeted 150 MSEs with a total of PHP675,850,000.00 worth of loan released for MSEs.
- 72** Amidst the pandemic, it is noteworthy and commendable that the agriculture sector had 1.6% growth¹¹⁹ even though the country plunged into recession and the economy shrunk by 16.5% in the 2nd quarter of 2020.¹²⁰
- 73** In the face of loss of income due to lockdown measures, some local government units and the concerned national government agencies initiated setting up online platforms to bridge the gap between farmers and consumers.¹²¹
- 74** CHR Region X likewise reported that the pandemic has affected 24,490 farmers in the region. Their needs were catered through the Rice Farmers Financial Assistance Program and the Financial Subsidy to Rice Farmers with total releases of PHP76.06 million and PHP46.94 million, respectively. To ensure the continuing production of rice, financial assistance was granted along with the provision of seed bags. The KADIWA ni Ani at Kita (KADIWA on Wheels), which sells agricultural goods at reasonably low prices, served 12,037 households in Cagayan de Oro City, as of 07 May 2020. Urban gardening with the distribution of seeds was also promoted to the households.¹²²
- 75** Around 1,124 rice farmers received the cash assistance under the Department of Agriculture's Rice Farmers Financial Assistance Program. Each farmer received PHP5,000 financial support for their farm inputs, food, or anything they need for their families. The program is intended for the rice farmers who are tilling 0.5 hectares to two hectares of land and registered in the Registry System for Basic Sectors in Agriculture.¹²³

Rights of Indigenous People During the COVID-19 Pandemic

- 76** More than a week after the declaration of the ECQ, the CHR received a complaint alleging a lack of food provisions among Mangyan indigenous cultural communities (ICCs) / IPs in some *barangays* in Occidental Mindoro due to government-imposed restrictions on movement. Other members of indigenous communities have experienced difficulty bringing their crops to trading posts due to the proliferation of PNP and the Armed Forces of the Philippines (AFP) checkpoints. Some indigenous farmers have even left their crops to rot because they cannot transport them.¹²⁴
- 77** The Mangyans expressed their concern both for the community and the local biosecurity, specifically for the tamaraws in their care. The community is already vulnerable to other diseases, common ailments, and widespread malnourishment due to their isolation and limited access to health care; the lockdown due to COVID-19 also resulted in the loss of livelihood and income from ecotourism revenues.¹²⁵

119 See <https://psa.gov.ph/press-releases/id/162842>.

120 See <https://mb.com.ph/2020/08/06/ph-plunges-into-recession/>.

121 CHR CAR (2020, July 30). Regional Human Rights Situation Report January to June 2020, p. 43.

122 CHR Region X (2020). 1st Semester 2020 Regional Situation Report, p. 7.

123 CHR Region XI (2021, Jan 28). Regional Human Rights Situation Report July 2020 to December 2020, pp. 56.

124 See CHR (V) A2020-006.

125 See <https://news.abs-cbn.com/spotlight/05/22/20/tiis-pilipit-mangyan-tribesmen-tamaraw-threatened-by-hunger> –

- 78** When the pandemic hit, the situation became even worse as the lockdown made it doubly hard for the local people to move freely in their land. The CHR has documented the continuous attacks against indigenous groups and the red-tagging of their tribal leaders even in the midst of the community quarantine. In Luzon, a member of the Dumagat-Remontado community was abducted and physically abused while in custody last March. Militarization in the area increased with indigenous community leaders being falsely accused of belonging to the rebel group NPA.^{126 127}



- 79** Indigenous students from Mindanao who moved to Manila hoping to continue their education found themselves struggling in Metro Manila due to the coronavirus pandemic hitting the Philippine capital the hardest.¹²⁸
- 80** Based on the CHR report, the Asosasyon ng Katutubong Mahawang (AKMA) allegedly received a letter from the Bases Conversion and Development Authority (BCDA) telling them to leave their community in Barangay Aranguren and to coordinate with the BCDA in order to do the same. Apparently, the area is needed for the construction of an access road from the New Clark City (NCC) to the Clark International Airport.¹²⁹
- 81** Aside from the Civil and Political Rights noted earlier, the CHR raises a concern that a lot of IPs have experienced discrimination in availing themselves of health services. They even lack access to safe water and sanitation, which are crucial in preventing the spread of the disease.¹³⁰
- 82** CHRP Advisory on Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) amid the Covid-19 Pandemic (CHR (V) A2020-006) reminds “all concerned government agencies to immediately look into and act on the concerns of the ICCs/ IPs especially those living in geographically isolated and disadvantaged areas (GIDA) during the enhanced

and-disease.

- ¹²⁶ Flores-Obanil, C. The Pandemic's Hidden Casualty: Human Rights. The Diplomat. June 16, 2020, available at <https://thediplomat.com/2020/06/the-pandemics-hidden-casualty-human-rights/>.
- ¹²⁷ See similar case, Human Rights Online Philippines. (2020, April 7). [Statement] LOCKDOWN VIOLENCE: Mining company disperses people's barricade in Didipio, injures indigenous women and arrests leader – LILAK. Human Rights Online Philippines. April 7, 2020, available <https://hronlineph.com/2020/04/07/statement-lockdown-violence-mining-company-disperses-peoples-barricade-in-didipio-injure-indigenous-women-and-arrest-leader-lilak/>, accessed 1 October 2020.
- ¹²⁸ Chavez, Leilani. For Philippines' displaced indigenous students, Covid 19 is one of many threats. Mongabay News & Inspiration From Nature's Frontline. April 3, 2020. available at <https://news.mongabay.com/2020/04/for-philippines-displaced-indigenous-students-COVID-19-is-one-of-many-threats/>.
- ¹²⁹ Human Rights Regional Situationer Report January to June 2020. San Fernando City: CHR Regional Office III.
- ¹³⁰ Ki, C. N. O. (2020, August 10). COVID-19 leaves indigenous peoples at a disadvantage – CHR. Manila Bulletin. <https://mb.com.ph/2020/08/10/COVID-19-leaves-indigenous-peoples-at-a-disadvantage-chr/>.

community quarantine (ECQ) and throughout this COVID-19 pandemic.” Government support to the IP communities must be strengthened with utmost consideration to their cultural practices and specific needs.¹³¹

- 83** With respect to IPs/ICCs Right to Ancestral Domain, there were reports of continuing development aggression even during the pandemic and CHR Regional Offices docketing cases of the violation of the Free, Prior, and Informed Consent (FPIC) process. There were also reports of pressing and persistent concerns on overlapping and conflicting land claims, discrepancies in issuance of permits, delays in land titling, and absence of clear identification of the concerned line agencies that will undertake surveys and delineation.
- 84** On the Right to Self-Governance and Empowerment, there were reports of Indigenous Peoples Mandatory Representatives (IPMRs) not being allowed to assume office or were refused to be recognized as elected IPMRs. There were also reports of IPMRs not being given their full honorarium as that of a regular member of the Sanggunian.¹³²
- 85** Regional offices reported issues on IPs/ICCs Right to Social Justice and Human Rights which covers their access to basic services, the militarization of ancestral domains which has led to displacements, institutionalized discrimination faced by IPs, loss of livelihood due to the COVID-19 pandemic, right to information, right to education, and right to shelter.
- 86** In regional reports from January to June 2020, CHR CAR observed the persistence of the misrepresentation of cultural dances and indigenous attires, seen in LGU-led festivals where dances are overdone or choreographed for entertainment’s sake. The same is seen in beauty pageants where so-called indigenous attires get overly done that no IP group would willingly own it. CHR Region XI added that because of public health and safety measures, “the conduct of rituals was also affected due to the pandemic such as restriction of regular meeting of council of elders during Enhanced Community Quarantine (ECQ), their socialization and sharing of resources were also limited due to social distancing [policies].”^{133 134}
- 87** Clearly, indigenous communities in parts of ancestral Mindanao are fracturing in conflict. In these conflict areas, three faces of the Lumad have emerged: that of the CPP-NPA; that of paramilitary groups supported by the military; and that of the largely uneducated, hapless Lumad majority, caught in the crossfires.
- 88** Fear and poverty, abetted by government neglect and decades of exploitation, have also contributed to making the Lumad vulnerable to displacement.
- 89** The CHR recognizes that displacement also affects IPs’ exercise of the right to self-determination and a host of other rights that come with it. Article 1 of the UNICCPR, as well as Article 1 of the UNICESCR, specifically provide for the right of all peoples to self-determination, including the right to determine their political status and economic, social, and cultural development. International law obliges every State to acknowledge that the right to lands, territories, and natural resources is the basis for their collective survival and is, thus, inextricably linked to their right to self-determination. Removed from their

131 <http://chr.gov.ph/wp-content/uploads/2020/04/Human-Rights-Advisory-on-Indigenous-Cultural-Communities-Indigenous-Peoples-ICCsIps-Amidst-the-COVID-19-Pandemic-CHR-V-A2020-006.pdf>.

132 CHR CAR (2020, July 30). Regional Human Rights Situation Report January to June 2020, p. 30; CHR XI (2021, Jan 28). Regional Human Rights Situation Report July 2020 to December 2020, p. 16.

133 CHR CAR (2020, July 30). Regional Human Rights Situation Report January to June 2020.

134 CHR Region XI (2020, July 30). Regional Human Rights Situation Report January 2020 to June 2020, p. 17.

ancestral domains, the Lumad could not exercise their right to culture in community with those who remained there.

Human Rights, Climate Change, and Disaster Risk Reduction During the COVID-19 Pandemic

- 90** There is an increase in the number of COVID-19 positive evacuees who were displaced by recent typhoons. The affected evacuees have been placed in community care facilities as the LGU monitors the situation in the evacuation centers.
- 91** All this is happening in the face of the climate crisis. The country faced a series of natural disasters and other calamities in 2020. The UN Environment Programme (UNEP) reported that “climate change is one of the greatest threats to human rights of our generation, posing a serious risk to the fundamental rights to life, health, food, and adequate standard of living of individuals and communities across the world.” CHR CAR grounds this assertion when it wrote that “manifestations of climate change are now felt by the majority, most especially by upland farmers whose agricultural production is vulnerable to the increasingly unpredictable weather conditions.” Climate change and environmental protection are also “hot-button issues in view of the presence of mining and logging companies within cultural communities especially between the Lumads and private corporations.”^{135 136 137}
- 92** Extreme weather conditions (extreme heat and extreme rain) over the years devastated Filipinos, preventing them from having a stable way of living.¹³⁸ Climate change is a crucial factor in intensifying droughts and typhoons as it increases global surface temperatures.¹³⁹ The COVID-19 pandemic has exacerbated the already dismal situation of disaster preparedness and response.¹⁴⁰
- 93** On 28 June 2020, flash floods hit Digos City. The heavy rain due to the southwest monsoon caused the Digos River to overflow. As such, low-lying areas of the city were inundated. According to the initial assessment of the Digos City Social Welfare and Development Office (SWDO), a total of 1,272 families or 4,282 individuals were affected. Of said number, a total of 412 families from eight (8) *barangays* evacuated to the city gymnasium. They returned home the following day when the flood already subsided. About 16 houses were totally damaged. Digos City SWDO provided food packs to the affected families.¹⁴¹
- 94** Towards the last quarter of the year, two consecutive typhoons, typhoon Quinta (Molave) and super typhoon Rolly (Goni), devastated parts of the country. These supertyphoons wiped out a total of PHP4.6 billion in agricultural crops.¹⁴²
- 95** After typhoons Quinta and Rolly struck the country, typhoon Ulysses devastated various parts of Luzon from 11 to 12 November 2020, with more than three million people

135 UN Environment Programme (2015, December). Climate Change and Human Rights. Retrieved from https://wedocs.unep.org/bitstream/handle/20.500.11822/9530/-Climate_Change_and_Human_Rightshuman-rights-climate-change.pdf.

136 CHR CAR (2021, Jan 29). Regional Human Rights Situation Report July to December 2020, p. 48.

137 CHR CARAGA (2021, Jan 29). What Kind of Year Has It Been: A Report on the Human Rights Situation in CARAGA Region During the 2020 COVID-19 Pandemic, p. 8.

138 See <https://newsinfo.inquirer.net/524569/10-deadliest-natural-disasters-in-the-philippines>.

139 See https://www.usgs.gov/faqs/how-can-climate-change-affect-natural-disasters-1?qt-news_science_products=0#qt-news_science_products.

140 See https://www.cdc.gov/disasters/COVID-19/disasters_severe_weather_and_COVID-19.html.

141 (2020). Regional Human Rights Situation Report January 2020 to June 2020. Davao City: CHR Regional Office 11.

142 See <https://www.rappler.com/business/agriculture-damage-quinta-super-typhoon-rolly-november-3-2020>.

from 5,594 *barangays* in eight regions affected, according to the latest government reports, with 283,656 people seeking refuge in 2,205 evacuation centers, while 158,926 people are in a home-based setting.

- 96** These series of typhoons negatively affected agriculture. \$49 million worth of damages were recorded in Region 2 and \$207 million worth of crops and facilities affected regions across Luzon. The death toll stands at 73 while 24 are reported injured and 19 are still missing.¹⁴³



Climate change is an existential issue, not in the mere philosophical sense of essaying the meaning of life (for leisurely discussion in coffee shops), but in the concrete sense of preserving human existence, which calls for vigilance and urgent action.

**CHR COMMISSIONER
ROBERTO CADIZ**

on climate change and its impact to human rights



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CHR: DIGNITY OF ALL

- 97** Disaster risk reduction and management funds dwindled due to the COVID-19 Pandemic and greatly affected the government's response to climate-related disasters. The National Disaster Risk Reduction and Management Council (NDRRMC) appealed to the DBM for an additional budget to facilitate prompt recovery of devastated local government units as it was already depleted in responding to other calamities as well.¹⁴⁴

143 See Agriculture damage from the sequence of typhoons has reached \$49 million in Region 2 and \$207 million across affected regions in Luzon.

144 See <https://mb.com.ph/2020/11/01/ndrrmc-appeals-to-dbm-for-additional-fund-to-help-rolly-victims/>.



The Philippine Collective and Sectoral Rights (CSR) National Situation During the COVID-19 Pandemic

Rights of Women and Girl-Children During the COVID-19 Pandemic

- 98 CHR Caraga raised the concerns of PLHIVs who are fearful of their health conditions because of issues of availability of HIV medication that they need, given the shift in focus and priority to COVID-19 health related concerns. CHR Caraga connected with a PLHIV support group and was informed that antiretroviral therapy (ART) is accessible even in the middle of the pandemic. The number of newly-discovered HIV/AIDS cases in Caraga has decreased this year. Based on the current data, only 38 are affected by this disease across the region compared to the increasing number of cases last year.¹⁴⁵
- 99 CHR CAR also took notice of how DOH-CAR continued its service delivery and programs for PLHIVs despite the pandemic, to name a few: HIV testing as well as services for PHLIVs continued; advocacy and counselling moved online; Regional Office through the HIV Programs HIV Counsellor/s continuously catered to walk-in clients/ referrals

145 CHR CARAGA (2021, Jan 29). What Kind of Year Has It Been: A Report on the Human Rights Situation in CARAGA Region During the 2020 COVID-19 Pandemic, p. 2, 82.

“

Simula nagkaroon tayo ng COVID-19 hanggang lockdown, nawalan po ng trabaho 'yung asawa ko kaya po ako ay lumalabas sa bahay para magtapon ng basura sa bahay-bahay. Yan po ang ginagawa ko – magtapon ng basura para mayroon lang kaming makain sa araw-araw.

Stories of Women during Pandemic, Bigy, Holy Spirit.

#WWFreeCommunityAddressPoverty
#WWFreeCommunityEnsureEconomicJustice

19-DAY CAMPAIGN TO END VIOLENCE AGAINST WOMEN
19 NOVEMBER - 19 DECEMBER 2020

CHR MEMBERS AND ALLIANCES

“

In times of crisis, incidence of Gender-Based Violence are expected to rise. However, during the COVID-19 pandemic, especially during the height of EQO/MECO period, the CHR observed an alarming decrease in the reporting of cases.

CHR sees the low reporting of cases, not as an indicator of lower incidents of GBV but as a reflection of the many barriers to reporting during the EQO/MECO period.

2nd and 3rd Quarter Gender Ombud Report 2020

#EndGBV #WWFreeCommunity

19-DAY CAMPAIGN TO END VIOLENCE AGAINST WOMEN
19 NOVEMBER - 19 DECEMBER 2020

CHR MEMBERS AND ALLIANCES

and scheduled clients from online applications; lectures were conducted via Facebook Live or via VTC (in coordination with agencies such as DepEd and TESDA); and there was continuous service provision care of Social Hygiene Clinics, Treatment Hubs and Rural Health Units (RHUs). DOH's Mental Health Program also discussed related topics to HIV (e.g., HIV and Mental Health).¹⁴⁶

- 100** The CHR as Gender Ombud expresses serious concern on reports of domestic violence in the country.¹⁴⁷ Philippine government data have shown that there was a decrease in reported gender-based abuse and violence during the first months of lockdown. The figures presented by the government indicate a decline in reported cases which is attributable to the barriers brought about by the lockdown which have hindered victims from reporting: (1) that there is a decline of abuse and/or (2) that the circumstances created by the lockdown hindered victims from reporting to the authorities.

- 101** The economic challenges being suffered by families during the slowdown of economic activities during the ECQ makes these families vulnerable to online sexual predators. The worsening economic situation may have pushed adults to resort to peddling children to sexual predators online.¹⁴⁸ The PNP recorded 763 cases of crimes against women, and 521 cases of crimes against children.¹⁴⁹ Data from the Philippine Commission on Women (PCW) have shown that 804 incidents of gender-based violence and violence against women and children all over the country were reported, which pertains to violations of 8 laws – Anti-violence Against Women and Children Law, Anti-rape Law, Revised Penal Code Provisions Against Acts of Lasciviousness and Concubinage, Anti-photo and Video Voyeurism Law, Anti-trafficking Persons Law, Anti-sexual Harassment Law, and the Safe Spaces Law.¹⁵⁰



146 CHR CAR (2021, Jan 29). Regional Human Rights Situation Report July to December 2020, pp. 31-33.

147 See <https://www.omct.org/press-releases/statements/2020/05/d25868/>.

148 Janvic Mateo, Secret Pandemic: Online Child Exploitation On The Rise Amid COVID-19 Problems, OneNews, 22 April 2020, available at <https://www.onenews.ph/secret-pandemic-online-child-exploitation-on-the-rise-amid-covid-19-problems>, accessed 25 June 2020.

149 Office of the President, Report to the Joint Congressional Committee, 4 May 2020, available at <https://www.officialgazette.gov.ph/downloads/2020/05may/20200504-Report-to-the-Joint-Congressional-Oversight-Committee.pdf>, accessed 25 June 2020.

150 Ibid.

102 The table below shows the reported incidents of gender-based violence during lockdown from 15 March to 30 April 2020.¹⁵¹

Region	Type of Incident								Total
	RA 9262 Anti-VAWC Law	RA 8353 The Anti-Rape Law of 1997	Act of Lasciviousness Art. 336 of RPC	Concubinage Art. 334 of RPC	RA 995 Anti-Photo and Video Voyeurism	RA 9208 Anti-Trafficking in Persons	RA 7877 Anti-Sexual Harassment	RA 11311 Safe Spaces	
NCR	37	9	9	1	2	0	0	1	59
CAR	8	1	0	0	0	0	0	0	9
I Ilocos	26	2	0	1	0	0	0	0	29
II Cagayan Valley	7	3	2	0	0	1	0	0	13
III Central Luzon	43	11	2	1	0	2	0	0	59
IV-A CALABARZON	62	3	3	0	0	0	0	0	68
IV-B MIMAROPA	6	2	0	0	0	0	0	0	8
V Bicol	29	5	4	0	0	0	0	0	38
VI Western Visayas	61	3	3	0	0	1	1	0	69
VII Central Visayas	224	2	5	1	1	2	0	0	235
VIII Eastern Visayas	18	4	3	0	0	0	0	0	25
IX Zamboanga Peninsula	31	2	1	1	1	0	0	0	36
X Northern Mindanao	33	6	3	0	0	0	0	0	42

151

Rappler. During coronavirus lockdown: Abused women, children more vulnerable, 9 May 2020, available at <https://rappler.com/newsbreak/in-depth/during-coronavirus-lockdown-abused-women-children-more-vulnerable>, accessed 21 September 2020.

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XI Davao	15	6	3	0	0	0	0	0	24
XII SOCCSKSARGEN	18	5	1	0	0	0	0	0	24
XIII Caraga	47	4	4	0	2	0	0	0	57
BARMM	6	2	1	0	0	0	0	0	9
TOTAL	671	70	44	5	6	6	1	1	804

103 Cases like the above-mentioned situation were presented in multiple Regional Situation Reports. It is even more alarming that abuse and violence can happen within the confines of a home during lockdown amidst the COVID-19 outbreak where access to justice becomes even more difficult.^{152 153 154 155 156}

104 Based on the graph (see next page), there is a downward trajectory in the months during the lockdown. However, due to stay-at-home measures there may be an increase in abuse cases that are not reported.¹⁵⁷

Rights of Children During the COVID-19 Pandemic

105 The Philippines has been identified by the United Nations Children's Fund (UNICEF) to be one of the sources of child sex abuse material globally. In 2018 alone, 600,000 sexualized photos of Filipino children were traded. UNICEF also reported that one in five Filipino children between 13-17 years old have experienced sexual violence while half of these have experienced online sexual violence or online bullying.^{158 159}

152 (2020). January to June 2020 Regional Human Rights Situation Report for CHR Regional Office IX. Zamboanga City: CHR Regional Office IX.

153 Gender E-report available at <https://chr-observatories.uwazi.io/en/entity/j5qp9jeog8?searchTerm=covid>, accessed 30 September 2020.

154 For sample cases, *ibid*.

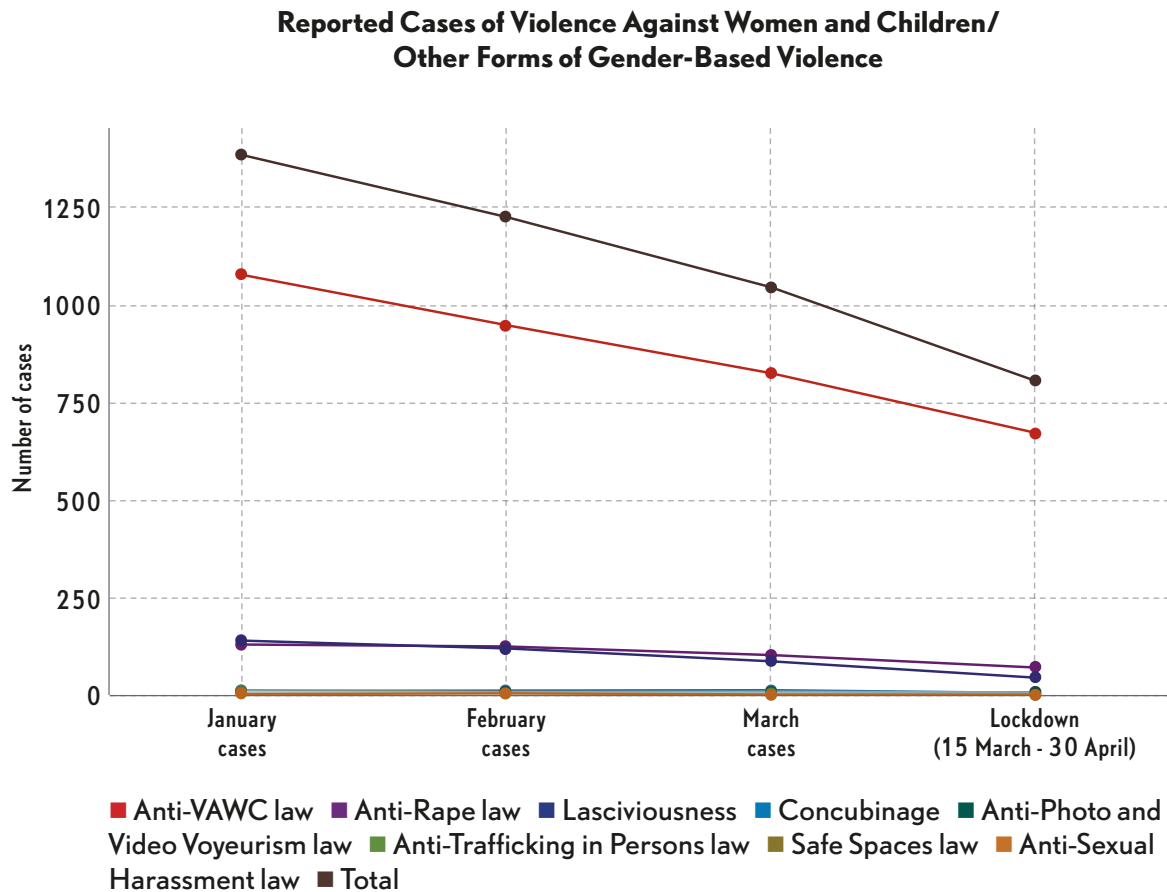
155 DOJ: online child sexual exploitation cases tripled during ECQ. Manila Bulletin, 25 May 2020 available at: <https://news.mb.com.ph/2020/05/25/doj-online-child-sexual-exploitation-cases-tripled-during-ecq/>, accessed 28 May 2020.

156 'Trapped with abusers', 7 kids rescued from sex trafficker in Luzon. Rappler, 25 April 2020 available at <https://www.rappler.com/nation/258987-trapped-with-abusers-children-rescued-from-sex-trafficker-luzon>, accessed 26 April 2020.

157 Rappler. During coronavirus lockdown: Abused women, children more vulnerable, 9 May 2020, available at <https://rappler.com/newsbreak/in-depth/during-coronavirus-lockdown-abused-women-children-more-vulnerable>, accessed 21 September 2020.

158 See <https://www.unicef.org/philippines/press-releases/saferkidsph-advocates-stop-online-sexual-abuse-and-exploitation-children>.

159 See CHR (V) A2020-014.



106 During the lockdown, CHR reported that children are being arrested, confined in dog cages, locked in a coffin, paraded in the streets, or forced to sit for hours under the heat of the sun as punishment for violating curfew.^{160 161} These incidents show blatant disregard by the law enforcers on the protocol on handling Children At Risk as provided under the Juvenile Justice and Welfare Act (RA 9344, as amended by RA 10630), which provides that no penalty shall be imposed on children for violation of ordinances, and they shall instead be brought to their residence or to any barangay official at the barangay hall to be released to the custody of their parents.

107 In response to the reports of degrading treatment of children caught violating the ECQ guidelines, Department of the Interior and Local Government (DILG) and Council for the Welfare of Children (CWC) have issued Joint Memorandum Circular (DILG-CWC JMC 20202-001). The circular mandates that no penalty shall be imposed on children who are caught violating the ECQ, instead they should be brought to their residence or the barangay official at the nearest *barangay* hall to be released to the custody of their parents. The JMC also provides for exceptional considerations for children who are outside their homes during the ECQ, such as for children or adolescents living with HIV who need to return to their treatment clinics for ARV refills, children needing services on prenatal and other childcare services, children with disabilities, children needing to report cases of violence, abuse, and exploitation.¹⁶²

108 The CHR also issued two advisories, entitled Handling of Children in Street Situations in Times of Health Crises and *Pangangalaga sa mga Batang Pilipino sa Gitna ng Pangkalusugang Krisis*

¹⁶⁰ (2020). Report on the Human Rights Situation of the Disadvantaged, Marginalized and Vulnerable Sectors in CALABARZON (January-June 2020). San Pablo City: CHR Regional Office IV-CALABARZON.

