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Item 6 (a) of the provisional agenda

**Consideration of reports: reports submitted by States parties
in accordance with articles 16 and 17 of the Covenant**

List of issues in relation to the combined fifth and sixth periodic reports of the Philippines

Addendum

Replies of the Philippines to the list of issues*

[Date received: 19 August 2016]

* The present document is being issued without formal editing.

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I. General Information

1. Measures to ensure direct application of the Covenant provisions in the domestic legal order

1. The 1987 Philippine Constitution provides for the “doctrine of incorporation,” whereby the generally accepted principles of international law are considered part of the law of the land (Article 2, Section 2).
2. The Constitution likewise provides that it is State policy to “value the dignity of every human person and guarantees full respect for human rights” (Article 2, Section 11).
3. Cases where the Supreme Court applied the provisions of the Covenant:
 - International School Alliance of Educators vs. Quisumbing [General Register (G.R.) 128845, June 1, 2000]- on the right to just and favorable conditions of work;
 - Central Bank Employees Association vs. Bangko Central ng Pilipinas (446 Supreme Court Report Annotated (SCRA) 299)- on upholding Article 2 of the Covenant;
 - Republic of the Philippines vs. Cagandahan (G.R. No. 166676, 12 September 2008)- on the right to self-determination;
 - Imbong, et al. vs. Ochoa, Jr. et al. ([G.R. No. 204819 and other consolidated cases, 8 April 2014](#))- on reproductive health rights;
 - Poe-Llamanzares vs. Commission on Elections (COMELEC) (G.R. No. 221697 and other consolidated cases, 8 March 2016) – on the basic right to equal protection of the law;
 - Leus vs. St. Scholastica’s College (G.R. No. 187226, 28 January 2015)- on labor and social rights;
 - Remman Enterprises, Inc. vs. Professional Regulatory Board of Real Estate Services (G.R. No. 197676, 4 February 2014)- on housing rights;
 - Garcia vs. Drilon (G.R. No. 179267, 25 June 2013)- on the protection of women and children;
 - Social Justice Society Officers vs. Lim (G.R. No. 187836 and other consolidated cases, 25 November 2014)- on health rights; and
 - Tanenglian vs. Lorenzo (G.R. No. 173415, March 28, 2008)- on the economic and cultural rights of indigenous peoples (IP).
4. The Supreme Court likewise promulgated Rules of Procedure on Environmental Cases, and, in the process, Writs of Kalikasan (nature or environment).

2. State party’s consideration of signing and ratifying, or acceding to the Optional Protocol to the Covenant

5. The Philippines (PH) is reviewing the said instrument. Nevertheless, it continues to fully implement various laws to ensure effective domestic protection and promotion of ESCR.

3. Steps taken to enact into law Senate Bill (SB) 2818 (“Commission on Human Rights Charter”)

6. Said bill is pending in Congress.

4. Measures to ensure effective enforcement of the Anti-Enforced or Involuntary Disappearance Act, and whether it prevents killings and disappearance of trade union activists, indigenous leaders and others advocating the Covenant

- Issuance of Administrative Order (AO) 35 (s. 2012), [Creation of Inter-agency Committee (IAC) on Extra-Judicial Killings (EJKs), Enforced or involuntary disappearances (EIDs), Torture and Other Grave Violations (OGVs) of the Right to Life, Liberty and Security of Persons];
 - The IAC not only keeps an inventory of and monitors cases, it also identifies patterns of impunity, vulnerabilities and areas for improvement for possible policy changes;
 - Conduct of Special Course on International Criminal Law and Security, covering specific topics, such as substantive offenses, torture, persecution and EJKs for judges, court attorneys and representatives from various agencies;
 - Conduct of trainings, programs and activities (TPAs) for justices, judges, court personnel and lawyers by the Philippine Judicial Academy (PhilJA), the training arm of the Philippine Judiciary, covering environmental law, violence against women and children, IP rights, and access to justice;
 - Proposal to amend Republic Act (R.A.) 10353 (Anti-Enforced or Involuntary Disappearance Act) to expand its coverage and include non-State actors (NSAs);
7. The CHR in its annual report noted the decline of EJKs incidence in the country.

Sentences imposed on perpetrators in the past four years

8. As of date, the AO35 has listed eight convictions for EJKs and 12 for media killings, with penalties ranging from prison correctional in its minimum to reclusion perpetua as maximum, including payment to heirs for civil indemnity.

II. Issues relating to general provisions of the Covenant (arts. 1-5)

Article 1 (2) –Right to freely dispose of natural wealth and resources

5. Steps taken to review RA 7942 (Mining Act of 1995)

9. The State is in the process of reviewing all permits granted to mining, logging, and other environment-sensitive activities for the purpose of [amending, suspending, or revoking permits if warranted](#).
10. The review of the law covers provisions on revenue sharing; restoration/rehabilitation of areas and communities affected by disasters arising from mining operations; and perpetual liability insurance to cover damages in mined-out and identified impact areas.
11. Operations of several mining companies have ceased due to the revocation of their licenses for failure to comply with requirements of the Mining and Geosciences Bureau of the Department of Environment and Natural Resources (MGB-DENR).

Philippines' intent to speed up the adoption of the National Land Use Bill

12. The bill has been re-filed in the 17th Congress.

“No-go zones” in which mining operations are excluded, and steps being taken to ensure that such zones are demarcated

13. Executive Order (EO) 79, Section 1 provides that “applications for mineral contracts, concessions, and agreements shall not be allowed in the following areas:

- Areas expressly enumerated under Section 19 of the Mining Act of 1995;
- Protected areas categorized and established under RA 7586 [National Integrated Protected Areas System (NIPAS) Act of 1992];
- Prime agricultural lands, in addition to lands covered by R.A. 6657 [Comprehensive Agrarian Reform Law (CARL) of 1988], as amended, including plantations and areas devoted to valuable crops, and strategic agriculture and fisheries development zones and fish refuge and sanctuaries;
- Tourism development areas, as identified in the National Tourism Development Plan (NTDP); and,
- Other critical areas, island ecosystems, and impact areas of mining as determined by current and existing mapping technologies identified by the DENR.

6. Updated statistical data on IPs in the State party, including their numbers and presence across the territory

14. There are 110 ethnolinguistic groups in the Philippines and an estimated IP population of 14 million (National Commission on Indigenous Peoples [NCIP], June 2016). The largest number is in the Cordillera Administrative Region (CAR) and Western Visayas.

On securing IPs’ free, prior and informed consent (FPIC) and conduct of IP consultation

15. The FPIC is observed as evidenced by 138 Certificates of Precondition issued by the IP/ indigenous cultural communities (ICCs) concerned.

16. Around 2,000 IP mandatory representatives are seated in local decision-making bodies to ensure that their rights under the Covenant are protected.

On the effectiveness of the IPRA and the ability of the NCIP to deal with complaints of alleged violations of IPs’ rights under the Covenant

17. The NCIP, with its 13 Regional Hearing Officers (RHOs) covering the 12 Regions, and the Clerk of the Commission (COC) are tasked to hear and provide legal aid to IP/ICCs.

18. As of 2015, 74 of 192 cases filed in the COC were resolved.

19. The NCIP has also established an IP Legal Assistance Program that includes paralegal trainings for IPs/ICCs. For 2014-2015, there were 12,902 IP beneficiaries.

