



PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES
TO THE UNITED NATIONS AND OTHER INTERNATIONAL
ORGANIZATIONS, GENEVA

NV-EPG-98-2023

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Special Procedures Branch, Office of the High Commissioner for Human Rights and, with reference to the latter's letter dated 24 January 2023 on the request for inputs from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences on "*Homelessness as a cause and a consequence of contemporary forms of slavery,*" has the honor to convey the enclosed submissions from the Philippine Human Rights Committee Secretariat and the Commission on Human Rights.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch, Office of the High Commissioner for Human Rights, the assurances of its highest consideration.



Geneva, 31 March 2023

Office of the High Commissioner for Human Rights
Attention: Special Procedures Branch
Palais des Nations, 1211 Geneva 10, Switzerland
Email address: hrc-sr-slavery@un.org; ohchr-registry@un.org



TÉLÉCOPIE • FACSIMILE TRANSMISSION

DATE: 24 January 2023

A/TO: All Permanent Missions to the United Nations Office in Geneva

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REF:

PAGES: 4 (Y COMPRIS CETTE PAGE/INCLUDING THIS PAGE)

COPIES:

OBJET/SUBJECT: **Letter and call for input from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences**

Please find attached a letter and a call for input from the Special Rapporteur on contemporary forms of slavery, including its causes and consequences.

Mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences

24 January 2023

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on contemporary forms of slavery, including its causes and consequences, pursuant to resolution 51/15 of the Human Rights Council.

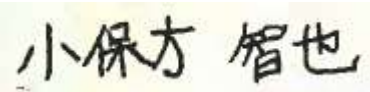
I am pleased to inform you that I have issued a call for submissions for my upcoming thematic report to the Human Rights Council. The report, to be presented to the Human Rights Council at its 54th session in September 2023, will focus on “Homelessness as a cause and a contemporary forms of slavery”. The attached call for submissions for Member States, civil society organizations academia, United Nations agencies, NHRIs and other stakeholders is available on the [website of the mandate](#).

In this context, I would be grateful to receive your Excellency Government’s response to the questionnaire by 31 March 2023 to the following e-mail address: hrc-sr-slavery@un.org. Please note that all submissions will be published by default unless confidentiality is expressly requested.

I wish to thank your Excellency’s Government for the cooperation and I hope to continue the dialogue with you on issues within my mandate.

Should you have any questions in the meantime, please contact Ms. Satya Jennings, Human Rights Officer supporting my mandate at the Office of the United Nations High Commissioner for Human Rights in Geneva (+41 22 917 97 72, satya.jennings@un.org).

Please accept, Excellency, the assurances of my highest consideration.



Tomoya Obokata
Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Call for input on Homelessness as a cause and a consequence of contemporary forms of slavery

Deadline:	31 March 2023
Issued by:	Special Rapporteur on contemporary forms of slavery, including its causes and consequences
Purpose:	To inform the report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, to 54 th session of the Human Rights Council

Purpose

To inform the thematic report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, to the 54th session of the Human Rights Council (September 2023).

Background

The Special Rapporteur will focus his next thematic report to be submitted to the 54th Session of the Human Rights Council on homelessness as a cause and consequence of contemporary forms of slavery. For the purpose of the report, he will examine the experiences of homeless persons themselves and seek information from multiple additional stakeholders and sources.

Key questions and types of input sought

1. What are the main causes/drivers of homelessness in your country?
2. Is there evidence of persons experiencing homelessness,¹ being exploited in contemporary forms of slavery such as forced or bonded labour, worst forms of child labour, sexual exploitation which may amount to slavery and other forms of exploitation in your country? If so, please provide details in relation to:
 - a) Profiles of victims (e.g. age, sex, gender identity/sexual orientation, ethnicity, nationality, migration status, socio-economic status, race and any other features).
 - b) Profiles of exploiters (e.g. criminal organizations; human traffickers; private businesses/employers, others);
 - c) Methods of recruitment of persons experiencing homelessness, including children in street situations;
 - d) Manifestation of exploitation (e.g. sexual exploitation and/or labour exploitation in various sectors such as agriculture, domestic work and construction, as well as criminal exploitation (e.g. forced begging, drug production/trafficking, theft, etc.)), including their gender dimensions.