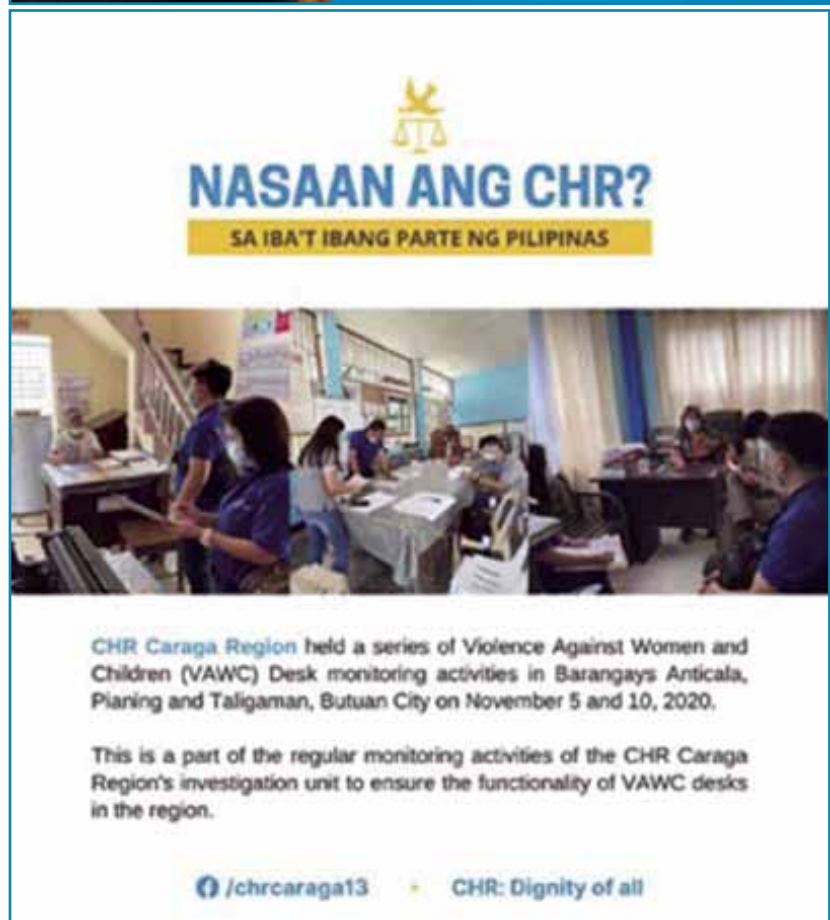
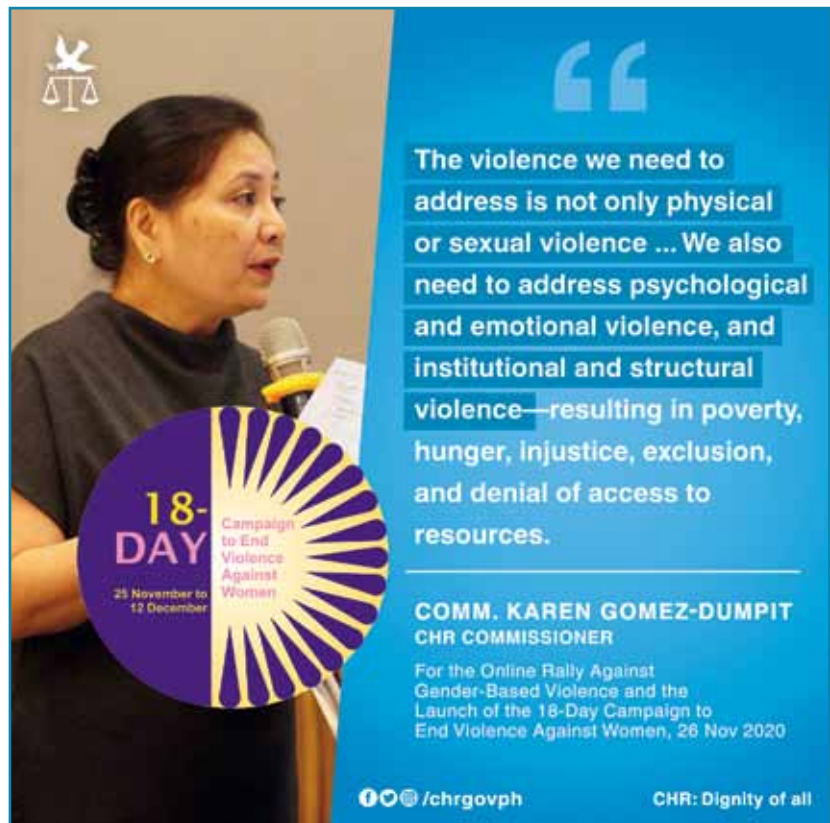
¹⁶¹ For sample cases, *ibid.*

¹⁶² Department of the Interior and Local Government (DILG) and Council for the Welfare of Children (CWC) Joint Memorandum Circular (DILG-CWC JMC 20202-001)

na Dala ng COVID-19. The latter was distributed by the DILG to Local Government Units (LGUs).

- 109** The number of sexual abuses among children in Region 1 is consistently high. All the 11 cases resolved involving minors by CHR Regional Office 1 are for violation of the right to protection of honor and reputation. PNP-PRO1 data also shows that of the 252 complaints received involving minors, majority are sexual abuses on children. There were 76 cases of Rape/Violation of RA 8353, 50 cases of acts of lasciviousness and other sexual abuses, 36 cases of statutory rape, 19 cases of incestuous rape, and 7 cases of attempted rape. Physical injury and abuse in relation to RA 7610 and RA 9262 is also relatively high with 34 cases received.¹⁶³ During the ECQ, the court did not conduct any hearing. This affected not only the pending cases of adults but also those of Children in Conflict with the Law (CICL) at the *Bahay Pag-Asa* and Regional Rehabilitation Center for Youth (RRCY).¹⁶⁴

- 110** Visitations and sending of goods to Children in Conflict with the Law (CICLs) in *Bahay Pag-Asa* Centers (BPAs) have been prohibited since the start of the lockdown. In some

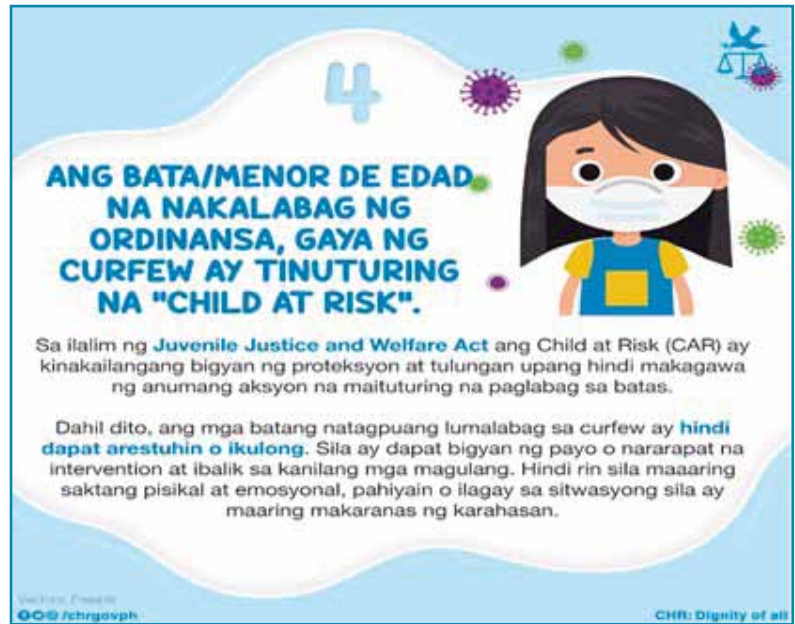


¹⁶³ See CHR Regional Situation Report on Children January to June 2020.

¹⁶⁴ Ibid.

facilities, family members and relatives can visit the facility, but they cannot enter beyond the gate barriers. At most, they can only see their children from afar or leave food or personal necessities for them.

- 111** Despite the pandemic, case management has been on-going; however in some areas of the country, the implementation of the Social Amelioration Program (SAP) somehow affected the presence of social workers in BPAs being run by the local government units (LGUs). Social Workers were required to temporarily leave their assignment to assist their LGUs in the distribution of support to their constituents.
- 112** “Health, Nutrition and Child Protection Referral Pathway for COVID-19 Emergency” was developed by the National Child Protection Working Group (NCPWG), a group composed of government agencies, NGOs, UN agencies, academics and other organizations with the shared objective of ensuring more predictable, accountable and effective child protection responses in emergencies. The Referral Pathway provides for the basic guide on the flow of reporting and referral of cases of child abuse during the COVID-19 Pandemic.¹⁶⁵
- 113** Prior to the pandemic, the Philippines has been labelled as the “global epicenter of livestream sexual abuse trade”¹⁶⁶ and the “top global source of child pornography.”¹⁶⁷ The government’s seemingly uphill battle against online sexual predators is further hindered by factors that are unique to the pandemic. Because of the limited mobility, there is a significant disruption of child protection services and children have little to no access to helpline services.
- 114** Law enforcement authorities particularly the Women and Children Protection Center (WCPC) of the PNP continued efforts to protect children from online sexual violence or exploitation, especially during this crisis and their continuing cooperation with foreign child protection partners to curb online sexual abuse and exploitation against children (OSAEC) in the country.¹⁶⁸
- 115** Local government units, such as Valenzuela City, that have ensured the continued operation of their Violence Against Women and Children (VAWC) desks and other child protection mechanisms for redress.



165 Advisory on the Dissemination of the Referral Pathway, <http://rso04a.psa.gov.ph/article/advisory-referral-pathway>

166 Andy Brown, *Safe from harm: Tackling online child sexual abuse in the Philippines*, available at https://www.unicef.org/protection/philippines_91214.html (last accessed at June 26, 2020)

167 Patty Passion, *Philippines top global source of child pornography – Unicef*, Rappler, Dec. 13, 2017, available at <https://www.rappler.com/nation/191219-philippines-top-global-source-child-pornography-unicef> (last accessed June 26, 2020)

168 Anti-child exploitation drive relentless amid quarantine: PNP. Philippine News Agency, 3 April 2020. Available at: <https://www.pna.gov.ph/articles/1098534>, accessed 18 May 2020.

- 116** Based on the data from the National Center for Missing and Exploited Children (NCMEC), a total of 279,166 cases of online sexual abuse has been reported to the Department of Justice (DOJ) Office of the Cybercrime (OCC) from March to May 2020.¹⁶⁹ Compared to 76,561 cyber tips over the same period in 2019, this translates to an increase of 264%. Most of these cases include possession, manufacture, and distribution of child pornography; online enticement of children for sexual acts; child sex trafficking; sex tourism involving children; extra-familial child sexual molestation; unsolicited obscene material sent to a child; and misleading words or digital images on the internet.¹⁷⁰
- 117** Over the course of two years, the Philippine Government has undertaken relevant legislative measures to better promote and protect the rights of Children in Situations of Armed Conflict (CSAC). These include the passage of the landmark law on the Protection of CSAC on January 2019, the publication of its Implementing Rules and Regulation last June 2020, and the signing of the CSAC Handling Protocol this September 2020.
- 118** However, despite the passage of the CSAC Law last year, the Commission has monitored 20 cases of Grave Child Rights Violations (GCRVs) affecting 35 children from 2019–2020. Almost all these cases happened in Mindanao. Recruitment of children by armed groups, killing and maiming, and attack on schools are the most reported violations. CHR also investigated reports of children being detained for their alleged association with armed groups.
- 119** The Senate bill on a measure declaring child marriages as illegal was approved on third and final reading by the Senate. According to its statement, this affirms the government's commitment to upholding the best interest of the child by barring child marriage as a form of child abuse. The CHR hopes for a society where every child, particularly young girls, is free from these tragic marriages¹⁷¹.
- 120** A bill seeking to provide children with stronger protection against rape by raising the age of sexual consent from 12 to 16 years old has been approved on the third and final reading at the House of Representatives with 207 votes.
- 121** Under House Bill 7836, rape is committed when the victim is 16 years old or over and has a disability that renders him or her unable to fully understand the consequences of sexual activity. It also holds liable those guilty of committing "grooming," when such results in acts of rape, as defined by the presented amendments. Grooming pertains to psychological actions made by an adult to lessen a minor's fears as a prelude to sexual abuse.¹⁷²

Rights of Persons with Disability (PWD) During the COVID-19 Pandemic

- 122** Reports of human rights violations against persons with disabilities mainly concern their right to life, liberty, and personal safety and right to not be subjected to torture or to cruel, inhuman, or degrading treatment or punishment. The number of reports are particularly high in CALABARZON where CHR Region IV–A received, referred, and/or investigated

¹⁶⁹ Joseph Almer Pedrajas, *DOJ: Online child sexual exploitation cases tripled during ECQ*, Manila Bulletin, May 25, 2020, available at <https://news.mb.com.ph/2020/05/25/doj-online-child-sexual-exploitation-cases-tripled-during-ecq/> (last accessed June 27, 2020)

¹⁷⁰ Ibid.

¹⁷¹ See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-senate-approval-on-final-reading-a-bill-declaring-child-marriages-illegal/>.

¹⁷² Limpot, Kristel (2020, December 1). House bill raising age of sexual consent to 16 hurdles final reading. CNN Philippines, available at cnnphilippines.com/news/2020/12/1/house-approves-bill-raising-statutory-rape-age-16.html

a total of 16 cases. Of these 16 cases, four (4) were on discrimination (including non-inclusion in the list of beneficiaries), three (3) were on illegal detention and arrest, three (3) were on rape and sexual abuse, two (2) were on harassment and maltreatment, and there was one (1) case each on child abuse, torture, defamation, and abandonment. Another case of discrimination was reported by CHR Region IX.

- 123** The International Disability Alliance (IDA) provided a summary of worldwide trends on how the COVID-19 pandemic impacts on the realization of human rights of persons with disabilities, as follows: (1) People with disabilities are at higher risk of contracting COVID-19 due to barriers accessing preventive information and hygiene, reliance on physical contact with the environment or support persons, as well as respiratory conditions caused by certain impairments. (2) Implementing quarantines or similar restrictive programs may entail disruptions in services vital for many persons with disabilities and undermine basic rights such as food, health care, wash and sanitation, and communications, leading to abandonment, isolation, and institutionalization. (3) When ill with COVID-19, persons with disabilities may face additional barriers in seeking health care and experience discrimination and negligence by health care personnel. (4) Organizations of Persons with Disabilities (OPDs), particularly at national and local levels, may not be prepared to take immediate action and may not be fully aware of how to approach the situation.¹⁷³
- 124** Majority of persons with disabilities in the Philippines belong to poor families with minimum wage earners under the ‘no work, no pay’ scheme. They do not have enough money to stock up on basic food items, medicines, and other essentials, such as hygiene kits for women. Children with disabilities are also in situations of conflict, emergencies, and disasters, but it appears that they are the least protected. Existing services are designed broadly, and there is little or no customized approach in addressing the needs of sectors, such as women and children with disabilities, and for the different types of impairments.¹⁷⁴
- 125** Relief goods provided by the government do not include hygiene and menstrual kits and there is the absence of provision for family planning and reproductive health services and commodities for women with disabilities¹⁷⁵
- 126** During the current situation, the foremost clamor of persons with disabilities in the Philippines is to be adequately informed about the government response to the pandemic and the regulations, including advisories, to ensure the health and well-being of the people. It has been a challenge for the deaf community to obtain information through broadcast media when there are no insets for sign language interpretation and no sufficiently visible captions or subtitles of suitable text size.¹⁷⁶
- 127** Another instance is emergency hotlines that would require the informant to report verbally, which is not accessible to the deaf community. Further, relief distribution during the enhanced community quarantine by LGUs to supply their constituencies with food and other necessities often overlook the needs of persons with disabilities.¹⁷⁷
- 128** Persons with Disabilities (PWDs) faced difficulties in accessing food supplies and other necessities. Most PWDs are in remote areas and live in shanties or makeshift houses, while those in accessible places are either renting or living with relatives. With the nature of their

173 Ibid.

174 See Aging and Disability Task Force. Aging and Disability Inclusive Response to COVID-19 Facebook post.

175 CHR (V) A2020-009.

176 See CHR (V) A2020-009.

177 Ibid.

jobs, most of them being blind massage therapists, there was a total stoppage of their work and livelihood activities.¹⁷⁸

- 129** In general, the outbreak of COVID-19 worsened the situation of persons with disabilities and exacerbated existing inequalities as more barriers emerged that hinder the fulfillment of their human rights. The root cause remains that persons with disabilities are not part of decision-making to address the COVID-19 pandemic, in emergency response and relief operations, and the specific vulnerability and protection needs are not considered in designing government interventions.¹⁷⁹
- 130** The DILG issued Memorandum Circular No. 2020-066 entitled “Guidelines on Providing Proper Welfare of Persons with Disabilities During the Enhanced Community Quarantine Due to the Corona Virus 2019 (COVID-19).” This memorandum circular orders LGUs from the provincial government down to the *barangay* level to create a list of PWDs within their area of jurisdiction and include them in the distribution of food packs, including the kind of food and medicine they receive.¹⁸⁰
- 131** DILG also issued Memorandum Circular No. 2020-066 based on CHR Advisory (V) A2020-009 which calls for a disability-inclusive response to the COVID-19 crisis and implores the Philippine Government to maintain a gender and intersectional framework, with emphasis on reasonable accommodation of multiple vulnerabilities of all types of persons with disabilities.¹⁸¹
- 132** The CHR advisory likewise emphasized the need for the mandatory presence of Filipino sign language (FSL) interpreters in mediums with information pertaining to news, announcements and press conferences of the government on the COVID19 pandemic, in line with the Magna Carta on the Rights of Persons with Disabilities (R.A. No. 7277) and the Filipino Sign Language Act (R.A. No. 11106).¹⁸²

Rights of Internally Displaced Persons (IDP) During the COVID-19 Pandemic

- 133** IDPs affected by Typhoon Yolanda have listed the following issues: (a) Access to basic services at permanent housing sites are an on-going concern of beneficiaries as some are transferred to the permanent housing units with no water or electrical connections at Tacloban North; (b) Stable alternative livelihood programs for the transferred beneficiaries remains a recurring problem; (c) Validation of families to be awarded with permanent housing units affected by Typhoon Yolanda is still on-going; (d) Non-completion of the Yolanda Permanent Housing Project (YPHP) this year (2020). The IDP Monitoring Project in Region VIII report focuses on the continued monitoring and updating of the human rights situation of IDPs with the on-going Yolanda Rehabilitation and Recovery programs implemented by the national government, local government and other public and private partners.

178 (2020). Regional Human Rights Situation Report January 2020 to June 2020. Baguio City: Cordillera Administrative Region Office.

179 CHR (V) A2020-009.

180 Ibid.

181 DILG MC 2020-066. <https://dilg.gov.ph/issuances/mc/Guidelines-on-Providing-Proper-Welfare-of-Persons-with-Disabilities-during-the-Enhanced-Community-Quarantine-due-to-the-Coronavirus-2019-COVID-19-Pandemic/3189>.

182 CHR Advisory. <http://chr.gov.ph/wp-content/uploads/2020/05/Human-Rights-Advisory-HR-in-the-times-of-COVID-19-in-the-PHL-in-pursuit-of-the-rights-based-model-of-disability-amid-the-COVID-19-pandemic-the-in-the-PHL-CHR-V-A2020-009.pdf>.

- 134** It was also observed that the untimely spread of COVID-19 further delayed scheduled activities such as completion of housing construction, raffle and turnover of housing units, water, and electrical connection. Target completion of Yolanda permanent housing project construction by June 2020 was not achieved. With these prevailing issues, internally displaced persons or communities repeatedly face danger by continuing to live in danger zones when natural calamities strike (e.g. Typhoon Ambo, Typhoon Tisoy and Typhoon Ursula) in the region. The validation of qualified housing beneficiaries to be awarded in Tacloban City has been on-going. Cross-checking is made by the City Government and NHA to ensure that only qualified beneficiaries will be awarded a permanent housing unit.
- 135** In the case of IDPs in Region IX, they have suffered the aftermath of the armed conflict that erupted between the Moro National Liberation Front (MNLF) and government forces on 9 September 2013. Up until now, the IDPs faced issues relative to lack of water supply, shelter and health; lack of information and assistance; and being prone to certain structural risks. The IDPs usually get their water through a host extension in the neighboring community. Walls and roofing of single detached units are mostly already damaged. Latrines and bathing areas mostly practiced inside their house as a result of open defecation. Poor hygiene and sanitation also pose a major problem as the same leads to serious health concerns. During the pandemic, IDPs also fear going out to seek medical consultation. Due to the restrictions brought about by the health protocols, they also suffer from lack of access to assistance and livelihood. CHR Region IX through its IDP monitor, is in constant communication with the local government and local agencies and actively participates in Local Interagency Committee (LIAC) meetings and in relief distribution.¹⁸³
- 136** Due to the movement restrictions, the livelihood of some IDPs are badly affected because of COVID-19. The government is also urged to provide sustainable livelihood assistance to IDPs, especially those in camp-like settings.¹⁸⁶
- 137** People affected by humanitarian crises are often challenged with specific vulnerabilities, such as lack of adequate food and potable water, dismal housing arrangements, and threats to safety and security. The implementation of community quarantine and lockdown limits the mobility of IDPs even more, thus the need for specific protocols that would address the needs of IDPs, i.e., securing permits from the host *barangay*/municipality for their movement when they need to buy necessities.¹⁸⁷ There were also reports on non-prioritization of IDPs in the distribution of COVID-19 Relief Assistance. Some IDPs from Marawi who were staying in nearby municipalities were allegedly excluded in the distribution of the Social Amelioration Program (SAP) due to their ethnicity. Further, they were also told that they will not be provided with said financial assistance as they were not part of the census in the locality. “The CHRP also recommends proper coordination with the local governments to arrange a safe and effective mass transport for IDPs who wish to return to their respective provinces.
- 138** Thousands of IDPs affected by the Marawi Siege in 2017 and Zamboanga Siege in 2013 are still staying in transitory sites with poor living conditions. Displaced families in housing units in Tacloban City still face issues on access to potable water and own water

183 CHR VIII (2021, Jan 25). Regional Human Rights Situation Report July–December 2020, pp. 25.

184 CHR IX (2021). 2020 CHR 9 Human Rights Situation Report, p. 5.

185 CHR Region XI (2021, Jan 28). Regional Human Rights Situation Report July 2020 to December 2020, pp. 8.

186 CHR Region X IDP Protection Monitoring: Monitoring on COVID 19 Iligan City and Marawi City – Lanao del Sur and For the Month of December 2020

187 Commission on Human Rights, Human Rights Standards on the Protection of Internally Displaced Persons (IDPs)

connection, and lack of livelihood opportunities. Local government agencies should fast-track the construction of housing units to ensure that all qualified IDPs are transferred to permanent shelters as soon as possible, in accordance with the humanitarian standards on transfer and resettlement. Provision of access to basic services in said housing units shall be prioritized.^{188 189}

- 139** The responsibilities of the IASC include: making strategic and policy decisions with system-wide implications; endorsing major operational decisions; arbitration where no consensus can be reached by other IASC structures; advocating common principles, collectively or individually on behalf of the IASC; approving the work plans of the IASC structures; bringing issues to the attention of the Secretary-General and Security Council through the ERC; and, designating Humanitarian Coordinators and selecting coordination arrangements.
- 140** In its advisory, the CHR recognizes the Interim Guidance issued by the Inter-Agency Standing Committee (IASC) as regards the COVID-19 readiness and response operations in humanitarian situations, which points out that IDPs, host communities, asylum seekers, refugees and returnees, and migrants, are frequently neglected and often encounter difficulties in terms of gaining access from health services that are readily available to the general population. Individual health screening and continuous access to essential health care services should be granted to all IDPs, particularly to those suspected and confirmed cases of COVID-19. When possible, testing must be readily available, with testing facilities located near IDP sites, for rapid diagnosis and immediate isolation.¹⁹⁰

Rights of Older Persons During the COVID-19 Pandemic

- 141** The CHR, in its Advisory on the Human Rights of Older Filipinos amid the Coronavirus Disease 2019 Pandemic, recognizes the following facts and risks faced by older persons during this pandemic.
- 142** The World Health Organization (WHO) has identified older persons (or those 60 years old and above) as among the sectors who appear to be more vulnerable to becoming severely ill with the novel coronavirus. Current analysis based on statistics from around the world shows that mortality rates are highest at about 15% in infected persons over 80 years old, whereas it is less than 0.5% in people below 50 years. In the Philippines, the analysis by the University of the Philippines Population Institute (UPPI) as of 26 March 2020 shows that COVID-19 positive cases are disproportionately higher in the older ages of 50 and over. It further shows that of the recorded deaths as of the writing of the report, an overwhelming majority (89%) are in the age group of 55 years old and over. The data and trends, however, are rapidly evolving as the infection spreads in more countries and as testing capacities in most countries increases.¹⁹¹
- 143** However, the prevalence of diagnosed illnesses is relatively high – hypertension has the highest prevalence at 46%, and diabetes, angina or myocardial infarction, and renal or

188 CHR Region X IDP Protection Monitoring: Monitoring on COVID 19 Iligan City and Marawi City – Lanao del Sur and For the Month of December 2020

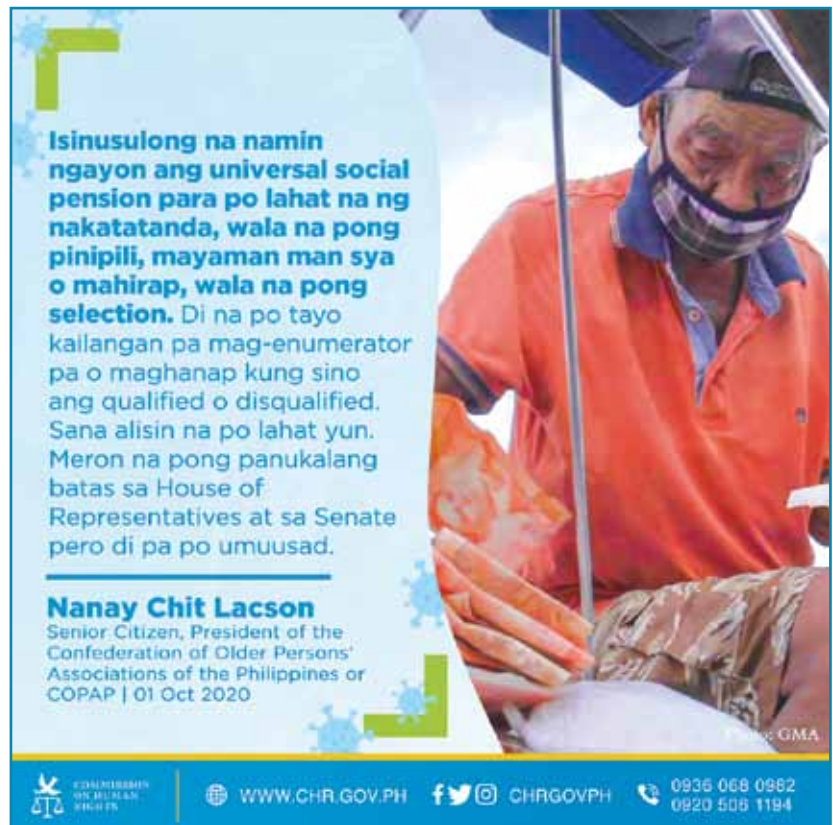
189 CHR Region X IDP Protection Monitoring: Monitoring on COVID 19 Iligan City and Marawi City – Lanao del Sur and For the Month of December 2020

190 Commission on Human Rights, Human Rights Standards on the Protection of Internally Displaced Persons (IDPs) during the COVID-19 Emergency, CHR (V) A2020-004, available at http://chr.gov.ph/wp-content/uploads/2020/04/CHR-Advisory_Human-Rights-Standards-on-the-Protection-of-Internally-Displaced-Persons-IDPs-During-the-COVID-19-Emergency-CHR-V-A2020-004.pdf, accessed 24 September 2020.

191 See CHR (V) A2020-007.

urinary ailments are the next highest, although at much lower levels, with all below 13%. In all, more than half (58%) of older Filipinos have at least one of the risky comorbidities for COVID-19.¹⁹²

The vulnerability of some older persons to the COVID-19 is not entirely inherent to the consequences of an aging body. Some older people are also more vulnerable because of social and economic reasons. This includes older people's socioeconomic status and source of income, living arrangements, dependency on daily support, and access to basic needs, health care, and useful information, among others.¹⁹³ As older persons are a heterogeneous group, the disease disproportionately affects the older poor who are women, indigenous peoples, and persons with disabilities, among others. Even without the current pandemic, some older Filipinos are economically vulnerable.¹⁹⁴



- 144** Some older persons also have isolation and mobility challenges. In the Philippines, a survey shows that a considerable proportion of older persons (13%) live alone.¹⁹⁵ The same survey shows that more than a fifth of older persons has difficulty performing at least one of the seven activities of daily living (ADL), which cover bathing and/or showering, dressing, eating, standing up from a bed or chair or sitting down on a chair, walking around the house, going outside or leaving the house, and using the toilet. With the suspension of mass transport, mobility to procure food and medicines or to visit the hospital for regular checkups for these older persons become especially challenging. Also, older persons who live alone may not receive updated information on what to do and how to protect themselves against the disease.¹⁹⁶
- 145** The imposition of strict 24-hour mandatory quarantine for older persons is also a challenge, especially for older persons who head households. With the changing family dynamics brought by increasing labor mobility, some grandparents are left as guardians and caregivers to their grandchildren, whose parents work far from home. Older people who rely on daily income from work that necessitates going out of the house (such as a market vendor)

192 See Beyond the Numbers: COVID-19 and the Philippine population Research Brief No. 1 (COVID-19 and the Older Filipino Population: How many are at Risk?).