20. In the case of Aurellano v. Republic (GR No. 156022, July 6, 2015), the Court upheld the issuance of the Certificate of Ancestral Domain Title (CADT) under RA 8371 in favor of the Tagbanua Indigenous Cultural Community to develop, control, and manage Calauit Island, notwithstanding Presidential Proclamation No. 1578 (1976) that recognized private rights.

Article 2 (1) – Maximum available resources

7. Corruption cases filed with the constitutional anti-corruption bodies

21. Some 476 cases involving 185 high ranking officials (HRO) for violation of RA 3019 (Anti-Graft and Corrupt Practices Act) were disposed by the Office of the Ombudsman from 2014 to May 2016.

22. Other corruption cases disposed from 2014 to May 2016 were: 39 cases of malversation of public funds/property; 104 cases of technical malversation; and 44 cases of plunder.

23. Of these disposals, 212 cases of violations of RA 3019 were presented before the Sandiganbayan (Graft Court) from 2015 to May 2016, resulting in 50 convictions involving 124 individuals. On the other hand, 57 cases of malversation presented during the same period resulted in 25 convictions involving 47 individuals.

24. From 2013 to 2015, 89% or 7,258 disciplinary cases out of 8,153 disciplinary cases received by the Civil Service Commission (CSC) were resolved. These cases included graft and corruption cases filed against government employees and officials who were non-presidential appointees and holding non-elective positions.

Cases filed, investigated and prosecuted, and convictions for bribery

25. From 2014 to May 2016, 17 cases of direct and indirect bribery under the Revised Penal Code were filed in the Office of the Ombudsman, resulting in 15 prosecutions and three convictions.

Measures strengthen the enforcement of anti-corruption legislation and to combat impunity for corruption

26. RA 10660 (Sandiganbayan Reform Act) enacted into law on April 2015.

27. Bills against corruption that are pending in Congress:

- Institutional strengthening of the Office of the Ombudsman;
- Asset forfeiture;
- Expansion of the powers of the Office of the Ombudsman; and
- Compliance with the United Nations Convention Against Corruption (UNCAC).

28. Initiatives to implement RA 9845 [Anti Red Tape Act (ARTA) of 2007]:

- ARTA Watch;
- Regular conduct of Report Card Survey;
- Contact Center ng Bayan (CCB);
- Regular lectures on R.A. 6713 (Code of Conduct and Ethical Standards for Public Officials and Employees); and
- Conduct of Public Service Ethics and Accountability (PSEA) trainings, Values Orientation Workshops (VOW), and Public Services Values Program (PSVP).

Initiatives from the Office of the Ombudsman

- Anti-corruption education and awareness-building (partnership through accreditation);
- Graft and Corruption Prevention Education Teaching Exemplars (GCPETE);

- Integrity, Transparency, Accountability in Public Service (ITAPS);
- Integrity Management Program (IMP).

29. The State, through a directive from the President, operates a hotline for people to report anomalous practices of wayward officials, and requires all government agencies to reduce the processing time in issuing all permits and licenses to a maximum of three days.

Philippines' intent to give priority to the adoption of the FOI

30. EO 2 (s. 2016) mandates full public disclosure of information in all offices under the Executive branch, to include making available the Statements of Assets and Liabilities and Net Worth (SALN) of government officers and employees for public scrutiny.

8. Updated information on the public spending on social services and measures taken or envisaged to further increase the public spending in these areas

31. Government spending for the social sector has considerably increased from Php411.78 billion, or 5.1% of the gross domestic product (GDP) in 2009, to a high of Php1.12 trillion or 7.2% of GDP in 2016. Priority allocation of fiscal space has always been accorded to programs and projects for the poor, the vulnerable, and the marginalized.

Article 2 (2) – Non-discrimination

9. Steps taken to expedite the adoption of a comprehensive anti-discrimination law

32. To eliminate cultural prejudices, R.A. 10908 (Integrated History Act of 2016) mandates the integration of Filipino-Muslim and IPs' history, culture and identity studies in Philippine History.

33. The omnibus bill addressing discrimination in all its forms was filed in the current Congress.

Steps taken to review existing provisions that may result in discrimination in the enjoyment of ESCR of foreign migrant workers and lesbians, gays, bisexuals and transgender (LGBT) persons

34. Article 269 and 272 of the Philippine Labor Code recognizes and allows the exercise of trade union rights of foreign workers, provided that said workers are nationals of a State which grants the same rights to Filipino workers.

35. Section 29(a)(2) of the Commonwealth Act 613 (The Philippine Immigration Act of 1940) does not include pregnancy as a ground for prohibition of entry or expulsion of migrant workers from the State.

36. There are no provisions in the RPC that discriminate against LGBT. As an affirmation, Article 200 (Grave Scandal) of the RPC states: "The penalties of *arresto mayor* and public censure shall be imposed upon any person who shall offend against decency or good customs..."

37. The following laws also prohibit discriminatory practices with regard to employment:

- 1987 Constitution;
- Presidential Decree (PD) 442 (Labor Code of the Philippines);
- RA 10361 (Domestic Workers Act);
- RA 9710 (Magna Carta of Women);

- RA 1015 (Employment of Night Workers Act);
- RA 6725 (Act Strengthening the Prohibition on Discrimination Against Women in Employment);
- RA 10911 (Anti-Age Discrimination in Employment Act of 2016).

Article 3 – Equal rights of men and women

10. RA 10655 (An Act Repealing the Crime of Premature Marriage under Article 351 of the Revised Penal Code) has been passed into law

Bills re-filed bills in the 17th Congress addressing gender bias

- Repeal of Article 247 of the RPC pertaining to the infliction of death or physical injuries under exceptional circumstances;
- Amendment to R.A. 8353 (Anti-Rape Law);
- Enactment of the divorce bill;
- Amendment of Articles 14, 96, 124, 211 and 225 of the Family Code to equalize the weight of decision of both husband and wife;
- Amendment to Family Code provisions on legal separation;
- Marital infidelity bill to equalize the evidentiary requirements and penalties for both the offending husband and wife;
- Anti-discrimination bill based on Sexual Orientation, Gender Identity and Gender Expression (SOGIE);
- Expansion of the Anti-Sexual Harassment Act; and
- Expansion of maternity leave benefits.

38. The President, in his State of the Nation Address in July 2016, vowed protection for women's rights, calling the abuses against women unacceptable. He also called for the full implementation of the MCW, down to the barangay (village) level.

Steps to review the interpretation of the Presidential Decree No. 1083 [Code of Muslim Personal Laws (CMPL)]

39. The State finds no reason to review the CMPL.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 – Right to work

11. Measures to create decent work opportunities in both the public and private sectors, particularly for young people

40. Programs aimed at improving school-to-work transition, upgrading skills and enhancing employability of the youth (i.e., Special Program for Employment of Students (SPES), Government Internship Program (GIP) and JobStart Program) were expanded and are being institutionalized.

41. Laws on generating additional work opportunities:

- RA 10771 (Philippine Green Jobs Act of 2016);
- RA 10816 (Farm Tourism Development Act of 2016);
- RA 10869 (JobStart Philippines Act);
- RA 10679 (Youth Entrepreneurship Act);
- RA 10644 (Go Negosyo Act);
- RA 10911 (Anti-Age Discrimination in Employment Act of 2016);
- RA 7323 (Special Program for the Employment of Students (SPES));
- RA 10691 [Public Employment Services Offices (PESO) Act].