¹ Please consider both persons in street situation, but as well other forms of homelessness, such as persons living in various forms of shelters or temporary accommodation, disaster and conflict related displacement and homelessness, and persons experiencing hidden homelessness, such as persons who are involuntary staying with friends or family members due to lack of own housing.

3. Is there evidence of homelessness being a consequence of contemporary forms of slavery in your country (i.e. domestic/foreign victims being made homeless after sexual and/or labour exploitation)? If so, please explain further.
4. Are there examples of positive measures taken by your Government to prevent persons experiencing homelessness or at risk of homelessness, including children in street situations or discharged from child or foster care, from being subjected to contemporary forms of slavery? If so, please provide details, which may include, but are not limited to, development/implementation of legislative, policy and institutional frameworks, material/financial support, and promotion of access to housing, education/training, decent work, health/public services, as well as justice and remedies.
5. Are there examples of positive measures implemented by civil society organisations or other non-governmental stakeholders in protecting and promoting the rights of persons experiencing homelessness or at risk of homelessness and in preventing them from being victimised in contemporary forms of slavery? If so, please provide details.
6. What are remaining challenges – in law and practice - in preventing persons experiencing homelessness from being subjected to contemporary forms of slavery and to prevent and eliminate homelessness in accordance with Sustainable Development Goal 11.1 and international human rights law?
7. What practical recommendations would you propose to overcome these ongoing challenges?

How and where to submit inputs

Input may be sent via e-mail or postal mail by 31 March 2023

E-mail address:	hrc-sr-slavery@un.org
E-mail subject line:	Input for report of the SR on slavery to the 54 th session of HRC
Word limit:	2000 words
File format:	Word, PDF
Accepted languages:	English, French, Spanish

How inputs will be used

Submissions will be published on the website of the Special Rapporteur on contemporary forms of slavery ([OHCHR | Special Rapporteur on contemporary forms of slavery, including its causes and consequences](#)), unless confidentiality is requested for particular submissions.

CALL FOR INPUT ON HOMELESSNESS AS A CAUSE AND A CONSEQUENCE OF CONTEMPORARY FORMS OF SLAVERY

Presidential Human Rights Committee Secretariat (PHRCS)

Causes of Homelessness

- An available published study on the topic contends that homelessness is a complex issue, and its causes or drivers in the Philippines are multifaceted. The causes of homelessness could be one or a combination of the following: poverty, domestic violence, human trafficking, and natural disasters. In 2021, the poverty rate was recorded at 18.1 percent of the population.¹

Evidence of homelessness being a consequence of contemporary forms of slavery

- Insofar as human trafficking is identified as one of the causes/ drivers of homelessness, as mentioned above, the manifestation of homelessness as a consequence may be observed. Evidence of such a phenomenon may be available from implementing agencies such as the Department of Social Welfare and Development.

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Commission on Human Rights Philippines (CHRP)

Definition of Homelessness

- The Philippines' Republic Act No. 7279 or the Urban Development and Housing Act (UDHA) of 1992 Section 3 paragraph (t) of defines "[u]nderprivileged and homeless citizens" as beneficiaries of UDHA and individuals or families residing in urban and urbanizable areas whose income or combined household income falls within the poverty threshold as defined by the National Economic and Development Authority (NEDA) and who do not own housing facilities.
- This shall include those who live in makeshift dwelling units and do not enjoy security of tenure. Hence, in the Philippines context, there is no distinction between informal settler families (ISFS) and homeless individuals.

