



**INPUTS OF THE COMMISSION ON HUMAN RIGHTS OF THE PHILIPPINES TO THE REPORT OF THE UN SECRETARY-GENERAL PURSUANT TO THE UN GENERAL ASSEMBLY RESOLUTION 77/205**

**30 April 2023**

**Introduction**

1. **The Commission on Human Rights of the Philippines** (hereinafter the “Commission”)[[1]](#footnote-1) submits its written inputs to the Office of United Nations Secretary-General António Guterres for his report to the UN General Assembly Resolution 77/20 *“A global call for concrete action for the elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action.”*
2. The inputs from the Commission took into consideration local and international reports from government, civil society, the media, and international non-governmental organizations. This submission also utilized the Commission’s own documentation of independent monitoring activities and statements, which were subjected to the internal deliberations of the Commission En Banc.

***Extent and impact of systemic racism and effective legal, policy and institutional measures that address racism beyond a summation of individualized acts:***

1. The Indigenous Peoples Rights Act of 1997, (IPRA)[[2]](#footnote-2) is the main national legislation in the Philippines that recognizes, promotes, and protects the rights of indigenous peoples and indigenous cultural communities. IPRA aims to correct historical injustices against indigenous peoples, enforce constitutional mandates and observe international norms. The following are specific provisions, stipulating measures against discrimination:

* The State shall guarantee that members of the ICCs/IPs regardless of sex, shall equally enjoy the full measure of human rights and freedoms without distinction or discrimination[[3]](#footnote-3);
* Equal Protection and Non-discrimination of ICCs/IPs[[4]](#footnote-4);
* Rights During Armed Conflict[[5]](#footnote-5);
* Freedom from Discrimination and Rights to Equal Opportunity and Treatment[[6]](#footnote-6); and
* Recognition of Cultural Diversity, the State shall take effective measures, in consultation with ICCs/IPs concerned, to eliminate prejudice and discrimination and to promote tolerance, understanding and good relations among ICCs/IPs and all segments of society[[7]](#footnote-7).

1. There are specific laws and executive issuances of the government with explicit penalties against racial discrimination such as: (a) Presidential Decree No. 966, declares organizations, as well as organized propaganda activities, that promote and incite racial discrimination as illegal and deemed prohibited;[[8]](#footnote-8) and (b) Joint Administrative Order Number 1 Series of 2012 constitutes a violation of IP rights to be awarded Certificates of Ancestral Domain Titles (CADT) that sets the metes and bounds of their domains and allows them to assert rights within those boundaries against those operating to deny them the exercise of priority rights in developing said domains.[[9]](#footnote-9)
2. There are recent legislations passed by the Philippine Congress that provide measures and penalties to combat discrimination against indigenous peoples in the country, are as follows:

* Republic Act No 11596, An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof[[10]](#footnote-10), this law shall be fully and promptly implemented by the concerned government agencies within their respective jurisdictions, particularly the National Commission on Indigenous Peoples, which “shall include in its program of action awareness-raising campaigns within indigenous cultural communities/indigenous peoples on the impacts and effects of child marriage in the overall health and development of children, monitor and report cases of child marriages in communities under its jurisdiction, ensure the faithful implementation of this Act and its interpretation in the interests of the child”.[[11]](#footnote-11) Also, “indigenous cultural communities/indigenous peoples, and in consultation with other concerned government agencies and stakeholders, promulgate rules and regulations to implement this Act;”[[12]](#footnote-12)
* Republic Act No. 11188, Special Protection of Children in Situations of Armed Conflict.[[13]](#footnote-13) This law sets the policy of the State to provide special protection to children in situations of armed conflict from all forms of abuse, violence neglect, cruelty, discrimination and other conditions prejudicial to their development, taking into consideration their gender, cultural, ethnic and religious background[[14]](#footnote-14);
* Republic Act No. 11166, Philippine HIV and AIDS Policy Act[[15]](#footnote-15), this law stipulates that “policies and practices that discriminate on the basis of perceived or actual HIV status, sex, gender, sexual exploitation, gender identity and expression, age, economic status, disability, and ethnicity hamper the enjoyment of basic human rights and freedoms guaranteed in the Constitution and are deemed inimical to national interest;[[16]](#footnote-16) and
* Republic Act No. 11036, Mental Health Act[[17]](#footnote-17), “the State commits itself to promoting the well-being of people by ensuring that mental health is valued, promoted and protected; mental health conditions are treated and prevented; timely, affordable, high--quality, and culturally-appropriate mental health care is made available to the public; mental mental health services users; and persons affected by mental health conditions are able to exercise the full range of human rights, and participate fully in society and at work, free from stigmatization and discrimination.”[[18]](#footnote-18)