Measures to effectively implement the Employment of People with Disabilities (PWD) Employment Quota Scheme (1%)

42. The Implementing Rules and Regulations (IRR) of R.A. 10524 (An Act Expanding the Positions Reserved for PWDs) signed in June 2016, provides PWDs equal opportunity for employment and equal remuneration for work of equal value.

Steps to address the high rates of underemployment

- Prioritized labor intensive investments that generate employment;
- Launched the Project Repeal by the National Competitiveness Commission (NCC);
- Strengthened international agreements on trade and investments and liberalized the influx of foreign investments which translated into employment opportunities through the Association of South East Asian Nations (ASEAN) integration; and
- Facilitated employment at the local level through the Public Employment Service Office (PESO) and the Enhanced PhilJobNet.

Data, disaggregated by sex, age and disability, on labor market participation, unemployment and underemployment over the past four years

43. Underemployment was highest in 2012 at 17.9%. Men experienced higher underemployment (20.8%) than women (14.7%) in a labor force dominated by men. High underemployment was recorded in poor regions, such as Regions VIII (33.2%), V (27.8%), and X (28.1%) compared to the National Capital Region (NCR) (8.3%) and Region 3 (9.5%) which are considered as the least poor regions. In 2014, underemployment (18.4%) was higher than unemployment (6.6%).

44. As of July 30, 2016, there are 1,415 registered PWDs under the Skills Registry System (SRS) data of the Department of Labor and Employment (DOLE).

Article 7 – Right to just and favorable conditions of work

12. Bills upholding the rights of workers in the Formal and Informal Economy

- Magna Carta for Workers in the Informal Economy;
- Labor Laws Compliance;
- Security of Tenure Bill covering contracting and subcontracting;
- Comprehensive Occupational Safety and Health Bill.

Policy measures issued

- Department Order (DO) 18-A (s.2011) on Rules Implementing Articles 106 to 109 of the Labor Code, as amended;
- DO No. 131-B (s.2016) on Revised Rules on Labor Laws Compliance System (LLCS).

13. Updated information on minimum wages

45. The ratio of minimum to average wage declined from a range of 66% to 104% in 2011 to 67% to 88% in 2015 in the non-agriculture sector; and from a range of 64% to 86% in 2011 to 63% to 80% in 2015 in the agricultural sector.

Applicability and coverage of the minimum wage, and exemptions granted to business establishments from complying with the minimum wage

46. Minimum wage is applicable to all workers in the formal sector with employer-employee relationships. The Labor Force Survey (LFS) in January 2016 showed that around 3.3 million, or 17% of full-time wage and salary workers in private enterprises were minimum wage earners.

47. RA 9178 [Barangay Micro Business Enterprise (BMBE) law] automatically exempts workers of BMBE with Certificates of Authority issued by the Negosyo (trans. business) Centers of the Department of Trade and Industry (DTI).

48. Under the [National Wages and Productivity Commission](#)'s (NWPC) Rules of Exemption, the following categories of establishments are qualified to apply for a one-year exemption from payment of minimum wages:

- Distressed establishments;
- New business enterprises (NBEs);
- Retail/Service establishments employing not more than ten (10) workers;
- Establishments adversely affected by natural and/or human-induced calamities.

49. As of June 2016, seven Wage Orders were issued prohibiting exemption from payment of minimum wages, and another seven Wage Orders for allowing exemption for all or some of the aforementioned categories. From 2011-2015, 437 applications for exemptions, or an annual average of 87 establishments, were approved.

50. Wages of apprentices and learners covered by the apprenticeship and learnership agreements approved by the Technical Education and Skills Development Authority (TESDA) shall not be lower than 75% of the applicable minimum wage rates.

51. A qualified disabled employee shall be subject to the same terms and conditions provided in RA 10524 (Magna Carta for PWDs).

Bases on which minimum wage requirements are reviewed and adjusted; and measures taken or envisaged to raise those minimum wages falling below the poverty threshold

52. The National Wages and Productivity Commission (NWPC) coordinates with the Philippine Statistics Authority (PSA) for the generation of data necessary for minimum wage determination, such as needs of workers (e.g., poverty threshold, consumer price index (CPI)/inflation rates), employers' capacity to pay (e.g., average wages) and the requirements for socioeconomic development (e.g., gross regional domestic product or GRDP).

53. The Regional Tripartite Wages and Productivity Boards (RTWPBs) regularly review the region's socio-economic conditions and their impact on wages and incomes of workers and conduct consultations and public hearings with stakeholders and industry players.

54. As of May 2016, all minimum wages are equal to or higher than the regional poverty thresholds. Upon the release of new poverty estimates by the 3rd quarter of 2016, the NWPC and the RTWPBs will have to implement a new round of adjustments for minimum wages that will fall below the poverty thresholds.

Measures taken to enforce legislation on minimum wages and sanctions

55. Initiatives to strengthen compliance with general labor standards and occupational safety and health (OSH) standards:

- Issuance of DO 131-13 [Rules on (LLCS)];
- Issuance of DO 131-B [Revised Rules on LLCS];
- Implementation of procedures for DOLE– Regional Offices to monitor compliance through the provision of technical assistance/advice and conduct of inspection; and
- Conduct of information awareness campaign on current minimum wages in their respective regions to facilitate compliance.

56. Establishments found to be non-compliant with the minimum wage were sanctioned or penalized through the non-issuance of Certificate of Compliance (COC); required to pay the penalty and double indemnity for violation of the prescribed minimum wage; and instructed to increase or adjust their wage rates pursuant to R.A. 8188 and LLCS Rules.

14. Implementation of the two-tiered wage system and its coverage

57. Tier 1 (Mandatory Minimum Wage). To date, there are 81 minimum wage rates in the country, which are equal to or higher than poverty thresholds across regions. As of 15 June 2016, minimum wage rates across regions ranged from a high of P491 per day in the NCR to a low of Php225 per day in Region IV-B for non-agricultural workers. On the other hand, minimum wage rates ranged from a high of Php454 per day in NCR to a low of Php230 per day in Region IVB for agricultural workers.

58. Tier 2 (Productivity or Performance Based Incentive Scheme). As of June 2016, all the RTWPBs had issued at least one advisory for a growth or priority industry in the region. These industries include agriculture (plantation); agri-business; mining; manufacturing; transportation and storage facilities; tourism; hotels, restaurants and resorts; higher education institutions; and sardines (canning) industries.

Number of employees covered

59. The minimum wage policy covers employees in the private sector. The 2014 LFS showed that 58.0% of 38.651 million employed were wage and salary workers.

60. Of this number, 45% were employed in private establishments and 17.1 million were potentially covered by the minimum wage law. These included workers in private establishments (17.0 million) and family operated farm or business (0.1 million). In practice, those covered by the minimum wage were few due to the non-coverage of microenterprises by operation of the R.A. 9174 (BMBE law), exemption from minimum wage coverage upon application with the Regional Boards, and non-compliance.

61. The remaining 55% were workers in government (3.0 million) and private households (1.9 million), self-employed individuals without any paid employees

(10.9 million), employers in their own family-operated farms or businesses (1.2 million), and unpaid family workers (4.2 million).

Measures taken for those not covered by the system

- Continuing studies as basis for advisories, particularly for key employment generators or “KEGs”; and
- Conduct of various information dissemination and education activities to raise awareness and understanding of the minimum wage policy and the applicable minimum wage rates for compliance, even among sectors not covered by the system.