193 See CHR (V) A2020-007.

194 Christian Joy P. Cruz, Chapter 7: Economic Well-Being, Ageing and Health in the Philippines, at 108, available at <https://www.eria.org/publications/ageing-and-health-in-the-philippines/>, accessed 27 March 2020.

195 Christian Joy P. Cruz and Grace T. Cruz, Chapter 3: Filipinos Older Persons, in Ageing and Health in the Philippines, at 36, available at <https://www.eria.org/publications/ageing-and-health-in-the-philippines/>, accessed 27 March 2020.

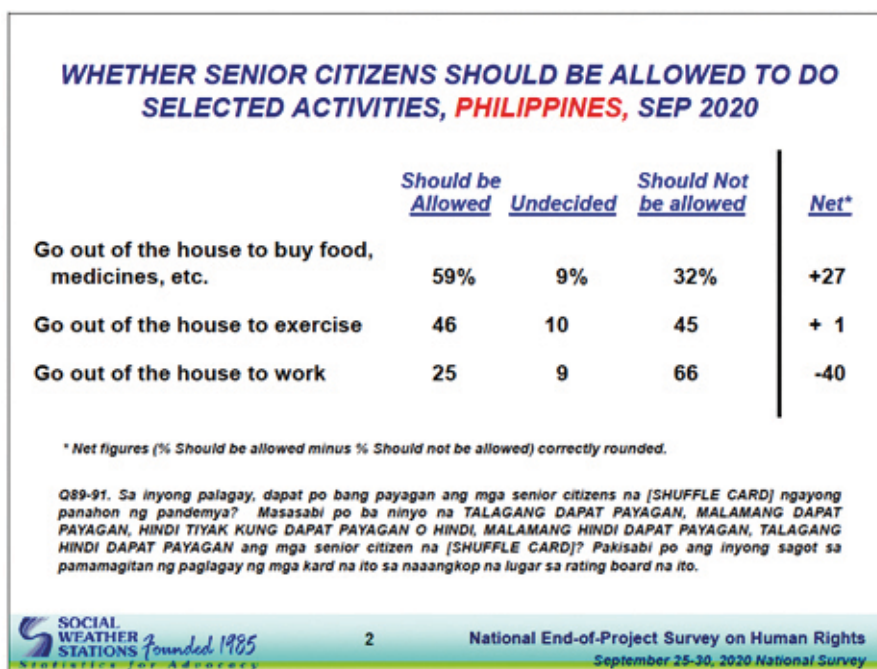
196 See CHR (V) A2020-007.

and older people who live with children who can't be entrusted to go outside unsupervised, face greater vulnerability to losing the ability to procure basic needs.¹⁹⁷

- 146** The DSWD has announced the suspension of the Social Pension for Indigent Senior Citizens and other social protection programs. Of the 3.7 million target beneficiaries of the program in 2020, 43% or 1.6 million are in Luzon, who will be affected by the suspension of the program. Aside from this, as of 6 March 2020, about a quarter or 25% of beneficiaries in 2019 have not received their social pension. On 27 March 2020, the DSWD issued a memorandum circular on the continuation of the program, however, it is still uncertain when the social pension will be delivered to older persons.¹⁹⁸



- 147** The Department of the Interior and Local Government (DILG) adopted a rights-based and non-discriminatory policy that respects the freedom of movement of older persons in areas under community quarantine and, at the same time, installs protective measures for older persons. Policy development was undertaken in collaboration with Older Persons through non-government organizations, such as the Coalition of Services for the Elderly, the Confederation of Older Persons Associations in the Philippines, and the Seniors sa



197 See A/HRC/45/NI/10.

198 See CHR (V) A2020-007.

Panahon ng COVID. It has also consulted government agencies, such as the National Anti-Poverty Commission and the CHR.

- 148** According to the IATF-EID Guidelines, older persons may cross borders for medical and MGCQ, crossing borders will be allowed for any purpose other than leisure. They may enter commercial establishments especially those providing essential goods and services, engage in non-contact sports and other forms of exercise, provided minimum health standards are observed.
- 149** The DILG's Memorandum Circular also mandates the Offices of Senior Citizens Affairs (OSCAs) to set up hotlines and help desks for queries and complaints of older persons, proactively monitor older persons at risk for violence and abuse and ensure suspected or alleged incidents are reported to the Department of Justice, the Public Attorney's Office, and/or the CHR. The OSCAs are also mandated to maintain a database of older persons with information on their risk factors concerning COVID-19 and the restrictive but necessary measures being implemented to curb it. Lastly, LGUs are mandated to designate the OSCAs to be included in the respective "LGU Task Force Against COVID-19," which will ensure that older persons are represented in the strategizing and planning of the LGU in responding to the crisis.¹⁹⁹

Rights of Persons Deprived of Liberty (PDLs) During the COVID-19 Pandemic

- 150** In the Persons Deprived of Liberty (PDL) Situation Report submitted by CHR Region X, the situationer noted that the region faces challenges on how to keep its jail cells COVID-19 free vis-à-vis their high congestion rate. The Bureau of Jail Management and Penology (BJMP) implemented the strict quarantine of new PDLs and PDLs who have attended hearings.
- 151** BJMP has likewise suspended the visitation privileges of the PDLs but provided access to video calls through E-Dalaw. CHR Region X Office was able to assist 61 PDLs in the form of formal communication, Zoom [online meeting platform] conference, guidance and counselling, legal matters, and follow-ups on the status of their cases. The office has also allocated funds for the purchase of electronic gadgets and pocket wifi for the conduct of E-Dalaw in provincial detention and rehabilitation centers (PDRC) as no facility currently has E-Dalaw at the moment. The only drawback is the intermittent internet coverage in these areas.
- 152** CHR Region XI also docketed a complaint on congestion in jail cells. On 14 September 2020, the regional office received information on the alleged congestion of PDLs in Sta. Ana Police Station in Davao City from a certain lawyer. A Quick Response Operation was then conducted. According to PMaj Carol Habagat of Sta. Ana Police, the suspension of all trial court judges from ordering the transfer of convicted persons from the detention cells of the BJMP to the jail facilities of the Bureau of Corrections was a factor in causing congestion of Persons Under Police Custody (PUPC).
- 153** To address the congestion, Sta. Police Station coordinated with the PNP Regional Office for the opening of their Agdao Outpost to be used as a temporary facility for their PUPCs.

¹⁹⁹ Commission on Human Rights. (2020, August 19). Statement of Commissioner Karen S. Gomez Dumpit, Focal Commissioner on the Human Rights of Older Persons, on the Issuance of the DILG Memorandum Circular on the Mobility of Older Persons in Quarantine Situations. Retrieved from Commission on Human Rights: <https://chr.gov.ph/statement-of-commissioner-karen-s-gomez-dumpit-focal-commissioner-on-the-human-rights-of-older-persons-on-the-issuance-of-the-dilg-memorandum-circular-on-the-mobility-of-older-persons-in-quarantine/>.

They also isolated PUPCs with pending order of transfer and coordinated with the City Health Office for swab testing in preparation for the transfer or remand once permitted. Additionally, PUPCs with existing health conditions were placed in a separate area.

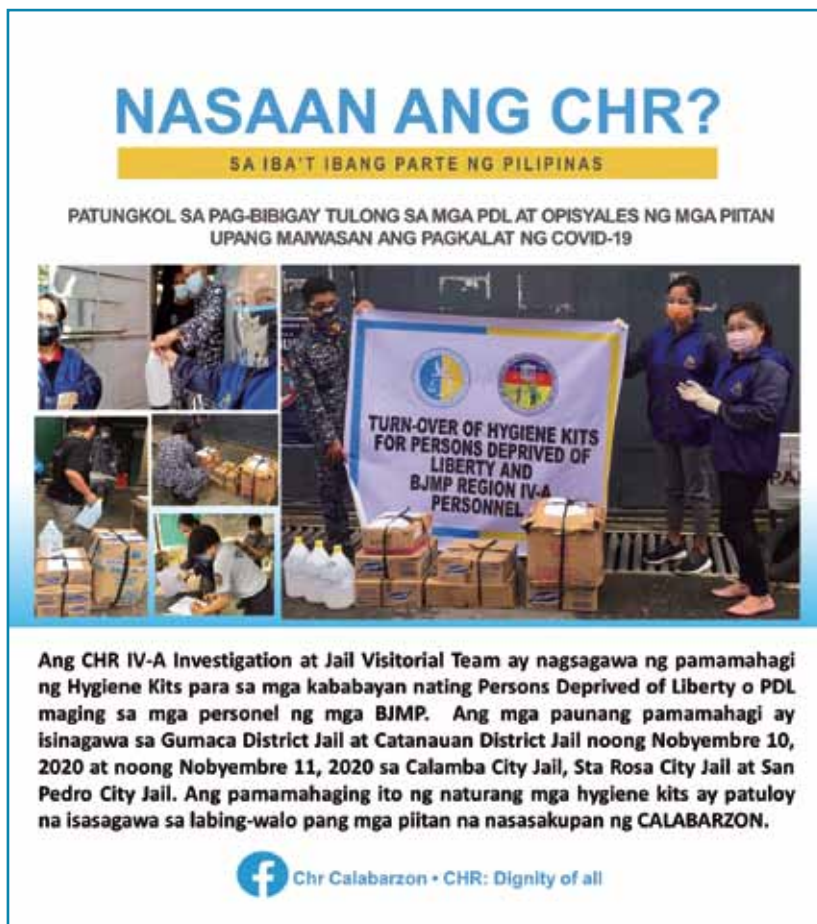
- 154** CHR Region XI recommends that the PNP, BJMP and Bureau of Corrections come to an agreement as to how the transfer of detainees/prisoners be conducted to avoid delays and decongested PNP-Lock Up and BJMP Facilities.

- 155** In the advisory on protecting the rights of persons deprived of liberty (PDLs) during the COVID-19 crisis, the

CHR points out that the prisons and jails are among the centers of attention of many affected countries. They are potential breaking points during this health emergency, as these facilities have poor air circulation and PDLs live, sleep, and eat within their closed, overcrowded confinements. Bathrooms, toilets, dining areas, and recreational facilities are shared. By their very nature, physical distancing is almost nil, if not impossible. Prisons and jails are hotbeds for fast transmission of highly contagious diseases, including COVID-19.²⁰⁰

- 156** The Philippines tops the World Prison Brief list of countries with overloaded prisons and jails.²⁰¹ Overcrowding has been for decades a problem of jails and prisons in the Philippines.²⁰² 2019 figures from the Bureau of Jail Management and Penology (BJMP) disclose a congestion rate of 450%. The total ideal capacity of our jails is only 24,248, but the total population is 133,316, with a variance of 109,068. The highest congestion is recorded in Region 9 with 811%, followed by NCR at 649%, and Region 7 with 619%. As of 30 June 2017, the Bureau of Corrections (BuCor) reported 41,258 PDLs for its incarceration facilities with an ideal capacity of only 19,268 individuals, or a 214% occupancy rate and 114% congestion rate.²⁰³

- 157** PDLs are not exactly isolated and prisons are not totally closed environments and COVID-19 infection is likely. Every day, prison and jail officials and employees, medical



200 See CHR (V) A2020-011

201 Highest to Lowest – Occupancy level (based on official capacity) available at https://www.prisonstudies.org/highest-to-lowest/occupancy-level?field_region_taxonomy_tid=All, accessed 25 March 2020.

202 Congestion Rate of Congested Jails by BJMP available at <https://www.foi.gov.ph/requests/aglfzmVmb2ktcGhyHgsSB0NvbnRlbnQiEUEJKTVAzMjk0MDIzMzcwOTQ2DA>, accessed 25 March 2020.

203 Bureau of Corrections. Inmate Profile, June 30, 2017 available at <http://www.bucor.gov.ph/BuCor%20Land%20Area.html>, accessed 25 March 2020.

staff, volunteers, and visitors come to these facilities and return to their families, may bring in the COVID-19 virus. If one PDL gets infected, the rest of the prison population will likely catch the virus. When this happens, it will be a huge disaster.²⁰⁴

- 158** The suspension of commitment orders of PDL held in PNP custodial facilities (PCF) for transfer to BJMP jails has contributed to congestion in PCFs that are unfortunately not capacitated to hold around 6 PDLs at a time; the scheduling of virtual hearings where those with cases of a violation of RA 9165, as they comprise majority of the cases, are prioritized, thereby leaving other PDL's cases unheard or unscheduled. There is a lack of hiring of medical personnel in various places of detention in the country, whether it is the lack/absence of a medical doctor, nurse, and/or dentist on duty in the POD/s or even one on call.²⁰⁵
- 159** The CHR expresses concern over the rights of PDLs, especially during this pandemic. Later, BuCor expanded the restriction to include suspension of visits from religious organizations, non-government organizations, foreign embassies, and consulates and other humanitarian, educational, business, or political missions. Visits from doctors and lawyers are only allowed on a case-to-case basis and they shall undergo strict screening before they are given access to the prison facilities. Relatives' inquiries on PDLs were done through SMS, Viber messages, or e-mail. Disinfection protocols were likewise conducted and quarantine schemes were implemented, limiting personnel movement. At the National Bilibid Prison, temporary tents were built to address congestion, and a COVID-19 24-hour monitoring center was established.²⁰⁶
- 160** The provision of food is also one of the problems at PNP custodial facilities. Although they comply with the requirements set in order to avail of the food allocation, the fund comes very irregularly and sometimes the fund is not enough to cover a one-week set of meals for five (5) PDLs. The jail personnel, who do not want to be identified, disclosed that the amount released to the PNP custodial facilities is minimal and irregularly issued.²⁰⁷
- 161** On 11 March 2020, the BJMP suspended visits to all jails in the National Capital Region, Ilocos Region, Davao Region, some jails in Central Luzon, and CALABARZON.²⁰⁸ In areas where visits are not suspended, strict precautionary measures are put in place, including the prohibition of entry to symptomatic visitors, no-contact policy among visitors and inmates, proper ventilation in areas designated for visitations, and massive information drives among personnel, inmates, and visitors.²⁰⁹ Virtual visits were made through "e-dalaw" and relatives would coordinate with jail staff for the schedule.²¹⁰ Several days after the suspension of visits in NCR and other regions, Secretary Eduardo Año of the DILG announced that visits in all other jails nationwide are likewise suspended.²¹¹

204 Kim, Min Joo. How a South Korean psychiatric ward became a 'medical disaster' when coronavirus hit. Washington Post, 29 February 2020, available at https://www.washingtonpost.com/world/asia_pacific/how-a-south-korean-psychiatric-ward-became-a-medical-disaster-when-coronavirus-hit/2020/02/29/fe8f6e40-5897-11ea-8efd-0f904bdd8057_story.html, accessed 25 March 2020.

205 (2021). Human Rights Situationer on Persons Deprived of Liberty 2020. Quezon City: CHR Visitorial Division Protection Cluster.

206 See CHR (V) A2020-011.

207 (2020). Report on the Human Rights Situation of the Disadvantaged, Marginalized and Vulnerable Sectors in CALABARZON (January-June 2020). San Pablo City: CHR Regional Office IV-CALABARZON.

208 "COVID-19 spread prompts 1-week suspension of visits in Philippine prisons" available at <https://news.absbn.com/news/03/10/20/covid-covid19-coronavirus-suspension-visitation-philippines-prisoners-prisons>, accessed 27 March 2020; and Jail visits temporarily suspended amid COVID-19 by Benjamin Pulta available at <https://www.pna.gov.ph/articles/1096263>, accessed 27 March 2020.

209 Ibid.

210 Ibid.

211 Cabrera, R. Jails '100 percent safe' from COVID-19 – DILG, MSN News. 20 March 2020. Available at <https://www.msn.com>.

162 On 30 March 2020, however, BJMP reported that a female paralegal officer assigned at the Quezon City Jail Male Dormitory tested positive for COVID-19.²¹² Likewise, a PDL in the same Quezon City Jail is suspected to have died of COVID-19.²¹³ As a precautionary measure,²¹⁴ 15 PDLs at the Quezon City Jail Male Dorm who were associated with the victim were immediately isolated.²¹⁵ After the death of the PDL, BJMP, with support from the International Committee of the Red Cross, built an isolation facility at its new jail site in Payatas, Quezon City.²¹⁶ Three other isolation facilities were planned to be set up in Muntinlupa, Pampanga, and Quezon Province.²¹⁷ Even with the efforts to isolate the potentially infected PDLs, the spread and virulence inside various cells all over the country is left unabated.^{218 219 220 221 222 223 224 225 226 227 228}

163 During the first four months of the lockdown, the mental health experts together with the penal management expert-members of the CHR-initiated Interim National Preventive

msn.com/en-ph/news/national/jails-100-percent-safe-from-COVID-19-%E2%80%94-dilg/ar-BB11tbV3, accessed 16 April 2020.

- 212 Bajo, A.F. “BJMP employee tested positive for COVID-19, spokesman says” GMA News, 30 March 2020, available at <https://www.gmanetwork.com/news/news/nation/731894/bjmp-personnel-tested-positive-for-COVID-19-spokesman-says/story/> last accessed on 7 April 2020.
- 213 Casilao, J.L. “Probe set for QC inmate’s possible coronavirus-related death,” GMA News, 4 April 2020, available at <https://www.gmanetwork.com/news/news/metro/732615/probe-set-for-qc-inmate-s-possible-coronavirus-relateddeath/story/> last accessed on 8 April 2020.
- 214 On April 13, 2020, BJMP stated that there were 21 PDLs who were “swabbed” for coronavirus and isolated. “21 detainees in isolation, swabbed for coronavirus – BJMP” by Kian Buan, Rappler, available at <https://www.rappler.com/nation/bjmp-says-detainees-isolation-swabbed-for-coronavirus>, accessed 16 April 2020.
- 215 Cabrera, R. “15 inmates isolated over coronavirus infection,” The Philippine Star, 6 April 2020 available at <https://www.philstar.com/nation/2020/04/06/2005730/15-inmates-isolated-over-coronavirus-infection>, accessed 8 April 2020.
- 216 Magsambol, B. “BJMP builds coronavirus isolation facility,” Rappler, 9 April 2020. Available at <https://www.rappler.com/nation/257473-bjmp-builds-coronavirus-isolation-facility>, accessed 16 April 2020.
- 217 Ibid.
- 218 Bajo, A.F. “9 detainees, 9 personnel tested positive for COVID-19 – BJMP spox,” GMA News, available at <https://www.gmanetwork.com/news/news/nation/734436/9-inmates-9-personnel-test-positive-for-COVID-19-bjmp-spox/story/>, accessed 20 April 2020.
- 219 “Inmate at Cebu City Jail dies from COVID-19,” CNN Philippines, 20 April 2020, available at <https://cnnphilippines.com/regional/2020/4/20/cebu-city-jail-inmate-COVID-19-death.html>, accessed 25 April 2020.
- 220 Macasero, R. “Mass testing at Cebu City jail after inmate who died tests positive for coronavirus,” Rappler, 21 April 2020, available at <https://www.rappler.com/nation/258555-coronavirus-positive-inmate-death-prompts-testing-cebu-city-jail>, accessed April 25, 2020.
- 221 Macasero, R. “Mandaue City Jail inmate tests positive for coronavirus,” Rappler, 24 April 2020, available at: https://www.rappler.com/nation/258993-mandaue-city-jail-coronavirus-cases-april-24-2020#cxrecs_s, accessed 26 April 2020.
- 222 “63 more inmates at Cebu City Jail test positive for coronavirus: mayor,” ABS-CBN News, 25 April 2020, available at <https://news.abs-cbn.com/news/04/25/20/63-more-inmates-at-cebu-city-jail-test-positive-for-coronavirus-mayor>, accessed 25 April 2020.
- 223 CHR (V) A2020-011 Human Rights Advisory On Protecting The Rights Of Persons Deprived Of Liberty (Pdls) During The COVID-19 Crisis And Early Release Of Older Persons, Low Risk Inmates And Persons With Chronic Medical Condition Or Bailable Offenses.
- 224 Navallo, M. “Inmate, 72, at women’s correctional facility tests positive for COVID-19, authorities say,” ABS-CBN News, 18 April 2020, available at: <https://news.abs-cbn.com/news/04/18/20/inmate-72-at-womens-correctional-facility-tests-positive-for-COVID-19-authorities-say>, accessed 20 April 2020.
- 225 “BuCor COVID-19 Update Today, 21 April 2020,” Facebook page of the Bureau of Corrections, available at <https://www.facebook.com/piobucorofficial/posts/723.093.955098582>, accessed 26 April 2020.
- 226 “BuCor COVID-19 Update Today, 1700H 24 April 2020,” Facebook page of the Bureau of Corrections, available at: https://www.facebook.com/piobucorofficial/?__tn__=kC-
- 227 “BuCor COVID-19 Update Today, 1800H 25 April 2020,” Facebook page of the Bureau of Corrections available at https://www.facebook.com/piobucorofficial/?__tn__=kCR&eid=ARAYsm49Qu5kQZ2USQXQxnl5ly4dVG_Ky1Un4n9cR42stiKF4ZbQOd2AQ7vqID92qdC68Wl5BdsFLfmW&hc_ref=ARR2kdRC V8bVo1x6OYwfZFbFzITM5I_3WqYZ08l9uuOo4Pset70PIDUi7Funu4URpdE&fref=nf, accessed 26 April 2020.
- 228 Ibid.

Mechanism (INPM), despite the ongoing debate at the international level on whether or not NPMs should give direct interventions during pandemic, agreed to engage themselves to give direct service in terms of conducting webinars on maintaining mental health in times of Covid for various jail and prison personnel.

- 164** Towards the end of the year in 2020, the INPM received a letter of request from Action by Christians for the Abolition of Torture and Death Penalty (ACAT-Switzerland) posted on the People's Recovery Empowerment Development Assistance Foundation (PREDA) website raising its concern about children in three *Bahay Pag-Asa* facilities within the National Capital Region experiencing inhumane conditions in detention and violence committed against them by the facility personnel. In response, the INPM did three remote monitoring visits called *e-dalaw* (from the root word *dalaw*, which means "to visit") at the *Bahay Pag-Asa* of Pasig, Pasay, and Marikina and one actual physical visit to the same facility in Pasig City for follow-up purposes. All findings and observations were communicated to their respective Mayors and Facility Center Managers with corresponding recommendations on inadequacies observed. The INPM is poised to continue following-up on actions taken on the recommendations forwarded to their respective LGU executives and facility/center managers.
- 165** On 17 April 2020, the Supreme Court conducted its historic first virtual *en banc* session to tackle the petition for temporary release.²²⁹ The Supreme Court ordered the government, through the Office of the Solicitor General, to file its comment until 24 April 2020, and the respondents to take all preventive measures necessary to address COVID-19 and to submit verified reports within the same period.²³⁰ As of September 2020, the petitioners were only informed through a press release about the rendered decision. "The decision is to not rule on the holistic petition and would rather have trial courts assess the prisoners' eligibility for bail."²³¹
- 166** In November 2019, *Kadamay* urban poor organizer Reina Mae Nasino, a 23-year-old pregnant woman, was arrested for the possession of firearms and explosives after police raided the *Bagong Alyansang Makabayan* office in Tondo.²³²
- 167** Nasino gave birth to River on 01 July 2020. The NUPL petitioned to allow her to remain at the hospital and later at the Manila City Jail for a year to take care of her daughter, citing the child's basic right to be breastfed by her mother. The petition was denied, citing that the jail has very limited resources to care for Nasino and her baby and that there were no facilities for childcare at the jail. Baby River was given under the care of her grandmother Marites Asis.

229 Patag, K.J., "SC to government: Answer inmates' petition for temporary release amid COVID-19 crisis," Philstar.com, 17 April 2020, available at <https://www.philstar.com/headlines/2020/04/17/2007927/sc-government-answer-inmates-petition-temporary-release-amid-COVID-19-crisis>, accessed 26 April 2020.

230 On April 24, 2020, the Office of the Solicitor General (OSG) submitted its Comment. OSG argues that the congestion of jails and prisons is not among the grounds for the release of PDLs, including older persons and the sickly. Solicitor General Calida further states that the failure of Philippine prisons and jails to meet the high international standards does not warrant release of PDLs. In fact, the petition did not show any complacency on the part of the State and that the existing guidelines on release of PDLs demonstrate that the government has already adopted measures to decongest places of detention. With medical services available in prison and jails, it will be better for PDLs to remain incarcerated during the pandemic. Buan, L. ("Congestion not reason: Calida blocks petition to release vulnerable prisoners," Rappler, 25 April 2020, available at <https://www.rappler.com/nation/259031-calida-osg-comment-supreme-court-petition-release-prisoners-coronavirus>, accessed 25 April 2020.

231 Buan, L. "After 5 months, SC redirects vulnerable prisoners to lower courts for release petitions", Rappler, 10 September 2020, available at <https://www.rappler.com/nation/supreme-court-redirects-prisoners-lower-courts-release-petitions-september-2020>, accessed last 01 March 2021.

232 Buan, Lian. "Arrested in 2019 crackdown, jailed activist gives birth in pandemic" Rappler, July 02, 2020, available at <https://www.rappler.com/nation/jailed-activist-gives-birth-coronavirus-pandemic-july-2020>, accessed last 09 March 2021.

- 168** As Nasino remained locked up in the Manila City Jail, her daughter was taken to the intensive care unit of the Philippine General Hospital. This led to the filing by NUPL of an urgent motion to allow Nasino to visit her daughter. On 09 October 2020, River died due to pneumonia complications.²³³

Rights of LGBTQIA+ during the COVID-19 Pandemic

- 169** Members of LGBTQIA+ group experienced abuses as punishment for violating lockdown protocols and for exercising their rights and for voicing their dissent towards a particular law. The Philippine authorities used humiliation and other degrading acts, such as dancing and kissing, to punish quarantine violators who happened to be members of LGBTQIA+. ²³⁴ Some members of the LGBTQIA+ community also experienced a crackdown when they held a protest against the passage of the Anti-Terror law.²³⁵ Such conditions for LGBTQIA+ members of the community are not new. They are often humiliated, ostracized, discriminated against, and worst, killed by either members of the family or the public. They have suffered various dismal experiences such as the following cases:

- 170** On 05 April 2020, three LGBTQIA+ people in Pandacaqui, Mexico, Pampanga, were ordered by a *barangay* captain, Christopher Bombing Punzalan, to do lewd acts in front



We remind the government that, at this point, Nasino remains to be an accused and thus, still presumed to be innocent until proven guilty.

CHR, through its Investigation Office, is currently looking into Nasino's case, also considering that there are allegations that her detention is a form of harassment due to her human rights work.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the case of Reina Mae Nasino, 16 Oct 2020

Photo: Maria Gutierrez
@chrgovph

CHR: Dignity of all



Being an ally starts with small acts every day. When you're in the workplace and someone says something offensive about LGBTQ+ people, stand up and say that it's not right. They too may be unaware. It's about seeing discrimination where it's happening and doing something about it that makes a difference.

Catriona Gray
Miss Universe 2018, and a proud LGBTQIA+ ally

@chrgovph

CHR: Dignity of all

²³³ Buan, Lian. "The role they failed to play: How courts let down baby River" Rappler, October 12, 2020, available at <https://www.rappler.com/nation/how-courts-let-down-reina-mae-nasino-baby-river>, accessed last 09 March 2021.

²³⁴ See <https://www.hrw.org/news/2020/04/08/philippines-uses-humiliation-covid-curfew-punishment>.

