

**OPENING STATEMENT
Universal Periodic Review of the Philippines
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**Hon. Jesus Crispin C. Remulla
Secretary of Justice**

“The Philippine Human Rights Agenda”

Introduction

Madame Vice-President, Excellencies,

On behalf of the 110 million Filipinos in our country and all over the world, my delegation of senior officials from our capital and here in Geneva extends warm greetings to everyone.

The Philippines looks at the Universal Periodic Review as a valuable platform for peer-review in the implementation of recommendations made since our third cycle review in 2017. On this note, consistent with our duty and obligation to promote, protect, and fulfill the human rights of our people, we take pride in underlining our significant accomplishments and best practices in human rights promotion and protection. We now, once again, look forward to constructive comments and recommendations from Member States and stakeholders during this present review process.

The Philippine Human Rights Agenda

Let me take this opportunity to update you on the Philippine Human Rights Agenda, which consists of four pillars:

1. Transformational Reform of our Justice and Law Enforcement Sectors,
2. Investments in Economic, Social and Cultural Rights of our Citizens,
3. Protection of Vulnerable Groups, and
4. Constructive and Open Engagement with the International Community

“Real Justice in Real Time”: Reforms in our Criminal Justice System

Last month, I reported to the Human Rights Council on the transformative reform agenda that the Government of President Ferdinand R. Marcos is undertaking to deliver **“Real Justice in Real Time.”** This is a continuous, concerted and coordinated effort, led by the Department of Justice, to ensure that our citizen’s human rights are protected, promoted, and maintained – anchored upon respect for the Rule of Law and due process. Much-needed reforms, process-driven, cut through the five pillars of the criminal justice system in our country.

President Marcos has set the tone at the top – calling on the Philippine National Police to use force only when necessary and make sure it is accountable and justifiable. He has refocused the anti-illegal drug campaign by tackling poverty-eradication, and by giving priority to rehabilitation, prevention, education and assistance to victims and their families.

As we embark on a more inclusive and empowering system of social justice, the Department of Justice has enacted concrete measures to **change the culture** of our judicial and law enforcement processes – to inject human rights into every step of the way to protect the human dignity of all, especially the most vulnerable and marginalized, and uphold our Constitutional values as a deeply caring and compassionate society.

Allow me to share some practical examples in our quest for reform in our justice system, as I believe the numbers and changes on the ground speak louder than any words:

1. In the recent case of journalist “Percy” Lapid, we were able to take resolute and pro-active action, upon the express directive of the President himself. In 17 days, we completed the investigation, case build-up and filing of charges against a high ranking government official, the first in decades. In the process, we uncovered a deeply-rooted criminal enterprise inside the corrections pillar – another pillar of our justice system.

2. In September and October this year, we released 728 persons deprived of their liberty (PDLs) from prison, many of whom had already served their sentences. I am personally committed to continuing regular releases and aim to have 5,000 released by June next year.
3. We are decongesting our correction system by decentralizing our prisons, consistent with the Regionalization of Prisons Act. Plans are underway for the transfer of the maximum security prison from the New National Bilibid Prison to Sablayan, Occidental Mindoro, the medium security prison to Tanay, Rizal and the minimum security prison to Fort Magsaysay, Nueva Ecija.
4. The Department of Justice is working closely with the Department of Interior and Local Government and the Supreme Court – through the **Justice Sector Coordinating Council** – a mechanism for effective coordination and sharing of information, planning, and implementation of joint initiatives and judicial reform.
5. We are reinforcing the cooperation and coordination of the **prosecution and law enforcement. Proactive case build-up** will ensure the quality of cases that reach the courts, thereby increasing the chances of success in prosecution, and ensuring certainty of punishment. Truly, the best recipe in the deterrence against criminality.

6. The **Review Panel** created by the Department of Justice to re-examine incidents during the government's anti-illegal drug campaign continues its important work. Recently, at least seven (7) incidents involving deaths were filed before the courts, for which 25 police officers have been indicted. A total of 302 cases have been referred by the Review Panel to the National Bureau of Investigation for case build-up.
7. The Philippine National Police conducted its own investigations of 17,500 officers in which 27 were dismissed from service, 18 were demoted and 98 suspended. Criminal charges were also filed.
8. Nine (9) additional cases will be filed with the Administrative Order 35 Mechanism that looks into allegations of extra-judicial killings. This is a fruit of **enhanced, secure, and open** dialogue I have personally made with civil society leaders who previously did not wish to come forward.
9. With the recent discovery of 176 unclaimed and abandoned cadavers of PDLs at the accredited funeral home of our New National Bilibid Prison, I directed the conduct of an inventory and medico-legal investigation. This is to determine the causes of their deaths with the end view of making legally accountable those found responsible for these mysterious deaths.