Causes of Homelessness

- The Philippine Statistics Office estimates that 4.5 million individuals are homeless, 3 million of which live in the country's capital city of Manila, the largest homeless population of any single city in the world.
- Homelessness can result from many factors but poverty is identified as the main driver in the country.
- Poverty incidence, the proportion of Filipinos whose per capita income cannot sufficiently meet the individual basic food and non-food, is recorded at 18.1

¹ State of homelessness in the Philippines, retrieved on 21 March 2023, <https://borgenproject.org/homelessnessin-the-philippines/>

percent of the population in 2021. This translates to around 19.99 million Filipinos who live below the poverty threshold of about Twelve Thousand Thirty Philippines Pesos (PhP 12,030) per month for a family of five.² Likewise, the Philippine Statistics Authority (PSA) reported a 7.8 percent unemployment rate, which is equivalent to 3.71 million jobless Filipinos.

- Poverty incidence among families in Eastern Visayas in 2021 was estimated at 22.2 percent. This implies that in 2021, about 22 in every 100 families in the region were poor or had income that was below the poverty threshold, or the amount needed to buy their basic food and non-food needs.
- Other factors of homelessness include low income and/or unemployment, lack of economic opportunity, armed conflict in rural areas, industrialization in urban areas, vices and/or drug addiction³ and job insecurity.⁴
- Additional social factors cause women and children to become homeless, such as susceptibility to human trafficking, domestic abuse, drug abuse, abandonment, neglect, stigmatization, unresolved family issues/conflict, conflict with the law, employment scams or fraud.
- Environmental factors such as climate change and natural disasters are also a cause of widespread homelessness.

Evidence of the homeless experiencing exploitation in the form of slavery, and being a consequence of contemporary forms of slavery

- In a series of consultations and dialogues, issues and concerns that affect the rights of homeless street families and individuals (HSFI) have become apparent, requiring immediate attention and urgent action. These include: the inconsistent implementation of policies on rescue, road clearing along the streets of Metro Manila affecting HSFIs, the confiscation and destruction of their properties, the often interrupted feeding programs and food distribution, the stranded individuals ending up as street dwellers, the illegal or arbitrary detention of HSFIS, the implementation of health and safety protocols in rescue centers and temporary shelters, the access of HSFIs to social amelioration programs, access to vaccines and other basic needs, and the lack of coordination efforts between barangays, LGUs, and national agencies.
- However, data collection on the homeless population, in general, is insufficient, particularly on whether homeless persons experienced exploitation in the forms of slavery, forced labor, child labor, and other forms of exploitation.

² <https://psa.gov.ph/poverty-press-releases/nid/167972>

³ Commission on Human Rights of the Philippines, Inputs of CHR IX Regional Office, (2023), at 2.

⁴ Presentation of Mr. Arnold Jansenn during the Forum on Women and Girls Homeless Street Dwellers on 3 March 2023.

- Based on the CHR RIX Regional Office report, some evacuees were sexually abused during the Zamboanga Siege. Also, cases filed in court are pieces of evidence of homelessness.

Measures taken by the government to prevent the homeless or those at risk from being subjected to contemporary forms of slavery