15. Implementation of R.A. 10361 (An Act Instituting Policies for the Protection and Welfare of Domestic Workers)

- As of 2015, DOLE provided assistance to more than 400 workers, facilitating the release of Php3.09 million monetary benefits to 213 domestic workers through its dispute settlement mechanism;
- Social protection agencies such as the Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth) and the Pag-Ibig Fund facilitated the registration of domestic workers;
- Continuous and intensified efforts by LGUs to improve the registration of the domestic workers nationwide; and
- Advocacy efforts on the implementation of the law, including infomercials and use of the internet.

16. Measures taken to narrow the large and widening gender pay gap in both public and private sectors and give, in law and in practice, the full interpretation of the principle of equal remuneration for men and women for work of equal value

62. Gender is never a factor in the determination of pay rates. The State adheres to “equal pay for equal work”. Standardization of compensation of government officials and employees is based on the nature of responsibilities and qualifications required for the positions.

63. The Constitution recognizes the role of women in nation-building and the fundamental equality of women and men before the law. It is a state policy to protect working women by providing safe and healthy working conditions, taking into consideration their maternal functions, among others.

64. Article 133 of the Labor Code prohibits discrimination “against any woman employee with respect to terms and conditions of employment solely on account of her sex.” Payment of a lesser compensation to a female employee as against a male employee for work of equal value is declared as an act of discrimination.

65. The Philippines has ratified two fundamental International Labour Organizations (ILO) Conventions—C100 (the Equal Remuneration Convention in December 1953), and C111 [Discrimination (Employment and Occupation) Convention in November 1960.

66. Amendments in labor laws to protect female workers:

- RA 10151 (2010), An Act allowing the employment of night workers;
- RA 10028 (2009), An Act Expanding the Promotion of Breast Feeding;
- RA 9710 (2008), Magna Carta of Women;
- RA 9262 (2004), Anti-Violence against Women and their Children;

- RA 7877 (1995), Anti-Sexual Harassment Act;
- RA 7322 (1992), An Act increasing maternity benefits in favor of women in the private sector;
- RA 6725 (1989), An Act strengthening the prohibition on discrimination against women.

67. Complementary programs and guidelines, and rules and regulations to promote female workforce:

- DOLE's Bureau of Workers with Special Concerns implements Women Workers' Welfare Advocacy Programs;
- Philippine Commission on Women (PCW) Memorandum Circular (MC) 2011-01, "Guidelines for the Creation, Strengthening and Institutionalization of the Gender and Development Focal Point System"; and
- CSC issuances on: (i) Career Advancement Program of Women in Government Service; (ii) Directory of Women on the Move; and (iii) Equal representation of Women in Third Level Posts.

17. Measures taken to enforce regulations relating to OSH in the informal economy, the export processing zones and the mining sector

- Regular conduct of Work Environment Measurement (WEM) and Safety Audits in different industries;
- Trainings and orientations on OSH in the mining, informal economy, agriculture, fishing and construction sectors to further strengthen efforts in information dissemination;
- Labor Law Compliance Officers (LLCO) Trainings;
- Formulation of the OSH checklist of the new LLCS; and
- Conduct of researches on working conditions in small-scale enterprises and informal economy in aid of formulating new labor policies and issuances.

DOLE undertakings to strengthen labor inspections

- Conduct of zone-wide assessments and certification of General Labor Standards (GLS) and OSH standards of compliant principals and contractors/subcontractors; and
- Fact-finding surveys, special assessments and visit of establishments (SAVE).

68. As of June 2016, a total of 20 zones have been declared as "Labor Laws Compliant Zones".

18. Effectiveness of amended RA 10022 (Migrant Workers Act), particularly access to legal and consular assistance

69. The State implements the amended Migrant Workers Act through a compendium of services provided by the Department of Foreign Affairs (DFA), Department of Social Welfare and Development (DSWD), and the Overseas Workers' Welfare Administration (OWWA) through its foreign service posts (FSPs), comprising of 82 embassies and consulates and 166 honorary consulates manned by over 1,295 personnel. These FSPs are mandated by law to render 24/7 services to overseas Filipinos, such as:

- Intensive pre-departure orientation programs;

- Maintenance and regular updating of database of Filipinos in their areas of jurisdiction, as well as their contingency plans;
- Provision of food and temporary shelter in Filipino Resource Workers Centers (FWRC) abroad managed by Labor Attachés and Welfare Officers;
- Extension of psycho-social support from Social Welfare Attachés assigned in Philippine FSPs;
- Provision of Legal Assistance Fund (LAF) for the cost of legal services in host countries;
- Provision of Assistance-to-Nationals Fund (ATN Fund);
- Active collaboration of the Philippine FSPs with host governments, local non-government organizations (NGOs), Filipino community, and international organizations to assist overseas Filipinos in distress.

Efforts to disseminate information on the protection and assistance provided by the State party's consulates to migrant workers aboard

70. A Joint Manual of Operations in Providing Assistance to Migrant Workers and Other Filipinos Overseas was promulgated to advance the provisions of the law.

Article 8 – Trade union rights

19. Steps taken to amend the legal provisions that limit trade union rights, including the relevant sections of the Labor Code

71. The Tripartite Labor Code Review Project, a tripartite-endorsed bill still pending in Congress, seeks to align its provisions with the Constitution, ILO Conventions and other International instruments, and current labor and employment trends. The bill also seeks to:

- Amend Articles 234, 235, 236, 237 and 270 of the Labor Code to further strengthen the workers' right to self-organization; and
- Repeal Article 270 on "Regulation of Foreign Assistance".

72. Particular to Article 263(g) of the Labor Code, the Secretary of Labor and Employment issued DO 40-H-13 on 21 October 2013, shifting the exercise of the assumption of jurisdiction power from the "industry indispensable to the national interest" criteria to "essential services" criteria.

Article 9 – Right to social security

20. Contributory schemes for social benefits, including type, applicability and coverage

Government Service Insurance System (GSIS)

73. The rate of contribution of GSIS members depends on their status of membership. Regular members, together with the government agency to which they belong, are required to remit life and retirement premium contributions. Special members, together with the government agency to which they belong, are required to remit life insurance premiums only.

74. The principal benefit package of the GSIS consists of compulsory and optional life insurance, retirement, separation, disability, funeral, unemployment, and employee compensation benefits. Active GSIS members and active pensioners are entitled to a number of loan privileges.

75. GSIS members are classified into two types:

- Regular members are government employees receiving fixed monthly compensation while in the service of a government agency by virtue of an appointment or election regardless of status of appointment; and
- Special members are government employees who, based on the Constitution or by virtue of a special law or charter, are covered under retirement schemes that are separate from the GSIS, funded by their own agency or by the National Treasury, and recognized by the Department of Budget and Management (DBM) i.e., members of the judiciary and constitutional commissions.

Pension System for the Elderly

76. GSIS retirement benefits are acknowledged to be one of the most generous as it offers various retirement programs to choose from depending on the eligibility of the member.

Social Security System (SSS)

77. The State provides social protection to private sector workers in two types of coverage:

- Compulsory - covers employers, employees and self-employed persons (includes those working in the informal economy); and
- Voluntary - covers separated members, Overseas Filipino Workers (OFW) and non-working spouse of SSS members.

78. Covered employees are entitled to a package of benefits under the Social Security and Employees' Compensation (EC) programs in the event of death, disability, sickness, maternity and old age. Self-employed and voluntary members also get the same benefits as covered employees, except those benefits under the EC program.