As you can see, the Government does not hesitate to take action when there is compelling evidence to do so. **We will leave no one behind.** Hence, we continue to **invite CSOs, witnesses, and families of victims to come forward** and provide information and file appropriate cases. We will provide support and security to witnesses under the Witness Protection Program (WPP), so that fear will not impede in the administration of justice. This is the essence of the community pillar in our criminal justice system.

We will dispel the mistaken notion that there is a “culture of impunity” in our country. We will not tolerate the denial of justice nor any violation of human rights.

Investments in Economic, Social and Cultural Rights

President Marcos, consistent with a whole-of-nation approach, outlined an expansive governance and development program, focusing on agriculture, agrarian reform, health, education, infrastructure, energy, social welfare and development, overseas employment, and climate change impacts. Sound fiscal management and reforms in taxation were initiated to ensure that all Filipinos have equal access to food, adequate housing, work, health, education, and a healthy environment.

Investments to promote and maintain economic, social and cultural rights include the following:

- ₱8 billion (US\$138 million) to the Department of Agriculture as subsidy for millions of farmers;
- ₱7.68 billion (US\$132.4 million) for the Department of Social Welfare and Development for 4 million cash transfer beneficiaries, including people in crisis situations and for the COVID pandemic, and for 153,000 emergency shelters for typhoon victims;
- ₱584.5 million (US\$10 million) for the Department of Labor and Employment to assist 16,526 victims of the Magnitude 7 earthquake in Northern Luzon and 74,333 victims of Super typhoon Noru in July and September of this year, respectively;
- ₱529.2 million (US\$9.12 million) for the Department of Health's Cancer Assistance Fund to extend financial help to needy cancer patients;
- ₱925 million (US\$15.95 million) for the Department of Education as cash support for 925,178 teachers; and

- ₱250.4 million (US\$4.32 million) for the Department of Environment and Natural Resources for the clean-up and rehabilitation of polluted river systems in Luzon.

Protection of Vulnerable Groups

As a testimony of our advocacy for the human rights and welfare of migrant workers, the Government established this year a dedicated Department for Migrant Workers, separate and distinct from the existing Department of Labor and Employment.

The Philippines remains committed to fighting trafficking in persons, especially women and children. Our Tier 1 status recognizes the efforts of the Inter-Agency Council Against Trafficking. With the recent signing of the Online Anti-Sexual Abuse and Exploitation of Children Act greater protection would be granted to vulnerable children in our country.

Consistent with our treaty obligations under UN conventions, we continue to protect refugees, stateless persons, and persons of concern. The Philippines hosts Rohingya refugees and provides them free tertiary education under the Complementary Pathway program. We continue to actively consider and discuss with partners, such as the UN High Commissioner for Refugees and the United States, possible means to temporarily host other persons at risk.

Constructive and Open Engagement – UPR Recommendations and the UN Joint Program

Madame Vice-President,

Our engagement in the UPR is in consonance with our commitment to sustain active, open, and constructive dialogue with the international community and relevant UN mechanisms on human rights. In this spirit, our national report for this fourth cycle was prepared through inclusive consultations with decision-makers and stakeholders, including civil society.

Careful review was undertaken on the recommendations arising from the last cycle. To that end, considering that our system of government consists of three independent and co-equal branches, we from the Executive branch consulted with representatives from the Legislature and the Supreme Court. It is very important to understand our compliance with the recommendations in the context of the system of our government and our cultural beliefs and national identity.

Of the total 257 recommendations received, 103 were accepted, fully supported, and implemented by the Philippines.

These accepted recommendations focused on the following areas: scope of international obligations and cooperation with

human rights mechanisms; national human rights framework; right to development; environment; human rights and counter-terrorism; right to life, liberty, and security of persons; administration of justice, including impunity, and the rule of law; prohibition of all forms of slavery; right to privacy and family life; right to work and to just and favorable conditions of work; right to social security; right to adequate standard of living; right to health; right to education; and sector rights involving women, children, persons with disability, migrants, asylum seekers, internally displaced persons, and stateless persons.