²³⁵ See <https://www.hrw.org/news/2020/06/29/philippines-police-crack-down-lgbt-protest>.

of a minor as punishment for violating curfew. The orders were documented in a Facebook live video by the *barangay* captain himself.²³⁶

- 171** A member of the LGBTQIA+ community suffered from discrimination committed by a *barangay* captain of a local government in NCR. Documented through the CHR's Gender-based Violence (GBV) online portal, the said victim was arbitrarily detained from 12 April 2020 until the end of April 2020 by the said *barangay* captain at the *barangay* hall as a persons under investigation (PUI). The victim, a transwoman, complained that she was not duly informed of the reason for her detention and that she was taken by surprise that the *barangay* captain already prevented her from going home after she sought assistance in seeking medical examination from a nearby hospital.²³⁷
- 172** On 30 June 2020, Jang Lucero, reportedly a lesbian, was found dead inside her car along the Bypass Road in Calamba City, Laguna. The said case is pending for investigation even as the CHR has reiterated its request for the City Civil Registry of Calamba City to provide a certified copy of the victim's death certificate after the latter initially refused, citing the Data Privacy Law.²³⁸
- 173** The CHR-National Capital Region (NCR) Office investigated four (4) cases involving LGBTQIA+ rights from January to June 2020. Out of the 4 cases, 1 case was filed with the Office of City Prosecutor of Caloocan City. It also includes the investigation of this office of the alleged profiling of members of the LGBTQIA+ community in Makati City and the assistance extended to the so-called "Pride 20," who were arrested in Manila City.²³⁹
- 174** On the pardon given to US Marine Lance Corporal Joseph Scott Pemberton, the CHR said that the decision is a disrespect to victim Jenifer Laude and to the entire LGBTQIA+ community.

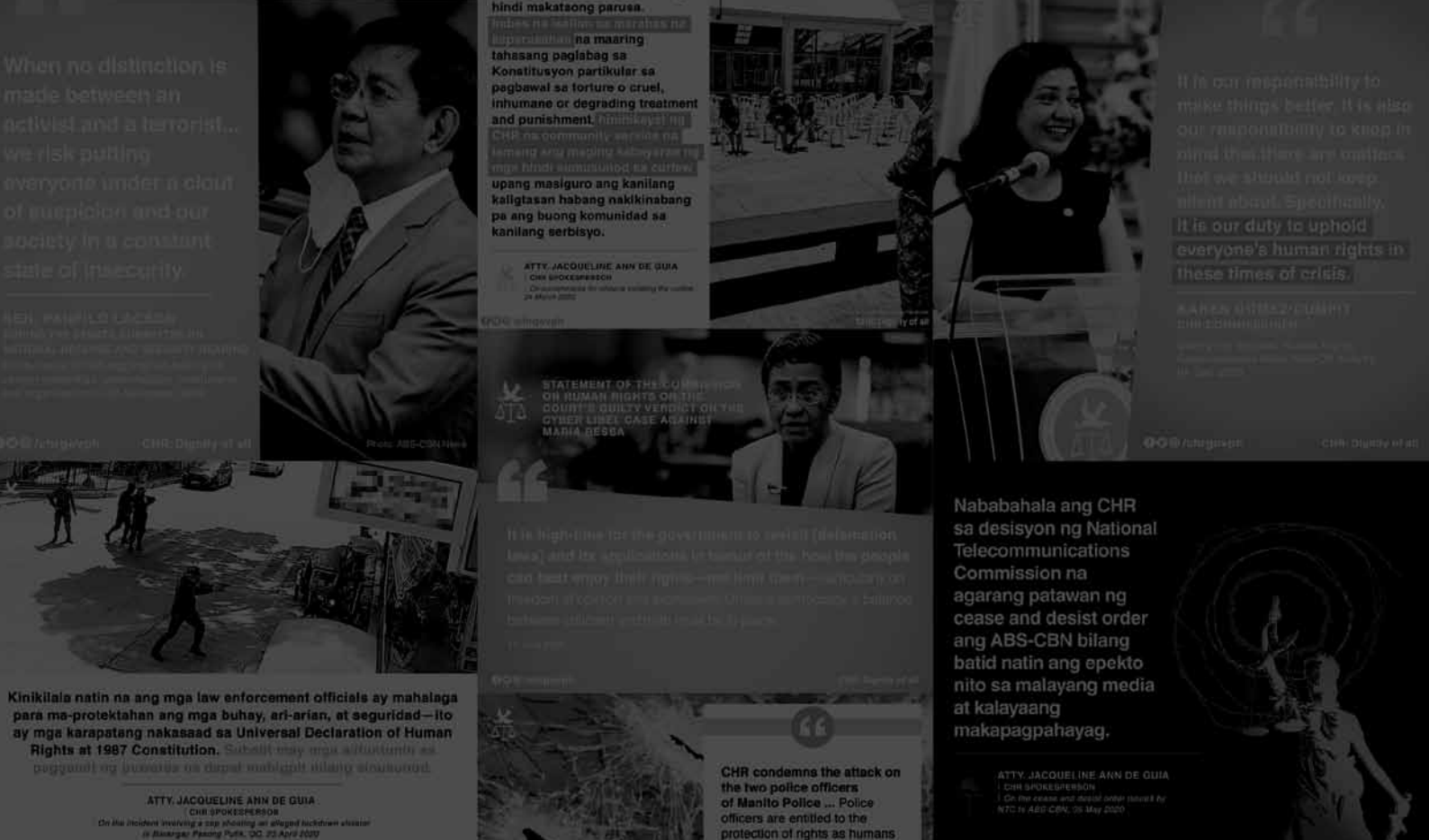


236 Juguilon, A.T. "Barangay captain makes LGBTQ+ quarantine violators do lewd acts as punishment," Rappler, 7 April 2020, available at <https://r3.rappler.com/nation/257292-barangay-captain-lgbtq-quarantine-violators-lewd-acts-punishment>, accessed 24 September 2020

237 CHR E-Report available at <https://chr-observatories.uwazi.io/en/entity/7z0mtmpxyv?searchTerm=covid&page=1>, accessed 30 September 2020.

238 Report on the Human Rights Situation of the Disadvantaged, Marginalized and Vulnerable Sectors in CALABARZON (January-June 2020). San Pablo City: CHR Regional Office IV-CALABARZON

239 2020). CHR-NCR's Human Rights Situationer Involving Women's and LGBTI Rights from January to June 2020. Quezon City: CHR National Capital Region Office.



The Philippine Civil and Political Rights (CPR) National Situation during the COVID-19 Pandemic

Discrimination during the COVID-19 Pandemic

- 175 Historically, public health emergencies result to stigma and discrimination of specific communities, population and groups that undermine people’s full enjoyment of their human rights. Among the reported incidents of discrimination and stigma are as follows:
- 176 Residents of an entire *barangay*, where there was a suspected death of an elderly woman from COVID-19, were barred from entering a supermarket in Magalang, Pampanga.²⁴⁰
- 177 A doctor in Cavite taking care of COVID-19 patients who contracted the disease was harassed. Out of fear that other people might get infected, officials from their *barangay* and homeowner’s association told her and her family that they will not be allowed to go outside their own house.²⁴¹
- 178 Some healthcare providers in Tacloban who sought to rent a place failed to secure property due to objections from adjacent occupants because they work at a hospital. It was believed that since they work at a hospital where COVID-19 suspects are being examined and treated.²⁴²

240 Jun A. Malig & Tina Ganzon-Ozaeta. “‘Bodies wrapped in plastic bags’: Coronavirus panic spreads across provinces,” Rappler, 26 April 2020, available at <https://www.rappler.com/nation/259064-dead-body-wrapped-plastic-bagcoronavirus-panic-spreads-provinces>, accessed 11 May 2020.

241 Mara Cepeda. “Cavite doctor won’t stop treating COVID-19 patients,” Rappler, 8 April 2020, available at <https://www.rappler.com/newsbreak/in-depth/257348-frontliners-series-after-being-infected-losing-loved-one-cavitedoctor-still-treat-coronavirus-patients>, accessed 11 May 2020.

242 HR Region VIII, Advisory on the Protection of Frontline Health Workers, Uniformed Personnel, and other Service Providers against Discrimination, para. 1, citing “Bombo Radyo Tacloban Facebook on 15 Apr. 2020.”

- 179** A medical staff in Sultan Kudarat, thought to have COVID-19, was doused with bleach by strangers on his way home. The bleach entered his eyes, requiring medical treatment.²⁴³
- 180** Buses transporting OFWs to their quarantine facility in Batangas were blocked by town officials because of fake news on social media that these buses were carrying infected foreigners.²⁴⁴
- 181** Nurses working at the hospital where the first COVID-19 patient was confined were shunned by local stores and eateries, boarding houses, and even in *barangays* where they lived.²⁴⁵
- 182** An ambulance driver was shot in the hand by an enraged subdivision resident after being lectured for driving a hospital ambulance inside their subdivision. The vehicle is being used to transport hospital workers and is regularly disinfected.²⁴⁶
- 183** The IATF for the Management of Emerging Infectious Diseases tasked LGUs to investigate these situations and act accordingly. Also, the president mobilized the security sector to investigate and protect medical workers from any discriminatory acts against them. Mayors of Metro Manila issued a resolution recommending local ordinances prohibiting such discriminatory practices towards medical workers.²⁴⁷
- 184** In one of its statements, the CHR expressed alarm and stated that it would investigate violence against health workers in the time of the COVID-19 pandemic. It continued that these senseless acts do nothing but endanger the right to life of our health workers who guard the right to life of everyone with or without a pandemic.

Rights of Human Rights Defenders during the COVID-19 Pandemic

- 185** CHR has continuously engaged state institutions to promote respect for human rights. One mechanism that has served as a nexus for state duty bearers and the National Human Rights Institution is the multisectoral advisory board of the Philippine Army. This venue provides an opportunity for the CHR to influence a key security institution to adopt human rights-based approach in its internal policies.
- 186** Similar to other countries that are struggling in handling the pandemic, the Philippines has been experiencing a particularly brutal blow from the coronavirus. This is manifested in an increasing threat to economic security brought about by the loss of work that devastated families across the country. The government's response to this devastation continues to be loudly criticized by human rights activists, journalists, and environmental defenders. However, criticisms on the problematic response of the government were met with a widespread

243 Jamil Santos. "Lalaking medical frontliner na inakalang may COVID-19, sinabuyan ng bleach," GMA Balitambayan, 28 March 2020, available at <https://www.gmanetwork.com/news/balitambayan/balita/731723/lalaking-medical-frontliner-nainakalang-may-COVID-19-sinabuyan-ng-bleach/story/>, accessed 11 May 2020.

244 5 Id at 11.

245 Rhick Lars Vladimer Albay. "Evicted, banned from eateries: Frontliners face discrimination in Iloilo City," Rappler, 24 March 2020, available at <https://www.rappler.com/nation/255653-nurses-face-discrimination-iloilo-city-coronavirus>, accessed 11 May 2020.

246 Jamil Santos. "COVID-19 Induced Violence: Ambulance driver hurt in Quezon province gun attack – hospital," GMA News Online, 3 April 2020, available at <https://www.gmanetwork.com/news/news/regions/732553/ambulance-driver-hurt-in-quezon-province-gun-attack-hospital/story/>, accessed 11 May 2020.

247 See <https://www.cnn.ph/news/2020/4/7/Metro-Manila-mayors-discrimination-COVID-19.html>.

crackdown against these concerned groups and individuals. The critics are being branded as a threat to the nation. President Duterte's stewardship during the coronavirus pandemic has been punctuated by what human rights advocates call a chilling disregard for the poor and the persecuted.²⁴⁸

- 187** The act itself of red-tagging constitutes a grave threat to the lives, liberty, and security of human rights defenders. At the most extreme, red-tagging renders citizens as unfair targets of violence, arrest, disappearance, and even liquidation. This is not unknown in the Philippines. The findings in 2007 of Professor Philip Alston, then UN Special Rapporteur on extrajudicial, summary or arbitrary executions, that the killings and enforced disappearances of activists affiliated with organizations were preceded by red-tagging by the AFP, to date, continue to be a State practice.



- 188** One hundred and thirty-four (134) human rights defenders have reportedly been killed since the beginning of the President Rodrigo Roa Duterte (PRRD) administration's term. From January 2019 to March 2020, the CHR recorded a total of 62 cases of human rights violations committed against human rights defenders. From 1 June 2019 to 30 June 2020 alone, the CHR investigated seven (7) killings of human rights defenders. One of the cases investigated by the CHR involves the killing of an indigenous person, who was a rights defender and a staunch critic of militarization in Compostela Valley.
- 189** The CHR is also investigating the murder of National Democratic Front of the Philippines (NDFP) peace consultant and peasant leader Randall Echanis, who was found dead at his apartment in Quezon City, and that of Negros-based human rights advocate Zara Alvarez, who was gunned down by unidentified men in Bacolod City.
- 190** Peace consultant and labor activist Randy Echanis was stabbed and killed at his home in Quezon City. He was also the chair of *Anakpawis*, a party-list advocating for the rights of workers. The murder of Echanis demonstrates how red-tagging endangers the lives of human rights workers in the country who are doing legitimate work.²⁴⁹

²⁴⁸ Business & Human Rights Centre. *Philippines: Brutal crackdown on activists and environmental defenders amid spread of COVID-19*. 3 April 2020. Available at <https://www.business-humanrights.org/en/latest-news/philippines-brutal-crackdown-on-activists-and-environmental-defenders-amid-spread-of-covid-19/>, accessed 24 September 2020.

²⁴⁹ Ibid.

191 The issue of Echanis' body allegedly being seized by police officers started after finding out about his identity. His wife said that more than 10 police officers from La Loma PNP forcibly took the cadaver on Monday night from them after they transferred it to the family's preferred funeral home.²⁵⁰

192 On the side of the QCPD, Criminal Investigation and Detection Unit (CIDU) chief Maj. Elmer Monsalve earlier said that the police officers took the cadaver because an order was necessary for its release.²⁷³

193 Zara Alvarez, former education director of the human rights alliance *Karapatan*, died on the spot after being shot six times as she was heading home after buying food for dinner. She was the 13th member of the organization killed since mid-2016, when President Duterte came to power, the group said. Police said Alvarez was killed by an unidentified assailant in the central city of Bacolod. Witnesses reportedly chased the attacker, who got away with the help of an accomplice on a motorcycle.²⁵¹

194 Bea Milda Ansabo, a female indigenous peoples' rights' activist and a leader of the Manobo tribe who actively promoted programs protecting ancestral lands from capitalists, was

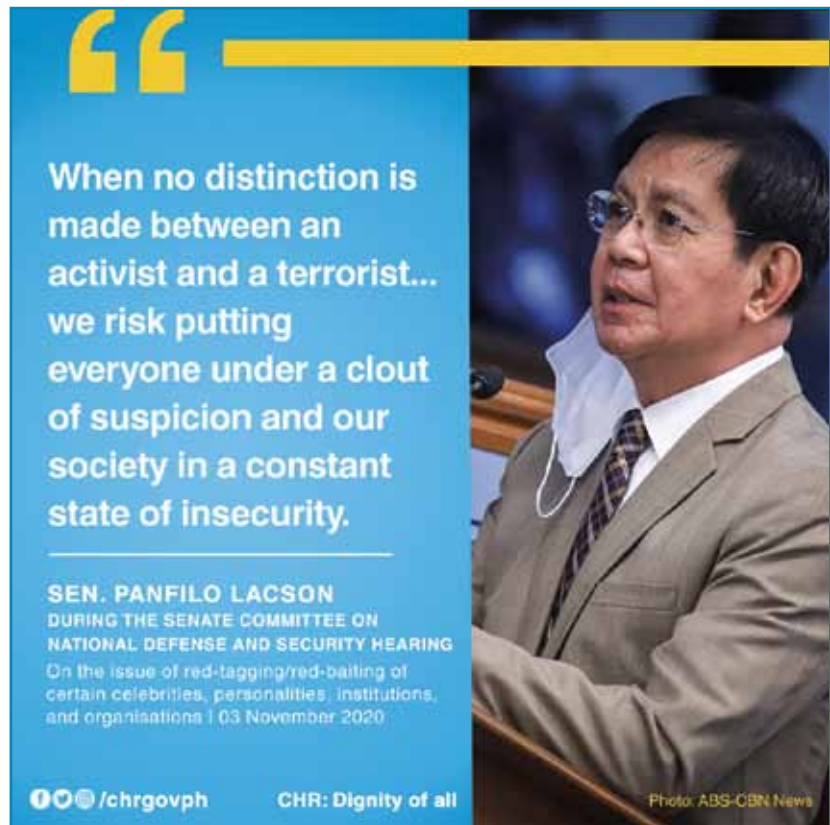


²⁵⁰ Talabong, Rambo. "Police 'forcibly takes' Randy Echanis' body from funeral home," Rappler, 11 August 2020, available at <https://www.rappler.com/nation/police-forcibly-takes-randy-echanis-body-funeral-home>, accessed 18 December 2020.

²⁵¹ Lalu, Gabriel. "HR says alleged snatching of Ecanis' body an issue of respect for human dignity," Inquirer.Net, 11 August 2020, available at <https://newsinfo.inquirer.net/1320197/chr-says-alleged-seizure-of-ndfp-consultants-body-an-issue-of-respect-for-human-dignity>, accessed 18 December 2020.

gunned down in the hinterlands of Magpet town, North Cotabato. Her throat was slit and her eyes were gouged out.

- 195** While Administrative Order No. 35, which created an Inter-Agency Committee (IAC), is meant to address the spate of politically-motivated extrajudicial killings, enforced disappearances, incidents of torture, and other human rights violations, the mechanism has been slow in holding perpetrators liable for violations. To date, no case has resulted in a conviction through the sole effort of the IAC as a super body.



- 196** On 02 September 2020, the Department of Justice's A.O. No. 35 Secretariat and the CHR signed a Data Sharing Agreement to facilitate the sharing of investigation reports in cases covered by A.O. No. 35. This will hopefully open opportunities for engagement and collaboration in the investigation and prosecution of perpetrators of political killings.
- 197** To address the unlawful killings and any other human rights violations in a cooperative manner, the DOJ and the CHR have entered a data-sharing agreement to further strengthen the mandate of A.O. 35 that created an inter-agency committee on EJKs, enforced disappearances, torture, and other grave violations of the right to life, liberty, and security of persons. This serves as a mechanism to prevent and resolve the grave human rights violations. This project is supported by the European Union, the Spanish Agency for International Development Cooperation (AECID) through their Governance in Justice Human Rights Project (GOJUST), and the Ateneo Human Rights Center (AHRC).²⁵²
- 198** Pursuant to its mandate, the CHR conducted a National Inquiry on the Status of Human Rights Defenders in the Philippines from 9 to 12 September 2019. The decision to launch this inquiry was prompted by letters received from individuals and organizations alleging human rights violations on the part of State officials. These allegations were similarly echoed in the complaints received by the CHR's regional offices. During the inquiry, public hearings were held, involving human rights defenders, civil society organizations, government agencies, and security forces. Members of various human rights groups and development organizations gave testimony on the negative impact of Executive Order No. 70, s. 2018 on the safety of human rights defenders.²⁵³

252 Pulta, Benjamin. "DOJ, CHR ink data sharing EJK, HR Violations probe," Philippine News Agency, 4 September 2020, available at <https://www.pna.gov.ph/articles/1114351>, accessed 29 September 2020.

253 Commission on Human Rights (2020.) Questionnaire for National Human Rights Institutions and International or Intergovernmental Organizations by the UN Special Rapporteur on the Situation of Human Rights Defenders.

199 Gloria Tumalon, a Manobo indigenous activist and opponent of mining projects, was arrested in Surigao del Sur. Tumalon was one of 468 people accused of being an NPA member, a charge that is disputed. Environmental defenders in Mindanao, especially indigenous opponents of mining and agriculture projects, are often labeled as communists. In Negros, police and military forces have arrested and killed members of farmers groups and land rights activists and accused of being communist rebels. The associates of one group reported receiving frequent “visits” from the military during the island-wide lockdown.



200 The CHR Region 1 Office documented four cases of alleged red-tagging involving a fisherfolk member of the “Stop Exploitation Ilocos,” and the Secretary General of *Anakbayan* Ilocos Chapter. Allegedly, the victims in these cases were being harassed by Members of the 81st IB, Civil Military Operation, Sulvec, Narvacan, Ilocos Sur. They are being accused that their respective organizations/ groups are just a front and that they are recruiting members to join the NPA. At present, these cases were assigned to CHR Investigators and are validating/ investigating the same.²⁵⁴

201 *Akap Ka Manila* Bay sent an email to the CHR Region III Office (CHR RO3) alleging that harassment, intimidation, and red-tagging is being committed by the 48th Infantry Battalion against the fisherfolks of *Barangay* Taliptip, Bulakan, Bulacan. Special investigators of CHR RO3 conducted an ocular inspection on the site and were able to meet and have a dialogue with the remaining residents consisting of eighteen (18) families out of the three hundred (300) affected families. All of those present denied that there was intimidation, harassment, and red-tagging committed against them. They say that the presence of the 48th Infantry Battalion of the Philippine Army was primarily to maintain peace and order and they neither forced them to vacate nor demolished their respective houses. During the ocular inspection, the families at Sitio Kinse, Sitio Parihan, and Sitio Camansi were interviewed and stated that they will voluntarily demolish their respective houses after San Miguel Corporation will pay the PHP250,000.00.²⁵⁵

202 This kind of atmosphere of red-tagging covers not only human rights defenders but also extends to all Filipinos, especially celebrities who express their beliefs and convictions towards what they believe is right. The CHR is deeply concerned with the warning made by Lieutenant General Antonio Parlade Jr. against celebrities Liza Soberano and Catriona Gray after their vocal support of women’s rights and their participation in an online forum to voice out their dissent on gender-based violence. Thus the CHR issued a statement to

254 Romero, A. (2020). Region 1 HR Situation Report. La Union: CHR Regional Office 1.

255 (2020). Human Rights Regional Situationer Report January to June 2020. San Fernando City: CHR Regional Office III.

remind government officials, in particular the security sector, to focus on promoting the rights and freedom enjoyed by the people, instead of perpetuating fear and distrust among them as they speak on behalf of the voiceless.²⁵⁶

- 203** On 6 May 2019, human rights group Karapatan, women's group Gabriela, and religious group Rural Missionaries of the Philippines (RMP), went to the Supreme Court and filed a petition for the issuance of writ of *Amparo* and *Habeas Data*. The protection order was requested against the entire military sector and Malacañang officials. The filing of the petition spurred harassment tactics against them. There were posters vilifying them, incidents of tailing, and threatening messages. They juxtaposed these with public statements of military officials calling them communist fronts.
- 204** The Supreme Court granted the writs and remanded the case to the Court of Appeals (CA). In the CA, the hearing was for the purpose of determining final judgment – to grant the privileges or not. Due to procedural misunderstandings at the CA, witnesses were not allowed to go on the stand. Among the witnesses, was Zara Alvarez, who was to testify on the vile red-tagging against her and her colleagues in Negros and across the country. As stated in her 2019 sworn statement I have also experienced being detained for crimes I did not commit and I fear that it may happen again or I might be killed like what happened to the many farmers of Negros as well as Tatay Toto and Atty. Ben Ramos.²⁵⁷ The CA proceeded without hearing them, and in June 2019, denied the petition.²⁵⁸
- 205** On the celebration of the Human Rights Day on 10 December, the PNP-CIDG also launched a string of operations that led to the arrest of a journalist and six trade unionists on charges of alleged possession of firearms and explosives.²⁵⁹ The arrested individuals were Lady Ann Salem, Dennise Velasco, Mark Ryan Cruz, Romina Raiselle Astudillo, Jaymie Gregorio, Joel Demate, and Rodrigo Esparago.
- 206** Such arrests are cause for concern given that there were statements by families and concerned personalities alleging irregularities and errors in the said operations, including the fact that arrests were made in the midst of red-tagging of activists and human rights workers.
- 207** It would be beneficial for the government, particularly the PNP, to address these doubts and allegations of anomalous arrests, especially since several pronouncements were already made by this administration—here and abroad—on its commitment to respect and protect the human rights of all.²⁶⁰
- 208** The CHR in its July 2020 report said that President Rodrigo Duterte created “a dangerous fiction” against activists and defenders. Groups reported an increasing number of incidents of red-tagging and harassment since June 2020. Groups claimed that there was clear intent to associate their names, faces, and organizations with violence, including rampant

256 See <http://chr.gov.ph/statement-of-commissioner-gwendolyn-pimentel-gana-on-the-warning-made-by-a-military-official-to-liza-soberano-and-catriona-gray/>.

257 Navallo, Mike. “‘I might be killed’: Karapatan shows slain Zara Alvarez’s 2019 affidavit seeking protection,” ABS-CBN News, 1 September 2020, available at <https://news.abs-cbn.com/news/09/01/20/i-might-be-killed-karapatan-shows-sc-slain-activist-zara-alvarezs-2019-affidavit-seeking-protection>, accessed 18 December 2020.

258 Buan, Lian. “Zara Alvarez asked for protection, but she died before the court could give it,” Rappler, 20 August 2020, available at <https://www.rappler.com/nation/zara-alvarez-petition-writ-amparo-habeas-data-court>, accessed 18 December 2020.

259 Talabong, Rambo. “PNP goes on arresting spree on Human Rights Day,” Rappler, 10 December 2020, available at <https://www.rappler.com/nation/pnp-arresting-spreed-human-rights-day-december-10-2020>, accessed 18 December 2020.

260 Commission on Human Rights. Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the string of arrests on Human Rights Day, 13 December 2020, available at <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-string-of-arrests-on-human-rights-day/>, accessed 18 December 2020.

killings. The consistent rhetoric and actions of the Duterte administration which targets not just activists and human rights defenders, but almost anyone who dares criticize the government, created a detrimental atmosphere especially for human rights activists, which has led to reported assassinations.²⁶¹

- 209** The CHR believes that red-tagging, rather than promoting democracy, erodes it. A healthy democracy allows critical views to surface in the marketplace of ideas and public discourse. If a democratic government is one which is of the people, then the latter should be allowed to peacefully express their discontent

Extra-judicial Killings (EJKs) during the COVID-19 Pandemic

- 210** Since PRRD was elected to the presidency in 2016, more than 27,000 suspected drug peddlers have been killed in a mix of police operations and vigilante killings. Additionally, almost 250 human rights defenders have been killed. These include unionists, lawyers, journalists, and environmentalists. The UN Human Rights Council (HRC) Chief Michelle Bachelet released a report sometime in June 2020 that characterized President Duterte's rule as "heavy-handed," which resulted in killings that are "widespread, systematic, and ongoing."²⁶²
- 211** Responding to the report of the HRC Chief Bachelet, Justice Secretary Menardo Guevarra said that the Philippines has set up an inter-agency panel that would investigate the claims of EJKs and "judiciously review" the more than 5,600 police operations where deaths occurred. Meanwhile, Cristina Palabay, secretary-general of human rights watchdog Karapatan, is skeptical of Sec. Guevarra's claim. She said that various task forces and commissions were created but do not deliver justice and accountability.²⁶³
- 212** The CHR-NCR Office docketed 114 cases of EJK in 2020. As to whether drug or non-drug-related, 92 cases have indications that they are drug-related killing, while 12 cases appear to be non-drug-related. Ten (10) of the total 114 docketed EJK cases transpired this year (2020), one in 2019, two in 2018, 25 in 2017, 66 in 2016, and 10 are still undetermined. As to respondents, 87 of the total docketed EJK cases have unidentified respondent(s) while 27 cases involve personnel of law enforcement agencies.²⁶⁴
- 213** PRRD administration's war on drugs did not stop even during the pandemic. From 31 March to 31 May 2020, law enforcement agencies conducted 5,840 anti-drug enforcement operations, which resulted in arrests of 10,105 suspects and death of 67. PNP Chief Archie Gamboa said in a statement last 26 May 2020 that there is no let-up in the anti-illegal drug operations, even with the ongoing health crisis. The government's figures gave credence to the statistics that State agents killed 42 suspects during the lockdown from 15 March to 5 May 2020. Similarly, the CHR was also able to document 69 alleged EJKs perpetrated during the lockdown.²⁶⁵

261 Gavilan, J. (2020, August 19). Duterte ushers in new level of danger for activists, human rights defenders. Retrieved from Rappler: <https://www.rappler.com/newsbreak/in-depth/rodrigo-duterte-ushers-new-level-danger-activists-human-rights-defenders>.

262 Santos, Ana P. "Duterte's Four Years in Power – extrajudicial killings, rights abuse and terror," DW.com, 7 July 2020. <https://www.dw.com/en/dutertes-four-years-in-power-extrajudicial-killings-rights-abuses-and-terror/a-54082293>, accessed 30 September 2020.

263 Ibid.

264 CHR-NCR's Situationer on Extrajudicial Killing Cases (1st Sem 2020). Quezon City: CHR National Capital Region Office.

265 Talabong, Rambo. "Coronavirus Doesn't Stop Duterte's Anti-Drug Campaign," Rappler, 18 July 2020 <https://www.rappler.com/newsbreak/in-depth/coronavirus-does-not-stop-duterte-anti-drug-campaign>, accessed 30 September 2020.