79. The SSS provides for a replacement of income lost on account of the aforementioned contingencies. The social security program covers sickness, maternity, disability, retirement, death, and funeral benefits. The SSS also provides its members with short-term salary, housing, and business loans.

Measures taken to ensure that the benefits are sufficient to ensure the beneficiaries an adequate standard of living

80. The GSIS conducts continuing actuarial and statistical studies and valuations to determine its financial condition and re-adjust the benefits subject to the viability and financial capability of the Social Insurance Fund and the limitations provided.

21. Steps taken to expand the coverage and increase the amount of benefit of the Social Pension for Indigent Senior Citizens program

81. There is a gradual expansion of the age coverage of social pension among indigent senior citizens from 77 years of age in 2011 to 60 years old and above at present (2016). For 2015, 877,198 social pensioners, or 93.36% of the target beneficiaries, have been provided with monthly cash grants of PhP500 (US\$10).

Non-contributory social assistance provided by the DSWD

82. The Pantawid Pamilyang Pilipino Program (Conditional Cash Transfer) covers poor households with children 0–18 years old and/or pregnant or lactating women for the health transfer of Php500 (US\$10) per household per month. The education transfer is at PhP300 (\$6) per month, for 10 months per year, for up to a maximum of three children per family.

83. As of 25 May 2016, the program has served 4,409,819 active households nationwide, or 95.44% of the 2016 target which is 4,620,630 households. Of these households, 4,171,950, or 94.61%, are covered by the regular Pantawid Pamilya program, while 237,869, or 5.39%, are covered by the Modified Conditional Cash Transfer (MCCT).

Non-contributory social assistance benefits and privileges provided to children

84. Supplementary Feeding Program. For school year (SY) 2015-2016, 1,584,591 day-care children, or 77.17% of the target children enrolled in LGU-run day-care centers and supervised neighborhood play-schools were provided with hot meals for 120 days.

85. Community-based complementary feeding of children were provided for 400 beneficiaries in four pilot areas: San Jose, Occidental Mindoro (120 children aged 1-3 years old); Dinalungan, Aurora (90 day care children); Calatagan, Batangas (60 beneficiaries); Dasmariñas, Cavite (120 beneficiaries), and Pililla, Rizal (60 beneficiaries aged 3-6 years old).

Non-contributory social assistance benefits and privileges to PWDs

86. RA 10754 (An Act Expanding the Benefits and Privileges of Senior Citizens) provides the following: at least 20% discount and exemption from the value-added tax (VAT); educational assistance; continuance of the same benefits and privileges given by the GSIS, SSS, and Pag-ibig Fund; special discounts in special programs on the purchase of basic commodities; and provision of PWD express lanes in all establishments.

Programs to ensure universal coverage of the population

- Modified Conditional Cash Transfer (MCCT);
- Comprehensive Program for Street Children and Street Families;
- Comprehensive Program for IP, specifically the Sama-Bajaus;
- Assistance to Individuals in Crisis Situations (AICS)/ Assistance to Communities in Need (ACN).

Assistance to families affected by disasters

- Relief Assistance;
- Cash-for-Work (CFW);
- Transitional shelters;
- Emergency Shelter Assistance (ESA);
- Core/Modified Shelter Assistance Program (C/MSAP).

Benefits and privileges for Senior Citizens

87. R.A. 7432 (An Act to Maximize the Contribution of Senior Citizens to Nation-Building, Grant Benefits and Special Privileges and for Other Purposes), as amended, provides for the following benefits and privileges for senior citizens:

- 20% discount and exemption from the value -added tax (VAT);
- Exemption of minimum wage earners from the payment of individual income tax;
- 5% discount on the monthly utilization of water and electricity;
- Free medical and dental services, diagnostic and laboratory fees in all government facilities;
- Free vaccination against the influenza virus and pneumococcal disease for indigent senior citizen patients;
- Educational assistance;
- Special discounts on basic commodities; and
- Death benefit assistance.

88. R.A. 10868 (Centenarians Act of 2016) provides for a Php100,000 grant to those who reach the age of 100.

Article 10 – Protection of the family, mothers and children

22. Information on bills aiming to amend the Family Code

89. Bills pending in Congress seeking to provide equality in decision-making between husband/father and wife/mother, repealing Articles 14, 96, 124, 211, and 225 of the Family Code.

Information on the bill aiming to amend the Anti-Rape Law of 1997

90. SB 2462, pending in Congress, introduces the following:

- Revised definition of rape;
- Removal of the element of force/violence and penetration;
- Age for statutory rape changed from 12 to 15 years old.

23. Steps taken to strengthen the fight against trafficking

Capacity-building of DFA Foreign Service Personnel

- Series of Regional Anti-Trafficking in Persons Workshop for FSPs from 2014 to 2015;
- Echo-training seminars conducted by Philippine Ambassadors for their personnel;
- DFA's Pre-Deployment Orientation Seminars (PDOS) for Foreign Service Personnel.

Assistance/Services Provided

91. The DFA provided assistance to 223 victims of human trafficking from January to November 2015 through its Assistance to Nationals (ATN) Fund and Legal Assistance Fund (LAF), broken down as follows: 131 in the Middle East Region; 70 in Asia and the Pacific; 12 in Europe; and 10 in the Americas. The ATN Fund was utilized for expenses on temporary shelter, basic necessities, and repatriation, while the LAF was utilized for legal services. Some victims were assisted in collaboration with the host governments, local NGOs, the Filipino community in foreign countries, and international organizations.

92. Recovery and Reintegration Program for Trafficked Persons (RRPTP) delivers a complete package of services addressing the psychosocial, social and economic needs of trafficked persons to ensure adequate recovery and reintegration provided.

93. International Social Welfare Services for Filipino Nationals (ISWSFN) is a project that institutionalizes a system of deployment of Social Welfare Attaches or Social Work Interns in foreign countries with a large population of OFWs to provide comprehensive social welfare and protection services.

94. Gender Responsive Case Management (GRCM) is a practice model for social workers in handling cases of violence against women (VAW) in residential care centers and in communities.

95. Setting-up of anti-trafficking task forces at every major port and airport to guard against the trafficking of persons, including children.

Relevant Policy Issuances

96. AO 6 (s. 2013) provides guidelines on the management of Social Welfare Attaché Offices in FSPs and on the selection and placement of Social Welfare Attachés.

97. AO14 (s. 2012) provides guidelines on the institutionalization of GRCM as a practice model in handling VAW cases.

98. DSWD guidelines on minors travelling abroad, which the Bureau of Immigration strictly implements to guard against trafficking of children outside the country.

99. Memorandum of Understanding between the Inter-Agency Council Against Trafficking (IACAT) and the National Child Labor Committee (NCLC) in March 2016 to harmonize efforts and strategies to effectively address trafficking for the exploitation of children through cooperation in the investigation and prosecution of cases, coordination in the rescue of victims and provision of assistance to victims and their families, complementation of resources, and sharing of information.

Publication

100. DFA's Handbook on International and National Legal Frameworks in Combatting Human Trafficking in 2015.

Steps taken to combat complicity of law enforcement officials in such trafficking

101. Sec 6 (Qualified Trafficking in Persons) of RA 10364 (Expanded Anti-Trafficking Act) delineates instances when (d) the offense is committed by a public officer or employee or (f) when the offender is a member of the military or law enforcement agencies. Sec 10 (e) of the same Act provides a higher penalty to any person found guilty of qualified trafficking under Section 6. Instead of imprisonment and a fine of up to One million pesos (P1,000,000.00), those found guilty "shall suffer the penalty of life imprisonment and a fine of not less than Two million pesos (P2,000,000.00) but not more than Five million pesos (P5,000,000.00);".

