



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



NV-CDS-381-2025

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Committee on Economic, Social, and Cultural Rights, and refers to the Advance Unedited Version (AUV) of the Concluding Observations on the Seventh Periodic Report of the Philippines on the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR) held on 18-19 February 2025.

As a State Party to eight core human rights treaties and a founding member of the United Nations, the Philippines values the treaty body system and the larger international human rights regime, which it helped build and nurture over the past eight decades. Since its ratification of the ICESCR on 07 June 1974, the Philippines has steadfastly upheld its obligations, consistently submitting reports and actively engaging the Committee in good faith and in an open and constructive manner.

It is, therefore, with deep regret that the Government of the Republic of the Philippines raises serious concerns regarding the AUV of the Concluding Observations, which it found replete with factual errors, i.e. misrepresentations, inaccuracies, and omissions that distort realities on the ground. These include, but are not limited to, mischaracterizations of national policies and programs, as well as unfounded assertions that seem to indicate a willful decision to disregard the Philippines' concrete institutional efforts in fulfilling its obligations, as elaborated during the constructive dialogue and in its additional submission.

The Philippine Government likewise finds it very concerning that the Committee included matters that were not raised in the List of Issues nor during the constructive dialogue effectively denying the Philippines the right to deliver substantive rebuttals.

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03 March 2025



**COMMITTEE ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS**

Secretariat, Committee on Economic, Social and Cultural Rights  
CPESCRUA Section / HRTB - CTMD

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In submitting the attached detailed comments on the AUV of the Concluding Observations, the Philippine Government stresses the imperative of adhering to principles of fairness, objectivity, and due process in governing constructive dialogues between a sovereign duty bearer and a treaty body. A genuine constructive engagement requires that all submissions be given due consideration. Failure to do so will cast doubt on the credibility of the concluding observations and recommendations and the very integrity and legitimacy of the entire process.

The Philippine Government requests that this Note Verbale, together with its attachment, be published on the treaty bodies' online database.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Committee on Economic, Social, and Cultural Rights the assurances of its highest consideration.

03 March 2025

**SUBJECT: PH COMMENTS AND CORRECTIONS TO THE ADVANCE UNEDITED VERSION OF THE CONCLUDING OBSERVATIONS OF THE UN COMMITTEE ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS**

### **1. On the domestic application of the ICESCR**

This matter was comprehensively addressed during the constructive dialogue. It is therefore deeply concerning that the UNCESCR's observations suggest a disregard for the detailed responses provided by the Philippine Delegation. The dialogue is meant to foster constructive engagement—not serve as a platform for performative scrutiny that dismisses inconvenient truths.

To reiterate, the Philippines has taken, and continues to take, all appropriate measures to ensure the protection of economic, social, and cultural rights. To imply otherwise is not only factually erroneous but also reflects a wilful disregard for the realities on the ground. The country's legal framework embeds these rights not merely in aspirational language but in concrete, legally binding mechanisms actively enforced by the judiciary.

The Writ of Amparo, alongside the Writ of Kalikasan, and the Writ of Habeas Data, exemplifies the Philippines' proactive approach to safeguarding fundamental freedoms. Yet beyond these landmark legal remedies, the enforcement of economic, social, and cultural rights is not confined to select provisions. It is woven into the fabric of the entire legal system. Labor courts resolve workers' rights cases daily. Trial courts, labor tribunals, and quasi-judicial agencies adjudicate social protection disputes, ensuring that economic, social, and cultural rights are not abstract commitments but lived realities for Filipino communities.

The Philippine government has also invested extensively in capacity-building initiatives to strengthen the protection of these rights. The Philippine Judicial Academy mandates specialized training programs to equip the judiciary with the knowledge and tools to integrate economic, social, and cultural rights into case adjudication. Parallel efforts across government agencies and public legal aid institutions ensure that legal assistance reaches marginalized communities.

And yet, despite these comprehensive legal frameworks, institutional mechanisms, and capacity-building efforts - all of which were painstakingly discussed during the constructive dialogue - the UNCESCR chooses to feign ignorance. The UNCESCR appears far too eager to nitpick, too quick to cast doubt where none exists, and too comfortable dismissing substantive legal mechanisms simply because they do not fit neatly into its predefined bureaucratic templates.