1. In the Philippine Congress, legislators have filed anti-discrimination bills since 1999, and, up to the present there are opposing views from some legislators and religious groups. During the 18th Congress, the Comprehensive Anti-Discrimination Bill (CADB) reached the 2nd reading in the House of Representatives while it reached the 1st reading in the Senate. During the 19th Congress, the CADB is still pending at the Committee on Human Rights of the House of Representatives.
2. The Philippine government included the anti-discrimination bill in the Philippine Development Plan (PDP): 2023-2028[[19]](#footnote-19) and Ambisyon 2030 priority legislative agenda.
3. The Commision, pursuant to its legal mandate, renders protection, promotion and policy services with due regard to the human rights of indigenous peoples. These services include the conduct of investigation on complaints filed by indigenous peoples (IP) groups; provision of legal assistance; monitoring of the human rights situation of Indigenous Cultural Communities (ICC) that are impacted by mining and agribusiness activities; calling for and formation of inter-agency working groups and task force comprised of focal persons from responsible government agencies that are legally mandated to address specific problems raised by the indigenous cultural communities involved; issuance of human rights advisories that set forth the standards expected from duty-bearers in respecting, protecting and fulfilling indigenous peoples rights; conduct of dialogues and orientation with indigenous cultural communities on human rights, among others.
4. Enforcement is intrinsic in every legal regime, i.e., any law requires enforcement for its proper implementation. IPRA’s recognition of customary law is clear in Sec. 15, IPRA: “The ICCs/IPs shall have the right to use their own commonly accepted justice systems, conflict resolution institutions and peace building processes or mechanisms and other customary laws and practices within their respective communities as may be compatible with the national legal system and with internationally recognized human rights.” During the Commission’s national inquiry on the rights situation of indigenous peoples, indigenous peoples have reported frustration in the enforcement of their customary laws within the ancestral domain., especially with non-IPs.[[20]](#footnote-20).

***Hate speech, incitement to racial discrimination, hostility and violence;***

1. In the Philippines, there is no legislation on hate speech, although it has laws on libel and defamation. During the 18th Congress, a bill emanating from the Lower House was filed that aims to define, prohibit and penalize hate speech in the country.
2. The Commission issued a position paper[[21]](#footnote-21) on House Bill No. 9177 entitled “An Act Defining Hate Speech and Providing Penalties Therefore”, a consolidated version of House Bill No. 2370 filed by Representatives Cheryl P. Delloso-Montalla and House Bill No. 3672 filed by Representatives Mujiv S. Hataman and Amihilda F. Sangcopa. The bill was filed as a result of the violent incidents that occurred in Christ-church and El Paso that killed individuals due to racist and anti-immigration sentiments[[22]](#footnote-22), the latest bill HB09177[[23]](#footnote-23) dated April 7, 2021 is still in the period of interpolation.
3. In the 19th Congress there are currently several bills[[24]](#footnote-24) that are filed prohibiting forms discrimination on the basis of ethnicity, race, religion of belief, sex or gender or sexual orientation,language,disability, educational attainment and other forms of discrimination.

