



COMMISSION ON HUMAN RIGHTS

REPUBLIC OF
THE PHILIPPINES

CHR: DIGNITY OF ALL

VISION:

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

MISSION:

As conscience of government and the people, we seek truth in human rights issues. As beacon of truth, we make people aware of their rights, and guide government and society towards actions that respect the rights of all, particularly those who cannot defend themselves—the disadvantaged, marginalized, and vulnerable.

Situationer: Who are the overseas Filipinos

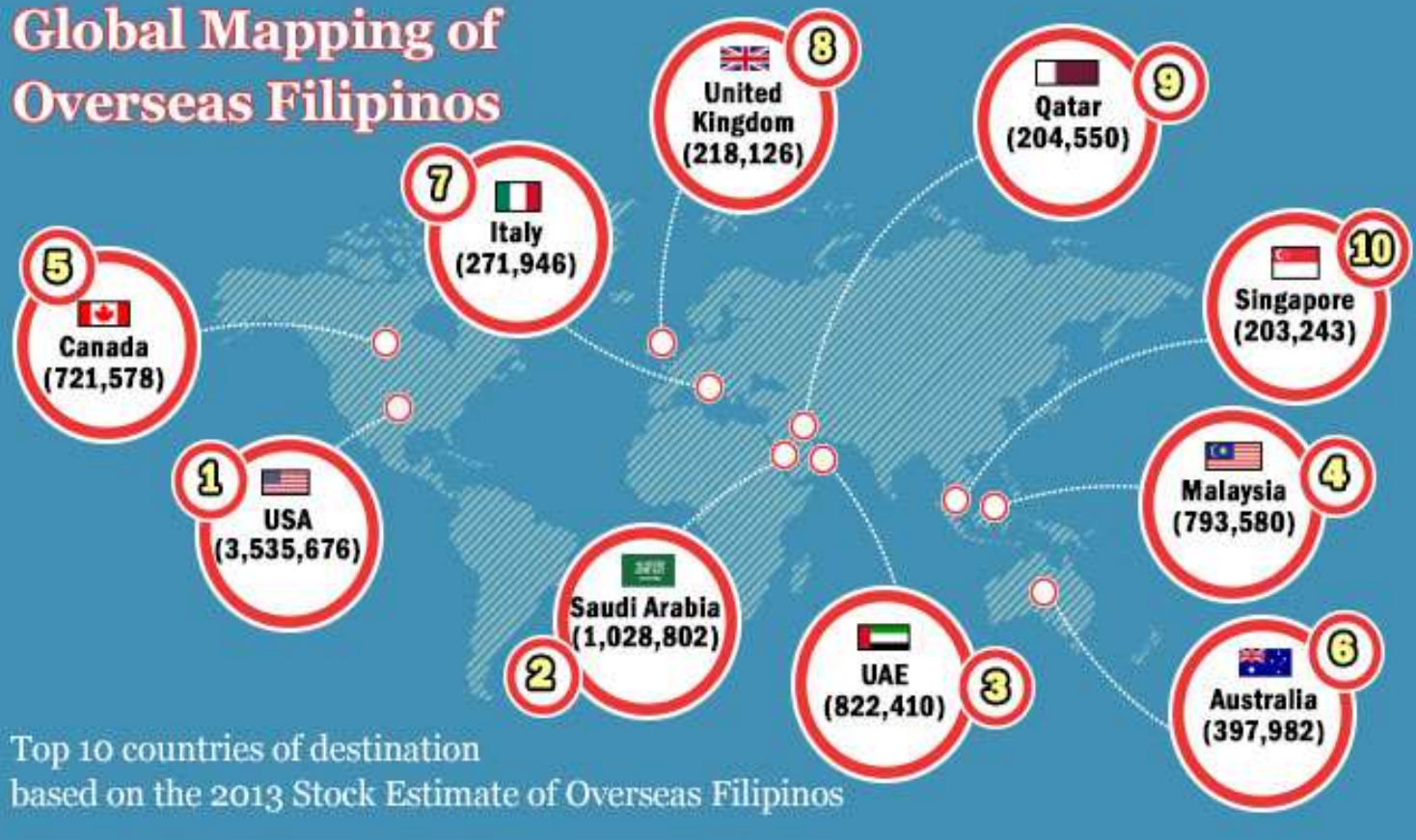
There are 10.2 million overseas Filipinos in 2013.