If the Committee truly seeks to advance economic, social, and cultural rights, then it must begin by acknowledging genuine progress where it exists. Otherwise, it risks reducing its role to a mere bureaucratic exercise in self-preservation.

At the end of the day, the facts speak for themselves. The Philippine government, its judiciary, and its legal institutions are enforcing economic, social, and cultural rights daily - case by case, community by community. This work does not require the UNCESCR's

validation, especially when such validation seems contingent on conforming to narrow, rigid metrics rather than engaging with the truth.

If the Committee insists on pretending it did not hear the answers given during the constructive dialogue, if it refuses to acknowledge the extensive legal mechanisms in place, and if it remains blind to the tangible work being done on the ground, then perhaps the real question is not about the Philippines' compliance.

## **2. On the National Human Rights Institution**

The Commission on Human Rights of the Philippines (CHR) is firmly anchored in the country's legal framework, its mandate enshrined in the highest law of the land. Yet, the UNCESCR has expressed "concern" over the absence of a founding charter.

While the State supports the enactment of a CHR Charter, in the hierarchy of laws, a constitutional provision holds greater authority than any statute or legislative charter. The CHR was established through an explicit mandate of the Philippine Constitution, which provides the highest legal foundation for its existence. The UNCESCR's position disregards the primacy of the Philippine Constitution and implies that a statutory charter carries more legal weight than a constitutional mandate.

Section 3, paragraph 7 of Executive Order No. 163 titled "Declaring the Effectivity of the Creation of the Commission on Human Rights as provided for in the 1987 Constitution, providing Guidelines for the Operation thereof, and for Other Purposes" explicitly states that:

*Section 3. The Commission of Human Rights shall have the following powers and functions:*

*xxx*

***(7) Monitor the Philippine Government's compliance with international treaty obligations on human rights;***

This provision includes the monitoring of the PH Government's compliance with the ICESCR. As such, we recommend that the corresponding sentence in the Concluding Observations be stricken out.

## **3. On the independence of the judiciary**

**This issue was not explicitly stated, mentioned, or even alluded to in the list of issues and questions provided. If it was a genuine concern, it should have been raised from the outset**

Nevertheless, we emphasize that the independence of the Philippine judiciary is well established, supported by a robust legal framework, institutional mechanisms, and a longstanding track record. Assertions to the contrary, regardless of how often they are repeated, do not alter this reality.

What is concerning, however, is the UNCESCR's apparent readiness to accept unverified claims without due scrutiny. In light of this, the issue at hand is not the integrity of the Philippine judiciary but rather the objectivity with which the UNCESCR evaluates the information before it.

## **4. On human rights defenders, journalists, and lawyers working on human rights**

The issue of intimidation, harassment, red-tagging, enforced disappearances, and the killings of human rights defenders (HRDs), journalists, and lawyers was explicitly raised in the

UNCESCR's list of issues. The Philippines addressed these concerns in its responses, providing updates on existing accountability mechanisms for alleged human rights violations and abuses. The State reaffirmed that robust safeguards are in place through the Judiciary, the Executive branch, and the CHR.

These mechanisms include the initiation of criminal proceedings for threats and coercion, legal protection through the Writ of Amparo, assistance from the Presidential Task Force on Media Security, and recourse to the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture, and other grave violations of fundamental rights. Established under Administrative Order No. 35 in 2012, the Inter-Agency Committee, as stressed during the dialogue, plays a critical role in addressing these concerns.

In its responses, the Philippines emphasized its commitment to protecting HRDs who advocate peacefully and promote human rights through non-violent means. The State has fostered a vibrant and inclusive civic space where HRDs and civil society organizations can engage freely with both the government and each other. This commitment extends to safeguarding workers' rights to organize and associate, in line with international human rights standards.

The Philippines also provided information to the UNCESCR on legislative efforts to enhance protections for HRDs, including bills filed in Congress. Furthermore, the CHR and the AO 35 Secretariat formalized a Data Sharing Agreement in September 2020, facilitating the exchange of information to support investigations into grave human rights violations while ensuring the protection of victims and witnesses. A Technical Working Group was established to oversee the implementation of this agreement and to assess its effectiveness.