***Participatory and inclusive design and implementation processes that contribute to halting, reversing and repairing the lasting consequences and ongoing manifestations of systemic racism:***

1. The Commission, in its National Inquiry on the Human Rights Situation of Indigenous Peoples (IPs) in the Philippines Report[[25]](#footnote-25) involved indigenous peoples in the processes by asking them to provide recommendations, while good practices were shared and recognized. Being a consensus building mechanism, the national inquiry is truly a venue for both the rights-holders and the duty-bearers to engage in a partnership to resolve the issues. Specifically, the following are reports shared during the National Inquiry related to systemic racism/ discrimination experienced by indigenous peoples[[26]](#footnote-26):

* The Free Prior Informed Consent (FPIC)[[27]](#footnote-27), as a requirement has been uniformly violated by both State and non-State duty bearers”. The National Commission on Indigenous People (NCIP) and all State duty bearers implementing projects or programs affecting indigenous peoples and their ancestral domains, have been wanting in enforcement of and compliance with this right[[28]](#footnote-28);
* Remedies appropriate to indigenous peoples’ culture are hindered by the State when indigenous peoples are forced to litigate in adversarial courts of justice[[29]](#footnote-29);
* Police power and enforcement of customary law decisions and domain protection as a measure of indigenous peoples empowerment is not recognized and supported by the State. There is no provision in the IPRA or its implementing rules on customary law enforcement through traditional enforcers who are inherent in the societal structure of every tribal society[[30]](#footnote-30); and
* The state is deficient in gathering and disaggregating data on IP women, IP youth and children, internally displaced indigenous peoples and indigenous elderly to render them specific targets of government assistance and expenditures. There is insufficient monitoring of IP rights to access to basic services as well as indigenous collective rights to ancestral domains development.[[31]](#footnote-31)

1. The Commission, as the National Human Rights Institution (NHRI) of the Philippines and with a mandate vested by the 1987 Philippine Constitution[[32]](#footnote-32) to promote and protect the full range of human rights including the elimination of racial discrimination particularly the indigenous peoples. “We must always treat everyone with respect and compassion. Every individual’s right to non-discrimination is an immediate and crosscutting obligation and applies to the exercise of each and every human rights guaranteed in both national and international laws.[[33]](#footnote-33)

***Racism, racial discrimination, xenophobia and related intolerance targeting migrants and***

***refugees:***

1. Executive Order 163, s. 2022 (EO 163)[[34]](#footnote-34) entitled “Institutionalizing Access to Protection Services for Refugees, Stateless Persons, and Asylum Seekers,” guarantees the protection of the rights to security, liberty, and mobility of refugees. As the country’s first enacted policy on refugees that provide benefits beyond entry to the Philippines, EO 163 is considered a milestone document. It institutionalizes the Inter-Agency Committee on the Protection of Refugees, Stateless Persons, and Asylum Seekers, which is chaired by the Secretary of the Department of Justice and vice-chaired by the Secretary of the Department of Social Welfare and Development. The executive order seeks to employ a convergence approach to be able to provide for the holistic needs of refugees. These include the provision and access to government programs, such as health services, social protection, education, legal assistance, and gainful employment.
2. Recognizing the Philippines’ commitments under international law, particularly the 1951 Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, the 1954 Convention Relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness, the Supreme Court, during its En Banc last February 15, 2022, approved A.M. No. 21-07-22-SC[[35]](#footnote-35), or the Rule on Facilitated Naturalization of Refugees and Stateless Persons. The rule aims to simplify and reduce legal and procedural hurdles in obtaining Philippine citizenship to facilitate the assimilation and naturalization of refugees and stateless persons into Philippine society. It governs the procedure for the filing of petitions for naturalization by refugees and stateless persons recognized by the Philippine Government.
3. The Commission monitors the human rights situation of persons of Filipino descent in Sabah. From the monitoring missions of the Commission in previous years, findings show that most returnees from Sabah are migrant workers without legal documents. Despite being undocumented, some of these forced returnees have lived most of their lives in Sabah where they have established their own families and livelihood. Once caught in the crackdown by Malaysian authorities against ‘illegal immigrants’ and forced to return to the island provinces in the Sulu Sea, these deported individuals come to Zamboanga City bringing with them nothing. After returning to their places of origin, some of the forced returnees choose to go back to Sabah even without valid travel documents. As a result, there are forced returnees who have been sent back to Zamboanga City more than once.

