

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )

23 NOV 14 P3:21

**SENATE**

RECEIVED BY: 

S. No. 2487

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Introduced by Senator Manuel "Lito" M. Lapid

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**AN ACT**  
**STRENGTHENING THE COMMISSION ON HUMAN RIGHTS (CHR) AS A**  
**NATIONAL HUMAN RIGHTS INSTITUTION (NHRI) AND FOR OTHER**  
**PURPOSES**

**EXPLANATORY NOTE**

The Constitution, Art. II, Sec. 11 provides that the "State values the dignity of every human person and guarantees full respect for human rights." Art. XIII, Sections 17, 18, and 19 provides for the creation of a Commission on Human Rights (CHR).

The CHR is an independent office created under the 1987 Constitution and constituted on May 5, 1987 via Executive Order No. 163, s. 1987, for the protection and promotion of the human rights of all persons within the Philippines, as well as Filipinos residing abroad, regarded under international human rights law as the country's National Human Rights Institution (NHRI), the CHR plays a vital role in the protection and promotion of civil, political, economic, social, and cultural rights, and in addressing discrimination in all its forms and to bridge the gap between the rights of an individual and the obligations and responsibilities of the State to respect, protect, and fulfill the same as enshrined in international human rights instruments.

The international political climate is marked by rapid globalization, technological advancements, and shifting geopolitical landscapes. In this dynamic environment, the protection of human rights becomes increasingly crucial. This proposed Senate bill seeks to provide a comprehensive charter for the Commission on Human Rights (CHR)

in the Philippines, recognizing the vital role of the CHR in safeguarding the rights and dignity of individuals, especially those with least access to resources and protection.

In its thirty-six years of existence, the CHR has experienced various triumphs and challenges through several legislations and series of judicial interpretations of its Constitutional mandate. As the human rights situation of the Philippines is always an issue, the CHR is limited from exercising its full potential in becoming fully compliant to the requirements of the Paris Principles or the "Principles Relating to the Status of National Human Rights Institutions."

These limitations, however, do not preclude Congress from granting the CHR "such other powers and functions" to investigate other cases of violations of human rights that should fall within the authority of the Commission.

The CHR must be strong and independent to effectively fulfill its mandate. Independence is crucial to ensure that the CHR can carry out its responsibilities without undue influence from political or external pressures. A strong and independent CHR is better equipped to investigate human rights violations objectively, hold perpetrators accountable, and advocate for systemic changes to prevent future abuses.

This bill seeks to strengthen the CHR by providing an effective and expanded structural, operational, and functional independence, in order to meet the minimum requirement under the Principles Relating to the Status of National Human Rights Institutions or the (Paris Principles). It also guarantees the CHR's full fiscal autonomy to ensure prompt, immediate, and unrestricted discharge of its functions. It defines the general powers and functions of the Commission, with full authority to act on a complaint or *motu proprio*, in all cases of human rights violations. In addition, it vests the CHR with the power to issue injunctive reliefs and legal measures.

The country needs a CHR that is truly independent and with full fiscal autonomy. Today, more than ever, we need a more active CHR, one that is not strapped to the task of investigation or that cannot recognize cases of human rights violations other than those involving civil and political rights. We need a CHR that can

address the challenge of protecting and promoting the human rights of all, especially the vulnerable, the disadvantaged, and the marginalized sectors of society.

In conclusion, the proposed charter for the CHR is a significant step towards reinforcing the protection of human rights in the Philippines, aligning with the global commitment to fostering a world where the dignity and rights of every individual are upheld.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**MANUEL "LITO" M. LAPID**  
*Senator*



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1 **AN ACT**  
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4 **PURPOSES**

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

5 **SEC. 1. Short Title.** – This Act shall be known as the "Commission on Human  
6 Rights (CHR) Charter Act of 2023."