The Philippines noted 154 recommendations, as 99 of which required processes that go beyond the control of our branch of government. The Philippine Government, nonetheless, will make best efforts to implement these recommendations, taking into account national, cultural, and historical circumstances and constraints.

Sadly, some of these recommendations appear to insinuate, advertently or inadvertently, that the State has not taken any action on concerns raised. This despite our submission of our national report and during interactive dialogues. For instance, the issue on the death penalty and the lowering of the age of criminal responsibility were sufficiently addressed during the interactive dialogue and subject of deliberations in our Legislature.

The Philippines did not support 55 recommendations since they seem to be too sweeping, vague or even contradictory. Ours is a vibrant and active democracy, among the freest in the world. Nonetheless, some of these recommendations may merit future consideration by our Government.

In the period covering the review cycle, the Philippines served its fourth and fifth terms in the UN Human Rights Council, championing reforms in human rights.

The Philippines has existing national accountability mechanisms, and has endeavored to improve data-collection, set up a national mechanism for implementation, reporting and follow-up of recommendations from UN human rights mechanisms. It is also pursuing a human rights-based illegal drug control program and human-rights based approach to counter-terrorism; as well as further empowering a free and inclusive civic space.

The UN Joint Program on Human Rights supports these existing mechanisms.

The Philippines went through two enhanced interactive dialogues with this Council, both of which focused on the progress made by the Philippines and the UN Joint Program.

President Marcos described the program at the UN General Assembly as *“an example of a constructive approach that puts our people, not our politics, at the center of its work. It provides a model for revitalizing the structures that facilitate solidarity between the United Nations and a sovereign duty-bearer.”*

To date, as state party to eight core international human rights treaties, we have submitted five (5) compliance reports, and went through four (4) constructive dialogues with treaty bodies. We concluded a constructive dialogue with the UN Human Rights Committee last month. And a month before that, we had one with the UN Committee on the Rights of the Child.

We have continually engaged with UN Special Procedures Mandate Holders on human rights issues of relevance to the country. We initiated the best practice of one-on-one meetings with UN Special Rapporteurs at the sidelines of HRC sessions. We have had 31 such meetings since 2019. It was through these engagements that we finalized the visit this month of the Special Rapporteur on the Sale and Sexual Exploitation of Children. The Special Rapporteur on Freedom of Opinion and Expression is scheduled to visit in 2023. We have also engaged the Special Rapporteur on Extra-judicial, Summary or Arbitrary Executions for training on the Minnesota Protocol.

The Philippines' vast civic space is home to over 101 thousand non-profit organizations of which 60 thousand are NGOs actively engaged in advocacy work. In the last three years, hundreds of hitherto silent and unheard of human rights organizations have made their presence felt under three major activities spearheaded by the State. These are the *Mga Tingog sa Yutang Kabilin* (Voices from the Ancestral Domains) in August 2020; *Ugnayan Bayan* (National Engagement) from November to December 2020, and the First Philippine Human Rights Defenders National Assembly in December 2021. Ambassadors and officials of foreign missions, UN Special Rapporteurs, and UN Country Team officials witnessed and/or acted as resource persons in these events.

Challenges

Many states may be challenged by a human rights environment continually being used as a political tool by its critics. But we take this as the price we pay for a democratic system of government that continuously enables and empowers its civic space.

At our recent interactive dialogue with the Human Rights Committee, I made a strong call for State actors to abide by their role as human rights defenders. In the context of being duty bearers, the State arrogates upon itself a major duty to defend

the rights of its citizens. Civil society groups in the Philippines have lengthily discussed this matter with us, specifically referring to UN Fact Sheet No. 29 which cites a significant provision that defines a human rights defender as one who does not advocate hate or violence. Unfortunately, this discussion was not reflected in the summary of proceedings of the Human Rights Committee. I can only surmise that a much larger venue, such as the UPR, is ultimately where I can reiterate this louder call: state actors are also human rights defenders. Nonetheless, as in other free societies, the Philippines shall continue to provide accessible and welcoming venues for active and meaningful dialogue, with and amongst CSOs and human rights defenders.

Conclusion

In closing, we trust this UPR will take into account the national, cultural and social context of our country's compliance with its human rights obligations. Our commitment to human rights was and continues to be anchored on "Real Justice in Real Time."

Our delegation is now ready for comments and recommendations from member states, and will respond to them accordingly.

Thank you.