The cycle continues because of the lack of livelihood on the part of the forced returnees once they return to their places of origin. Acquiring travel documents for those living in the Basilan-Sulu-Tawi Tawi (BASULTA) area is also difficult since the deportees still have to travel to Zamboanga City to access government offices. Due to the lack of resources in the BASULTA area, a number of people from the provinces aim to come to Sabah to work. Most of them, if not all, take the “back-door” route going to Sandakan or other areas in the Sabah region – they pay a hefty sum of money to take a boat out of Zamboanga City or BASULTA going to different islands in the Sulu Sea, before arriving in Sabah. Those who are caught in the Sabah crackdowns and deported to Zamboanga City choose to take the “back-door” route again to return to Sabah.

1. The Department of Social Welfare Development Processing Center (DSWD PCPD) reported that some forced returnees include children without any birth certificate or identity documents. These children are often born into undocumented Filipino workers’ families staying in Sabah. Because of the lack of civil documents that guarantee their nationality, these children are considered at risk of becoming stateless.[[36]](#footnote-36)
2. Aside from the risk of being stateless, forced returnees also face other human rights concerns. While undergoing the necessary processes for their repatriation, forced returnees are detained at temporary detention facilities in Sabah. Although some did not have human rights issues during their detention, a number of forced returnees, mostly males, experienced torture and lack or denial of food and in-kind provisions while detained. While in a detention facility in Sabah, some of the forced returnees shared that they were maltreated and beaten up by detention officers. Oftentimes, they were fed with rotten fish. Some have also stayed longer than intended duration in detention because of the delay in the processing of their repatriation. After being sent back to the Philippines, forced returnees are brought to the DSWD PCPD for processing of relevant documents before being sent back to their places of origin.[[37]](#footnote-37)

***Follow-up to the Durban Declaration and Programme of Action:***

1. The Philippine report submitted to the CERD 109th session[[38]](#footnote-38), indicated that, “the State continues to work on its commitments under the Durban Declaration and Programme of Action” as this was cited as Concluding Observation (CR 27) of the CERD Committee.
2. The following are information on action plans and other measures taken by the Philippine government that can be attributed to the implementation of the Durban Declaration and Programme of Action at the national level by means of the Philippine Development Plan (PDP), providing the set parameters, to wit:[[39]](#footnote-39)
3. On the strategy framework of the plan, there are elements that are provided for the guidance of the government. The plan will build on “tried and tested” strategies, namely:

* Private sector and civil society will observe marked improvements in bureaucratic efficiency and the practice of good governance. “Good governance entails bolstering public accountability and integrity and deepening participatory governance that ensures that marginalized sectors (e.g., women, children, **indigenous peoples**, persons with disabilities and in GIDAs) have concrete roles and significant influence in all stages of public decision-making”;
* Establish integrated, innovative, and quality health care delivery systems: Access interventions will prioritize geographically isolated and disadvantaged areas, marginalized populations, and **indigenous peoples communities**. Multisectoral partnerships with resolved payment mechanisms will be pursued to deliver telemedicine, capability support for community health care workers, remote health care services, and other innovations for health. Emergency medical services including paramedic, ambulance, and other patient transport services are also crucial to reaching more underserved and unserved areas with timely health care; and
* Social environment promotion, “Social cohesion, shall be strengthened to broaden community participation, secure community safety, ensure gender- and culture-responsive interventions, and promote the welfare of and prevent acts of violence against vulnerable groups including women; children; elderly; lesbian, gay, bisexual, transgender or transsexual, queer or questioning, intersex, and allied, asexual, aromantic, or agender (LGBTQIA); as well as **indigenous peoples (IP),** among others;