7 **SEC. 2. State Policy on Human Rights.** – The State values the dignity of  
8 every human person and guarantees full respect for human rights. It shall give highest  
9 priority to the enactment of measures that respect, protect, and fulfill the right of all  
10 people to human dignity at all stages of human life.

11 **SEC. 3. Definition of Human Rights.** – Human rights are the supreme,  
12 universal, inherent, and inalienable rights to life, dignity, and self-development of  
13 every person regardless of race, sex and gender, nationality, ethnicity, language,  
14 religion, or any other status. These rights include those guaranteed by the Philippine  
15 Constitution, domestic laws, and international human rights instruments such as, but  
16 not limited to the international bill of rights, i.e., the Universal Declaration of Human  
17 Rights, the International Covenant on Civil and Political Rights, and the International

1 Covenant on Economic, Social, and Cultural Rights; and all other existing and future  
2 human rights instruments to which the Philippines is a State Party.

3       **SEC. 4. *The Commission as an Independent Office.*** – The independence  
4 of the Commission on Human Rights, hereinafter referred to as the *Commission*, shall  
5 always be respected and upheld. The Commission shall enjoy full fiscal autonomy.  
6 Appropriations for the Commission shall not be reduced and shall be automatically  
7 and regularly released.

8       **SEC. 5. *The Commission as a National Human Rights Institution.*** –  
9 The Commission is the National Human Rights Institution (NHRI) of the Philippines in  
10 accordance with the *Principles Relating to the Status of National Institutions (Paris*  
11 *Principles)* and other United Nations (UN) Resolutions and Instruments pertaining to  
12 the effective functioning of NHRIs. As such, the State and all its agents shall ensure  
13 and respect the compliance of the Commission with the Paris Principles.

14       **SEC. 6. *The Commission En Banc as a Collegial Body.*** – The Commission  
15 *en banc*, as a collegial body, is responsible for the promulgation of policies, decisions,  
16 orders, and resolutions necessary for the efficient administration of the Commission  
17 and for proper execution of its constitutional mandate. Every policy, decision, order,  
18 or resolution of the Commission must bear the concurrence and signature of a  
19 majority of the Members.

20       In the exercise of its powers and functions, the Commission shall sit and render  
21 its decision *en banc*, unless otherwise provided in an internal resolution, adopted by  
22 the Commission *en banc*. The Commission shall meet regularly. A majority of the  
23 Members shall constitute a quorum.

24       **SEC. 7. *The Commission, Composition, and Qualifications.*** – The  
25 Commission shall be composed of a Chairperson and four (4) Members who must be:  
26       a.) natural-born citizens of the Philippines;

1           b.) at least thirty-five years of age at the time of their appointment;

2           c.) with proven probity, integrity, and competence in the field of human rights  
3           work;

4           d.) must not have been convicted by final judgment of any crime involving  
5           moral turpitude, and

6           e.) must not have been candidates for any elective position in the national  
7           elections immediately preceding their appointment.

8           A majority thereof shall be members of the Philippine Bar, who have been  
9           engaged in the practice of law for at least ten years. The composition must observe  
10          gender-balanced and pluralist representation, which shall be in accordance with the  
11          Paris Principles.

12           **SEC. 8. *Appointment and Term of Office of the Chairperson and***  
13          ***Members of the Commission.*** – The Chairperson and Members of the Commission  
14          shall be appointed by the President for a term of seven years without reappointment.

15           Of those first appointed under the enactment of this Charter, the Chairperson  
16          shall hold office for seven (7) years, two Members for six (6) years and the other two  
17          Members for five (5) years. The term of the Chairperson and Members shall start on  
18          the day immediately after the end of the previous one, regardless of the date of  
19          appointment. In no case shall any Chairperson or Member be appointed, reappointed,  
20          or designated in a temporary, part-time, or acting capacity. Appointment to any  
21          vacancy occurring during the term shall be only for the unexpired portion of the term  
22          of the predecessor.