- 214** On 25 January 2020, in Sitio Lugpis, *Barangay* Cambunang, Bulalacao, Oriental Mindoro, Jay-Ar Mercado, an indigenous people organizer and a member of *Bigkis at Tikas ng mga Katutubo sa Timog Katagalugan* (BAIATIK), was killed.²⁶⁶
- 215** After the killing of the former soldier Winston Ragos, the National Bureau of Investigation's Death Investigation Division has filed murder and perjury complaints before the Quezon City Prosecutor's Office against Police M/Sgt. Daniel Florendo and four (4) police trainees namely: Joy Flaviano, Arnel Fontillas, Dante Fronda, and Dalejes Gaciles.²⁶⁷
- 216** During a clash between the NPA and government forces in Surigao del Sur last November, the 22-year-old daughter of *Bayan Muna* Party-list representative Eufemia Campos Cullamat, Jevilyn Cullamat, died during the encounter.²⁶⁸ On 1 December, CHR formally received the complaint letter from Rep. Cullamat requesting an investigation into the case of her daughter's death.²⁶⁹ We note the statement of Defense Secretary Delfin Lorenzana on his instruction to the Armed Forces of the Philippines to assist in the transport of the remains of the Jevilyn and ensure that her lifeless body was "treated with dignity."²⁷⁰
- 217** In Quezon province, there was an alleged extrajudicial killing of Jose Maceda Lubrica, 70 years old and a resident of Brgy. Alitao, Tayabas City, Quezon. He was killed while the police officers were serving his warrant of arrest.²⁷¹
- 218** In the Davao Region, alleged EJKs are being investigated by the regional office either motu proprio or by complaint. Based on the investigation of cases relating to the War on Drugs, most subjects killed in operations are those living in impoverished urban areas. Also, the War on Drugs impacted not only loss of life but damage to the livelihood, education, and mental health of surviving family members. Various EJK cases were acted upon by the authorities based on the CHR Regional Office XI report and the PNP filed administrative cases based on the Region 11 report against the police officers involved.^{272 273}
- 219** It should be noted that the number of cases received by the CHR RO 11 in Davao City pertaining to the War on Drugs have lessened when the region was subjected to various levels of community quarantine because of the COVID-19 pandemic. It should also be noted that the increasing number of infected persons in the region hampered the mobility of CHR investigations on EJK cases.²⁷⁴
- 220** One recent event was the case of Vincent Adia, 27, of Angono, Rizal. A gunman shot him three times in the head and left him with a placard labelling him a "pusher." He survived

266 See full report, (2020). Regional Human Rights Situation Report for January to June 2020. Quezon City: CHR Regional Office IV-MIMAROPA.

267 "NBI files murder, planting of evidence raps vs cops in Ragos killing," Philstar.com, 4 June 2020, available at <https://www.philstar.com/headlines/2020/06/04/2018691/nbi-files-murder-planting-evidence-raps-vs-cops-ragos-killing>.

268 Nepomuceno, Priam. "Death of Jevilyn Cullamat highlights Reds' senseless cause," Philippine News Agency, 30 November 2020, available at <https://www.pna.gov.ph/articles/1123339>, accessed 18 December 2020.

269 Commission on Human Rights. Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on Rep. Cullamat's request seeking CHR's investigation on the case of her slain daughter. CHR, 2 December 2020, available at <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-rep-cullamats-request-seeking-chrs-investigation-on-the-case-of-her-slain-daughter/>, accessed 18 December 2020.

270 Commission on Human Rights. Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the death of Jevilyn Cullamat. CHR, 30 November 2020, available at <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-ann-de-guia-on-the-death-of-jevilyn-cullamat/>, accessed 18 December 2020.

271 (2020). Report on the Human Rights Situation of the Disadvantaged, Marginalized and Vulnerable Sectors in CALABARZON (January-June 2020). San Pablo City: CHR Regional Office IV-CALABARZON.

272 See the full case, (2020). Regional Human Rights Situation Report January 2020 to June 2020. Davao City: CHR Regional Office 11.

273 Ibid.

274 Ibid.

the first attempt and *barangay* officials rushed him to the hospital. After an hour, a gunman entered the hospital and shot Adia twice, leading to his death.

- 221** The CHR, in its statement dated 5 November 2020, strongly condemns the brutal killing of Vincent Adia inside a hospital. The CHR continues to plead to the government to concretely address the continuing atrocities and vigilante killings. To its best effort, the CHR Region-IV has dispatched a quick response team to investigate the case and monitor it to its end.²⁷⁵



- 222** The last time the Philippine government released official data about the total number of EJKs in the country was in December 2019. The PDEA tallied 5,563 cases as of 31 December 2019, while the PNP recorded 6,600 cases as of 18 June 2019, whereas human rights organizations cited 27,000+ EJK cases as of December 2018.^{276 277} During the lockdown, Philippine authorities continuously enforced President Duterte's anti-drug crusade. From a media report, law enforcement agencies conducted 5,840 anti-drug operations, where they arrested 10,105 suspects from 31 March to 31 May 2020. These operations also led to 67 deaths.²⁷⁸

- 223** There are a total of 229 alleged drug-related EJK incidents investigated by the CHR during pandemic.²⁷⁹ Below is the breakdown of cases per region:

Alleged Drug-Related EJK Incidents Taken Cognizance by the CHR in 2020

REGIONS	NUMBER OF CASES INVESTIGATED
Investigation Office	8
NCR	94
CAR	5
I	0
II	0
III	17
IV-A	25
IV-B	0

²⁷⁵ See <http://chr.gov.ph/statement-of-chr-spokesperson-atty-jacqueline-de-guia-on-the-brutal-killing-of-an-ejk-survivor-inside-a-hospital-in-angono-rizal/>.

²⁷⁶ See <https://www.rappler.com/newsbreak/iq/numbers-statistics-philippines-war-drugs>.

²⁷⁷ <https://newsinfo.inquirer.net/1131433/6600-killed-in-war-vs-drugs-from-july-2016-to-may-2019-pnp>.

²⁷⁸ See <https://www.rappler.com/newsbreak/in-depth/coronavirus-does-not-stop-duterte-anti-drug-campaign>.

²⁷⁹ See Commission on Human Rights Investigation office report.

REGIONS	NUMBER OF CASES INVESTIGATED
V	9
VI	14
VII	2
VIII	13
IX	1
X	0
XI	13
XII	25
CARAGA	3
TOTAL	229

Enforced Disappearances, Torture Cases, Arbitrary Arrests, and Revival of Death Penalty during the COVID-19 Pandemic

- 224** For the period January–September 2020, the CHR received five complaints of enforced disappearances, with a total of eight victims from various regional offices, namely in regions III, IV–A, and XII.
- 225** Torture still exists even during the pandemic, and even with the Anti-Torture Act of 2009 in place. In fact, CHR Region I Office documented one (1) torture case involving one Carl Max Papa, a rape suspect. Allegedly, he was maltreated by some PNP officers of Aringay PNP, Aringay, La Union, before he managed to escape. Later, his cadaver was found in Tuba, Benguet. This case is also being investigated by the CHR–CAR Office in Baguio City.²⁸⁰ Another case is posted on Facebook by Elsa Calderon–Carlos (Elsa) dated 01 May 2020, where she alleged the torture committed against Guillermo “Emong” Calderon, a PWD, by the elements of Jala–Jala Municipal Police Station. The investigation by the CHR Region IV–A is ongoing.^{281 282}
- 226** At the height of the community lockdown in Davao City due to the COVID-19 pandemic, three (3) residents were arrested by a *barangay* official and three (3) police officers for violation of the imposed curfew. The said residents were ordered to perform a “duck walk” going to the basketball court as punishment. Upon arriving at the basketball court, the said officials saw five (5) more individuals violating the curfew. One of the police officers ordered them to perform push-ups, squat thrust, star jump, and other exercises. Likewise, with their eyes closed, they were struck on their hands and feet with a baton. These curfew violators were then ordered to swim in the filthy sewer. Upon receipt of this report, the CHR Regional Office 11 communicated with the police station where the police officers were assigned. The said station’s Human Rights Officer stated that their office will conduct a fair and thorough investigation and will welcome complaints from the victims.²⁸³

²⁸⁰ Romero, A. (2020). Region 1 HR Situation Report. La Union: CHR Regional Office 1.

²⁸¹ Report on the Human Rights Situation of the Disadvantaged, Marginalized and Vulnerable Sectors in CALABARZON (January–June 2020). San Pablo City: CHR Regional Office IV–CALABARZON.

²⁸² More torture case/degrading punishment during community quarantine, See (2020). Regional Human Rights Situation Report January 2020 to June 2020. Davao City: CHR Regional Office 11.

²⁸³ 2020). Regional Human Rights Situation Report January 2020 to June 2020. Davao City: CHR Regional Office 11.

PROPER GOVERNMENT ACTION ON QUARANTINE VIOLATIONS, PHILIPPINES, SEP 2020				
	<u>Jailed</u>	<u>Fined</u>	<u>Do community service</u>	<u>Reprimand</u>
People who do not wear a face mask when they go out of the house	6%	24%	22%	48%
People who violate curfew	22	23	27	28
People who protest in the streets who are following the minimum health standards like physical distancing, wearing of face mask and face shield	8	17	21	54
<i>Note: Don't know and non-responses are not shown.</i> <i>Q86-88. Ano po sa palagay ninyo ang dapat gawin ng gobyerno sa mga taong [SHUFFLE CARD]? Sila po ba ay dapat na IKULONG, PAGMULTAHIN NG PERA, PAGSILBIHIN SA KOMUNIDAD O MAG-COMMUNITY SERVICE O PAGSABIHAN LAMANG? Pakisabi po ang inyong sagot sa pamamagitan ng paglagay ng mga kard na ito sa naaangkop na lugar sa rating board na ito.</i>				
 2 National End-of-Project Survey on Human Rights September 25-30, 2020 National Survey				

- 227** Other than EJK, enforced disappearances, and torture cases, arbitrary arrests are apparent human rights violations being committed by the authorities during the lockdown to quell dissent and silence critiques towards the current administration.
- 228** On 25 February 2020, CHR received a complaint about the alleged illegal detention of one (1) IP (Dumagat).²⁸⁴ Other than this, the CHR was also concerned with the National Bureau of Investigation arrest of Teacher Ronnel Mas after merely tweeting, “I will give 50 million reward kung sino makakatay kay Duterte #NotoABSCBNShutdown” on 11 May 2020.²⁸⁵
- 229** On 19 April 2020, seven members of *Anakpawis* were flagged down and arrested in Norzagaray, Bulacan. They intended to distribute fifty (50) packs at Kalye 11, *Barangay Bigte*, when the seven (7) were arrested and subjected to inquest proceedings through teleconferencing online. However, on 22 April 2020, Ariel Casilao and six (6) others were released from detention after posting bail.²⁸⁶
- 230** On 2 June 2020, six members of *Pinagkaisang Samahan ng mga Tsuper at Operator Nationwide* (PISTON), a union for jeepney drivers and operators, were arrested by the Northern Police District for failing to practice physical distancing during a protest and for supposedly resisting authorities. Four (4) were freed on 8 June 2020 after posting bail, while 72-year-old Elmer Cordero remained in jail.²⁹⁴ Presidential spokesperson Harry Roque noted that regardless of age, Cordero’s case will undergo due process.²⁸⁷

284 For the complete details, see (2020). Report on the Human Rights Situation of the Disadvantaged, Marginalized and Vulnerable Sectors in CALABARZON (January-June 2020). San Pablo City: CHR Regional Office IV – CALABARZON

285 Human Rights Regional Situationer Report January to June 2020. San Fernando City: CHR Regional Office III.

286 (2020). Human Rights Regional Situationer Report January to June 2020. San Fernando City: CHR Regional Office III.

287 Aguilar, K. “Palace on jailed 72-year-old driver: Charges must be faced ‘regardless of age,’” *Inquirer.net*, 9 June 2020, available at <https://newsinfo.inquirer.net/1288601/palace-on-jailed-72-year-old-driver-charges-must-be-faced-regardless-of-age>, accessed 9 June 2020

- 231** In August, the House of Representatives conducted hearings on the death penalty. Congressman Ruffy Biazon asked the Committee on Justice to exclude his death penalty bill from the agenda because the discussion on the matter is an “unnecessary distraction” in this pandemic. In reiterating its stand against the death penalty, the presented the arguments on why the Philippines should not reintroduce capital punishment. The CHR maintains that there is no compelling reason to reintroduce the death penalty as it is an ineffective deterrent to crime. There will be repercussions should the death penalty be reinstated.
- 232** With the international treaties that we have signed, particularly the International Covenant on Civil and Political Rights and the Second Optional Protocol aiming at the Abolition of the Death Penalty, the reinstatement of the death penalty will amount to a serious breach in international law which will not only affect our economy, but also our dealings with international community.
- 233** Difficulties include enforcing extradition treaties with transnational organized crimes, most especially drug trafficking. Death Penalty will create significant barriers to international law enforcement mechanisms such as extradition, mutual legal assistance and agency-to-agency cooperation, particularly for those countries. This may cause the withdrawal of the benefits the Philippines enjoys under the Generalized Scheme of Preferences Plus, which is a trade agreement that it has signed with the European Union. Under this scheme, selected Philippine products that are exported to the EU will enjoy a zero tariff benefit. Previous reports of the assessment of the GSP+ has stated that re-introduction of the death penalty would be a major step backwards and raise questions regarding the Philippines’ international commitments. The EU reiterated this in the most recent assessment released in February 2020.



- 234** In the Joint Report to the European Parliament and Council (2020), ‘preserved tuna’ is highlighted as a product which has particularly benefited from the growth in Philippine exports to the EU market under GSP+. Preparations of food and fish comprised around 12.5% of Philippine GSP exports to the European Union. If the Philippines loses its GSP+ status, tuna exporters would be required to pay 20.5% tariffs. In 2018, the EU imported around €1.9 billion worth of Philippine products under the GSP trade preference. We have not just lost lives during this pandemic. We have lost jobs, businesses, money, and more.²⁸⁸

289 290

- 235** On 10 October 2020, the CHR again released a statement on the 18th World Day against Death Penalty and reiterated its stance in keeping the country death-penalty-free. It stressed that most people who face the death penalty are poor, with no access to competent lawyers or to a decent education that will empower them about their rights. The CHR also cited the 71.77% error rate in imposing death penalty as recognized by the Supreme Court through *People V. Mateo*.²⁹¹

Right to Security During the COVID-19 Pandemic

- 236** In the Municipality of Mabini, Davao de Oro, despite the looming threat of the virus in March 2020, a total of fifty (50) families or two hundred fifty (250) individuals were forced to leave their homes due to the sound of gunfire and bombs in their community last 18

OPINION ON WHETHER COVID-19 POLICIES ARE REASONABLE OR NOT, PHILIPPINES, SEP 2020				
	<u>Reasonable</u>	<u>Undecided</u>	<u>Unreasonable</u>	<u>Net*</u>
Conducting lockdowns in barangays or areas with high numbers of COVID-19 cases	94%	4%	3%	+91
Conducting house-to-house visits by health workers to find out who among the residents are infected with COVID-19 in the barangay	91	4	5	+87
Imposing fine for people who do not wear a face mask when they go out of the house	81	4	15	+66
Putting barriers between drivers and passengers in motorcycle riders	58	8	33	+25

*Net figures (% Reasonable minus % Unreasonable), correctly rounded. Don't know and Non-responses are not shown.

SOCIAL WEATHER STATIONS Founded 1985 Statistics for Advocacy

National End-of-Project Survey on Human Rights September 25-30, 2020 National Survey

- 288 Galvez, D. (2020, August 5). CHR: No ‘compelling reason’ to revive death penalty. Retrieved from <https://newsinfo.inquirer.net/1317149/chr-no-compelling-reason-to-revive-death-penalty>.
- 289 Commission on Human Rights (2020). In Defense of the Right to Life: International Law and Death Penalty in the Philippines. Retrieved from <https://www.righttolife.ph.archive/resources/2020>.
- 290 House of Representatives. (2020, August 5). COMMITTEE ON JUSTICE AGENDA: Regular Meeting of the Committee on Justice on the Bills Imposing the Death Penalty for Heinous Crimes. Retrieved from <https://fb.watch/4ewayCeE98/>.
- 291 See <http://chr.gov.ph/statement-of-chr-commissioner-karen-s-gomez-dumpit-focal-commissioner-on-anti-death-penalty-on-the-18th-world-day-against-death-penalty/>.

March 2020. Some of them sought refuge in health centers, while others sought shelter with their relatives in *Barangays* Poblacion and Cabuyuan. It was reported that the incident had already stopped the following day and the IDPs returned to their respective homes. The local government provided support to the affected families.²⁹²

- 237** In *Barangay* Malabog, Paquibato District, Davao City, an armed encounter occurred on 22 April 2020. The encounter resulted in the displacement of 47 families belonging to the Ata Tribe of Sitio Taloytoy. The IDPs stayed at the tribal center for one week and were provided with rice, among others. There were no reports of missing persons. The IDPs returned to their homes after a week.²⁹³

Passage of Anti-Terrorism Law

- 238** The Anti-Terrorism Act of 2020 is a law that seeks to prevent, prohibit, and penalize terrorism in the Philippines. Many claim that it has questionable provisions in that it defines terrorism in overly broad terms, allows for a longer period of detention without a warrant of arrest or judicial intervention, and sanctions the surveillance of suspected terrorists, among others. Even before it was signed into law by President Rodrigo Duterte, numerous groups have expressed concerns over certain provisions of



the law. A lot are concerned in the provision of the said law. Upon its enactment into law, it was swiftly met with opposition and petitions questioned its constitutionality before the Supreme Court. The petitioners challenged provisions that are deemed to violate human rights such as freedom of assembly, freedom of expression, right to privacy, and many others. This law could affect human rights. There were 37 Petitions filed in the Supreme Court indicating the widespread opposition to the said law.²⁹⁴

- 239** The CHR took a stand on the constitutionality of Republic Act No. 11479, otherwise known as the Anti-Terrorism Act of 2020, which repealed the Human Security Act of 2007. By filing a Brief of *Amicus Curiae*, with leave of court before the Supreme Court, the CHR expressed its views as to the unconstitutionality of the law and its non-conformity with international human rights principles. Among others, the brief argued that the law violates the right to freedom of expression and opinion, the right to due process, and the right to presumption of innocence. For instance, by having a vague and unclear definition of terrorism, the law adversely affects the right to due process in that the people are not

²⁹² See <https://pia.gov.ph/news/articles/1036569>.

²⁹³ Human Rights Regional Situationer Report January to June 2020. San Fernando City: CHR Regional Office III.

²⁹⁴ Beltran, M. (2021, February 4). Battle Over Anti-Terror Law Opens at the Philippines' Top Court. Retrieved from The Diplomat: <https://thediplomat.com/2021/02/battle-over-anti-terror-law-opens-at-the-philippines-top-court/>.

duly and precisely informed of the conduct to be avoided and the vague definition could encompass and implicate other protected human rights and fundamental freedoms. The CHR believes that the fight against terrorism should be in line with and incorporate human rights principles. The *amicus* brief had been duly noted by the Supreme Court.

- 240** Hearings on the petitions were delayed due to the pandemic as there were court personnel including a Justice and a lawyer for the Office of the Solicitor General (OSG) who tested positive for COVID-19. The attendees to the hearing were 1 or two lawyers per petitioner, except for the OSG who allowed 3 lawyers to assist the SolGen. In the meantime, no Temporary Restraining Order (TRO) was issued by the Supreme Court (SC) to maintain the status quo and defer the effectivity of the Anti-Terror Law.

Right to Information During the COVID-19 Pandemic

- 241** There were reports indicating that some members of IDP communities believe that COVID-19 is a hoax. The government must continue its efforts in ensuring that people, especially those in far-flung areas, are fully informed of the dangers of the COVID-19 pandemic. More importantly, the LGUs must ensure that they take effective measures in raising awareness among their communities and IDP sites. Most of the time, IDP sites are cramped with no adequate WASH facilities to support good hygiene practices, and no partitions or barriers that are required for social distancing. Thus, IDPs are more at risk of contracting the virus and must be informed about the ongoing pandemic.²⁹⁵
- 242** Information is vital in determining access to health during a pandemic. In some areas, there was no information received, such as in Davao where it was found that members of the *Matigsalug* tribe have no knowledge about the gravity of COVID-19, based on the feedback gathered on the ground by the CHR Regional XI Office.
- 243** On 30 January 2020, the Department of Health (DOH), in its Memorandum Circular 2020-0006, provided for the reporting and information dissemination protocol in response to the novel coronavirus (2019-nCoV health event).²⁹⁶
- 244** DOH's strategic communication on 11 May 2020 includes the release of information materials focused on providing updates on COVID-19 and promoting vigilance, solidarity, and preparedness amid the outbreak. The DOH also maintains the COVID-19 tracker online and DOH data drop on its website, as well as releases daily Beat COVID-19 situation reports for public consumption.²⁹⁷
- 245** The Presidential Communications Operations Office (PCOO) on 21 March 2020 launched its COVID-19 virtual portal to serve as a one-stop source for the public to find out the latest about COVID-19.²⁹⁸
- 246** Many LGUs, through their local information offices, use social media platforms, particularly Facebook, to disseminate information among their constituents about COVID-19. Some

²⁹⁵ Reference: Internally Displaced Persons Protection Assessment Report (IDPPAR) Forced Displacement in Guindulungan and Talayan Municipalities, Maguindanao Province due to family feud accessed from <http://www.protectionclusterphilippines.org/wp-content/uploads/2020/11/IDPPAR-no.-21-Clan-Feud-in-Talayan-Maguindanao-Issue-no.pdf>

²⁹⁶ Department of Health, Providing for the Reporting and Information Dissemination Protocol in Response to the Novel Coronavirus (2019-nCoV) Health Event, Memorandum Circular No. 6, s. of 2020, available at <https://www.doh.gov.ph/sites/default/files/health-update/COVID-19-Advisory-No4.pdf>, accessed 25 June 2020.

²⁹⁷ National Disaster Risk and Reduction and Management Council, National Task Force Coronavirus Disease-2019

²⁹⁸ Presidential Communications Office, COVID-19 Updates, available at <https://www.covid19.gov.ph/>, accessed 25 June 2020.

LGUs tied up with private telecommunications provider SMART Communications to use a web-based SMS platform to send out updates via text broadcasts to keep their residents informed about the pandemic situation.²⁹⁹

- 247** Several key developments were observed by the CHR as having an impact on the ability of the members of the populace to receive timely information on COVID-19.



- 248** The Telegram (TG) StratComm is part of the IATF National Task Force (NTF) expanded organization that produces and distributes content such as risk communications, current operations, private media relations and news monitoring, trend tracking, and analysis. The TG StratComm continuously disseminates information materials with “*Bayanihan*, we heal as one, solidarity” as its main message. These materials are distributed through multimedia platforms such as broadcast news, press releases, radio plugs, news and feature reports, photo releases, among others. Below is the summary of materials released by PCOO and its attached agencies:³⁰⁰

Materials released/shared (24 March–10 May 2020)	No. of Materials Released
Broadcast news	20,252
Live broadcast interviews	4,788
Informational videos	12,924
Radio plugs	182
Public service announcements (PNA and PIA)	6,034
News and feature reports	28,771
Photo releases	20,263
Social media cards and infographics	24,299
Balita Central digital tabloid	35
Townhall meeting with PIOs	12
Kwentuhan with OFWs	6,665

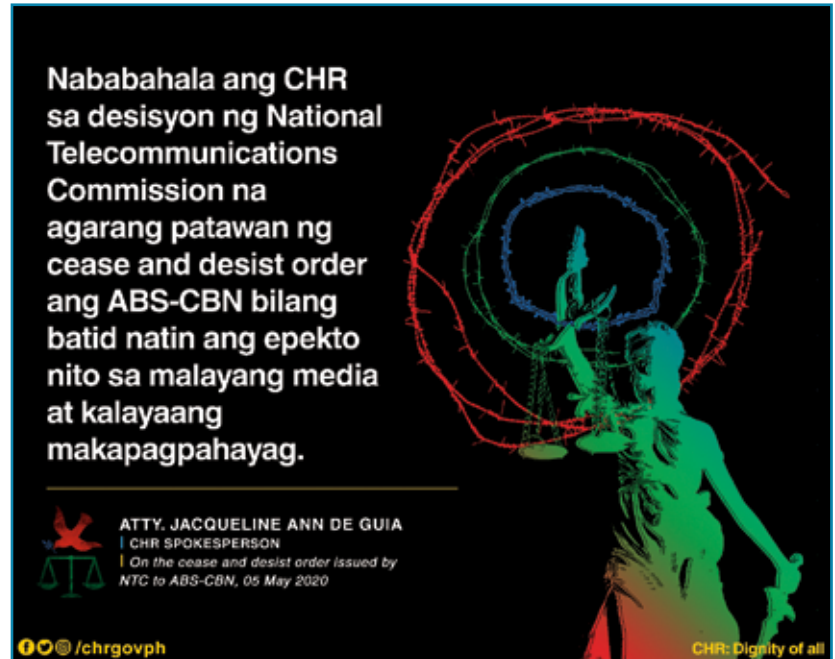
Source: PCOO

- 249** The NTF COVID-19 is directed to develop necessary operational plans to mitigate and contain the transmission of COVID-19, and to mobilize the provision of basic necessities

299 SMART, LGUs expand COVID-19 info dissemination with Smart Infocast, available at <https://smart.com.ph/About/newsroom/press-releases/2020/04/29/lgus-expand-COVID-19-info-dissemination-with-smart-infocast>, accessed 25 June 2020.

300 National Disaster Risk and Reduction and Management Council, National Task Force Coronavirus Disease-2019 Situational Report No. 173, 21 September 2020, available at http://www.ndrrmc.gov.ph/attachments/article/4036/National_Task_force_CORONAVIRUS_Disease_2019_issued_on_21September2020.pdf, accessed 22 September 2020.

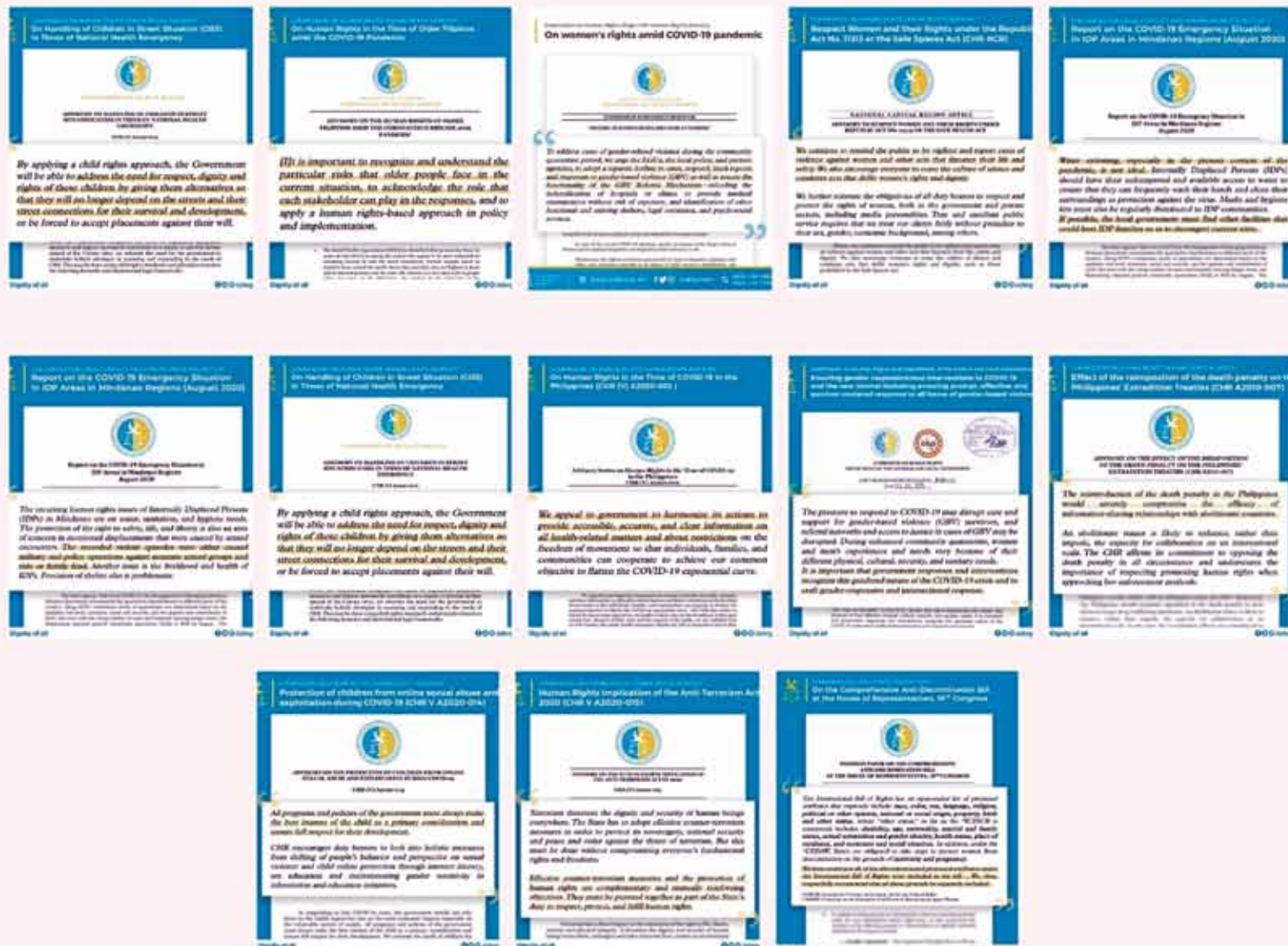
to sectors adversely affected by the Enhanced Community Quarantine. The NTF COVID-19 communications group also supports the TG Stratcomm through the distribution of press releases, news features, and photo releases on daily operations of the NTF COVID-19 and the NIC-EOC. These are continuously being widely distributed via NTF covid-19 accounts on Facebook, Twitter, and Instagram.³⁰¹



- 250** While State information networks have undertaken numerous information dissemination activities with regard to Covid-19, it should also be noted that these had taken place when allies of the administration in the House of Representatives prevented the renewal of the ABS-CBN franchise.
- 251** The CHR notes the denial of the ABS-CBN franchise resulting in the loss of thousands of jobs and loss of a major network greatly affecting the far-flung areas.