1. Outcomes of the plan, to include the following:

* “Modified Social Protection programs” are also needed by **indigenous peoples** and children who confront continuing political and governance concerns. Child labor, children in street situations, children in conflict situations, and children in conflict with the law, are only some of the social injustices that promotive and transformative SP programs need to address;
* Assure access to social protection programs in geographically isolated and disadvantaged areas: The national government, in coordination with the LGUs, shall intensify the provision of SP programs in geographically isolated and disadvantaged areas (GIDAs). **This will also entail the registration of indigenous peoples in GIDAs in the PhilSys;**
* Improve access of primary producers to production requirements: For land resources, digital technologies will be harnessed to hasten the titling of collectively-owned land and support programs for sustainable use of forestlands (e.g., through agroforestry) and ancestral lands. **At the same time, the protection of indigenous peoples’ (IP) rights, knowledge, and practices shall be ensured**;
* Agricultural institutions strengthened: Improve coordination and convergence of government agencies in planning, programming, and budgeting: To hasten the land titling process, the following will be pursued: (a) finalization of the Joint Administrative Order (JAO) between DAR and National Commission on Indigenous Peoples on the parcelization of collective CLOA in ancestral domain; and (b) implementation of the JAO between DAR and Land Registration Authority on the processing period for the generation, issuance, and registration of computerized CLOA titles;
* Seamless and inclusive connectivity via local and international linkages achieved: Facilities for the mobility needs of women and men commuters from all sectors (i.e., PWDs, senior citizens, , and **indigenous peoples**) will be provided. Gender mainstreaming, inclusion, and accessibility will be integrated in the monitoring and evaluation (M&E) mechanism. Collection of sex-disaggregated data and other gender and social inclusion data will be strengthened;
* Enhanced support to social development provided: To ensure equitable access to quality and affordable health care goods and services, proposed interventions will prioritize GIDAs, marginalized populations, and **indigenous people communities.** Multisectoral partnerships will also be pursued to deliver telemedicine, remote health care services, emergency medical service through ambulance and patient transport services, and other innovations for health. The national government will issue guidance regarding appropriate financing for such services to reach more underserved and unserved areas with timely healthcare;
* Quality and efficiency in disposition of cases improved: The jurisdiction of the National Commission on Indigenous Peoples on claims of **indigenous peoples and indigenous cultural communities on ancestral domains** will also be considered;
* Strengthen victim legal protection and assistance: Access to justice will be made more inclusive especially among marginalized sectors such as women, children, PWDs, senior citizens, and **indigenous peoples** through victim-centered, child-friendly, and gender-sensitive assistance mechanisms. Coordination among the Department of Justice (DOJ), the Philippine National Police (PNP), and the Department of Social Welfare and Development (DSWD) will be strengthened to address fragmented mechanisms in existing witness protection and victim assistance programs.

1. Assessment and Challenges, the implementation of the PDP: socio-political barriers to inclusion and the meaningful participation of marginalized sectors must be strategically addressed, particularly, the gaps in implementing the Magna Carta for Women (RA 9710), **the Indigenous People’s Rights Act (RA 8371)**, the mandatory representation of the 14 basic sectors, and inclusionary policies espousing government support of CSO participation at all levels of governance. However, there are strategies presented to overcome good governance and improve bureaucratic efficiency that will contribute to the enabling environment of the Philippine Development Plan (PDP) 2023–2028 as follows:

* Participatory governance deepened: Deepening participatory governance not only means establishing functional participatory platforms that inform or consult citizens, but also ensuring that citizens and CSOs have concrete roles and significant influence in all stages of public decision-making. Achieving this outcome will require a deeper understanding of the nuances and priorities of marginalized sectors such as women, children, **indigenous peoples**, overseas Filipinos and overseas Filipino workers, persons with disabilities, agricultural communities, and geographically isolated and disadvantaged areas;
* Legislative Agenda to Practice Good Governance and Improve Bureaucratic Efficiency: “Recognition of Indigenous People (IP) Mandatory Representatives”[[40]](#footnote-40); and
* Ecosystem resilience enhanced: The government will continue to strengthen the management and sustainable use of land, water, biodiversity, and other natural resources using integrated and ecosystem-based approaches and nature-based solutions to representatives from marginal sectors, such as women, youth and **indigenous peoples,** will be bolstered to (a) secure sustainable production, (b) accelerate rehabilitation and conservation efforts, (c) strengthen enforcement of environmental rules and regulations, and (d) boost the contribution of ecosystems in climate change adaptation and mitigation.