23           Vacancies in the offices of the Chairperson and of the Commissioners shall be

1 filled within ninety (90) days from its occurrence. However, the incumbent Chair or  
2 Member shall hold the position until such time appointment was made by President  
3 for the same position

4 **SEC. 9. *Selection Process for the Chairperson and Members of the***  
5 ***Commission.*** – The sitting Chairperson and the Members of the Commission shall  
6 act as the Selection Committee for the appointment of the new Chairperson and four  
7 (4) Members of the Commission.

8 The Selection Committee shall convene immediately, as soon as vacancy exists  
9 or when the term of the current Commission Members ends within six (6) months or  
10 when an impending vacancy occurs. The Committee shall develop its own rules of  
11 procedures for the selection of nominees for the position of Chair and Commissioners,  
12 in accordance with requirements of an open, transparent, and merit-based selection  
13 process, as mandated by the Paris Principles. The conduct of consultations with  
14 human rights organizations and other relevant stakeholders for the selection of the  
15 new members of the Commission En Banc shall form part of the rules and procedures.

16 **SEC. 10. *Prohibition and Disqualification.*** – The Chairperson and Members  
17 of the Commission shall not, during their tenure, hold any other office or employment.  
18 Neither shall they engage in the practice of any profession or in the active  
19 management or control of any business, which in any way may be affected by the  
20 functions of their office, nor shall they be financially interested, directly or indirectly,  
21 in any contract with, or in any franchise or privilege granted by the Government and  
22 its subdivisions, agencies, or instrumentalities, including government-owned or  
23 controlled corporations or their subsidiaries.

24 They shall avoid conflict of interest in the conduct of their office. They shall not  
25 be allowed to appear or practice before the Commission within one year following the  
26 completion of their term of office, resignation, or any other manner of separation from  
27 office.

1 No spouse, common-law partner, or relative by consanguinity or affinity within  
2 the fourth civil degree, or business or professional partner of the Chairperson or  
3 Members, may transact business directly or indirectly with the Chairperson or its  
4 Members, or appear as counsel or agent of a party in any matter pending before the  
5 Commission.

6 These prohibition and disqualification shall apply during the tenure of the  
7 official concerned and one year thereafter.

8 **SEC. 11. *Salary, Retirement, and Other Privileges of the Chairperson***  
9 ***and Members.*** – The Chairperson and Members of the Commission shall receive the  
10 same salary, retirement, privileges, and benefits as Court of Appeals Justices, and  
11 their salaries shall not be decreased during their term of office.

12 Upon the death of a retired Chairperson or Member, the surviving legitimate  
13 spouse shall be entitled to receive, on a monthly basis, all the retirement benefits that  
14 the deceased retiree was receiving at the time of his or her death under the provisions  
15 of applicable retirement laws. The surviving legitimate spouse shall continue to receive  
16 such retirement benefits during his or her lifetime or until he or she remarries.

17 **SEC. 12. *Structural Organization.*** – The Commission shall have the  
18 following offices in the Central Office: Office of the Chairperson; Offices of the  
19 Commissioners; Office of the Executive Director; Office of the Commission Secretary;  
20 Planning and Management Office; General Administration Office; Financial  
21 Management Office; separate offices for the performance of its powers and functions,  
22 which shall include but not limited to offices for human rights protection services,  
23 human rights education and training services, human rights prevention and visitorial  
24 services, human rights policy advisory services; regional and provincial offices and  
25 such other offices as the Commission may establish in accordance with its functions.

26 The Commission shall have regional offices in every region, each of which shall



1 be headed by a Regional Director and each shall have their own office building. The  
2 regional offices will include the geographically grouped regional offices and the  
3 Cordillera Administrative Region. The National Capital Region shall be divided into four  
4 (4) districts each shall also be headed by a Regional Director.

5 The Commission shall also have a provincial office in every province. These  
6 Provincial Offices shall be under the direct supervision of the Regional Office having  
7 territorial jurisdiction over them.