This matter was further addressed during the constructive dialogue.

**Our point here is, the State has addressed these concerns with concrete legal frameworks, established accountability mechanisms, and ongoing institutional efforts, yet these were repeatedly disregarded. To overlook these facts is to ignore the reality of the safeguards in place. A meaningful constructive dialogue requires objective assessment, not selective acknowledgment of the truth.**

## **5. On business and economic, social, and cultural rights**

**While the list of issues highlighted legal obligations for businesses, and the State provided a comprehensive response, it is important to note that corporate social responsibility, environmental and proprietary impact assessments, and consultations in Special Economic Zones, particularly in industries such as mining, logging, and development, were not included in the UNCESCR's list of issues and questions.** If these matters were intended to be central to the constructive dialogue, they should have been explicitly stated from the outset.

Nevertheless, we wish to emphasize that the Philippine government remains committed to balancing economic development with human rights protection. To suggest otherwise is not only inaccurate but dismissive of the painstaking regulatory efforts already in place.

## **6. On the rights of indigenous peoples**

The Philippines does not claim perfection, but it has demonstrated an undeniable commitment to indigenous rights.

The claim that indigenous peoples have “limited access” to basic services ignores the targeted government programs tailored for indigenous communities, which were explained during the dialogue. Nonetheless, the same are reiterated below:

In education, the Indigenous Peoples Education Program, established in 2011, continues to operate within the framework of the Indigenous Peoples Rights Act of 1997. This program is designed to recognize, promote, and safeguard the cultural integrity of indigenous learners and communities within the national basic education system. The State, through the Department of Education, ensures its broad implementation across 16 regional offices, including the Bangsamoro Autonomous Region in Muslim Mindanao, and in 121 division offices. To address educational barriers in geographically isolated areas, the State has adopted innovative strategies such as modular learning and radio-based instruction, ensuring that indigenous students have continued access to education.

In the healthcare sector, the government, in collaboration with the National Commission on Indigenous Peoples and the Department of Health, has established policies and standards of care to extend healthcare services to all Filipinos, with special emphasis on indigenous communities. The Universal Health Care Act integrates key policy provisions that prioritize indigenous peoples in healthcare programs. Additionally, indigenous communities benefit from the government’s reproductive health initiatives. Among indigenous women aged 15-49, 2.2% utilize contraceptive methods such as oral pills, withdrawal, and female sterilization. Over the past three years, approximately 6% of indigenous pregnancies resulted in live births, while less than 1% were recorded as miscarriages.

Furthermore, the government remains committed to preserve and promote indigenous culture, traditions, and knowledge. Schools and Institutes of Living Traditions serve as vital platforms for transmitting traditional skills and knowledge across generations. These institutions provide opportunities for cultural education both within and beyond indigenous communities, reinforcing the preservation of indigenous heritage.

**These initiatives reflect the State’s continued commitment to ensuring that indigenous peoples are not only included in national development efforts but are also empowered to preserve their cultural identities while accessing essential services.**

## **7. On climate change adaptation**

This issue was raised in the list of issues, and the Philippines has already responded, clearly laying out its initiatives, including its unconditional commitment and government-led programs.

**It bears noting that the Philippines contributes less than a fraction of global greenhouse gas emissions but bears the brunt of the climate change crisis.** In 2010, the country’s carbon dioxide equivalent (CO<sub>2</sub>e) emissions per capita stood at approximately 1.56 metric tons CO<sub>2</sub>e. Under its Nationally Determined Contribution (NDC), the Philippines commits to a projected GHG emissions reduction and avoidance target of 75%, comprising a 2.71% unconditional and 72.29% conditional commitment. The 2.71% unconditional commitment is expected to reduce and avoid 365.2 MtCO<sub>2</sub>e between 2020 and 2030. Government initiatives supporting this goal include the National Energy Efficiency Program, the Public Utility Vehicle Modernization Project, rail infrastructure under the Build, Build, Build program, and the implementation of the Mandamus Ruling on the Manila Bay Rehabilitation.