Measures taken to protect people affected by natural disasters, particularly children, from being victims of trafficking

- Establishment of the Child Protection Working Group chaired by the Council for the Welfare of Children (CWC) to ensure protection of children's rights and highlight issues and needs in times of disasters or emergency situations;
- Creation of child friendly spaces and the resumption of early childhood development activities in evacuation centers as a first response to children's concerns;

- Creation of women-friendly spaces to address the practical and strategic gender needs of internally displaced women and their children;
- Establishment of Protection, Camp Coordination and Management Cluster (PCCM) for the orderly movement of victims from origin to safe, secure and accessible evacuation centers and areas;
- Issuance of Memorandum Circular No. 14 (s. 2002) providing for Policy Guidelines on the Delivery of Basic Services to Displaced Children in Disaster Situations.

Specialized services provided to victims of trafficking, particularly boys

102. From 2013 to 2015, 23 boys who were reported as victims of trafficking were served under RRPTP with a complete package of services addressing their psychosocial, social and economic needs.

24. Measures taken to strengthen the legislative framework to prevent and prohibit child labor

103. RA 10821 (Children's Emergency Relief and Protection Act) enacted in May 2016 provides for the protection of the fundamental rights of children before, during, and after disasters and other emergency situations. It also mandates relevant government agencies to immediately heighten comprehensive measures and monitoring to prevent child trafficking, labor, and prostitution, including domestic and sexual violence, in the areas declared under a state of calamity.

104. DOLE DO 149 (s.2016) on Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 Years of Age strengthens measures to prevent and eliminate the worst forms of child labor.

Measures taken to strengthen inspection on child labor, its outcome and sanctions imposed

105. DOLE's Human Resource Development Service conducted a series of capacity building activities for Labor Laws Compliance.

106. Sagip Batang Manggagawa (SBM) is an inter-agency quick action mechanism aimed at responding to cases of child labor in extremely abject conditions. SBM also works to detect, monitor and rescue child laborers in hazardous and exploitative working conditions.

Measures taken to facilitate recovery and access to educational opportunities for former child workers

107. In 2014, DOLE initiated the profiling of vulnerable workers, including child laborers. A total of 75,724 child laborers were profiled.

108. Data encoding of 36,247 (47.9%) profiled child laborers have been completed, with all of the workers below 18 years old found to have been exposed to "unhealthy environments that exposed them to hazardous processes, temperatures, noise levels or vibrations."

109. The Department of Education (DepEd) formulated the proposed Guidelines on the Handling of Child Laborers in School to identify and track child laborers and provide appropriate services to help them and their families.

110. In January 2016, a Joint Memorandum Circular (JMC) established the HELP ME Convergence Program which gathered partner government agencies in the delivery of services to children, including educational services.

111. Campaign for child labor-free barangays and the issuance of Child Labor-Free Establishment certificates.

112. In 2015, 3,138 child laborers and children at-risk were provided with educational assistance in the form of school supplies through DOLE's Project Angel Tree.

113. In 2015, the DOLE provided livelihood assistance to 5,944 parents of child laborers in the form of livestock-raising, Negokart (cart business) and starter kits, materials for mat-weaving and soap-making, etc.

Article 11 – Right to an adequate standard of living

25. Main reasons for the consistent high level of poverty in the State party, despite the continuing high economic growth

114. Poverty reduction is a long-term program that requires uninterrupted growth over a reasonable length of time. The Philippines' high economic growth was preceded by alternating episodes of boom and bust. The consumption-driven nature of economic growth has also tended to limit its beneficial impact, primarily on employment and incomes. The Philippines has made inroads in addressing governance issues but continues to face challenges in terms of its economic performance and poverty issues.

Measures taken to reduce the poverty level

115. The President issued an EO streamlining government agencies that deal with poverty reduction. The government agencies concerned are given the task to evaluate existing poverty reduction programs, and if deemed necessary, formulate a more responsive set of programs complementing existing ones, channeling resources as necessary to reduce both the incidence and magnitude of poverty. The administration shall implement a human rights-based approach to development and governance.

116. Steps to ensure that the effects of policies will trickle down to the poor:

- Issuance by the Department of Budget and Management (DBM) of budget preparation guidelines that require departments and agencies to focus their allocation of the fiscal space to the 44 provinces identified to be contributing the most to the achievement of inclusive development, such as:
 - Category 1 -provinces with highest poverty magnitude or number of poor households;
 - Category 2 - provinces with the highest poverty incidence or areas with the least opportunities for poverty alleviation; and
 - Category 3 -provinces or areas with highest risk when it comes to natural disasters and where economic and social services will be severely affected the most when calamity strikes;
- Use of targeting system such as the National Household Targeting System (NHTS) or Listahanan (trans. "list") of the DSWD for the CCTSP to ensure effective implementation. The same is also used by the Philhealth for its National Health Insurance Program (NHIP), Department of Health (DOH), DepEd, Commission on Higher Education (CHED), among others, in their respective program/ project implementation;
- Establishment of a Registry System for Basic Sectors in Agriculture (RSBSA) commissioned by the DBM.

26. Measures taken to address hunger and malnutrition, particularly of children and pregnant women

- Philippine Plan of Action for Nutrition (PPAN) 2011-2016;
- Universal Health Care High Impact Five (UHC-HI-5);
- Supplementary Feeding Program;
- Pantawid Familyang Pilipino Program.

117. The Right to Adequate Food Framework Bill is pending in Congress.

27. Measures taken to expand access to security of tenure to the poor and underprivileged

- Housing program for informal settler families (ISFs) living in danger zones in NCR;
- Regional Resettlement Program;
- Community Mortgage Program;
- Affordable Housing Loan Program;
- Home Matching Program.

Number of social housing units provided by public and private developers in the past four years

118. From 2011 to 2015, the State provided socialized housing units to 658,117 household-beneficiaries. The Housing and Land Use Regulatory Board (HLURB) issued Licenses to Sell (LTS) for the construction of 22,471 socialized housing units in keeping with the 20% balance housing target.

28. Reason for the increase in the number of evictions, and measures to ensure that evictions are carried out in accordance with relevant domestic laws and IHR standards

119. The President has declared a stop to all demolition of illegal settlements in the absence of relocation sites.

120. Issuances to ensure compliance with laws and international standards:

- EO 69 (s. 2012) IRR includes PDC as one of the operational mechanisms to ensure strict implementation and compliance with section 28 of RA 7279 (Urban and Housing Development Act of 1992);
- MC 2014-82 (Guidelines on Requesting for Police Assistance in Demolition or Eviction Activities under the UDHA) prescribes rules in requesting police assistance in demolition or eviction activities; and
- Office of Court Administration (OCA) Circular No. 118-2013 directs all judges, clerks of courts and sheriffs to furnish the Philippine Commission for the Urban Poor (PCUP) and Philippine National Police (PNP) writs of eviction and notices to vacate.

Article 12 – Right to physical and mental health

29. Measures taken to expand the coverage of the NHIP and healthcare services provided

121. RA 10606 (National Health Insurance Act of 2013) provides for the mandatory health insurance coverage for indigents identified under the NHTS for Poverty Reduction

(NHTS-PR). It further provides that all persons below 21 years of age, married or single but with a child, as well as female spouses from indigent families be enrolled as principal members.