8 The authority and responsibility for the exercise of the mandate of the  
9 Commission and for the discharge of its powers and functions shall be vested in the  
10 Commission En Banc, who shall have supervision and control of the said office.

11 The Commission may affect changes in the organization as the need arises,  
12 Provided, that such reorganization shall be funded out of the personnel services  
13 appropriation of the Commission.

14 **SEC. 13. *Privileges and Emoluments of Commission Officials and***  
15 ***Employees.*** – All officials and employees of the Commission shall receive  
16 emoluments and privileges, which shall not be less than those given to their  
17 counterparts in Constitutional Commissions.

18 **SEC. 14. *Powers and Functions of the Commission.*** – The Commission  
19 shall promote and protect all human rights, including civil, political, economic, social,  
20 and cultural rights, and shall have the following general powers and functions:

21 (a) Investigate, on its own or on complaint by any party, all forms of violations  
22 of human rights;

23 (b) Adopt its operational guidelines and rules of procedure and cite for  
24 contempt any person for violations thereof or its lawful orders and, for this

1 purpose, the Rules of Court shall have supplementary application;

2 (c) Provide appropriate legal and preventive measures, which include but not  
3 limited to the following:

4 1. legal assistance and counseling to victims;

5 2. directing concerned government agencies in giving protection to victims  
6 of human rights violations;

7 3. issuing cease and desist orders;

8 4. Petition the Court for Writ of *habeas corpus*, *Writ of Amparo*, *Writ of*  
9 *Habeas Data*, *Writ of Kalikasan*, and any other protective writs, in behalf of  
10 the victims of human rights violations; and

11 5. Issue continuing mandamus for the protection of human rights of all  
12 persons within the Philippines,

13 (d) Provide legal aid services to the underprivileged whose human rights have  
14 been violated or need protection. Clients needing legal assistance/  
15 representation may also be referred to the Public Attorney's Office or Legal Aid  
16 Offices, as may be necessary and appropriate;

17 (e) Exercise unannounced, unhampered, unrestricted visits over jails, prisons,  
18 camps, custodial/detention or confinement facilities, safe houses, and similar  
19 places of deprivation of liberty;

20 (f) Establish a continuing program of research, education, and information to  
21 enhance respect for the primacy of human rights. The CHR shall coordinate  
22 with DepED, CHED, the Philippine Judicial Academy, the Legal Education Board,  
23 and other State Colleges and Universities to ensure the objective of above  
24 stated;

25  
26 (g) Recommend to Congress effective measures to promote and protect human  
27 rights;

- 1 (h) Recommend effective measures to provide for compensation to victims of  
2 violations of human rights, or their families;  
3
- 4 (i) Monitor the Philippine government's compliance with international treaty  
5 obligations on human rights;
- 6 (j) Report to international human rights mechanism on all aspects relating to  
7 government's compliance to its treaty obligations;
- 8 (k) Grant immunity from prosecution to any person whose testimony or  
9 possession of documents or other evidence is necessary or convenient to  
10 determine the truth in any investigation conducted by it or under its authority;
- 11 (l) Request the assistance of any department, bureau, office, or agency in the  
12 performance of its functions;
- 13 (m) Call on government departments, bureaus, offices, or agencies to comply  
14 with its obligations under the international human rights obligations;
- 15 (n) Perform its Gender and Child Ombud roles, as well as to ensure that the  
16 status, rights, and interests of the marginalized and vulnerable sectors, are  
17 upheld in accordance with the Constitution, laws, and international instruments  
18 on human rights;
- 19 (o) Issue human rights advisories, positions papers / opinion on all matters  
20 affecting the human rights of all persons, directed to concerned agencies of  
21 government for their consideration and implementation;  
22
- 23 (p) Issue Human Rights Clearances and Certificates of No Pending Human  
24 Rights Case;

1 (q) Appoint its officers and employees in accordance with law; and

2 (r) Perform such other duties and functions as may be provided by law.