The Philippines has actively participated in the Clean Development Mechanism (CDM) under the Kyoto Protocol. As of 31 December 2019, the country had registered 72 CDM projects, amounting to a total accumulated emission reduction potential of approximately 57.4 million tCO<sub>2</sub>e by 2030. Of this, around 3.3 million Certified Emission Reductions have already

been issued. To further strengthen monitoring mechanisms for emission reduction and avoidance, the 2015 and 2020 National GHG Inventories, as well as data on per capita GHG emissions, were slated for release in 2023.

In assessing climate change's impact on economic, social, and cultural rights the Philippines employs the Climate Disaster Risk Assessment (CDRA) and the Post-Disaster Needs Assessment (PDNA). Local government units (LGUs) utilize the CDRA to identify vulnerable areas and determine appropriate disaster risk reduction (DRR) and climate change adaptation measures (CCAM).

The Office of Civil Defense (OCD) and other agencies conduct PDNAs to assess economic and social losses due to climate-related disasters.

The CHR initiated a National Inquiry on Climate Change to examine the effects of climate change on Filipinos' fundamental rights and formulate policy recommendations.

The Climate Change Commission (CCC) co-published the Philippine Climate Change Assessment (PhilCCA) reports with the Oscar M. Lopez Center, synthesizing scientific data to inform strategic decision-making.

The Department of Science and Technology-Philippine Atmospheric, Geophysical, and Astronomical Services Administration (DOST-PAGASA) produces the Philippine Climate Extremes Report, detailing projected climate impacts based on GHG emission trajectories.

A review of the Climate Change Adaptation (CCA) Plan for 2011–2016 revealed that gender mainstreaming in climate action remains at a foundational stage. Recognizing this, the Philippines is developing the National Adaptation Plan (NAP), which will cover risk assessment, planning, implementation, monitoring, evaluation, and learning, anchored in the National Climate Change Action Plan (2011–2028).

The National Disaster Preparedness Plan (NDPP) was formulated in 2015, while the National Disaster Risk Reduction and Management Plan (NDRRMP) was updated in 2020. The Continuity of Government Plan ensures uninterrupted government functions, decision-making, and expenditure authorization during and after disruptive events.

LGUs, guided by the Department of the Interior and Local Government's (DILG) Operation LISTO<sup>1</sup>, adhere to institutionalized disaster preparedness and response protocols.

The DOST promotes climate and disaster data governance through GeoRisk Philippines, which includes tools such as HazardHunterPH for risk assessment and PlanSmart for recovery planning. Between July 2016 and December 2022, the OCD trained 83,401 personnel from DRRM agencies and stakeholders.

The DILG enhances LGU resiliency through risk-informed planning under the Harmonizing Actions in Local Planning for Disaster and Climate Adaptation (HANDA) program, which developed guidelines for mainstreaming DRR and CCA into the Comprehensive Development Plan (CDP+). The department also provides technical assistance to LGUs lacking risk-informed CDPs, aiding 97 cities and municipalities in 2022. As of March 2023, 1,125 (69%) of cities and municipalities had updated, risk-informed CDPs.

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<sup>1</sup> Operation Listo is an advocacy program of the DILG which aims to strengthen disaster preparedness of LGUs using the whole-of-government approach. Its first component called Listong Pamahalaang Lokal was launched in 2014 which institutionalized local protocols for disaster preparedness, response and monitoring.

To institutionalize climate financing, the Philippines established the Climate Change Expenditure Tagging program, which monitors, tracks, and reports climate-related public expenditures. Climate adaptation and mitigation financing increased by 147.4%, from PHP 187.73 billion in 2017 to PHP 464.50 billion in 2023. At the sub-national level, LGUs are mandated to develop Local Climate Change Action Plans (LCCAPs); as of 2022, 84% of LGUs had formulated their respective plans.

The CCC leads policy-making, coordination, monitoring, and evaluation to ensure climate change integration across national, sectoral, and local development plans. Various government agencies, including the Department of Agriculture (DA), Department of Human Settlements and Urban Development (DHSUD), and Department of Health (DOH), are responsible for implementing CCA policies in their respective sectors. The DILG oversees local climate action planning, ensuring convergence across these sectors. Meanwhile, the NDRRMC, the government's multi-sector DRRM body, regularly convenes to assess disaster preparedness and response, developing strategies to improve disaster resilience. The NDRRMC operates under four pillars: (1) Disaster Prevention and Mitigation, led by the DOST; (2) Disaster Preparedness, led by the DILG; (3) Disaster Response, led by the Department of Social Welfare and Development (DSWD); and (4) Disaster Rehabilitation and Recovery, led by the National Economic and Development Authority.