301 Ibid.

POLICY ADVISORIES ON HUMAN RIGHTS AMIDST COVID-19



OUR VISION

A just and humane Philippine society of persons equal in opportunity, living a life of dignity, and forever vigilant against abuses and oppression.

Recommendations

- 252** In line with this Human Rights National Situation Report, the CHR submits the following recommendations to respective government agencies and instrumentalities for the protection and fulfillment of Filipino people's human rights:
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To the Department of Health

- 253** Ensure that testing kits are available, preferably free of charge, especially to the most vulnerable. In times when supplies are scarce, the most vulnerable should be prioritized for testing. Specify the most vulnerable through the Department of Health's testing protocols. Strictly implement the protocols to ensure that available kits are optimized while waiting for delivery of additional supply.
- 254** Provide sufficient essential PPEs, such as face masks, hazard suits, disinfectant solutions, and thermal scanners. Prioritize supplies for the health care personnel, law enforcement personnel in the quarantine checkpoints, those directly attending to the public and others most vulnerable to being infected by this highly transmissible disease. Coordinate closely with the private sector to assist in the production or procurement of these PPEs and ensure supply, availability, and access. Prioritize the release of those bought or donated from other countries, private individuals, groups, or organizations. Enjoin the cooperation of industries or direct the public sector to produce PPEs for the use of the public, subject to just compensation, as the Constitution and the laws of the Philippines will allow.
- 255** Emphasize the need to make water available for all at all times, most especially for hygiene, including safe handwashing, which is the most effective way of preventing the spread of the disease. Collaboration with water utilities to ensure clean water is available and accessible to all.
- 256** Provide, in coordination with civil society and the private sector, safe and clean water and sanitation facilities that are physically accessible throughout the country. Install handwashing and sanitation stations in central locations in the community.
- 257** Establish emergency and critical care triage capacities as a special measure to augment backlogs in facilities. Coordinate with public health experts to facilitate this capacity concern with the objective of easing the overburdened and burned-out health workers.
- 258** Provide full financial and/or medical benefits to frontline health workers that will cater to their or their families' needs, especially in circumstances where they become afflicted by COVID-19 or any other occupational hazard. Reconsider the national budget allocation for the health sector and review the system of health protection towards the achievement of equal access to the best quality of health services. Include the right to a system of health protection, which provides equality of opportunity for all to enjoy the highest attainable level of health.
- 259** Ensure, on its own or in coordination with the private sector, that those who have fallen ill, persons under investigation, and persons under monitoring, be provided access to medical services.

- 260** Give unimpeded access to food and other essential goods through checkpoints and their delivery be exempted from curfews. Extend the same accommodation to people gathering or buying food and other essential goods. Deliver food, essential goods, and/or money to people, subject to prioritization of those without regular sources of income. Continue to perform the private and business sectors' role in this accessibility issue.
- 261** Have a transparent and accountable scheme of prioritization for testing and treatment. Those who have been previously identified by health authorities under strict testing protocols which states that only those who show COVID-19 symptoms are tested should be strictly followed. Mass testing for specific vulnerable groups may be considered for a later time when sufficient supplies have been obtained.
- 262** Emphasize the right to access correct and accurate information during this pandemic. Correct those who propagate inaccurate, false, or misleading information. Provide accurate and proper information in multimedia, online and offline spaces.
- 263** Translate information in simple, understandable messages targeting specific groups for broader information accessibility, such as persons with disabilities, particularly the deaf through sign language interpretation.
- 264** Establish and enable feedback channels so that government authorities are informed of issues that impede service delivery and proper attention is given to underserved constituents in localities, among other implementation concerns.
- 265** Provide a nuanced and sensitive medical intervention as widely as possible for people who are in need of care and/or treatment who may belong to cultural communities, minorities, or who are members of a particular age and gender group. Consider peculiarities restrictions based on religion, medical, and personal preferences.
- 266** Make the names of the persons afflicted with the disease confidential. Remind the public that they are not at liberty to disclose confidential information, unless necessary or required by competent authorities or was given consent to do so by the afflicted persons themselves.
- 267** Ask Congress to allot adequate resources for the health sector to ensure quality health care, as well as for the government to possibly partner with civil society, businesses, and other countries for the provision of quality health care, especially during this time.
- 268** Address the shortage of testing kits and target mass testing. Take all available measures, such as availing of the cheaper test kits developed by experts from the Philippine Genome Center and the National Institute of Health of the University of the Philippines-Manila and establish or accredit more testing centers. Ensure that these services are accessible to indigenous communities.
- 269** Ensure that all health services by the DOH and LGUs, in relation to the COVID-19, must be made equally accessible to all without distinction, exclusion, restriction or preference. Ensure that the highest attainable standard of health services is delivered to them and assist LGUs to set-up COVID-19-ready health facilities, like health centers or mobile clinics or telehealth services and quarantine areas in Geographically Isolated and Disadvantaged Areas (GIDA) in anticipation of COVID-19 cases.
- 270** Coordinate with DPWH and LGUs in removing obstacles and barriers to accessibility in healthcare facilities.

- 271** Ensure that adequate and appropriate guidance to frontline workers are available. Appeal to the WHO to prioritize the needs of older persons in response to the health situation and to issue appropriate guidelines for health care and social protection, give advice to older people themselves and their families on how to manage infection risks, deal with symptoms, and mitigate wider issues such as depression. Include intersectional approaches that recognize multiple risk factors for discrimination, including disability, gender, and age. Continue the prioritization of older persons in testing.
- 272** Work with non-government organizations (NGO) in developing national guidelines based on the standards from the WHO.
- 273** Combat ageist policies and ensure that health interventions are non-discriminatory.
- 274** Make available and accessible health care facilities, goods, and services in sufficient quantity. Ensure that PWDs, women, children, PDLs and older persons have the means necessary to maintain their health care needs, including the procurement of adequate supply of prescription medication and vitamins, as well as the transportation to go to hospitals and other health facilities. Ensure that those living alone, with disability, and/or with poor health conditions are provided with hygiene kits, including masks, alcohol, and disinfectants free of charge.
- 275** Intensify information dissemination efforts targeted to older people, especially since they are among the most vulnerable ones in this pandemic.
- 276** Provide crisis intervention services for mental health and psychological support, maximizing the use of ICT tools.
- 277** Provide continuous access to essential health care services to all IDPs, particularly to those suspected and confirmed cases of COVID-19. When possible, testing must be readily available, with testing facilities located near IDP sites, for rapid diagnosis and immediate isolation. Distribute vitamins, supplements, and medications to each household in all IDP sites. Conduct a site-specific epidemiological risk assessment of the IDP camps, in partnership with relevant stakeholders, to determine the risk of COVID-19 propagation and introduction. Ensure that living arrangements in IDP camps and evacuation centers are in conformity with COVID-19 readiness and response measures for the general population. Provide access to clean water and handwashing facilities in all IDP sites given that proper hygiene and effective handwashing are critical practices in preventing the transmission of COVID-19.
- 278** Designate disinfectant areas in IDP sites. Likewise, provide them with personal hygiene kits, such as alcohol, sanitizers, and face masks. Provide displaced persons access to effective, safe, timely, and quality health services.
- 279** Include psychological support in the health services to be provided by the government and non-government agencies, due to the high stress environment and the traumatic events that displaced persons may have experienced, coupled with the anxiety and depression that could be caused by quarantine procedures. Create coordination and referral pathways to manage psychosocial health cases.
- 280** Expand healthcare coverage of PhilHealth benefit packages to protect Filipinos from financial risk.

- 281** Information materials on COVID should also be child friendly/sensitive or easier to be understood by children.
- 282** Ensure that PDLs are included in the National Action Plan for COVID-19 in addressing the current health crisis.
- 283** Ensure that PDLs enjoy the same standards of health care that are available outside prisons or jails, without discrimination. During disease outbreaks like the Covid-19 pandemic, PDLs should not be given healthcare services inferior to those given in the wider community. Similar quality of health services concerning COVID-19 must be provided.
- 284** The CHR calls for the promotion and protection of the right of indigenous peoples to physical and mental health. Indigenous women, especially, must be provided with full access to maternal and child care and nutrition services. As much as possible, they must have access to these and all other services in their own language.
- 285** The CHR calls for justice on the assaults committed against the members of the medical sector and urges everyone to help in stopping the violence and discrimination against them, and instead, support and defend them from any harm they might receive.
- 286** In its advisory, the CHR calls on the government to: (1) make available and accessible health care facilities, goods, and services in sufficient quantity; (2) provide crisis intervention services for mental health and psychological support including the use of ICT tools; (3) continue the prioritization of older persons in testing, combat ageist policies and ensure health interventions are nondiscriminatory; (4) intensify information dissemination efforts targeted to older people; (5) ensure adequate and appropriate food relief; (6) ensure access to safe water, sanitation, and hygienic conditions (WASH); (7) adopt policy measures to buffer the economic impact of COVID-19 on older workers in the informal sector and other poor older persons; (8) expedite the distribution of social pension through alternative modes; and, (9) ensure inclusion of older persons in the Emergency Subsidy Program and avoid sweeping and overly broad restrictions on movement.

To the Department of Social Welfare and Development

- 287** Develop a mechanism for reaching out to and handling Children in Street Situation (CISS) during the State of a national health emergency. Put a standard process every time a child is rescued on the streets while the enhanced community quarantine is in effect. Establish and adopt mechanisms for monitoring, and reporting violence, discrimination, exploitation and other forms of child abuse; and hold perpetrators accountable for these violations.
- 288** Provide temporary shelter for CISS and their families. The preservation of the lives of the children and their families is the utmost consideration. Prevent the use of police lock-up or other detention cells to accommodate children owing to lack of alternative care facilities.
- 289** Deputize the Local Council for the Protection of Children (LCPC) to handle CISS. LCPC members may assist in convincing children to be rescued and temporarily reside at shelters during the period of community quarantine.
- 290** Establish gender and child-sensitive responses, especially for children in street situations, who are particularly vulnerable to sexual violence and exploitation.

- 291** Ensure access to health services for children, including access to free basic health care services, and sexual and reproductive health services.
- 292** Extend support to parents and caregivers. Take appropriate measures to assist parents and legal guardians in fulfilling the rights of children under their care and custody with regard to nutrition, clothing, housing, medical care, and emotional – psychological care, and education.
- 293** To continue to ensure that *Pantawid Pamilyang Pilipino Program* (4Ps) include ICC/IPs households as the list is being utilized for the social amelioration program under RA 11469 and to undertake close monitoring in targeted indigenous communities, to ensure that the cash and other benefits will reach the targeted ICC/IP beneficiaries.
- 294** Adopt policy measures to buffer the economic impact of COVID-19 to older workers in the informal sector and other poor, vulnerable sectors. DSWD and LGUs should provide cash assistance or subsidy to older workers in the informal economy and other poor, older persons. Prioritize older persons living alone, with disabilities, and poor in the distribution of food and other basic needs assistance. Further, distribution methods should ensure the safety of vulnerable sectors, especially of PWDs and older persons, from the risks of contracting the disease.
- 295** In coordination with the Juvenile Justice and Welfare Council (JJWC) formulate policy measures and mechanisms that would closely monitor the operation and psychosocial programs offered in all the *Bahay Pag-Asa* facilities managed by the LGUs all over the country transforming their image from a juvenile detention facility to a reform and rehabilitation center. Standards set forth in the Implementing Rules and Regulations of RA 10630 amending RA 9344 otherwise known as the Juvenile Justice and Welfare Act should be strictly adhered to by local governments and provided corresponding budgetary allocation for its operation.
- 296** Expedite the distribution of social pension through alternative modes. Expedite this process and ensure quality service delivery of pension to target beneficiaries immediately.
- 297** Ensure that PWDs, older persons and other vulnerable sectors are beneficiaries of pension or not, in the social amelioration program.
- 298** Establish standards consistent with International Humanitarian Law (IHL) on the provision of food and in-kind items, and implement the provision of protection services to displaced persons, even in times of public health emergencies.
- 299** Review, and if possible, adopt the best practices of other countries in addressing the COVID-19 pandemic, particularly on mass testing, provision of regular social services for affected groups, use of information in crafting policies related to outbreak response, coordination, and preparedness that consider the vulnerabilities of IDP communities.
- 300** Ensure that all IDPs are included in all COVID-19 outbreak readiness and response strategies.
- 301** Provide unhampered access to humanitarian assistance for IDPs and all in-kind support to IDPs with consideration to the health and safety of both IDPs and service providers.

- 302** Provide food assistance, particularly for IDPs who are minimum wage earners, such as laborers, vendors, pedicab drivers, carpenters, those who are in the informal sector, and others who have no capacity to earn a living.
- 303** Discourage humanitarian actors from conducting on-site monitoring activities in IDP sites. This is in line with the “Do No Harm” principle, as the physical presence of humanitarian actors in IDP communities can spread the virus should such actors be virus carriers. Should there be a pressing need for on-site monitoring, humanitarian actors should use protective clothing and equipment to make sure that viruses will not be transmitted to the IDPs, or vice versa.
- 304** Provide access to sufficient, safe, acceptable, physically accessible, and affordable water for personal and domestic use, and safe sanitation facilities.
- 305** Provide timely, important, and easy to understand information regarding relief assistance, safety and security, and other humanitarian concerns.

To the Philippine Overseas Employment Administration and the Overseas Workers Welfare Administration

- 306** Ensure that our migrant workers abroad or in the country have full access to health care systems, essential goods and services, cash grants or financial assistance, and mental health and psycho-social support services.
- 307** Ensure access of OFWs to communication with their families and provide the necessary financial assistance to the families of displaced OFWs.
- 308** Arrange transportation services for OFWs who are still stranded in their receiving countries. All OFWs should be duly informed of all the government support services available and must be guided on how to avail of such services.
- 309** The CHR sends its deepest condolences to those who have lost their OFW family members to COVID-19 and extends its solidarity to our migrants and OFWs who are stranded far away from home, and those who have been repatriated to the Philippines, and the members of their families. The CHR lauds the initiatives made by various government agencies, including the DFA, the OWWA, and the DOLE, including the Philippine Embassies and Consulates General, to address the concerns of our migrants and their families.

To the National Disaster Risk and Reduction Management Council

- 310** The recent typhoons exacerbated the situation of IDPs in the country. These typhoons greatly affected the lives of people, especially those who live in the severely affected areas. These disasters pushed people to evacuate and/or leave their homes in search of a safer abode. In its statement, the CHR emphasizes the importance of support and intervention of the national and local governments in the swift and urgent delivery of services for displaced families. Responders must also take into account the risks posed by the pandemic. The CHR underscores the need for the government’s urgent humanitarian response in ensuring the protection and promotion of rights of IDPs. Displaced communities must not be left behind in this time of vulnerability.

To the Department of Public Works and Highways

- 311** The CHR emphasizes the point that once the situation stabilizes, evacuees should be assisted to relocate and begin the process of recovery.

To the National Council of Disability Affairs

- 312** Ensure that persons with disabilities have access to timely information about COVID-19, health protocols, and other government programs.
- 313** Coordinate with concerned government agencies in relation to promoting the physical and mental well-being of everyone in the sector.
- 314** Monitor the sector's issues concerning access to health services and programs and refer to the proper authorities.
- 315** Provide policy recommendations to Congress and national government agencies highlighting the rights and various needs of persons with disabilities especially during a pandemic.

To the National Commission on Indigenous Peoples

- 316** Considering the historic vulnerability and marginalization of Indigenous Peoples in the Philippines, the NCIP must ensure that IP communities are not left behind in benefiting from the state's response to COVID-19 particularly under the ongoing vaccination program.
- 317** Lobby and negotiate with the National Food Authority and local government units for the purchase of IP crops for food packs being distributed to affected daily wage earners and other vulnerable groups during the entire duration of the community quarantine.
- 318** Address issues of local government units not acknowledging the presence of duly elected IPMRs and allegations of not being given their full honorarium.
- 319** Establish pathways of assistance for ICC/ IP through their Indigenous Peoples Mandatory Representatives (IPMRs) and/or community-recognized ICC/IP leaders in the *barangay*/ municipality/province/city. The lack of identification documents must not be a barrier for members of ICCs/IPs to access socio-economic assistance and health services from LGUs, especially during this public emergency.
- 320** Mobilize all personnel, especially those in the provincial offices and community service centers, all IPMRs and community-recognized ICC/IP leaders or elders, to closely monitor the situation in indigenous communities and facilitate assistance by concerned LGUs and concerned national agencies when needed by ICCs/IPs.
- 321** Strengthen data sharing agreement among to share existing database of IPs/ICCs beneficiaries to concerned national government agencies.
- 322** The CHR calls upon the National Commission on Indigenous People to vigorously perform its mandate of protecting the interests of Lumad from land grabbing, illegal mining

and dislocation. Regarding business-induced displacement, the National Commission on Indigenous People must ensure that the conduct of securing Free, Prior and Informed Consent is transparent and inclusive, done with leaders chosen by the indigenous peoples themselves. Compelling and overriding public interest must be established before business projects that will cause displacement is allowed.

- 323** The CHR urges the National Commission on Indigenous People, and other agencies relating to indigenous peoples' rights, as well as civil society organizations, to closely monitor and intervene in the areas of Talaingod and Kapalong, Compostela Valley, Surigao, Bukidnon, and Upi, Maguindanao, including other areas of armed conflict, in ensuring the protection of indigenous peoples in their ancestral lands.
- 324** The CHR calls for the review of the Indigenous Peoples' Rights Act, with the view of strengthening and capacitating the National Commission on Indigenous People and, perhaps, elevating it to the status of an independent commission, so it can fully perform its mandate.
- 325** The CHR calls for the creation of an Inter-Agency Monitoring Group on the Human Rights Situation of Indigenous Peoples, including those of the Lumad, to facilitate immediate responses to issues concerning indigenous peoples' rights, including causes of conflict related to indigenous people ancestral domains, such as mineral extraction, logging and agro-industrial businesses. The participation of civil society organizations in this mechanism is highly encouraged.
- 326** Even as it recognizes the nobility in fighting for the rights of indigenous peoples, the CHR urges the organizers behind the Haran encampment to seriously examine their policies and methods, especially those that have led to transgressions of Lumad rights. The CHR views with serious concern the case of Lito Lundia and other members of his tribe, lured under false pretenses to Haran, and prevented from returning to their ancestral homes, despite already having expressed their strong desire or demand to be allowed to leave. Also, the humanitarian conditions that the indigenous peoples were made to endure inside the compound by the managers thereof, when help and facilities were offered to alleviate their situation, must give pause to the handlers of Haran to review their policies, system, and procedures, among others.
- 327** The CHR calls on the government to be mindful of the Constitutional guarantee of recognition and promotion of the rights of indigenous cultural communities within the framework of national unity and development by creating genuine programs toward preserving their culture, traditions, and institutions. It should endeavor to protect not only the indigenous peoples' civil and political rights, but also their economic, social, and cultural rights.
- 328** The CHR especially calls on the government to be more proactive in protecting the rights of indigenous peoples to their ancestral lands. In this regard, the CHR calls on the government to facilitate the speedy issuance of Certificates of Ancestral Domain Titles and genuine implementation of the Ancestral Domain Sustainable Development and Protection Plan, in recognition of the struggle of the indigenous peoples for social justice, and to review issuances and orders related to ancestral lands to ensure that indigenous peoples' rights over them are protected.
- 329** Although some individual members of indigenous cultural communities may have committed themselves to partisan causes, the Lumad must be encouraged to dialogue and resolve conflict among themselves, using their own indigenous cultural mechanisms

for building peace, without interference from outside forces. Dialogues should result in, among others, an acknowledgment of the universality of human rights, that indigenous cultural communities must be regarded by all parties as neutral, that ancestral domains are zones of peace, and that achieving transitional justice for the Lumad and other indigenous communities can be achieved by the commitment of all to attain peace through peaceful means.

To the Department of Education and Commission on Higher Education

- 330** Offer education and formation programs. While staying at the shelter, aside from the provision of food and lodging, children in street situations (CISS) must be given access to an education program that includes lessons on proper hygiene, values formation, life skills, and other structured learning activities that could build their character to be more responsible children and citizens.
- 331** Improve internet accessibility especially for the marginalized sectors such as the poor and the Indigenous peoples.
- 332** Tap NGOs, CSOs and well-meaning individuals in their locality that can assist them in running such undertakings.
- 333** Require distance learning in the curriculum of teaching education institutions.
- 334** Equip schools, teachers, school staff, and students with the necessary online resources and digital tools to ensure continuity of learning even during the COVID-19 pandemic.
- 335** Capacitate teachers in using online and digital platforms to maximize remote learning.
- 336** Promote inclusive education and provide the various requirements for learning of persons with disabilities.
- 337** Prepare a plan for the resumption of face-to-face classes in schools with due consideration to health protocols in the “new normal.”
- 338** Provide teachers, school staff, and students with mental health/psychosocial support.
- 339** For DepEd to come-up with mechanisms/structures to ensure the quality and correctness of learning module contents.
- 340** The Commission urges the Department of Education to create a special, comprehensive program addressing the need of indigenous children to education appropriate to their culture. Beyond this, they must also be provided access, without discrimination, to all institutions of learning of the State.
- 341** The CHR recognizes the government’s efforts to improve its mental health programs and services before the pandemic through the launch of a multi-sectoral approach for mental health with programs and interventions for workplaces, schools, and communities targeting high-risk groups. It also lauded the positive development in recent years in ensuring the protection of mental health. The Commission also lauded the medical frontliners, including psychiatrists and counselors, for tirelessly working to bring comfort to those who suffer, and the actions taken by the Department of Education (DepEd) to limit screen time for

students who will attend online distance learning (ODL) to prevent stress and burn-out, and called upon the general public to learn how to carry each other's burden as we fight this pandemic.

- 342** In one note, however, the CHR raises a concern that some modules on Media and Information Literacy provided by DepEd discourage students from participating in peaceful assemblies. The CHR points out that it is important to develop critical thinking among our students citing the constitutional guarantees of freedom of speech, expression to peacefully assemble and to petition in the government for redress of grievances.

To the Department of Interior and Local Government

- 343** Ensure that stronger measures for exacting accountability of local officials and PNP personnel who were involved in the maltreatment of quarantine violators are put in place and consistently implemented.
- 344** Closely monitor all LGUs to ensure that they deliver all the needed socio-economic assistance and health service during the health crisis and shall not discriminate against ICCs/IPs, older persons, women and children in gender-based violence situations, human rights defenders among others.
- 345** Develop specific protocols that would address the needs of IDPs, i.e., securing permits from the host *barangay*/municipality for their movement when they need to buy necessities.
- 346** Provide orientation for IDPs on the regulations of any community quarantine or living amidst lack of mobility. Inform IDPs of curfew hours, when implemented.
- 347** Come up with identification processes wherein IDPs who lost their identity documents will be able to prove their identity. Local government units must also include IDPs in their distribution of quarantine passes. Displaced persons who lost their identity documents must be able to access legal documentation through the local civil registry.
- 348** As the Department in-charge of monitoring LGU compliance to different laws that affect them, the DILG is expected to likewise closely monitor the operation and management of the *Bahay Pag-Asa* for children in conflict with the law per RA 10630. It should work closely with the DSWD and JJWC to come up with policy measures, standards and monitoring tools consistent with the provisions of the IRR of RA 10630.
- 349** Advise LGUs to place fundamental human rights at the center of their response to the national health emergency. Repeal the issued oppressive curfew ordinances and the penalty clauses pertaining to the withholding of relief goods and cancellation of social benefits.

To the Department of Justice

- 350** Expedite and scale-up the review of alleged “*Nanlaban*” (resisted arrest) cases during police anti-drug operations to ensure that those that violate official regulations and laws are held accountable.
- 351** Work closely with the CHR to ensure prompt and timely data-sharing on cases that involve human rights violations.

- 352** Violators of ordinances, especially on health protocols, should be immediately released to avoid further exposure to COVID-19 virus. Prosecutors and law enforcers should work closely on this matter.

To the Judiciary

- 353** Under the State's responsibility to guarantee a) equality before the law, b) the presumption of innocence, c) the right to a fair and public trial by a competent and impartial tribunal, and d) the right to a speedy trial, the Commission recommends that the Judiciary:
- a** Develop jurisprudence that is in accord with international human rights obligations and adopt the principles espoused in the Declaration on Human Rights Defenders as part of the law of the land. This includes invalidating provisions of the Anti-Terrorism Act of 2020 that violates international human rights law.
 - b** Promulgate decisions that uphold the rights of HRDs;
 - c** Implement Rules of Procedure for Human Rights Violation Cases that provide for:
 - (i) Expedited procedural processes that facilitate the immediate disposition of human rights cases;
 - (ii) Immediate issuance of protective orders;
 - (iii) Limited appeals and allowable motions;
 - (iv) The speedy promulgation of judgments; and
 - (v) An effective mechanism for the execution of judgments.
 - d** Conduct continuous training and education programs for judges, court attorneys, court officers, and law practitioners on human rights and fundamental freedoms, including those specific to HRDs;
 - e** Set up a legal aid system for the support and protection of HRDs.
- 354** Immediate implementation of the Community Service Act (RA 11362) that allows community service in lieu of service in jail, as penalties for offenses punishable by arresto menor (one to 30 days imprisonment) and arresto mayor (one month and one day to six months imprisonment). RA 11362 was signed into law on 8 August 2019.

To the Department of Agriculture

- 355** Spearhead the purchase of products from ICC/IP communities to be sold in DA *Kadiwa* centers and other markets; and considering the size of lands owned by the indigenous communities, the DA should make their programs, such as the "Plant Plant Plant" Programs, IP-inclusive to make ancestral domains agriculturally productive even during the quarantine period. However, these programs should be aligned to the Ancestral Domain Sustainable Development and Protection Plans (ADSDPPs) of concerned indigenous communities or their community plans, in the absence of ADSDPPs.

- 356** Create mechanisms to guarantee that the farmers and fisherfolk get to sell their products at equitable prices and not resort to selling them below market value.
- 357** Strengthen policies that allow farmers and fisherfolk to continue farming during the ECQ.
- 358** Distribute aid with promptness, efficiency, and transparency to ensure that no farmer is left behind. Prioritizing their recovery is essential to food security and will redound to the entire community. To ensure their welfare in the long term, we must also do our part in mitigating the impact of climate change to address the major root of their suffering.
- 359** Consider buying the harvest, particularly of small-scale farmers and fisherfolk, to be used for the relief operations and mobile markets, not only in rural but urban communities as well. Work with LGUs, NGOs, CSOs, business sector and individuals in assisting farmers and fisherfolk in selling their produce.
- 360** The CHR, in its statement on 17 November 2020, recognizes the PHP2.2 billion assistance from the Department of Agriculture (DA) for severely affected farmers in Cagayan Valley or Region II. Considering the extent of damages, the CHR hopes that immediate cash and food aid are also provided to them to tide them over till the next harvest season. There is also a need to ensure accountability and conduct an investigation as to whether the unprecedented flooding could have been prevented and the people sufficiently warned of its extent. Farmers suffer compounding vulnerability due to typhoons, which mire them in increasing debt burdens and poverty.
- 361** The CHR commends the government for responding to the needs of vulnerable sectors for income support by providing financial assistance and social amelioration packages. However, the CHR reminded the government that it must ensure these social protection schemes are adequate and accessible to the agricultural sector. All local government units should allow the sector's access to their farms and municipal waters and allow unhampered access to the distribution of their products.