3 **SEC. 15. *Investigative Powers and Functions.*** – The Commission shall  
4 investigate, on complaint or on its own, cases of human rights violations. In the  
5 exercise of its investigative function, the Commission shall:

6 (a) Act promptly on reports or complaints, filed in any form, by any individual  
7 or organization. Findings of human rights violations shall include  
8 recommendations for appropriate remedies, and referral to proper  
9 government agencies for the filing of administrative, criminal, or civil actions.  
10 The recommendations may include proposals for legislative, administrative, or  
11 judicial reforms. The investigation and other proceedings conducted by any  
12 administrative, judicial, or quasi-judicial bodies shall not bar the investigation  
13 of the Commission on allegations of human rights violations and findings by  
14 the Commission must be given weight;

15 (b) Investigate alleged violations of human rights, international humanitarian  
16 law, and anti-terrorism law violations, as provided in pertinent laws;

17 (c) Compel the attendance of witnesses and the production of evidence, to  
18 place the witness under oath or affirmation, issue *subpoenas*, and take  
19 testimony in any investigation or inquiry conducted by the Commission or any  
20 of its offices;

21

22 (d) Conduct forensic and medical sciences in making findings of human rights  
23 violations, including but not the limited to: collection of physical evidence from  
24 locations relevant to its investigation; assessment of living victims of human  
25 rights violations to determine their physical and mental well-being; and  
26 conduct independent examination of the remains of alleged victims to

1 document any injury and to determine cause and manner of death. Pursuant  
2 thereto, the Commission shall have the authority to exhume and conduct  
3 autopsy on the aforesaid human remains, subject to the consent of the family  
4 of the deceased, if applicable;

5 (e) Provide psychosocial support, which includes but not limited to referral to  
6 primary health care centers with existing mental health programs to victims  
7 of human rights violations as well as human rights defenders under threat;

8 (f) Ensure provision of compensation for victims of human rights violatlons or  
9 their families, as appropriate and proportional to the gravity of the violation  
10 and the circumstances of each case, resulting from gross violations of  
11 international human rights law and serious violations of international  
12 humanitarian law;

13 (g) Provide safety to witnesses, as well as human rights defenders under  
14 threat. For this purpose, the Commission shall implement and manage a  
15 Witness Protection Service, which will provide security, shelter, relocation, and  
16 livelihood assistance to witnesses and their families, until such time the threat  
17 ceases, or when the case can be endorsed to the Depart of Justice and the  
18 witness, or person under threat qualifies for the latter's protection service.

19 The funding for the provision of compensation and for the Witness Protection  
20 Service shall be taken from the current year's appropriation of the  
21 Commission. Thereafter, the funding requirement shall be included in the  
22 annual GAA.

23 (h) Grant immunity from prosecution to any person whose testimony or  
24 possession of documents or other evidence is necessary or convenient to  
25 determine the truth in any investigation conducted by it or under its authority;

1 (i) Cite for contempt of any person for violating the Commission’s Rules of  
2 Procedures and lawful orders. In matters concerning contempt, the Rules of  
3 Court shall apply suppletory to the Rules of Procedures of the Commission;  
4 and

5 (j) Perform such other powers and functions as may be necessary or incidental  
6 for the effective exercise or conduct of its investigative powers.

7

8 **SEC. 16. *Visitorial powers.*** – The Commission or its duly authorized  
9 representatives are hereby mandated and authorized to conduct regular,  
10 independent, unannounced, unhampered, and unrestricted visits to or inspection of  
11 all places of deprivation of liberty.

12 “Places of deprivation of liberty” refer to any place of detention, imprisonment,  
13 confinement, or the placement of a person in a public or private custodial or  
14 rehabilitative setting under or within the jurisdiction and control of the Philippines  
15 where persons are or may be deprived of their liberty by virtue of an order given by  
16 a public authority, at his/her instigation, or with his/her consent or acquiescence.