1. As the National Human Rights Institution (NHRI) of the Philippines, the Commission on Human Rights has the mandate vested by the 1987 Philippine Constitution and the Paris Principles to promote and protect the full range of human rights including civil and political rights, and economic, social and cultural rights. It has the responsibility to regularly report and monitor human rights situations and violations, and recommend steps in advancing the realization of human rights and dignity of all. The Commission has “A”-status accreditation from the Sub-Committee for Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI). [↑](#footnote-ref-1)
2. An Act to Recognize, Protect and Promote the Rights of Indigenous Cultural Communities/Indigenous Peoples, Creating a National Commission on Indigenous Peoples, Establishing Implementing Mechanisms, Appropriating Funds Therefor, and for Other Purposes, [The Indigenous Peoples’ Rights Act of 1997], Republic Act No. 8371 (1997). [↑](#footnote-ref-2)
3. The Indigenous Peoples’ Rights Act of 1997, §2. [↑](#footnote-ref-3)
4. The Indigenous Peoples’ Rights Act of 1997, §21. [↑](#footnote-ref-4)
5. The Indigenous Peoples’ Rights Act of 1997, §22. [↑](#footnote-ref-5)
6. The Indigenous Peoples’ Rights Act of 1997, §23. [↑](#footnote-ref-6)
7. The Indigenous Peoples’ Rights Act of 1997, §31 [↑](#footnote-ref-7)
8. Declaring Violations of the International Convention of the Elimination of all Forms of Racial Discrimination to be Criminal Offenses and Providing Penalties Therefor, Presidential Decree No. 996, art. 4 (b). [↑](#footnote-ref-8)
9. Id [↑](#footnote-ref-9)
10. An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof, Republic Act No. 11596 (2021). [↑](#footnote-ref-10)
11. An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof, Republic Act No. 11596 §8. [↑](#footnote-ref-11)
12. An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof, Republic Act No. 11596 §10.. [↑](#footnote-ref-12)
13. An Act Providing for the Special Protection of Children in Situations of Armed Conflict and Providing Penalties for Violations Thereof, [Special Protection of Children in Situation of Armed Confilct], Republic Act No. 11188 (2018). [↑](#footnote-ref-13)
14. An Act Providing for the Special Protection of Children in Situations of Armed Conflict and Providing Penalties for Violations Thereof, [Special Protection of Children in Situation of Armed Confilct], Republic Act No. 11188 (2018), §2. [↑](#footnote-ref-14)
15. An Act Strengthening the Philippine Comprehensive Policy on Human ImmunoDeficiency Virus (HIV) and Acquired Immune Deficiency Syndrome (AIDS) Prevention, Treatment, Care and Support, and Reconstituting the Philippine National Aids Council (PNAC), Repealing for the Purpose Republic Act No. 8540, otherwise known as the “Philippine Aids Prevention and Control Act of 1998”, and Appropriating Funds Therefor, [Philippine HIV and AIDS Policy Act], Republic Act No. 11166 (2018). [↑](#footnote-ref-15)
16. Philippine HIV and AIDS Policy Act, §2. [↑](#footnote-ref-16)
17. An Act Establishing a National Mental Health Policy for the Purpose of Enhancing the Delivery of Integrated Mental Health Services, Promoting and Protecting the Rights of Persons Utilizing Psychiatric, Neurologic and Psychosocial Health Services Appropriating Funds Therefor, and for other Purposes, [Mental Health Act], Republic Act No. 11036 (2017). [↑](#footnote-ref-17)
18. Mental Health Act, §2. [↑](#footnote-ref-18)
19. National Economic and Development Authority, Philippine Development Plan: 2023-2028, available at <https://pdp.neda.gov.ph/wp-content/uploads/2023/01/PDP-2023-2028.pdf> ,, (last accessed, April.18, 2023). [↑](#footnote-ref-19)
20. 2017 National Inquiry on the Human Rights Situation of the Indigenous People, available at <https://elibrary.chr.gov.ph/cgi-bin/koha/opac-retrieve-file.pl?id=b67b2475893e925975f2ecdcbdde1c2e>, (last accessed April 19, 2023). [↑](#footnote-ref-20)