- 4.9 million permanent migrants,
- 4.2 million temporary workers, and
- 1.2 million irregular workers, where the latter two are those usually referred to as overseas Filipino workers (OFWs).
- Filipinos dominate the global seafaring industry, accounting for 25 to 30 percent of the world's seafarers.
- 2.2 million OFWs in 2016, a little over half (54%) are female.

Remittances

From 2.2 million to as much as 5.8 million families in the country (around 10-27% of total families) depend on overseas remittances as their main or supplementary source of income. The total remittances sent by OFWs in 2017 was 205.2 billion pesos.

Global Mapping of Overseas Filipinos



Source: Commission on Filipinos Overseas (CFO)

NHRI's mandate and capacity in protecting the rights of migrant workers and members of their families

CREATED BY VIRTUE OF THE

1987 PHILIPPINE CONSTITUTION

There is hereby created an independent office called the **Commission on Human Rights**. (Art. XIII, Sec. 17)

The State values the dignity of every human person and guarantees full respect for human rights. (Art. II, Sec. 11)

- An **independent** national human rights institution
- Established as a response to the grave human rights abuses experienced by the Filipino people during the martial law rule

Functions of the CHR (Art. 13, Sec 18):

- (1) Investigate, on its own or on complaint by any party, all forms of human rights violations involving civil and political rights;
- (2) Adopt its operational guidelines and rules of procedure, and cite for contempt for violations thereof in accordance with the Rules of Court;
- (3) Provide appropriate legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, and provide for preventive measures and legal aid services to the underprivileged whose human rights have been violated or need protection;
- (4) Exercise visitorial powers over jails, prisons, or detention facilities;

Functions of the CHR (Art. 13, Sec 18):

- (5) **Establish a continuing program of research, education, and information to enhance respect for the primacy of human rights;**
- (6) **Recommend to the Congress effective measures to promote human rights and to provide for compensation to victims of violations of human rights, or their families;**
- (7) **Monitor the Philippine Government's compliance with international treaty obligations on human rights;**
- (8) **Grant immunity from prosecution to any person whose testimony or whose possession of documents or other evidence is necessary or convenient to determine the truth in any investigation conducted by it or under its authority;**

Functions of the CHR (Art. 13, Sec 18):

- (9) Request the assistance of any department, bureau, office, or agency in the performance of its functions;
- (10) Appoint its officers and employees in accordance with law; and
- (11) Perform such other duties and functions as may be provided by law.

GOVERNMENT OF THE PHILIPPINES

The Philippines is a democratic and republican State. Sovereignty resides in the people and all government authority emanates from them. -Article II, Section 1 of the 1987 Constitution

EXECUTIVE



President



Vice President



Cabinet



Local Government

LEGISLATIVE



Senate



House of Representatives

JUDICIARY



Supreme Court



Regional Metropolitan Trial Courts



Special Courts

CONSTITUTIONAL COMMISSION/OFFICES



Civil Service Commission



Commission on Elections



Commission on Audit



Office of the Ombudsman



Commission on Human Rights




Republika ng Pilipinas (Estado)



**Ang KARAPATANG PANTAO ay ang
PANGUNAHING RESPONSABILIDAD ng estado**

The state values the dignity of every human person and guarantees full respect for human rights. (Art. II, Sec 11, Philippine Constitution)

halimbawa

 **Right to Life, Liberty, and Property:**
Police (PNP)

 **Right to Health:**
Department of Health

 **Right to Social Security:**
SSS & GSIS 

 **Right to Education:**
Department of Education

 **Right to Work:**
Department of Labor and Employment



COMMISSION ON HUMAN RIGHTS
ay ang **WATCHDOG, MONITOR, ADVOCATE,**
at **EDUCATOR** ng gobyerno

NHRI's mandate and capacity in protecting the rights of migrant workers and members of their families



Protection mandate

- CHRP has received emails and alerts from families of OFWs or civil society organizations and labor unions that are in touch with distressed OFWs.
- Our regional offices also have recorded cases filed by OFW families, most of them are ESCR issues such as child support, legal separation, domestic violence, and request for legal assistance and advice.



Photo credits:

<http://interaksyon.com/article/121673/deluge-of-ofws-and-balikbayans-at-naia-arrivals-expected-to-exceed-500000>

<http://newsinfo.inquirer.net/files/2013/11/teacher1-660x440.jpg>

http://www.irishexaminer.com/remote/media.central.ie/media/images/a/AirplaneInSkyGeneric_large.jpg?width=648&s=ie-363623

NHRI's mandate and capacity in protecting the rights of migrant workers and members of their families



We have looked into cases of a domestic worker in Saudi Arabia, an undocumented migrant worker in Malaysia, trafficked teachers in the United States, deportation cases of three OFWs in Qatar and we have conducted a motu proprio investigation on the case of Joanna Demafelis, the domestic worker who was brutally murdered by her employers in Kuwait.