17 **SEC. 17. *Scope of Legal Measures.*** – In order to strengthen the exercise of  
18 its investigatory power, the Commission, including its Regional and Provincial/District  
19 Offices, may issue the following legal measures as well as provisional remedies, which  
20 shall include, but not limited to:

21 (a) Mandatory Protection Orders (MPOs) directing government security forces  
22 and other government agencies or private institutions to provide specific  
23 protection to victims of and witnesses to human rights violations;

24 (b) Petition for the protection of the rights persons, such as:

25 1. Temporary liberty for medical examination, especially for sick  
26 and / or pregnant persons deprived of liberty; and

1                   2. Such other legal remedies to correct government actions that  
2                   encroach on or have the threat to violate human rights, such as  
3                   petitions for certiorari, mandamus, and declaratory relief;

4                   (c) Other remedies in relation to the protection of the rights of children such  
5                   as, but not limited to:

6                   1. Actions for protective custody of minor-victims of violation of  
7                   children's rights;

8                   2. Petitions for involuntary commitment, in coordination with the  
9                   concerned social work and development office; and

10                  3. Petitions, motions, or pleadings to correct an error in the  
11                  commitment, detention and/or taking of custody of children in conflict  
12                  with the law (CICL);

13

14                  (d) Mediation between parties on issues that are and can be subject to  
15                  settlement.

16                  **SEC. 18. *Monitoring Functions.*** – In the exercise of its mandate to monitor the  
17                  Government's compliance with its international human rights obligations, the  
18                  Commission shall:

19

20                  (a) Monitor and advise government on its responsibilities and obligations under  
21                  international human rights treaties to which the Philippines is a signatory;

22                  (b) Prepare its own independent reports to the UN, human rights treaty bodies,  
23                  and other international human rights mechanisms, including the Universal  
24                  Periodic Review and special procedures mechanisms, in relation to its  
25                  monitoring of government's compliance with its international human rights  
26                  obligation;

1 (c) Make the appropriate recommendations to the concerned government  
2 agency with regard to requests for official visits of Special Procedures mandate-  
3 holders and other treaty and charter-based mechanisms;

4 (d) Recommend ratification of, or accession to, international human rights  
5 instruments, and ensure their implementation;

6 (e) Conduct inquiries on the manner of implementation by the Government of  
7 specific human rights obligations;

8  
9 (f) Request the cooperation of any public official on the measures undertaken  
10 by his or her agency to comply with the State's international human rights  
11 obligations;

12  
13 (g) Coordinate with relevant government agencies in terms of its compliance  
14 with international human rights obligations; and

15  
16 (h) Undertake other activities as may be necessary in the conduct of its  
17 monitoring and reporting function as an NHRI.

18 **SEC. 19. *Other Monitoring Functions.*** – The Commission shall also monitor  
19 observance by non-state actors of human rights obligations arising from international  
20 and domestic laws or agreements entered into with the government, as well as  
21 unilateral declarations and similar undertakings.

22 Violations of human rights committed by non-state actors that may be subject  
23 of the Commission's monitoring functions shall include, but not limited to:

24 (a) Those committed by rebel groups in relation to international humanitarian  
25 law;



1 (b) Those committed by persons, both natural and juridical, in relation to  
2 economic, social, and cultural rights, such as but not limited to labor,  
3 environment, and demolition of houses; and

4 (c) Those committed by individuals in relation to violations of rights and  
5 protections of marginalized, disadvantaged, and vulnerable sectors.

6 **SEC. 20. Human Rights Education and Information.** – The Commission  
7 shall establish a continuing program of education and information to enhance respect  
8 for the primacy of human rights through its education and promotion office, in line  
9 with the 1987 Constitution, domestic laws, applicable treaty obligations of the  
10 Philippines, and the UN Declaration on Human Rights Education and Training.