The country has also established Barangay DRRM Committees and DRRM Councils at the regional, provincial, city, and municipal levels. When emergencies arise, jurisdictional responsibility escalates based on the affected area's scale—from municipal councils for multi-barangay disasters to provincial councils for multi-city disasters and regional councils for multi-province disasters.

Yet, despite the Philippines' exhaustive and proactive climate initiatives as discussed, some critical omissions in the UNCESCR's inquiry remain glaring. Notably absent from the issues raised were concerns over increased deforestation and continued reliance on fossil fuels, issues that were nonetheless addressed during the ICESCR constructive dialogue, where the Philippine delegation still responded.

## **8. On corruption**

**The Philippines responded decisively on this matter already in the list of issues and in the constructive dialogue, presenting the full scope of anti-corruption initiatives. Yet, the UNCESCR raises the question once more, as if no response had ever been given.**

To reiterate, Project Kasangga, once spearheaded by the now-defunct Presidential Anti-Corruption Commission, facilitated the signing of a Memorandum of Agreement between partner agencies, reinforcing inter-agency collaboration in corruption prevention. Meanwhile, the Office of the Deputy Executive Secretary for Legal Affairs has pushed for the continued implementation of the Integrity Management Program to strengthen governance mechanisms and institutionalize safeguards against corruption.

Since 2011, the Philippines has been at the forefront of anti-corruption efforts, committing to reforms in access to information, fiscal transparency, and participatory audit under its National Action Plans. Executive Order No. 31, s. 2023, further institutionalized the Philippine OGP, ensuring that open government reformers can leverage its mechanisms to enhance institutional integrity and accountability.

The Bantay-Korapsyon (BK) Program has also made strides, receiving 846 complaints. While not all were endorsed to the Office of the Ombudsman, the Commission on Audit (COA), or the Civil Service Commission (CSC), the BK-Project Management Office



ensures a rigorous verification process, focusing only on substantiated corruption-related cases. More than just numbers, the BK-PMO initiated a Memorandum of Agreement on inter-agency cooperation, strengthening collaboration among the DILG, CSC, and COA to streamline anti-corruption efforts.

#### **9. On maximum available resources**

Note that this issue was not raised in the list of issues and questions. Nevertheless, the UNCESCR should appreciate the nuanced economic reality rather than resort to misleading generalizations that ignore the Philippines' fiscal discipline and economic foresight.

#### **10. On non-discrimination**

**For the UNCESCR to suggest that the absence of a single, stand-alone anti-discrimination law equates to an absence of legal protection is not just misleading. It is legally unsound. The suggestion that the Philippines has failed to protect individuals from discrimination is not only factually incorrect, it is an insult to the many legal professionals, public officials, and activists who have fought tirelessly to ensure protections are in place.**

The Philippines does not tolerate discrimination, and its commitment is reflected in a multitude of national laws, policies, and judicial precedents that provide robust protection against discriminatory practices:

- The 1987 Philippine Constitution explicitly guarantees equal protection of the law, prohibiting discrimination on any ground.
- The Magna Carta of Women ensures non-discrimination based on gender, protecting women, including those who are lesbian, bisexual, or transgender, from any form of marginalization.
- The Safe Spaces Act criminalizes gender-based harassment in public spaces, including harassment based on sexual orientation, gender identity, and expression.
- The Labor Code of the Philippines prohibits discrimination in employment.
- Local governments have enacted strong anti-discrimination ordinances, including in major cities such as Quezon City, Cebu City, Davao City, and Makati. These ordinances are actively enforced and provide immediate legal recourse.

Hence, the UNCESCR's assertion disregards the existing legal mechanisms that have been implemented, litigated, and enforced.