To the Office of the Ombudsman

- 362** The Commission calls on the government, through the Office of the Ombudsman, to seriously investigate all other government officials implicated or complicit in violations of human rights, especially of indigenous people – such as the facilitation and granting of illegal permits and licenses to private parties to operate within ancestral domains without the proper Free, Prior and Informed Consent – and bring them to justice

To the Congress of the Republic of the Philippines

- 363** In its analysis, the CHR said that compared to the general population, the access of IDPs to nutrition, water and sanitation, healthcare, and adequate and safe shelter remain largely unmet. The CHR strongly advocates for the passage of the IDP bill and the implementation of the UN Guiding Principles on Internal Displacement as a framework for providing protection and assistance to displaced communities. There is also lack of access to water, sanitation, and hygiene (WASH) facilities in evacuation centers. IDP sites across Mindanao do not have WASH or they lack WASH facilities such as latrines and bathing areas. This lack of proper WASH facilities often results to health issues among IDPs due to poor sanitation. In addition, this results to exposure of women and girls to gender-based violence.

364 According to the State's responsibility to adopt legislative policies that ensure the fulfillment of all human rights and freedoms; and to provide an effective remedy for persons who claim to have been victims of human rights violations, the Commission recommends that the legislature:

- a** Make violent, oppressive, or discriminatory acts committed against HRDs – for the reason of being HRDs or engaging in the work of defending human rights – punishable under the criminal laws of the Philippines;
- b** Enact a national law for the recognition and protection of HRD that:
 - (i) Defines who a “human rights defender” is and limits the possibility of the arbitrary exclusion of individuals from being defined as such;
 - (ii) Enumerates the rights and freedoms of HRDs which shall include all rights recognized under the 1987 Philippine Constitution, UDHR, ICCPR, ICESCR, Declaration on Human Rights Defenders, and other similar international treaties and instruments;
 - (iii) Specifies the allowable limitations on the rights of HRDs which shall be restricted to only those prescribed by law and are necessary and proportionate to fulfill the legitimate aims of law;
 - (iv) Enumerates the obligations of government agencies to effectively protect HRDs;
 - (v) Establishes an effective mechanism for the protection of HRDs against violence, threats, retaliation, adverse discrimination, pressure, or any other arbitrary action as a consequence of the legitimate exercise of their rights or work as an HRD;
 - (vi) Provides redress to HRDs who become victims of human rights violations, including the provision of free legal assistance, financial assistance, psychosocial support, access to safehouses and protection personnel, travel and relocation assistance, and other similar measures.
- c** Review and amend existing laws and policies that criminalize or restrict the legitimate work of HRDs and/or frequently used to harass and intimidate HRDs, including the recently enacted Republic Act No. 11479 or the Anti-Terrorism Act of 2020;
- d** Refrain from passing laws purporting to enhance national security or combat terrorism, but are inconsistent with internationally-recognized human rights principles, or that provides a policy infrastructure for the malicious prosecution of HRDs;
- e** Criminalize all other acts of intimidation or reprisal – whether physical, mental, emotional, social, or financial – against HRDs on the grounds of status, activities, or work.

365 Make early release possible, the aforesaid ad hoc committee at the House Committee on Justice that will study the proposal of the temporary release of PDLs must be created. The committee shall take into consideration the following:

- a** qualifications, priorities, and conditions;
- b** evaluation of cases of all PDLs;

- c** current laws on but shall not be limited to, rights of the accused detained, detention, bail, recognizance vis-a-vis new circulars and resolutions issued amid the implementation of the ECQ. The difficult requirements for recognizance under the Recognizance Act of 2012 (Section 682 of R.A. No. 1089), for instance, need to be reviewed in relation to OCA Circular No. 91-2020;
- d** provision for the needs of PDLs before, during, and after temporary release, such as transportation logistics, safe passage of released PDLs in view of the extended community quarantine, and PDLs with no residence after release, should be considered or provided;
- e** varying circumstances in all places of detention;
- f** capacity of Judiciary and the Department of Justice;
- g** involvement of non-government organizations, civil society organizations, and legal groups (e.g., AHRC, ABA ROLI, HLAF {Humanitarian Legal Assistance Foundation, Inc.}, etc.);
- h** involvement of the counsels of the PDLs and their families;
- i** possible penalties for violations of the conditions of release;
- j** monitoring of PDLs after release;
- k** support for released PDLs and their families; and
- l** ensure trial is ongoing even during the pandemic.

To the Philippine National Police and the Armed Forces of the Philippines

- 366** Fulfill their duty as State forces, adapting a human rights approach in enforcing laws and ordinances to prevent any violation of the rights of the people. Detention should be the last resort in cases of violations of the laws or ordinances. Assistance should be given to PDLs to facilitate their early release to avoid congestion of jails which is a health hazard during this time of pandemic.
- 367** Establish a mechanism to prevent and mitigate vigilante killings.
- 368** Ensure that the human rights-based approach to managing custodial facilities for persons deprived of liberty entrusted to their custody is adopted and that the facility standards, procedures and monitoring tools are consistent with approved national and international standards, procedures, and monitoring tools.
- 369** The CHR calls on the Armed Forces of the Philippines to subject all the soldiers and officers implicated in cases against the Lumad to genuine investigation. The Commission especially calls on the Armed Forces of the Philippines to fully investigate the 18 August 2015 brutal murders in Mendis, Pangantucan, Bukidnon of five members of an indigenous Manobo family, including a 72-year-old blind person and two children, by members of

the Army. All those proven guilty or responsible should face serious disciplinary sanctions, including removal from the service, and prosecution in civilian courts.

- 370** Investigations of military abuses, in keeping with principles of transparency, must, as much as possible, be open to the public. The progress or status of the cases, especially the serious or grave ones, must be published on their website and included in the institution's periodic reports to the public or the CHR.
- 371** Random and short-lived initiatives within the Armed Forces of the Philippines cannot instill a culture of respect for human rights within its organization. Institutional mechanisms for upholding the rule of law must be strengthened within the Armed Forces of the Philippines. In this regard, the Commission strongly urges the Armed Forces of the Philippines to adhere to the doctrine of command responsibility, starting with its integration in the education and training of its members, and in its strict application against negligent military officers.
- 372** The Armed Forces of the Philippines should take strong steps to ensure that it exercises control over all Civilian Volunteer Organizations, private militias, and Special Citizen Armed Force Geographical Unit Active Auxiliaries and make them accountable for human rights abuses
- 373** Fast track the investigation of cases against law enforcers who are found guilty of heinous crimes and file charges, if appropriate.
- 374** For law enforcers to re-evaluate and review all human rights violations in the anti-drug campaign and to strictly adhere to the rule of law, through strict adherence to the PNP Operational Procedures or Rules of Engagement that emphasizes respect for human rights and international humanitarian law.
- 375** Increase cooperation from the PNP with the CHR on investigations on extra-judicial killings and other incidents relating to human rights issues and violations.
- 376** The AFP must refrain from red-tagging. If the AFP has evidence to prove that certain persons are members of the NPA or support NPA activities, the proper action is to take the lead in the prosecution of the latter, not political vilification or red-baiting, which puts to peril people's freedoms, security, and lives.
- 377** The CHR reiterated its stand that no ideology can justify these senseless violations of the right to life, and reiterated the call to pursue peaceful ways to address long-standing issues for recovery and healing to begin in conflict-ridden communities.
- 378** The CHR recognizes that terrorism is an evolving threat to all. In one of its statements, the Commission said that terrorists must face the full force of the law. However, in doing so, the Commission reminds the government that they must uphold everyone's rights and adhere to international and national human rights and humanitarian law in dealing with terrorism to effectively handle and look out for the welfare of the people to avoid further violations of human rights.
- 379** Curfew and ordinance violators should not be detained, their cases fast-tracked and immediately released after undergoing the necessary judicial processes.

To the National Task Force to End Local Communist Armed Conflict

380 Pursuant to the State's obligation to respect, protect and fulfill the human rights of all individuals within its territory and subject to its jurisdiction, the Commission recommends that the Executive:

- a** Desist from red-tagging and labelling HRDs as terrorists or enemies of the State, and other similar acts, based solely on the fact that such individuals and organizations are HRDs;
- b** Publicly acknowledge the legitimacy of the work of HRDs and seek to actively protect and promote the 'right to defend rights';
- c** Adopt the principles and rights defined in the Declaration on Human Rights Defenders, the Convention for the Protection of All Persons from Enforced Disappearance, and other similar international human rights instruments as part of national policy;
- d** Combat impunity by preventing abuses against HRDs, investigating all allegations of extrajudicial killings of HRDs, and prosecuting and punishing all those guilty of such criminal acts;
- e** Prohibit violations against HRDs including vilifying, surveilling, red-tagging, threatening with reprisals, and other practices that restrict the right to defend;
- f** Work for the immediate release of all HRDs arbitrarily detained; conduct a transparent investigation on the circumstances surrounding illegal detentions; and identify the perpetrators against whom proper charges may be filed;
- g** Effectively guarantee and protect the freedoms of expression, association, and peaceful assembly by:
 - (i) Recognizing the role that civic organizations, journalists and media outfits play in monitoring human rights and the role of HRDs;
 - (ii) Preventing the use of "overly subjective administrative regulations," including licensing and taxation to censure or prevent the operation of media outlets;
 - (iii) Granting journalists and members of the press full access to information on the promotion of human rights and activities of HRDs;
 - (iv) Work for the dismissal of libel and slander cases that the task force filed against journalists and reporters in connection with the exercise of their duty to report human rights violations, and avoiding the instigation of other criminal and civil suits as a tool for censorship;
 - (v) Drafting a code of behavior for the security sector, including guidelines on the conduct of law enforcement officers relative to those exercising their rights to join peaceful assemblies and protests, and on the use of force and firearms to effectively protect those legitimately exercising their basic rights;
 - (vi) Forming an oversight and reform body tasked with investigating and holding accountable law enforcement officers who, in the course of their operations, commit human rights violations against HRDs;

To the Bureau of Jail Management and Penology

- 381** Provide adequate food and water to PDLs for nourishment and for hygiene. Under strict supervision, soap and hand sanitizers shall be provided in jails and prisons. Common areas, including the lobby, reception areas, and hallways should be cleaned and sanitized after all staff, health workers, volunteers, visitors and lawyers, if any, have already left. To ensure safety, the temperature of officials, employees, health workers, visitors and lawyers, if any, shall be checked on ingress and egress of the facility. Realignment of funds or supplemental budget may be necessary to implement these measures.
- 382** Considering that the provision of healthcare of PDLs is the State's responsibility, prison/jail authorities and other concerned authorities must facilitate access to health services, such as telemedicine, when there are no health workers in the facility, and make available COVID-19 testing kits. Facility managers must see to it that during disease outbreaks like the COVID-19 emergency, PDLs should not be given healthcare services inferior to those given in the wider community. Similar quality of health services in relation to disease outbreaks must be provided. During the COVID-19 emergency, PDLs must enjoy the same standards of health care that are available to the community without discrimination. Considering that the provision of healthcare of PDLs is the State's responsibility, places of detention authorities and other concerned authorities must facilitate access to these health services, such as telemedicine, when there are no health workers in the facility, and COVID-19 testing kits.
- 383** PDLs locked up in their detention facilities, such as police locked up cells, should be provided enough food and sanitation, sunlight to ensure their well-being.
- 384** Establish an adequate number of quarantine facilities for PDLs suspected to have been infected or infected by the SARSCOV-2 virus to address the surge of COVID-19 cases and to prevent its further spread.
- 385** Many prison and jail authorities have limited the contact of PDLs with the wider world by suspending visits of relatives, friends, and lawyers. While limiting contact, authorities should ensure that PDLs are not cut-off from the outside world. It shall be borne in mind that such contact is essential to the mental well-being of people in places of detention. Hence, appropriate and sufficient mechanisms should be in place to facilitate human contact, such as through sufficient availability of electronic mails, video calls, phone calls, "*e-dalaw*," that should be widely implemented in all places of detention. PDL's communication with their lawyers should be kept confidential and not monitored by BJMP personnel.
- 386** Inform PDLs on what is happening in the outside world, especially on COVID-19-related matters. PDLs should be informed as well on precautionary measures to protect themselves and others from catching and transmitting the virus.
- 387** Ensure that PDLs are included in the National Action Plan for COVID-19 in addressing the current health crisis.
- 388** Address the perennial problem of congestion in places of detention, and discuss with relevant stakeholders the risk and opportunities of pre-trial detention and adoption of non-custodial measures.
- 389** For humanitarian reasons and to decongest places of detention, older persons aged 60 years old and above, PDLs with chronic medical conditions, low-risk inmates, children, pregnant women, and those with bailable offenses shall, through all legal remedies and

mechanisms available, be released from detention at the earliest possible time. However, the vulnerabilities of PDLs outside places of detention must be carefully assessed and addressed before releasing them. For instance, detention authorities must ensure that older persons or PDLs with chronic medical conditions are released only when their family or the community can provide sufficient food and medical care. For some, it might be better to transfer their custody in the meantime to other institutions, government or non-government, that can provide sufficient and appropriate care for them such as home for the elderly or psychiatric institutions.

- 390** In its concluding remarks, the CHR, recognizing all the measures imposed by prison and jail authorities to combat the spread of the new virus among the PDLs, reminded all concerned government agencies to respect and uphold PDLs' rights. In dealing with COVID-19, measures put in place by authorities must always respect, protect, and fulfill all the rights of PDLs. The CHR also urges the government to consider and take action on the issue of overcrowding, PDLs with no residence after release, having difficulty complying with sanitation, and quarantine measures.
- 391** Prevent the further congestion of jails and other POD. Curfew and ordinance violators should not be detained, their cases fast-tracked and immediately released after undergoing the necessary judicial processes.
- 392** If an early release is not feasible during the health emergency, older persons and PDLs with chronic medical conditions should be transferred to hospitals or to temporary medical facilities within places of detention where necessary medical care is provided.
- 393** While the CHR recognizes the authority of the President to grant pardon, the CHR reminds that prudence and sensitivity to the plight of victims should be the priority in wielding this power.

To the National Government Agencies

- 394** Recognizing its role in the promotion, protection and advancement of human rights, the Commission recommends the strengthening of civil society by:
- a** Broadening the civic space that allows different human rights organizations to continuously develop and share good practices, and addressing gaps in the protection of HRDs;
 - b** Removing administrative hurdles in the formation of legitimate HRD organizations, including the disclosure of donors and partners as a requirement for registration or incorporation, NGO accreditations, and other similar barriers;
 - c** Avoiding interference in the network-building activities of HRDs, including their participation in public affairs and access to foreign or domestic funding;
 - d** Promoting the self-identification of HRDs and strengthening their knowledge, skills and abilities on how to protect their rights and manage their security.

To the Non-State Armed Groups

- 395** The Commission calls on State and non-State armed groups to genuinely respect the rights of indigenous peoples to be consulted and to participate in all levels and on all matters affecting their civil, political, economic, social, and cultural rights. These include their inherent right to self-governance and self-determination, as well as their rights over their ancestral domains, including all ancillary rights attaching thereto.
- 396** The Commission calls on the New People's Army to refrain from coercion, intimidation, or deception and other acts that cause the Lumad to abandon or evacuate from their ancestral domains. Furthermore, the Commission urges all parties from supplanting – by force, intimidation, or deception – the indigenous peoples' decision to leave or return to their ancestral domains.
- 397** The Commission calls on the Communist Party of the Philippines–New People's Army–National Democratic Front to refrain from recruiting indigenous peoples, especially children, for activities related to the armed conflict. Be reminded that under the Comprehensive Agreement on the Respect for Human Rights and International Humanitarian Law, they have committed to respect customary and conventional International Human Rights Law and International Humanitarian Law.
- 398** The Commission recommends that the Communist Party of the Philippines–New People's Army–National Democratic Front resume peace talks in good faith towards accountability, healing, and achieving peace for the country.
- 399** If peace talks at the national level cannot be immediately resumed, the CPP-NPA-NDF should not obstruct the initiative of the government to hold peace dialogues at the local level, ensuring representation of indigenous peoples and respect for their rights.
- 400** The Commission has condemned armed conflict because, in the end, nobody really wins, especially when it leads to ruined lives and communities. However, in instances when armed atrocities are inevitable, we trust that all involved parties adhere to International Humanitarian Law (IHL) in limiting the effects of armed conflict.

To the Media Outlets

- 401** The CHR, through its Economic, Social and Cultural Rights Center, sent a letter-advisory to the Kapisanan ng mga Brodkaster ng Pilipinas to ensure that information pertaining to news, announcements, and press conferences of the government on the COVID-19 pandemic, among others, would be communicated to all persons with disabilities, particularly the deaf community, through sign language interpretation and more visible captions or subtitles of suitable text size.

Appendix

2020 CHR Joint Statements

Title	Date of Release
Indonesia, Malaysia, Philippines national human rights institutions address the issue of statelessness	25 July
Ensuring Gender-Responsive Interventions to COVID-19 and the New Normal Including Ensuring Prompt, Effective, and Survivor-Centered Response to All Forms of Gender-Based Violence	28 July
DOJ, CHR sign data sharing agreement vital to AO 35 cases of extra-legal killings, enforced disappearances, torture and other grave human rights violations	2 September
South East Asia National Human Rights Institutions Forum (SEANF) Statement on the Situation of Migrants and Members of their Families amid the COVID-19 Pandemic	15 December
National Human Rights Institutions Joint Statement on International Migrants Day	18 December

2020 Human Rights Advisories and Policy Papers

Advisory Series on Human Rights in the Time of COVID-19 in the Philippines (CHR V A2020 02)
Handling of Children in Street Situation (CISS) in times of National Health Emergency (CHR V A2020-003)
Human Rights Standards on the Protection of Internally Displaced Persons (IDPs) during the COVID-19 Emergency (CHR V A2020-004)
Human Rights Standards on Internally Displaced Persons (IDPs) Affected by the Taal Volcano Eruption
Disclosure of Health information of Person/s with Coronavirus Disease-2019 (CHR CAR A2020-002)
Human Rights Advisory on Withholding of Relief Goods as Penalty for Violating Curfew Ordinances (CHR V A2020-05)
Human Rights Advisory on Indigenous Cultural Communities / Indigenous Peoples (ICCs/ Ips) Amidst the COVID-19 Pandemic (CHR V A2020-006)
Advisory on the Human Rights of Older Filipinos amid the Coronavirus Disease 2019 Pandemic (CHR V A2020-07)
Human Rights Aspects in the Implementation of RA 11469 or “Bayanihan to Heal as One Act” (CHR V A2020-008)
<i>Pangangalaga sa mga Batang Pilipino sa Gitna ng Pangkalusugang Krisis Dala ng COVID-19</i>

Human Rights in the times of COVID-19 in the Philippines in pursuit of the rights-based model of disability amid the COVID-19 pandemic the in the Philippines (CHR V A2020-009)
Human Rights Advisory Series on the Human Rights of Workers (CHR V A2020-010)
Protecting the rights of persons deprived of liberty (PDLs) during the COVID-19 crisis and early release of older persons, low risk inmates and persons with chronic medical condition or bailable offenses (CHR V A2020-011)
Right to Freedom of Movement (CHR V A2020-013)
Protection of children from online sexual abuse and exploitation during COVID-19 (CHR V A2020-014)
Human Rights Implication of the Anti-Terrorism Act of 2020 (CHR V A2020-015)
Withdrawal of the Philippines from the Rome Statute of the International Criminal Court (CHR V A2020-016)
Ten (10) Rape Prevention Tips Posted on the Facebook Page of the Calamba City Police Station (CHR IV-A HRA-2020-01)
Human Rights Bulletin on CHR's Position on the Anti-Discrimination on the Basis of Sexual Orientation, Gender Identity and Expression Bill (Senate Bill No. 1271)
Safe Spaces Act of 2019 or the Bawal Bastos Law – CHR CARAGA
Human Rights Bulletin on CHR Region X Support to the Passage of the Cagayan de Oro City Diversity and Equality Ordinance (CDEO)
Ensuring gender-responsiveness interventions to COVID-19 and the new normal including ensuring prompt, effective, and survivor-centered response to all forms of gender-based violence (JMC No. 2020-01)
Advisory Amid the Enhanced Community Quarantine (CHR NCR)
On the Hoarding of Face Masks, Alcohol and other Basic Commodities Amidst the Corona Virus Disease (COVID-19) Pandemic (CHR IV-A-HRA-2020-02)
Women and COVID-19 (CHR CARAGA)
Human Rights Bulletin on the Right to Equal Opportunity for Employment of Persons with Disability (CHR X)
Ten (10) Rape Prevention Tips Posted on the Facebook Page of the Calamba City Police Station (CHR IV-A HRA-2020-01)
On the Alleged Right to Privacy Violation Committed by the Calamba Police Against Person Whose Names Were Included in its Contact Tracing Memorandum (CHR IV-A-HRA-2020-003)
On the Protection of Frontline Health Workers, Uniformed Personnel and Other Service Provided Against Discrimination (CHR VIII)
Human Rights Standards of the Public Disclosure of Personal Information of COVID-19 Patients (CHR-ROI-LD-2020-01)
Reinforcing Children's Rights and Protection Amid COVID-19 Pandemic (CHR VIII)
Women's Rights Amid COVID-19 Pandemic (CHR VIII)
Privacy Protection of the Personal Information of Individuals Classified under Suspected, Probable, and Confirmed Cases of COVID-19 (CHR IX)

Provision of Express or Priority Lanes to the Elderly in All Business Establishments During National Emergencies (CHR VIII)
Human Rights and State Duties During Calamities (CHR-RO3-ADV-20200401)
Human Rights and State Duties During Calamities (CHR-RO3-ADV-20200402)
Attacks of NPA on Government Security Forces in Masbate (CHR-V-2020-002)
Handling Curfew Violations of Minors (CHR-V-2020-003)
On the Statement Posted on the Facebook Page of the Lucban Municipal Police Station on 12 June 2020 (CHR-IV-A-HRA-2020-004)
On the Conduct of Plebiscite in the Province of Palawan (CHR-IV-B-2020-001)
Urgent Advisory on the Deaths in Custody of the Parojinog Siblings (CHR V A2020-020)
The Effect of Reimposing the Death Penalty on the EU GSP+ Benefits to the Philippines (CHR V A2020-018)
Human Rights Advisory – Improvement of Living Conditions of the Community Quarantine or Isolation Facilities (CHR-VIII-ADV-2020-001)
On the Ambush of Two (2) PNP Officers in Albay (CHR-V-2020-005)
On the Validity of the Philippines' Ratification of the Second Optional Protocol CHR (V) A2020-017
On Follow-up to Accepted Recommendations by the Philippines During the Third Cycle of the Universal Periodic Review CHR (V) A2020-019
United Nations Human Rights Council Resolution offering Technical Assistance and Capacity-Building to the Philippine Government (A/HRC/45/L.33) – CHR (V) A2020-021

CHR Press Statements

On EJKs and Campaign Against Illegal Drugs

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the ambush of lawyer Ray Moncada	08 January
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the killing of Spanish surfer and businessman Diego Bello Lafuente during an alleged police drug operation in Siargao	10 January
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the vigilante killing of Philippine National Police Officer Master Sergeant Chito Napara Lagahit Jr.	27 January
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the brazen killing of Nueva Ecija-based lawyer	01 March
Statement of CHR spokesperson on the proposal to disclose history of drug offence in driver's license	04 March
Statement of the CHR spokesperson, Atty. Jacqueline de Guia, on the killing of a cop assigned to the chief of PNP	09 March

Title	Date of Release
Statement of the CHR Spokesperson on the case of a ‘fabricated’ anti-narcotics operations by the San Jose Del Monte Police	15 August
Statement of CHR Spokesperson, Atty. Jacqueline De Guia, on the Brutal Killing of an EJK Survivor Inside a Hospital In Angono, Rizal	05 November
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the announcement of the new chief of the Philippine National Police	10 November
<i>Pahayag ni CHR Spokesperson, Atty. Jacqueline Ann de Guia, kaugnay sa pahayag ng pangulo ukol sa human rights</i>	06 December
Statement of the Commission on Human Rights on the Recent Findings of the International Criminal Court (ICC)	16 December
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the killing of two unarmed civilians in Tarlac	21 December

CHR and Statements in Local and International Celebrations

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the appointment of the new chief of the Philippine National Police	21 January
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, in celebration of World Hijab Day	01 February
Statement of CHR Spokesperson, Atty. Jacqueline De Guia, in Celebration of the National Press Week	11 February
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the 34th Anniversary of the EDSA People Power Revolution	25 February
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the Women’s Month celebration	02 March
Statement of CHR Spokesperson, Atty. Jacqueline de Guia, on Grandparent’s Week	11 March
Statement of CHR Spokesperson on the UN International Day for the Elimination of Racial Discrimination	21 March
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the commemoration of World Water Day	22 March
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, in observance of the International Day for the Right to the Truth concerning Gross Human Rights Violations and for the Dignity of Victims	24 March
Statement of the CHR Spokesperson, Atty. Jacqueline Ann de Guia, on Women with Disabilities Day	30 March

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, in commemoration of the World Health Day	07 April
<i>Mensahe ng</i> CHR spokesperson, Atty. Jacqueline Ann de Guia, <i>sa pagdiriwang ng Mahal na Araw</i>	08 April
<i>Mensahe ng</i> CHR Spokesperson, Atty. Jacqueline Ann de Guia, <i>sa pagdiriwang ng Araw ng Kagitingan</i>	09 April
<i>Pahayag ni</i> CHR Spokesperson, Atty. Jacqueline Ann de Guia, <i>sa paggunita ng</i> International Day for Street Children	12 April
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Celebration Of International Mother Earth Day	22 April
<i>Pahayag ng</i> CHR spokesperson, Atty. Jacqueline Ann de Guia, <i>sa paggunita ng</i> Araw ng Paggawa	04 May
<i>Pahayag ni</i> CHR Spokesperson, Atty. Jacqueline Ann de Guia, <i>sa paggunita ng ika-122 Anibersaryo ng Deklarasyon ng Kalayaan ng Pilipinas</i>	12 June
Statement of Commissioner Karen S. Gomez-Dumpit, Focal Commissioner on Ageing and the Human Rights of Older Persons, on the Occasion of the World Elder Abuse Awareness Day	15 June
Statement of CHR Spokesperson, Atty. Jacqueline De Guia, on the International Day In Support Of Victims Of Torture	26 June
Statement of CHR Spokesperson, Atty. Jacqueline Ann De Guia, on the Celebration of Nutrition Month 2020	01 July
Statement of CHR Spokesperson, Atty. Jacqueline de Guia, in observance of the National Campus Press Freedom Day	25 July
Statement of CHR Spokesperson, Atty. Jacqueline De Guia, On World Day Against Trafficking In Persons	30 July
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the celebration of National Indigenous Peoples Day	09 August
Statement of Commissioner Gwen Pimentel-Gana on the occasion of the National Indigenous Peoples Day	09 August
Statement of CHR spokesperson, Atty. Jacqueline de Guia, in observance of the International Humanitarian Law Month	12 August
Statement of CHR spokesperson, Atty. Jacqueline de Guia, in celebration of the International Youth Day	12 August
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the occasion of World Humanitarian Day	19 August
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the International Day of Remembrance and Tribute to the Victims	21 August