122. R.A. 10645 (An Act Providing for the Mandatory PhilHealth Coverage for All Senior Citizens).

123. R.A. 10351 (Sin Tax Law) generates revenues which fully subsidize the premium requirement for both senior citizens and indigents.

124. Primary care benefits may be availed by sponsored and indigent members while outpatient, inpatient, Z benefits for prolonged hospitalization and extremely expensive therapy, and other special benefit packages may be availed by all member categories of PhilHealth.

125. State's interventions to improve access to healthcare for the IPs, people living in rural areas and low-income families as manifested by the following:

- Issuance of a DOH-NCIP-DILG JMC 2013-1 and DOH MC 2013-0037 (Guidelines on the Delivery of Health Services for IPs/ICCs), provides for:
 - Geographically isolated and disadvantaged areas (GIDA) and IP areas as priority areas for the deployment of human resources for health;
 - Health Facility Enhancement Program in GIDA areas;
 - Inclusion of IP health workers in the regular health workforce;
 - Capacity-building for eligible IPs;
 - Regular cultural and sensitivity training/education and information/communication; and
 - Materials on the rational use of medicines to the IP communities;
- Conduct of IP Maternal, Neonatal, Child Health and Nutrition (IP-MNCHN) Project provides policy recommendations to improve health service delivery to IPs and GIDA areas;
- Deployment of Human Resources for Health (HRH) in the 44 Focus Geographical Areas (FGA) with high poverty magnitude provinces and 5th and 6th class municipalities across the country.

30. Measures to address the high level of maternal mortality, particularly caused by unsafe abortion

126. Priority interventions in the State's health program:

- Skilled Birth Attendants (SBA) to attend to pregnancy and child delivery, particularly of the poor, through the annual deployment of thousands of nurses and midwives to augment the human resources of underserved LGUs, etc.;
- Emergency Obstetric and Neonatal Care (EmONC) facilities for women who experience life-threatening maternal complications.
- Maternal death surveillance and review in LGUs to report, count and study causes of maternal death to adopt corrective measures;
- Access to a broad range of contraceptives for women, especially the poor and underserved.

Steps to re-examine the criminalization of abortion, with a view to introducing appropriate exceptions

127. The DOH strongly promotes family planning, which has been shown to reduce recourse to induced abortion in the Philippines by 85%. It also updates a year 2000 policy on the Prevention and Management of Abortion Complications (PMAC), which proposes that post-abortion care shall be provided at all levels of the health care system by trained providers. Any refusal or maltreatment of post-abortion women shall be sanctioned according to the penalty provisions of the RH law.

Steps taken to improve access to reproductive health services

128. The DOH committed to make information and services on contraceptives available to all women.

129. Since the passage of RA 10354 [Responsible Parenthood and Reproductive Health (RPRH) Act of 2012], budget for contraceptives has increased to PhP1 billion (US\$21 million) in 2014 and 2016. To ensure availability of supplies and the training of providers in new contraceptive technologies, the National Implementation Team (NIT) for the RPRH law has been convened by the DOH.

Number of teenage pregnancies in the past four years

130. Based on the 2013 National Demographic Health Survey of the PSA, 10.1% of women in the Philippines aged between 15-19 years had begun child-bearing in 2013. Of this percentage, 7.7 % were already mothers or had born children while 2.5% were pregnant with their first child.

131. If applied to a projected female population, aged 15-19 years, for 2015 of 4,779,200 (PSA Medium Assumption), this percentage would constitute 477,920 teen females.

132. In comparison, the 2011 Family Health Survey reflected that 9.5% of women in the Philippines aged 15 to 19 years had begun childbearing. Of this percentage, 7.4% were already mothers while 2.1% were pregnant with their first child.

31. Measures taken to improve environmental hygiene, such as air and water pollution

133. The DOH's involvement in environmental health focuses on drinking water quality management, sustainable sanitation promotion, water supply and sanitation monitoring, and water and sanitation in different settings, i.e., in public places, etc.

134. Interventions and strategies employed and implemented:

- Increased program funding for the conduct of evidenced-based local studies on environmental health;
- Developed policies and standards on environmental health;
- Established multi-sectoral network and partnership through Inter-Agency Committee on Environmental Health;
- Developed various program packages on sustainable sanitation;
- Conducted national advocacy campaigns on environmental health;
- Provided technical and logistic assistance to local government units; and
- Developed and implemented training program for environmental health staff at all levels.

135. Present status of water and sanitation coverage:

- 96% of Filipino households have an improved source of drinking water;
- 70% of households use individual improved toilet facilities;
- 21% of households share improved toilet facilities;
- 31 additional barangays are declared 100% covered with safe water and sanitation;
- 74 additional barangays are declared open defecation free (ODF.)

Measures to enhance capacity for disaster risk reduction (DRR) and emergency preparedness for natural disasters

- Surveillance Post Extreme Emergencies and Disasters (SPEED) to monitor key diseases that occur after a major disaster, such as diarrhea, leptospirosis, and measles;
- Early Warning System (EWS) and Code Alert System;
- Rapid Health Assessment (RHA) by the emergency response teams;
- Post-Disaster Assessment and Needs Analysis (PDANA);
- Program on Chemical, Biological, Radiological, Nuclear and Explosives (CBRNE);
- Health Emergency Preparedness, Response and Rehabilitation Plan (HEPRRP) at all levels;
- Business Continuity Plan (BCP), Interoperability Plan and Contingency Plans at the national level;
- Facility enhancement through implementation of Safe Hospital Policy to increase disaster resiliency of infrastructure systems;
- 22 DRR trainings conducted;
- 20 DRR training modules packaged;
- Emergency response teams deployed;
- CAMPOLAS kit, Family kit, First Aid Kit, Trauma Kit and Hygiene Kit and other emergency medicines and supplies distributed;
- Minimum Initial Service Package for Sexual and Reproductive Health (MISP for SRH) in emergencies and disasters distributed;
- Partnerships entered into with various groups/institutions;
- Memorandum of Agreement (MOA) entered into by 14 partners and cluster partners based on the National Disaster Response Plan (NDRP);
- Roadmap to Address the Impact of El Niño (RAIN);
- 32 DRR-related policies issued which include administrative and department orders, protocols and manual of operations;
- AO 2013-0014 specifies activities, such as yearly assessments, monitoring and evaluation of plans, policies and guidelines and documentation of best practices through Post-Incident evaluation (PIE), Program Implementation Review (PIR), drills and exercises;

- Specific to DOH through PhilHealth, are four policies issued to cover for persons affected by disasters, emergencies, and disease outbreaks and the implementation of “No Balance Billing policy”;
- Conduct of HEMB Strategic Planning Workshop;
- Ongoing development of HEMB omnibus policy in partnership with the University of the Philippines-College of Public Health;
- Ongoing review and update of other guidelines and modules aligned with the golden standard;
- Assistance to the pre-test and Validation Workshop on PFA Kit;
- Ongoing planning on Psychosocial Response to climate change;
- Ongoing development of a Disaster Risk, Emergency Assessment and Management (DREAM) team;
- On-going negotiation to host researches linking disaster risk reduction and climate change in the health sector: A Case Study of the Philippines DOH;
- National Simultaneous Earthquake Drill with Post-incident evaluation;
- Hands Only Mass Cardio-Pulmonary Resuscitation with Post-Incident Evaluation;
- Operations and service delivery through the four (4) DOH-led clusters, namely: medical and public health, MHPSS, Nutrition and WASH;
- Health information and advocacy through National Disaster Consciousness Month (NDCM), biennial National Convention on HEM, and the development and production of information, education and communication (IEC) materials;
- Issuance of Memorandum No. 52, series of 2015: The National Disaster Preparedness Plan (NDPP);
- Localization of Oplan Listo (trans: “alert”) to serve as the disaster preparedness manual for LGUs; and
- Institutionalization of Pre-Disaster Risk Assessment (PDRA) to step up efforts to reduce disaster risks.