As to the delay in the enactment of a comprehensive anti-discrimination law the legislative branch in any democratic society requires thorough scrutiny and debate. The claim that there has been an unreasonable delay ignores the reality of legislative processes, especially for measures that require careful legal calibration to ensure constitutionality, enforceability, and alignment with existing laws.

To demand that a comprehensive anti-discrimination law be passed without rigorous legal review is to demand legislative recklessness, something the Philippines will not engage in.

#### **11. On internally displaced persons**

The Philippines has not only acknowledged the rights of Internally Displaced Persons (IDPs) but has also taken concrete steps to ensure their protection, in full accordance with international human rights and humanitarian law. To institutionalize resettlement and relocation policies while safeguarding human rights, the Department of Human Settlements and Urban Development (DHSUD) has adopted the National Resettlement Policy Framework.

In addition, the Rental Subsidy Program has been implemented to mitigate the impact of displacement, providing financial assistance and broadening housing options for affected families.

DHSUD continues to advance policy initiatives aimed at enhancing the affordability and accessibility of housing, most notably through the Pambansang Pabahay Para sa Pamilyang Pilipino (National Housing Program for Filipino Families) program. Under this initiative, six million housing units will be constructed from 2023 to 2028, benefiting 3.7 million informal settler families and low-income households, while revitalizing underdeveloped communities. Importantly, IDPs are included in these efforts, reflecting the Philippines' commitment to ensuring that the right to adequate housing is extended to all vulnerable groups.

This issue has been fully addressed by the PH Government in its Additional Responses dated 21 February 2025. To wit:

*Joint Memorandum Circular No. 02, Series of 2021, issued by the DSWD, Department of Education (DepEd), Department of Health (DOH), and the Department of the Interior and Local Government (DILG), provides guidelines on camp coordination, camp management, and the protection of internally displaced persons. This circular is aligned with the Sphere Humanitarian Standards, ensuring that humanitarian response efforts adhere to internationally recognized principles and best practices.*

## **12. On equality between men and women**

Despite the concrete steps taken by the Philippines, it is disheartening that the same questions continue to be raised, as if no submission was made, as if no progress has been achieved. It is disappointing that the UNCESCR has not taken the time to fully review these submissions and acknowledge the significant efforts made by the Philippine government.

## **13. On the right to work**

This has similarly been addressed by the State in its submissions, but appears yet again in the concluding observations and recommendations.

In response to the need for improvements on job opportunities and vocational training, the Philippines, through the Technical Education and Skills Development Authority (TESDA), implemented several programs in 2022 such as Skills Standardization, Testing and Certification in the technical education and skills development sector, TESDA Online Program, Special Training for Employment Program, and multiple scholarship programs.

The State, through the Department of Labor and Employment, maintains a public Labor Market Index that translates economic activity into current labor trends to improve market efficiency.

The State, through the Department of Trade and Industry, has developed the Philippine Skills Framework to guide workers in job skills enhancement across the five key sectors of (1) supply chain and logistics, (2) digital arts and animation, (3) game development, (4) business development, and (5) human capital development.

Similarly in the Legislature, House Bill No. 7370 was filed to establish a Tripartite Council for formulating policies and programs that would align skills with labor market demands.

To alleviate the impact of COVID-19 on unemployment, the State revised the guidelines of its Integrated Livelihood and Emergency Employment Program to provide income relief to affected workers. Among them, Public Employment Services successfully placed 2.2 million (92.0%) jobseekers out of 2.39 million referrals.

In 2019, the Philippine Statistics Authority's (PSA) began releasing annual provincial-level indicators and incorporated questions from the Washington Group Question Sets to generate labor and employment statistics among persons with disabilities. To improve data collection on informal employment, the PSA's Inter-Agency Committee on Labor and Productivity Statistics established a technical working group to develop an operational framework, official concepts, and definitions for implementation by 2025. Preliminary results of the June 2023 Labor Force Survey indicate slight decreases in employment rates but minor increases in unemployment, labor force participation, and underemployment rates.

Finally, recognizing the need for more disaggregated employment data, the PSA also started releasing annual provincial-level indicators in 2019. These indicators also incorporated questions from the Washington Group Question Sets to generate labor and employment statistics among persons with disabilities.