11 The Commission shall develop and implement a Human Rights Education and  
12 Training Program for law enforcement officers, education and training institutions,  
13 and other government agencies in coordination with the Department of the Interior  
14 and Local Government (DILG), the Department of Justice (DOJ), the Department of  
15 National Defense (DND), the Department of Education (DepEd), Commission on  
16 Higher Education (CHED), Legal Education Board (LEB), Philippine Judicial Academy  
17 (PHILJA), and the Professional Regulation Commission (PRC) and all other concerned  
18 agencies.

19 Likewise, the Commission shall develop and implement a Human Rights  
20 Information Campaigns Program for civil society and the general public.

21 **SEC. 21. Human Rights Institute.** The Commission shall establish a Human  
22 Rights Institute (HRI). It is an educational and training institute responsible for the  
23 promotion, and education of human rights and related fields, with in-house capability  
24 in these areas of specialization. The Institute shall focus on formal education programs  
25 and shall offer certificate courses on human rights and related-fields.

1           **SEC. 22. Functions of the Human Rights Institute.** – The Institute shall  
2 have the following functions:

3           1. Serve as a training institute for investigators, prosecutors, justices, judges,  
4 lawyers, and other human rights workers in government and civil society human  
5 rights organizations on human rights and related issues. For this purpose, it  
6 shall provide and implement curricula on human rights and shall conduct  
7 seminars, workshops, and other training programs designed to develop human  
8 rights knowledge, skills, attitudes, and behaviors;

9           2. Receive income, legacies, and donations for the benefit of its Human Rights  
10 Institute or for its support or maintenance, which shall be exempt from the  
11 payment of taxes and other fees and charges of the government, its branches  
12 and subdivision, and which shall constitute a special fund to be administered  
13 and disbursed exclusive for the Institute;

14           3. Enter into consortiums agreements with other educational and training  
15 institutes for the development and implementation of its programs on human  
16 rights education; and

17           4. Advise basic and higher education institutions and regulators on the teaching  
18 of human rights and related issues including recommending effective measures  
19 to promote human rights.

20           **SEC. 23. Annual Report** - The Commission shall prepare and make public an  
21 annual report on the findings of its monitoring activities with regard to the status of  
22 the government's compliance with its international human rights treaty obligations.  
23 The report shall include, but shall not be limited to, the following:

24           (a) Recommendations for legal, legislative, and institutional reforms for the  
25 greater promotion and protection of human rights; and

1 (b) Adoption and implementation by the concerned government agency of the  
2 recommendations on the protection and promotion of human rights contained  
3 in the Commission's policy issuances and case and investigation resolutions.

4 The Commission shall directly submit its annual report to the Office of the  
5 President, and the House of Representatives and the Senate, for consideration of the  
6 corresponding recommendations and if necessary, conduct public hearings pursuant  
7 to said report.

8 **SEC. 24. *Financial Assistance Program.*** – The Commission may provide  
9 financial assistance to victims of human rights violations and their families through a  
10 Financial Assistance Program.

11 The funds necessary for the initial implementation of the Financial Assistance  
12 Program shall be taken from the current year's appropriation of the Commission.  
13 Thereafter, the funding requirement shall be included in the annual General  
14 Appropriations Act.

15 **SEC. 25. *Legal Assistance Program.*** – The Commission shall maintain a  
16 Legal Assistance Program to benefit underprivileged victims of human rights  
17 violations, which may be in coordination with human rights organizations and lawyers'  
18 groups, the Integrated Bar of the Philippines, the Public Attorney's Office, and  
19 Philippine law schools.

20 **SEC. 26. *Protection of Filipinos Abroad.*** – The Commission shall undertake  
21 measures for the protection and promotion of human rights of Filipinos living abroad  
22 in coordination and cooperation with the Department of Foreign Affairs, or deputize  
23 Philippine Embassy or Consulate officers, resident private individuals of known probity  
24 and active involvement in human rights, or foreign-based human rights and migrant  
25 workers' non-government organizations in countries where the incidence of human  
26 rights violations against Filipinos is widespread and commonplace, including

1 traditional host countries of overseas Filipino workers.