21. Commission on Human Rights of the Philippines, Position Paper on House Bill No. 9177 of the Proposed Anti-Hate Speech Act, 2 September 2021, available at [Position-Paper-House-Bill-No-9177-or-Proposed-Anti-Hate-Speech-Act.pdf (chr.gov.ph)](https://chr.gov.ph/wp-content/uploads/2021/09/Position-Paper-House-Bill-No-9177-or-Proposed-Anti-Hate-Speech-Act.pdf), (last accessed 26 April 2023). [↑](#footnote-ref-21)
22. Foundation for Media Alternatives, Understanding Hate and Hate Speech: The Philippine Context, June 29, 2022, available at Understanding Hate and Hate Speech: The Philippine Context - Foundation for Media Alternatives (fma.ph) <https://fma.ph/2022/06/29/understanding-hate-and-hate-speech-the-philippine-context/> (last accessed April. 19, 2023). [↑](#footnote-ref-22)
23. HB09177, available at <https://issuances-library.senate.gov.ph/bills/house-bill-no-9177-18th-congress-republic>, (last accessed April 26, 2023) [↑](#footnote-ref-23)
24. HB00188, HB00222, HB00224, HB00460, HB01480, HB02128, HB03418, HB03526, HB03992, HB04277, HB04989, HB05551, HB06003, HB07036, HB07224, HB07595, PS00128, available at <https://www.congress.gov.ph/legisdocs/> , (last accessed April 26, 2023) [↑](#footnote-ref-24)
25. Commission on Human Rights of the Philippines, 2017 National Inquiry on the Human Rights Situation of the Indigenous Peoples, 1 May 2018, available at <https://elibrary.chr.gov.ph/cgi-bin/koha/opac-retrieve-file.pl?id=b67b2475893e925975f2ecdcbdde1c2e>, (last accessed (last accessed 26 April 2023). [↑](#footnote-ref-25)
26. Commission on Human Rights of the Philippines, 2017 National Inquiry on the Human Rights Situation of the Indigenous Peoples, 1 May 2018. [↑](#footnote-ref-26)
27. Free Prior Informed Consent “FPIC”, is defined by the IPRA as the “consensus of all members of the Indigenous Cultural Communities (ICCs)/ Indigenous Peoples (IPs) to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference, coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community. It is enforced primary by the National Commission on Indigenous Peoples (NCIP) through Administrative Order No. 03, series of 2021. [↑](#footnote-ref-27)
28. Commission on Human Rights of the Philippines, 2017 National Inquiry on the Human Rights Situation of the Indigenous Peoples, 1 May 2018. [↑](#footnote-ref-28)
29. Id. [↑](#footnote-ref-29)
30. Commission on Human Rights of the Philippines, 2017 National Inquiry on the Human Rights Situation of the Indigenous Peoples, 1 May 2018. [↑](#footnote-ref-30)
31. Id. [↑](#footnote-ref-31)
32. 1987 Constitution, Art. XIII, §17. [↑](#footnote-ref-32)
33. Statement of CHR Spokesperson, Atty. Jacqueline Ann de Guia, on the UN International Day for the Elimination of Racial Discrimination, 21 March 2020. [↑](#footnote-ref-33)
34. Executive Order No. 163, available at https://www.officialgazette.gov.ph/2022/02/28/executive-order-no-163-s-2022/, (last accessed April 19, 2023). [↑](#footnote-ref-34)
35. (A.M. No. 21-07-22-SC) the Rule on Facilitated Naturalization of Refugees and Stateless Persons, available at <https://sc.judiciary.gov.ph/25634/>, (last accessed April 19, 2023). [↑](#footnote-ref-35)
36. Id at 1 [↑](#footnote-ref-36)
37. Id at 2 [↑](#footnote-ref-37)
38. Committee on the Elimination of Racial Discrimination, Combined twenty-first to twenty-fifth periodic reports submitted by the Philippines under article 9 of the Convention, due in 2012, 109th session, at CERD/C/PHL/21-2 (10 February 2022 and 6 July 2021). [↑](#footnote-ref-38)
39. National Economic and Development Authority, Philippine Development Plan: 2023-2028. [↑](#footnote-ref-39)
40. Recognition of Indigenous People (IP) Mandatory Representatives, one of the seven legislative agenda to Practice Good Governance and Improve Bureaucratic Efficiency. This bill will ensure that IP Mandatory Representatives are recognized in local legislative bodies and their capabilities for local legislation are harnessed for more effective representation and promotion of IP rights through policymaking, (Id at 6, page 346). [↑](#footnote-ref-40)