Title	Date of Release
<i>Pahayag ni</i> CHR Spokesperson, Atty. Jacqueline Ann C. de Guia, <i>sa paggunita ng Araw ng mga Bayani</i>	31 August
DOJ, CHR Sign Data Sharing Agreement Vital to AO 35 Cases of Extra-Legal Killings, Enforced Disappearances, Torture and other Grave Human Rights Violations	02 September
Press Statement of CHR spokesperson, Atty. Jacqueline de Guia, in celebration of the National Teachers Month	05 September
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on World Suicide Prevention Day	10 September
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Observance of Philippine Medicine Day	15 September
Senate Committee on Finance adopts the CHR FY 2021 budget	16 September
<i>Pahayag ni</i> CHR Spokesperson, Atty. Jacqueline Ann de Guia, <i>sa ika-48 taong pag-alaala ng deklarasyon ng Batas Militar</i>	21 September
Statement of CHR spokesperson, Atty. Jacqueline de Guia, in observance of the International Day of Peace	21 September
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, clarifying CHR's mandate on upholding the human rights of all	30 September
Statement of Commissioner Karen S. Gomez Dumpit, Focal Commissioner on the Rights of Older Persons, on the 30 th Anniversary of the International Day of Older Persons	02 October
Statement of CHR Commissioner Karen S. Gomez Dumpit, Focal Commissioner on Anti-Death Penalty, on the 18 th World Day Against Death Penalty	10 October
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Observance of the 33 rd National Prison Awareness Week	19 October
Statement of CHR spokesperson, Atty. Jacqueline de Guia, in observance of National Children's Month	01 November
Statement of the CHR Spokesperson, Atty. Jacqueline Ann de Guia, supporting Senate Bill 1831 or the Better Internet Act	11 November
Statement of CHR Commissioner Karen Gomez Dumpit for the Online Rally Against Gender-Based Violence and the Launch of the 18-Day Campaign to End Violence Against Women	26 November
Inter-agency solidarity program kick-off the human rights week; various celebratory activities set to roll-out	04 December
Statement of Commissioner Karen Gomez-Dumpit on the Occasion of the International Human Rights Day	10 December
Human Rights E-Lawyering Service launched; public encouraged to avail	11 December

Title	Date of Release
Message of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on Christmas Day	25 Decemeber

On Human Rights Defenders

Title	Date of Release
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the killing of a woman peasant leader in Northern Samar	20 January
Statement of CHR Spokesperson on the violent attacks and unlawful harassment against human rights defenders in the country	08 February
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on safeguarding the rights of environmental defenders	04 March
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the value of human rights during the state of national emergency	22 March
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Proposed Anti-Terrorism Bill	02 June
Statement of the Commission on Human Rights on the report on the human rights situation in the Philippines by the UN Office of the United Nations High Commissioner for Human Rights	05 June
Statement of the Commission on Human Rights on the proposed Anti-Terrorism Act of 2020	05 June
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the passage of the Anti-Terrorism Law	04 July
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the allegation of police officers forcibly taking remains of individuals	11 August
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the terrorist-tagging posters in Davao	15 August
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the killing of Zara Alvarez	20 August 2020
Statement of CHR Spokesperson, Atty. Jacqueline de Guia, in response to the UN High Commissioner for Human Rights' call for independent probe on recent killings of human rights advocates	29 August 2020
Statement of the Commission on Human Rights on the President's statement during the UN General Assembly	25 September 2020
Statement of the Commission on Human Rights on the remarks of the President of the Philippines during the UN General Assembly	26 September 2020

Title	Date of Release
Statement of Commissioner Karen Gomez-Dumpit on the proposed US bill suspending security assistance and the EU parliament's resolution proposing for revocation of tariff exemptions due to the Philippines' human rights situation	07 October 2020
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the case of Reinna Mae Nasino	16 October 2020
Statement of CHR Spokesperson, Atty. Jacqueline De Guia, on the President's Remark Warning Human Rights Groups Not to Tinker with The Drug War	24 November
Statement of CHR Commissioner Karen Gomez Dumpit for the Online Rally Against Gender-Based Violence and the Launch of the 18-Day Campaign to End Violence Against Women	26 November
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the string of arrests on Human Rights Day	11 December

On Access to Justice

Title	Date of Release
Statement of the Commission on Human Rights Spokesperson on the incidents of police brutality during <i>Traslacion</i> 2020	10 January
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on government pronouncements inciting torture	19 February
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the alleged privacy violation committed by Calamba City Police	26 March
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the incident involving a cop shooting an alleged lockdown violator in <i>Barangay</i> Pasong Putik, QC	23 April
Statement of CHR Spokesperson, Atty. Jacqueline Ann De Guia, Clarifying the Position Paper of CHR Region XII On The South Cotabato Covid-19 Contact Tracing System	21 May
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the arrest and detention of six PISTON jeepney drivers and on the public transportation situation in MM	6 June
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the surge of dummy accounts on Facebook	12 June
<i>Pahayag ni</i> Atty. Jacqueline Ann de Guia <i>kaugnay ng naging aksyon ng</i> CHR <i>sa</i> Tondo secret jail	13 July
Press Statement of CHR Spokesperson, Atty. Jacqueline Ann De Guia, on the Allegations of the Maltreatment of Aetas by the Philippine Army's 7 th Infantry Division	01 September

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the deaths of Parojinog siblings in detention	07 September
Statement of CHR Commissioner Karen Gomez-Dumpit on Facebook's removal of networks of fake accounts with suspected coordinated inauthentic behavior	25 September
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the killing of a CHR security guard in front of the CHR - Region IX office in Zamboanga	14 December
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the 'aresto aguinaldo' police prank	18 December
<i>Pahayag ni CHR Spokesperson Atty. Jacqueline Ann de Guia kahapon, patungkol sa nangyaring pagpatay ng isang pulis sa dalawang sibilyan sa Tarlac dito</i>	21 December

On Vulnerable Sectors

Title	Date of Release
Statement of CHR Commissioner Gwendolyn Pimentel-Gana on the death of overseas Filipina worker Jeanelyn Padernal Villavende	03 January
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the recent complaint filed against strip and body cavity searches	09 January
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the SWS survey showing Filipinos believing human rights abuses mar anti-drug campaign	21 January
Statement of CHR spokesperson on the closure order against UCCP Haran housing the Lumads and the alleged attack of paramilitary	27 January
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the creation of the Joint Industrial Peace and Concern Office in Central Luzon industrial zones	27 January
Statement of the CHR spokesperson, Atty. Jaqueline Ann de Guia, on Reports of Illicit Financial Flows in the Country	05 March
Statement of CHR Spokesperson on the plight of the most vulnerable sectors during the quarantine period	20 March
Statement of CHR Spokesperson, Atty. Jacqueline Ann C. de Guia, on COVID-19 relief for indigenous peoples and minority groups	25 March
Statement of Commissioner Karen Gomez-Dumpit on violences carried out against health workers in time of the COVID-19 pandemic	01 April

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the arrest of citizens protesting due to alleged hunger amid the COVID-19 community quarantine	01 April
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the alleged rape of detainees in Marikina City	02 April
Statement of CHR spokesperson on the order to “shoot” alleged agitators and violators of enhanced quarantine	02 April
Statement of CHR Spokesperson on the violent dispersal of indigenous peoples’ barricade in Didipio, Nueva Vizcaya	06 April
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on respecting sign language interpreters	08 April
Statement of CHR Spokesperson on recent COVID-19 measures that impact the right to privacy and free choice of employment	13 April
Statement of CHR Spokesperson on the rights of persons deprived of liberty during the COVID-19 pandemic	14 April
Statement of CHR Spox on the growing number of jails with COVID-19 cases and measures to protect the right to health of PDLs	21 April
Statement of the CHR Spokesperson, Atty. Jacqueline Ann De Guia, on the Plight of Farmers and Fisherfolk During The Covid-19 Pandemic	22 April
Statement of CHR Spokesperson on recent remarks to implement Martial law-style enforcement of quarantine rules	23 April
Statement of CHR Focal Commissioner on Migrant Rights, Gwendolyn L.L. Pimentel-Gana, on the situation of migrants, Overseas Filipino Workers, and members of their families amid the COVID-19 crisis	24 April
Commissioner Karen S. Gomez-Dumpit, (Focal Commissioner on Aging and the Rights of Older Persons) on the Simple Application of Chronological Age as Basis for Policy Response Against COVID-19	27 April
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Move to Deport a Taiwan OFW Over Online Criticisms Against The Government	28 April
Statement of Commissioner Karen S. Gomez-Dumpit (Focal Commissioner on the Rights of Older Persons and Women) on the Proposed LRT and MRT Ban for Older Persons and Pregnant Women during the Implementation of the General Community Quarantine Scheme in Metro Manila	08 May
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia on Respecting the Religious and Cultural Rights of Muslim Filipinos Amid the Pandemic	12 May

Title	Date of Release
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on Improving the Plight of Persons Deprived of Liberty Through the Interim National Preventive Mechanism	14 May
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Series of Arrests Due to Threats Against the Chief Executive	14 May
Statement of CHR Commissioner, Karen Gomez-Dumpit, on the Discrimination Committed Against Individuals Who Are Associated with Covid-19	15 May
Statement of CHR Spokesperson, Atty. Jacqueline Ann De Guia, Requesting The Government to Scale Up Humanitarian Assistance to Internally Displaced Persons (Idps) in Light of the Covid-19 Emergency and the Onslaught of Typhoon Ambo	17 May
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on Cebu Governor's Video that Publicly Shames a Netizen	22 May
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Spate of Red-Tagging Reports	22 May
Statement of Commissioner Karen S. Gomez-Dumpit, Focal Commissioner on Aging and the Human Rights of Older Persons, on the Train Ban in Metro Manila under GCQ	02 June
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the PNP's warning among its ranks to adhere to its social media protocols after CARAGA police posted an image online depicting an activist with horns	10 June
CHR Statement from Commissioner Gwendolyn Ll. Pimentel-Gana, on Access to Justice for Filipino Migrants and Members of their Families Amid COVID-19 Pandemic	25 June
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on arrests being made during the pandemic	03 July
<i>Pahayag ni Atty. Jaqueline Ann de Guia, CHR Spokesperson, Ukol sa Pagpapahubad sa Isang Quarantine Violator sa Manila</i>	10 July
Statement of the Commission on Human Rights on the Recent Covid-19 Measures That Impact the Right To Privacy And Constitutional Right To Be Secure In One's House	15 July
A Call for An Urgent Justice Mechanism for our OFWs	23 July
Statement of the Commission on Human Rights on reported deaths inside prisons and detention facilities due to Covid-19	25 July
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, Reminding the Government on Using a Human-Rights Based Approach to the Pandemic	04 August

Title	Date of Release
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on allegations of corruption and irregularities in the Philippine Health Insurance Corporation	12 August
Statement of Commissioner Karen S. Gomez Dumpit, Focal Commissioner on the Human Rights of Older Persons, on the Issuance of the DILG Memorandum Circular on the Mobility of Older Persons in Quarantine Situations	19 August
Statement of CHR Spokesperson, Atty. Jacqueline Ann De Guia, on the Senate Bill that Will Strengthen Government's Campaign to End Human Trafficking	11 September
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the government's commitment to prioritise food security and food production while addressing the pandemic	29 September
Statement of Commissioner Gwendolyn Pimentel-Gana on the warning made by a military official to Liza Soberano and Catriona Gray	26 October
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the 23 rd Anniversary of the passage of the Indigenous Peoples' Rights Act	29 October
Statement of the CHR Center For Crisis, Conflict, And Humanitarian Protection On the Need to Scale Up Humanitarian Assistance for Internally-Displaced Persons (IDPs) Due to the Onslaught of Typhoon Rolly (Goni) and the Covid-19 Pandemic	05 November
Statement of CHR Spokesperson, Atty. Jacqueline De Guia, on the Riot at the New Bilibid Prison	09 November
Statement of CHR spokesperson, Atty. Jacqueline de Guia, commending the provision of assistance and aid to farmers and fisherfolk affected by recent typhoons	10 November
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the agricultural aid for farmers severely affected by the flooding in Cagayan Valley	17 November
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, supporting the call of the President and the Senate to invest more in disaster-resilient infrastructures	19 November
Statement of the CHR Center For Crisis, Conflict, And Humanitarian Protection On the Need to Continue to Scale-Up Rescue Efforts and Humanitarian Assistance Due to Typhoon Ulysses (Vamco) and the Covid-19 Pandemic	25 November
<i>Kaugnay sa pagpaslang ng IATF Head ng Guihulngan City Negros Occidental at kanyang asawa</i>	16 December

On Freedom of Expression and Violence Against the Media

Title	Date of Release
Statement of CHR Spokesperson on the alleged ‘forced’ public apology order on University of the East’s campus paper chief	06 April
Statement of CHR Spokesperson, Atty. Jacqueline Ann De Guia, on The Arrest of Cebu Film Writer Maria Victoria Beltran	22 April
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the cease and desist order issued by NTC to ABS-CBN	05 May
Statement of CHR Spokesperson, Atty. Jacqueline De Guia, On the Killing of a Radio Broadcaster In Dumaguete City	06 May
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the arrest of 8 protesters in UP Cebu due to alleged violation of quarantine rules	10 June
Statement of the Commission on Human Rights, on the court’s guilty verdict on the cyber libel case against Maria Ressa	17 June
Statement of the Commission on Human Rights on the decision of the House of Representatives to deny ABS-CBN’s franchise application	11 July
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on government ban on mass gatherings ahead of the 2020 State of the Nation Address	25 July
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Right To Free Expressions and Privacy On Social Media	04 August
Statement of CHR Spokesperson on the Philippine National Police’s move to scan social media for quarantine violators	06 September
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the recent slay of Online Show Host in Sorsogon City	16 September
Statement of CHR spokesperson, Atty. Jacqueline de Guia, in Support of the Proposed Media Workers’ Welfare Act	18 September
<i>Pahayag ni</i> CHR Spokesperson, Atty. Jacqueline Ann de Guia, <i>kaugnay sa pagpaslang sa isang mamamahayag sa Masbate</i>	18 November
Statement of the Commission on Human Rights on a study’s assessment of a ‘repressed’ civic space in the Philippines	13 December

On Health

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the novel coronavirus (2019-nCoV) outbreak	07 February
Statement of CHR Spokesperson on the community quarantine imposed in Metro Manila and other areas affected by COVID-19	13 March
Statement of CHR spokesperson on the clarifications of arresting citizens in time of community quarantine due to COVID-19	15 March
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on safeguarding the rights and welfare of our healthcare workers	23 March
Statement of CHR Spox: proposals to declare a national emergency and grant special powers to the President to combat COVID-19	23 March
Statement of CHR Spokesperson, Atty. Jacqueline Ann De Guia, on the Rising Number of Covid-19 Infected Health Workers	23 April
Statement of CHR Commissioner Gwen Pimentel-Gana on Equitable, affordable vaccine roll outs pushed	02 December
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the use of <i>yantok</i> in enforcing health protocols	05 December

On Education

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline de Guia, expressing support for the proposed measure granting medical scholarships	12 September
Statement of CHR spokesperson, Atty. Jacqueline de Guia, commending city governments that provide gadgets, internet, and other provisions for blended learning	02 October
Statement of CHR spokesperson on the student modules discouraging children from joining peaceful assemblies	16 October

On Gender and Development

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the recent Supreme Court decision on marriage equality	09 January
Statement of CHR Spokesperson, Atty. Jacqueline de Guia, in support of House Bill No. 5869	10 February

Title	Date of Release
CHR, Rights Groups Kicked Off the One Billion Rising Dance Campaign to End All Forms Of Violence Against Women	11 February
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the alleged profiling of transgender women in Makati City	15 February
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on rising incidences of domestic violence during COVID-19 lockdown	05 April
<i>Pahayag ng</i> CHR spokesperson <i>sa mga paglabag ng</i> curfew <i>at</i> quarantine <i>sa</i> Pandacaqui, Mexico, Pampanga	08 April
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the rising tide of online violence against women and girls	21 April
Statement of Karen S. Gomez-Dumpit (Focal Commissioner on Gender Equality and Women's Rights) on Addressing Maternal and Infant Health Amid the COVID-19 Pandemic	29 April
<i>Pahayag ni</i> Commissioner Karen S. Gomez-Dumpit <i>ukol sa</i> lumalaganap ng pambabastos <i>at</i> karahasan <i>laban sa</i> kababaihan, <i>lalo na</i> <i>sa</i> social media	23 June
<i>Pahayag ng</i> CHR Gender Equality and Women's Human Rights Center <i>kaugnay ng</i> dispersal <i>ng</i> Pride Protest <i>sa</i> Mendiola	26 June
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the homophobic enrollment policy of Assumption Iloilo	08 August
Statement of Commissioner Karen Gomez-Dumpit, Focal Commissioner on Gender Equality and LGBTQI's Human Rights, on the grant of full pardon to US Marine PFC Joseph Scott Pemberton	09 September
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the arrest and alleged assault on a female Grab driver in Taguig City	08 October
Statement of CHR Commissioner Karen Gomez-Dumpit on the Sex Jokes Made During A Televised National Disaster Briefing	24 November

On Rights of the Child

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, calling for the urgent passage of the bill raising the age of sexual consent	22 January
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the protest of <i>Liga ng mga Magulang</i> on the recruitment of minors	28 February
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Senate Bill declaring child marriage illegal	05 March
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the killing of a 15-year old girl in Ilocos Sur	07 July
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the alleged rape of two minor girls by members of the New People's Army in Leyte	17 Sept
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the arrest of a 13-year-old minor in Malabon City	28 September
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, supporting the passage on second reading of the Senate Bill declaring child marriage as illegal	14 October
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Senate approval on final reading a bill declaring child marriages illegal	11 November
<i>Pahayag ni</i> CHR Spokesperson, Atty. Jacqueline Ann de Guia, <i>kaugnay sa 9-anyos na babaeng nilibing ng buhay at hinihinalaang pinagsamantalahan</i>	13 November
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the arrest of peasant community organizer Amanda Lacaba Echanis	04 December

On Re-Imposition of Death Penalty

Title	Date of Release
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the call to reinstate death penalty by lethal injection	27 July
Statement of CHR Commissioner Karen Gomez-Dumpit on the United Nations General Assembly Resolution on Moratorium on the Use of the Death Penalty	17 December

On Armed Conflict and Peace Process in Mindanao

Title	Date of Release
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the North Cotabato ambush	24 January
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the reported NPA attacks in Surigao del Sur	20 March
Statement of CHR spokesperson on the recent attack against Indigenous Community in Davao Del Norte	26 March
Statement of CHR spokesperson on the armed encounter of the military and New People's Army in Rizal	30 March
Statement Of CHR Spokesperson, Atty. Jacqueline Ann De Guia, on the Government Clash with Abu Sayyaf in Sulu	20 April
Statement of the CHR Spokesperson, Atty. Jacqueline Ann De Guia, On a Number of Atrocities Involving Government Forces and The New People's Army	23 April
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Alleged NPA Attacks in Misamis Oriental	02 June
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the reported attack on Parang Police Station in Sulu province	16 June
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the violent attack in Palapag, Northern Samar	22 June
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Jolo blast	25 August
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the proposal to declare martial law following the Jolo blast	26 August
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the Abu Sayyaf attack in Sulu	07 October
Statement of CHR spokesperson, Atty. Jacqueline de Guia, on the recent series of attacks allegedly perpetrated by the NPA	10 October
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the death of Jevilyn Cullamat	30 November
Statement of CHR Spokesperson, Atty. Jacqueline de Guia On the shooting of a police officer in Zamboanga City	30 November
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on Rep. Cullamat's request seeking CHR's investigation on the case of her slain daughter	02 December
Statement of CHR spokesperson, Atty. Jacqueline Ann de Guia, on the armed attack in Datu Piang, Maguindanao	05 December
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the alleged NPA ambush in Samar	14 December

On Killings of Local Executives

Title	Date of Release
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the killing of ex-Batangas Congressman	11 January
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the killing of Ex-Bulacan Vice-Mayor and Incumbent Village Chief	20 January
Statement of CHR Spokesperson, Atty. Jacqueline de Guia, on the killing of Mayor Sabal of Talitay, Maguindanao	13 February
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the brazen killing of NCMH Chief and his driver	27 July

On Crimes Against Lawyers

Title	Date of Release
Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the brazen killing of Nueva Ecija-based lawyer	01 March
<i>Pahayag ni</i> CHR Spokesperson, Atty. Jacqueline Ann de Guia, <i>kaugnay sa pagpaslang sa isang</i> Manila Regional Trial Court judge	11 November

When no distinction is made between an activist and a terrorist... we risk putting everyone under a cloud of suspicion and our society in a constant state of insecurity.

BEN PANFILO LACSON
MEMBER, SENATE COMMITTEE ON NATIONAL DEFENSE AND SECURITY
On the issue of not putting labels on activists, especially during the height of the COVID-19 pandemic, and especially during the height of the COVID-19 pandemic.

CHR: Dignity of all

Tinutulan natin ang anumang hindi makataong parusa.
Imbes na isailim sa marahas na kaparusahan na maaring tahasang paglabag sa Konstitusyon partikular sa pagbawal sa torture o cruel, inhumane or degrading treatment and punishment, hinintayin ng CHR na community service na lamang ang magiging kabayaran ng mga hindi sumusunod sa curfew upang masiguro ang kanilang kaligtasan habang nakikinabang pa ang buong komunidad sa kanilang serbisyo.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

CHR strongly condemns the killing of a 15-year-old girl who was gunned down by a riding-in-linden on Thursday night, 2 July 2020, while on her way home in Cagayan, Ilocos Sur.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the killing of a 15-year-old girl in Marikina City, 24 March 2020

CHR: Dignity of all



NASAAN ANG CHR?

SA IBAT' IBANG PARTE NG PILIPINAS

PATUNGKOL SA PAG-BIGAY TULONG SA MGA PDL AT OPISYALES NG MGA PITAN UPANG MAWASAN ANG PAGKALAT NG COVID-19



Ang CHR IV-A Investigation at Jail Visitorial Team ay nagsagawa ng pamamahagi ng Hygiene Kits para sa mga kababayan nating Persons Deprived of Liberty o PDL, magiging sa mga personnel ng mga BJMP. Ang mga paunang pamamahagi ay isinagawa sa Gumaca District Jail at Catanauan District Jail noong Nobyembre 10, 2020 at noong Nobyembre 11, 2020 sa Calamba City Jail, Sta Rosa City Jail at San Pedro City Jail. Ang pamamahagi ito ng natatag na mga hygiene kits ay patuloy na isasagawa sa labing-walo pang mga pitan na nasasakupan ng CALABARZON.

Chr Calabarzon - CHR: Dignity of all

CHR sees the low reporting of cases, not as an indicator of lower incidents of GBV but as a reflection of the many barriers to reporting during the ECO/MECO period.

2nd and 3rd Quarter Gender Ombud Report 2020

15-DAY CAMPAIGN TO END VIOLENCE AGAINST WOMEN

Let us create equal opportunities for all, address the shortcomings and mistakes from initial responses ... to COVID-19, and apply human rights standards



Kinikilala natin na ang mga law enforcement officials ay mahalaga para sa protektahan ang mga buhay, ari-arian, at seguridad - ito ay mga karapatang nakasag sa Universal Declaration of Human Rights at 1987 Constitution. Subalit may mga alitin sa paggamit ng puwersa na dapat magbigay nang sinusuportado.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

CHR: Dignity of all

As we observe the counterpart National Mental Health Week here in the Philippines, let us join together in calling for greater investment in mental health so everyone can have access to psychosocial support and services regardless of location and socio-economic situation.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
In observance of National Mental Health Week, 24 Oct 2020



PASIG CITY PREPARES P1.2B FOR EDUCATIONAL TABLETS, LAPTOPS

The Pasig City Council has approved a P1.2 billion budget for the procurement of tablet computers for students and laptops for teachers in the coming school year when face-to-face classes may be rolled out.

In a social media post, Pasig City Mayor Vico Sotto said he has coordinated with the Department of Education (DepEd) on the possible resumption of classes that may be conducted by traditional or via virtual or online learning.

THE STATE SHALL PROTECT AND PROMOTE THE RIGHT OF ALL CITIZENS TO QUALITY EDUCATION AT ALL LEVELS AND SHALL TAKE APPROPRIATE STEPS TO MAKE SUCH EDUCATION ACCESSIBLE TO ALL.

Dapat may boses ang mga mamamayan sa isang demokrasya. Ang mga protesta ay hindi dapat tinutignan na banta, bagkus ay isang karapatan sa isang malayang lipunan. Batas ang dapat ginagamit sa pagpapangot sa mga mga sala. Marami nang kilnila na buhay ang COVID-19 pandemic. Magtutungan tayong upang makapagligtas pa nang mas marami.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

AIR FORCE, NAVY RESCUE UNITS TO HELP TAAL VOLCANO VICTIMS

LUZON CITY — Philippine Air Force (PAF) and Philippine Navy (PN) personnel have been dispatched to help Taal volcano eruption victims, a response military lockdown said.

It is our responsibility to make things better. It is also our responsibility to keep in mind that there are matters that we should not keep silent about. Specifically, it is our duty to uphold everyone's human rights in these times of crisis.



COMM. KAREN GOMEZ-DUMPIIT
CHR FIDEL COMRADE/CHAIRMAN OF THE HUMAN RIGHTS OF OVERSEAS

We all need to be aware of Mayor Duterte, recognize the early signs, know how to find help, and report them to the proper authorities. We encourage everyone to contact local authorities to report cases of cyber abuse in their homes or communities. Expecting any kind of abuse may not be the best thing that can happen to you.

The violence we need to address is not only physical or sexual violence ... We also need to address psychological and emotional violence, and institutional and structural violence—resulting in poverty, hunger, injustice, exclusion, and denial of access to resources.

COMM. KAREN GOMEZ-DUMPIIT
CHR COMRADE/CHAIRMAN



Being an ally starts with small acts every day. When you're in the workplace and someone says something offensive about LGBTQ+ people, stand up and say that it's not right. They too may be unaware. It's about seeing discrimination where it's happening and doing something about it that makes a difference.

Catriona Gray
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

Simula ng karabon tayong COVID-19 hanggang lockdown, nawalan po ng trabaho. Yung asawa ko kaya po ako ay lumalabas sa bahay para magtapon ng basura sa bahay-bahay. Yan po ang ginagawa ko - magtapon ng basura para mayroon lang kaming makain sa araw-araw.

Shirley de Guzman
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

WHETHER SENIOR CITIZENS SHOULD BE ALLOWED TO DO SELECTED ACTIVITIES, PHILIPPINES, SEP 2020

	Should be Allowed	Uncertain	Should Not be Allowed	Net
Go out of the house to buy food, medicines, etc.	58%	9%	32%	+27
Go out of the house to exercise	46%	10%	45%	+1
Go out of the house to work	25%	9%	66%	-40

89% of seniors should be allowed to do selected activities

89% of seniors should be allowed to do selected activities

CHR reiterates its call for human rights at the government level, addressing the COVID-19 pandemic. Hence, implementing policies, actions in support of enhanced community quarantine, government officials must always be conscious of violating any rights.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the issue of human rights during the state of national emergency, 24 March 2020

STATEMENT OF THE COMMISSION ON HUMAN RIGHTS OF THE COURT'S JUSTICE MEMORIAL ON THE CYBER LIBEL CASE AGAINST MARIA RESSA

It is high-time for the government to review [defamation laws] and its applications in favour of the how the people can best enjoy their rights—not limit them—particularly freedom of opinion and expression. Under a democratic basic between citizens and state must be in place.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

Nababahala ang CHR sa desisyon ng National Telecommunications Commission na agarang patawan ng cease and desist order ang ABS-CBN bilang batid natin ang epekto nito sa malayang media at kalayaang makapagpahayag.

ATTY. JACQUELINE ANN DE GUIA
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

NASAAN ANG CHR?

SA IBAT' IBANG PARTE NG PILIPINAS



CHR Caraga Region held a series of Violence Against Women and Children (VAWC) Desk monitoring activities in Bantargay Arica, Pinaric and Taligaman, Butuan City on November 5 and 10, 2020.

This is a part of the regular monitoring activities of the CHR Caraga Region's investigation unit to ensure the functionality of VAWC desks in the region.

Chr Caraga - CHR: Dignity of all

hinusungon na namin ngayon ang universal social pension para po lahat na ng nakatatanda, wala na pong pinipili, mayaman man sya o mahirap, wala na pong selection. Di na po tayo kailangang pag-mag-endorse po o maghantap kung sino ang qualified o disqualified. Sana alihin na po lahat yun. Meron na pong panukalang bilang sa House of Representatives at sa Senate pero di po po tumatay.

Nancy Chit Lacson
CHR SPOKESPERSON
On the curfewing of a 15-year-old girl in Marikina City, 24 March 2020

PROPER GOVERNMENT ACTION ON QUARANTINE VIOLATIONS, PHILIPPINES, SEP 2020

	Do community service	Penalty	Do not
People who do not wear a face mask when they go out of the house	6%	24%	22%
People who violate curfew	22%	23%	27%
People who protest in the streets who are following the minimum health standards like physical distancing, wearing of face mask and face shield	8%	17%	21%

89% of seniors should be allowed to do selected activities

89% of seniors should be allowed to do selected activities



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