OBJECTIVE: MIGRANTS RIGHTS OBSERVATORY



Looking out for the plight of our Filipino migrant workers forms part of the Commission's broad mandate of ensuring that their rights are upheld, alongside other vulnerable and marginalized sectors.

We call on the government to similarly address threats to human rights both on the domestic and international fronts.

Every Filipino and Filipina deserves the government's equal protection wherever they may be—regardless if it is about alleged human rights violations linked to the government's campaign against illegal drugs or those concerning the rights of migrant workers.

Statement of the Commission on Human Rights urging the government to address alleged human rights violations committed locally and abroad | 24 March 2018

[/chrgovph](#)

CHR: Dignity of all

Establish an appropriate system of baseline information on the human rights situation of overseas Filipino workers (OFWs) and members of their families, as well as monitoring and evaluation (M&E) system using a human rights-based approach (HRBA);



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CHR: Dignity of all

Establish a mechanism to enable OFWs and their families to report rights violations and access justice;



OBJECTIVE: MIGRANTS RIGHTS OBSERVATORY



Enhance the capacity of relevant civil society organizations and CHR personnel, especially in the regions to improve on the system of monitoring the human rights situations and the **promotion mandate** of the Commission for the rights of OFWs and their families;



OBJECTIVE: MIGRANTS RIGHTS OBSERVATORY



Strengthen the network of NHRIs and civil society in Middle East and South East Asia in protecting the rights of OFWs and members of their families.



MIGRANTS RIGHTS OBSERVATORY



Consultation with OFWs, returnee migrants and migrants associations, Tagaytay, Cavite, February 2017.

In partnership with the Blas F. Ople Policy Center and Training Institute (Ople Center), supported by the Governance in Justice (GOJUST) Program of the European Union.

COOPERATION AGREEMENTS WITH NHRIs



The Cooperation Agreement with NHRC Qatar is one concrete example that formalizes the referral network between two NHRIs.

Another example is the recently signed (on 24 March 2019), Memorandum of Understanding between SUHAKAM and Komnas HAM on the protection of the rights of stateless persons in Sabah; the CHRP is an observer to that MOU and we are in talks with the two NHRIs in signing a multilateral agreement on people on the move in the region in general (migrants, refugees, asylum seekers, stateless persons).



Human rights policy advisory: international obligations monitoring



A wide view of the Human Rights Council at its 18th session, in Geneva, Switzerland. UN Photo by Jean-Marc Ferré.

- Human Rights Council
- Engagement with the UN Special Rapporteurs
- Reports to the UN Treaty Bodies
- Universal Periodic Review
- Other international human rights mechanisms of the UN

Global Compact for Safe, Orderly and Regular Migration (GCM)



Adopted on 10 December 2018 by 164 UN Member States in an international conference in Marrakech, Morocco, the GCM is a monumental achievement where Member States, civil society, national human rights institutions and all relevant stakeholders have come together to address all aspects of migration with promotion and protection of human rights at its core.

Photo credits:

<http://germany.iom.int/en/aggregator/sources/3?page=13>

<https://blogs.un.org/blog/2018/12/10/historic-global-compact-for-migration-adopted/>

Global Compact for Safe, Orderly and Regular Migration (GCM)



As the Asia-Pacific member of the Task Force Migration of the Global Alliance of National Human Rights Institutions, the CHRP has been actively engaged from the beginning of the GCM negotiations. The roles of NHRIs has been identified in the GCM itself and in the various phases of implementation of the GCM at the national level.



The salient feature of the GCM is the equal enjoyment of rights of both citizens and migrants.

Photo credits:

<http://germany.iom.int/en/aggregator/sources/3?page=13>

<https://blogs.un.org/blog/2018/12/10/historic-global-compact-for-migration-adopted/>

Conclusion

The CHRP is anticipating the fulfillment of the rights of OFWs and their families in the implementation of the GCM, as well as internationally binding treaties relevant to migration and human rights, including the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families.

Our mandate, whether we are a National Human Rights Institution, the State, international organization, NGO, trade union or grassroots group, is to be true to our commitment in respecting, protecting and fulfilling human rights, and support migrant workers and members of their families in breaking down barriers for their empowerment.



COMMISSION ON HUMAN RIGHTS

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