

**Commission on Human Rights of the Philippines**

**Comments on the DRAFT General Recommendation on Trafficking in**

**Women and Girls in the Context of Global Migration**

**8 May 2020**

1. The Commission on Human Rights of the Philippines (herewith the Commission), in response to the call of the Committee on the Elimination of Discrimination against Women submits its comments and proposedinputs on the draft *General recommendation on Trafficking in Women and Girls in the Context of Global Migration*  for the Committee’s proper consideration.

1. **Section IV (e)**

**Paragraphs 19-24 -**The following may also be considered as root causes of trafficking:

* + Impact of international economic developments including the adoption of macroeconomic policies disproportionately affects women and their children that majority live in less developed countries. Structural adjustment programmes and measures of these countries led to the reduction of social expenditures that adversely affects and exacerbates the responsibilities for basic social services that shifted from the government to women.
  + Persistent and increasing burden of poverty on women because of structural causes of poverty that include economic, social and political that hamper their education, lifelong learning, literacy and training opportunities as well as economic independence and employment
  + Multiple barriers and intersecting barriers to their empowerment and advancement that include factors of race, age, ethnicity, culture, religion and disability

**Paragraph 25 (f)(iii)**

* + Note that in the Philippines, the Congress is considering a proposal that would impose death penalty for acts of qualified human trafficking. This is opposed by human rights

groups as it fails to consider the legal mechanisms binding on the Philippines (both national laws and international treaties on human rights), the potential consequences for the Philippines in economic and international terms, the counter - productive effects on combatting trafficking through international cooperation, and the impact on the criminal justice system, family law, and child protection systems.

1. **Section IV (f and g )**

**Paragraph 42 -** with respect to women and girls facing a higher risk of being trafficked, the following are our proposed recommendations:

* + - ease nationality requirements of countries, data collection, and wide information dissemination on the process and requirements of registration of children particularly undocumented girl children (this is one of the main problems of our undocumented Filipino migrant workers and children with alien fathers; we should insist to include this provision)
    - put in place social protection programmes and measures that include social safety nets, social security and labor markets to protect them from unscrupulous recruitments and help women start anew after displacement.

1. **Section IV(e) and V(a)**

**Paragraphs 25 (d) and 68 (i)** - consider including National Human Rights Institutions as monitoring bodies pursuant to the Paris Principles.

1. **Section VI (a)**

**Paragraph 86**

* + Condemn the use of anti-trafficking laws to justify death penalty or other excessive punishments that unreasonably endangers human rights.