Articles 13 and 14 – Right to education

32. Measures to address the low completion levels in primary education (75.8%), particularly among working children, children living in remote and rural areas and affected by armed conflict

136. The National Indigenous Peoples Education (IPEd) Program initiative by the DepEd in 2013 aimed to strengthen the enabling conditions for culture-based education.

137. The program seeks to support education initiatives undertaken through formal, non-formal, and informal modalities with emphasis on any of, but not limited to, these key areas: Indigenous Knowledge Systems and Practices (IKSP) and community history; indigenous languages; Indigenous Learning System (ILS); community life cycle-based curriculum and assessment; educational goals, aspirations, and competencies specific to the ICCs; engagement of elders and other community members in the teaching-learning process, assessment, and management of the initiative, among others

138. From 2013 to 2016, a total of Php 470.4 million (US\$10 million) was allocated to the National IPed Program. In a period of six years, IP enrolment increased by 206% from 798,878 in SY 2010-2011 to 2,445,256 in SY 2015-2016, based on the enrolment data collected by DepEd.

139. In expanding access to basic education services, DepEd is targeting 300 priority sites in GIDA to be provided access through schools and/or other relevant and appropriate learning modalities by 2016.

33. Proportion of Filipino students who pursue higher education, and measures to make higher education accessible and affordable, particularly for disadvantaged and marginalized students

140. The number of enrollees and graduates in higher education significantly increased from 2,951,195 in 2010 to 3,811,726 in 2014, and 496,949 in 2010 to 648,752 in 2014, respectively. This may be attributed to various scholarships and other forms of student financial assistance (including grants and loans) and other programs (StuFAPs). The beneficiaries of scholarships and StuFAPs increased from 1,103,151 in 2010 to 1,775,659 in 2014.

34. Measures to enhance the quality of public education, reduce the rate of functionally illiterate Filipinos and regulate the private education sector

141. The State adopted CHED Memorandum Order (CMO) No. 40 s.2008 and CMO No. 30 s.2009 to regulate private and public higher education institutions (HEIs).

142. The CMO No. 40 s.2008 (Manual of Regulations for Private Higher Education or MORPHE) serves as a guide to attain higher education, define academic freedom, institute reasonable supervision and regulation, and accelerate the development of HEIs. CMO No. 30 s.2009 mandates the State universities and colleges (SUCs) and the local universities and colleges (LUCs) to comply with the provisions of MORPHE and with the Commission's requirements, policies, and regulations.

Article 15 – Cultural rights

Measures taken to protect cultural diversity

143. The [National Commission for Culture and the Arts](#) (NCCA) and its affiliate cultural agencies are mandated to protect cultural property. Under a quasi-judicial system, the NCCA and the National Historical Commission of the Philippines (NHCP) handled 19 cases of intentional destruction of cultural property in 2014-2015. In the same period, the National Museum (NM) increased its deputized local cultural police by 25% from 92 in 2014 to 115 in 2015.

144. In 2015, the NCCA was admitted into the International Police (Interpol) for cross-boundary coordination on the illicit trafficking of cultural property. The NHCP declared two new Heritage Districts in 2014, while the NM declared 11 new National Cultural Treasures and 32 Important Cultural Properties in 2015 to protect cultural properties with national significance.

145. In 2014, the NCCA established a Secretariat to coordinate in the conservation and management of the Philippine World Heritage Sites.

Measures to promote awareness of the cultural heritage of ethnic, religious, or linguistic minorities and of indigenous communities

146. A total of Php299,439,556.17 (US\$6 million) in 2014 and Php602,685,000.00 (US\$19 million) in 2015 were disbursed from the National Endowment Fund for Culture and Arts (NEFCA) for art and cultural programs, projects, and activities all over the country. The fund benefited 563 and 624 qualified individuals, NGOs, people's organizations, academic institutions, and LGUs under the NCCA Grants Program in 2014 and 2015, respectively.

147. Established under R.A. 7356 (An Act Creating the NCCA, Establishing NEFCA, and for Other Purposes), the NEFCA is intended exclusively for art and cultural programs, projects, and activities in the country. Funding for the projects went to cultural education, cultural diplomacy, cultural heritage conservation, culture and development, and artistic excellence and creativity in 2014; and culture and sustainable development, program on creativity and artistic development, and culture and national identity in 2015.

148. The variety of projects that may be funded by the NEFCA are on culture and arts exhibition, culture and arts festival, productions/performances, publication/documentation, research and development, among others.

Measures to create favorable conditions to preserve, develop, express, and disseminate ethnic identity, history, culture, language, traditions, and customs

149. The NCCA inaugurated the Philippine Registry of Cultural Property (PRECUP) in 2014 and has put in place a Secretariat for the continuous registration of cultural properties, including intangible cultural properties, in compliance with the Convention for the Safeguarding of the Intangible Cultural Heritage of 2003.

150. The National Heritage Reconstruction Program, a presidential priority initiative, seeks to restore the 25 earthquake-damaged national cultural properties in Bohol, Cebu, and Eastern Samar. It has been implemented from 2014 to the present as a collaboration of the NCCA, NM, NHCP, and Tourism Infrastructure and Economic Zone Authority (TIEZA), with the assistance of international experts on conservation science, Department of Tourism (DOT), World Bank, concerned local government units, and non-government cultural institutions.

Measures to ensure affordable access to the benefits of scientific progress and its applications for everyone, including disadvantaged and marginalized individuals and groups

151. The State encourages the widest and the most systematic participation of all stakeholders, including marginalized groups in its programs, projects and activities, as stipulated in RA 10055 (Philippine Technology Transfer Act of 2009). This includes the conduct of the Technology Transfer Day and the issuance of Guidelines for the Fast-Tracked Issuance of Fairness Opinion Reports (FOR).

DRR and emergency preparedness for natural disasters technology transfer

- Nationwide Operational Assessment of Hazards (Project NOAH);
- LiDAR Portal on Data Archiving and Distribution (LiPAD);
- Disaster Risk, Exposure, Assessment and Mitigation (DREAM).

Initiatives under the Community Empowerment thru Science and Technology (CEST) program for the marginalized segments of society

- Supplementary Food Feeding Program;
 - Distribution and utilization of clay water filters;
 - Deployment of ovicidal / larvicidal (OL) traps for dengue prevention;
 - Establishment of municipal-based weather forecasting system and early warning system through the installation of LiDAR (Light Detection and Ranging) and automated rain gauge;
 - Water hyacinth production development;
 - Installation of DOST's Science and Technology Research-Based Openly-Operated Kiosk System or STARBOOKS;
 - Small Enterprise Technology Upgrading Program (SETUP);
 - Packaging and labeling assistance; and
 - Conduct of various trainings for micro, small and medium enterprises (MSMEs).
-