- The government is taking positive measures to prevent an individual or families from experiencing homelessness or at risk of homelessness from being subjected to contemporary forms of slavery. There is likewise an attempt to adopt a Joint Administrative Circular providing Guidelines For The Protection Of The Rights Of Homeless Street Families And Individuals (HSFIs) Amid the Covid-19 Health Crisis between and among the Commission on Human Rights (CHR), Department of Interior 3 4 and Local Government (DILG), Department of Social Welfare and Development (DSWD), Metro Manila Development Authority (MMDA), and Department of Health (DOH).
- The government has likewise implemented convergence programs from its three (3) main poverty reduction programs, including social welfare services, benefits, and work-related policies. One of which is the Pantawid Pamilyang Pilipino Program (4Ps).¹⁴ The 4Ps is a social protection program that focuses on human capital development by providing cash grants to eligible poor households subject to their compliance with education and health conditions.
- The government also has existing housing projects under the Department of Human Settlement and Urban Development (DHSUD), the primary national government entity responsible for addressing the country's housing needs. These include the National Housing Authority (NHA), Human Development Mutual Fund (HDMF), National Home Mortgage Finance Corporation (NHMFC), and the Social Housing Finance Corporation (SHFC). Each housing agency has its core function under the chain of DHSUD. Their roles contribute to the flow and growth of the housing sector: NHA is responsible for housing production, while HDMF/Pag-IBIG and SHFC are responsible for primarily financing homebuyers. And the NHMFC acts as the secondary mortgage institution by providing liquidity to the primary market. The synergy among key shelter agencies under the supervision of DHSUD ensures that underprivileged and homeless citizens have access to adequate, safe, habitable, sustainable, resilient, and affordable housing.
- Collaborative efforts among NGOs, POs, NGAs, etc. to provide access to justice, health, and sanitation.
- Opening business opportunities to local investors that would generate employment.
- Short loans to support small entrepreneurs.
- Proper implementation of law.
- Conduct of barangay assembly to inform services available in the barangay, including the conduct of information dissemination on the part of CHR at the barangay level.
- Police visibility in the barangay.

Samples of positive measures implemented by civil society and other nongovernmental stakeholders to prevent a person experiencing homelessness or at risk of homelessness from being subjected to contemporary forms of slavery

- Work collaboration.
- Networking among stakeholders.
- Housing project for the underprivileged.
- Capability training to financial stability.
- Tagging/formulation of baseline data comprising the list of names and other personal circumstances of the homeless.
- Relief operations as well as permanent housing projects by Habitat, Tzu Chi, SM Foundation, and GMA Foundation for those affected by typhoons have been documented.

Challenges in preventing and eliminating homelessness in accordance with SDG Goal 11.1 and the international human rights law

- The lack of credible data is one of the challenges at present.
- Haphazard and weak implementation of the existing laws, policies, and procedures.
- While there are existing housing programs, the number of permanent low-cost housing programs is insufficient. Worse, the tedious application process and the documentary requirements in the application for the program discourage beneficiaries from applying. Also, only select housing beneficiaries are able to avail of the program.
- The lack of employment opportunities at the regional level drives individuals to migrate to Metro Manila, one of three defined metropolitan areas in the Philippines, or other urban areas.
- There is also a delay in shelter and food response after typhoons.

Recommendations to overcome the challenges

- Ensure that data on homeless individuals and street dwellers are available, and include homeless women and children in the census as disaggregated data, since they are the most vulnerable group of persons that could experience or are at risk of experiencing exploitation as contemporary forms of slavery.
- Prioritize the elimination of the root causes that lead to homelessness such as unemployment, inadequate housing, population growth, climate change and natural disaster, human trafficking, and domestic violence by allocating more resources, making government programs/projects efficient. Also, there is a need to capacitate the government agencies mandated to assist homeless persons.
- Intensify advocacy and empowerment of the people through human rights education.
- Continuous monitoring of stakeholders to keep track of the human rights situation and revisit existing laws, rules, and procedures to ensure that they are responsive to the needs of the rights-holders and aligned with human rights standards.

- Implement fully existing laws, rules, and procedures and ensure accountability of dutybearers for any violation or non-implementation. Remedial mechanisms must be put in place to check and impose corrective measures against erring officials. These mechanisms should be accessible, effective, and responsive.
- Ensure genuine and meaningful involvement of the affected sectors in policy-making and in engaging key players in the government including the private sector.
- Strengthen climate change adaptation and mitigation strategies at the barangay level.
- Intensify the information drive about government housing programs, and ensure that the guidelines for applications are clear, specific, simple, and coherent. Additionally, the government should provide technical assistance in developing community-driven housing plans.