2 The Commission may establish multilateral relationships with other national  
3 human rights institutions for the protection of human rights of Filipinos.

4 **SEC. 27. Security of Data.** – All documentation and information collected by  
5 the Commission shall be kept strictly confidential, unless the Commission decides  
6 otherwise in relation to a particular document: *Provided,* That no sensitive  
7 information, whether personal or otherwise, shall be published without the express  
8 consent of the individual or authority concerned: *Provided further,* That this provision  
9 shall be in accordance with all applicable existing and future laws, particularly, but  
10 not limited to, the Data Privacy Act of 2012. Publication of sensitive information  
11 without the express consent of the individual or authority concerned will be dealt with  
12 accordingly, which may include, but will not be limited to, being penalized under the  
13 Data Privacy Act of 2012.

14 **SEC. 28. Protection from Criminal and Administrative Liability.** – Any  
15 act/s made pursuant to the functions and powers conferred upon the Commission  
16 under this Act and other applicable laws, or in respect of any publication by, or under  
17 the authority of the Commission, of any report, proceeding, or any other matter under  
18 this Act, shall not be a ground for action, suit or other legal proceeding against any  
19 member or staff of the Commission.

20 Any legal action filed to harass, vex, exert undue pressure, or stifle any legal  
21 recourse that any member, or staff of the Commission has taken, or may take, in the  
22 performance of their functions, under this Act and other applicable laws, if proven in  
23 court to have been filed for any of the aforementioned purposes, be immediately  
24 dismissed with prejudice and the court may award damages, attorney's fees, and  
25 costs of suit under a counterclaim if such has been filed.

26 **SEC. 29. Franking Privilege.** – The Commission may transmit through

1 ordinary mail and/or registered mail with return card, free of charge, all official  
2 communications and papers directly connected with the conduct of its duties,  
3 functions, or the exercise of administrative supervision over its personnel.

4 **SEC. 30. *Financial Report.*** – The Commission shall make available to the  
5 public its annual financial statements and related financial reports as required by  
6 governing oversight agencies.

7 **SEC. 31. *Appropriations.*** – In addition to the regular appropriations of the  
8 Commission, the sum of Two Billion Three Hundred Forty-Six Million Pesos  
9 (₱2,346,000,000.00) for the initial implementation of this Act shall be included in the  
10 annual General Appropriations Act (GAA), in the year following its enactment into law.  
11 Thereafter, such sums, as may be necessary for the full implementation of this Act,  
12 shall be included in the annual GAA.

13 **SEC. 32. *Transitory Provisions.*** – Nothing in this Act shall prejudice the  
14 positions, emoluments, security of tenure, qualifications, privileges, and benefits of  
15 the incumbent Chairperson and Members of the Commission, and the officers and  
16 employees of the Commission upon its effectivity. However, officials and employees  
17 of the Commission, in aid of its reorganization upon the effectivity of this Act, may  
18 avail of an early retirement program as may be provided for by the Commission.

19 **SEC. 33. *Implementing Rules and Regulation.*** – The Commission shall,  
20 within sixty (60) days from the approval of this Act, formulate the implementing rules  
21 and regulations in the exercise of its general, investigative, monitoring, education,  
22 and advocacy powers and functions in consultation with other concerned government  
23 agencies and stakeholders.

24 **SEC. 34. *Separability Clause.*** – Should any provision of this Act or part  
25 hereof be declared unconstitutional, the other provisions or parts not affected thereby  
26 shall remain valid and effective.

1           **SEC. 35. *Repealing Clause.*** – All laws, decrees, orders, and issuances, or  
2 portions thereof, which are inconsistent with the provisions of this Act, are hereby  
3 repealed, amended, or modified accordingly.

4           **SEC. 36. *Effectivity Clause.*** – This Act shall take effect after fifteen (15)  
5 days from its complete publication in two (2) newspapers of general circulation.

6           *Approved,*