#### **14. On the right to just and favorable conditions of work**

**This has been thoroughly addressed in every single submission to the UNCESCR.**

The State, through the Department of Labor and Employment (DOLE), has actively participated in legislative hearings supporting bills aimed at protecting informal workers. Despite this, legislative measures to formalize informal work remain pending in Congress, and proposed legislation addressing contractualization in employment continues to be stalled. These delays underscore a critical gap in addressing labor market challenges comprehensively.

The government has consistently consulted with tripartite bodies, including representatives from informal sector workers, migrant workers, women, and youth, to ensure that labor policies adequately address their needs. Informal sector workers have the option to voluntarily join social protection agencies such as the Social Security System (SSS), the Home Development Mutual Fund, and PhilHealth. As of 2022, SSS has established 3,293 partnerships and registered 898,783 individuals, with 211,766 (23.6%) of them actively contributing. Moreover, 282 SSS branches nationwide provide services to all workers, ensuring greater reach and inclusion.

On the matter of workplace safety, Republic Act No. 11058, also known as the Strengthening Occupational Safety and Health Standards (OSHS), has mandated occupational safety and health (OSH) standards across all workplaces. DOLE has observed high compliance with OSH facility requirements, such as emergency medicine and treatment rooms. Compliance with OSHS standards in manufacturing and garment industries, including those in sweatshops, increased from 46.2% in 2022 to 52.6% in 2023.

The DOLE's labor inspection program handled 24,674 cases in 2022, with 89.86% (22,173 cases) successfully resolved. While DOLE encourages amicable settlements to save litigants from the costs and inconvenience of prolonged proceedings, it remains committed to promoting industrial peace through its quasi-judicial functions.

Finally, during the COVID-19 pandemic, the Inter-Agency Task Force for the Management of Emerging Infectious Diseases implemented essential health and safety

measures, including quarantine protocols, vaccinations, and alternative working arrangements. Similar safety measures were enacted by various agencies such as the Civil Service Commission (CSC), Department of Health (DOH), and DOLE to ensure the well-being of workers across sectors.

The Philippine government has made significant progress in improving labor conditions, workplace safety, and social protection for workers, yet the work remains unfinished, particularly in addressing the formalization of informal employment and stalled labor reforms.

The Philippine tripartite system promoted cooperation between workers, employers, and the government through a culture of consultation and social dialogue. Organizations like the National Wages and Productivity Commission (NWPC) and Regional Tripartite Wages and Productivity Boards (RTWPBs) helped set minimum wage policies, ensuring worker participation in the process.

On this, the minimum wage applied to formal sector workers with an employer-employee relationship, and based on the February 2023 LFS, 3.8 million workers (16.74% of private sector employees) were minimum wage earners. RTWPBs set wages based on factors like cost of living, inflation, and employer capacity employing a two-tiered wage system consists of a mandatory minimum wage (Tier 1) and optional productivity-based incentives (Tier 2). As of May 2023, non-agriculture minimum wages range from PHP 329 to PHP 610, while agriculture wages range from PHP 329 to PHP 573. Of the 46 minimum wage rates in the Philippines, 43 (93.5%) are above the 2018 poverty threshold.

RTWPBs also issue guidelines for productivity incentives, with 25 advisories released covering industries like agriculture, manufacturing, and tourism. The government has supported 6,443 micro, small, and medium enterprises in implementing Tier 2 incentives since 2017. Compliance with these minimum wage laws improved from 85.2% in 2017 to 94.4% in 2022, aided by labor inspections and awareness campaigns.

For Overseas Filipino workers (OFWs), the government strengthened legal protections through the Expanded Anti-Trafficking in Persons Act of 2022 and implemented various support measures. The One Repatriation Command Center, for example, handled 17,509 assistance requests, resolving 64.4% of cases, and over 911,000 returning OFWs received airport assistance.

Through the Anti-Illegal Recruitment and Trafficking in Persons Campaign, 24,233 individuals accessed legal aid from July 2022 to June 2023, and 20,110 individuals participated in DOLE's training sessions.

The Department of Migrant Workers formulated the Five-Year Reintegration Roadmap and provided PHP320 million in livelihood support to 20,791 distressed OFWs. Its OFW hospital had assisted 103,013 OFWs as of June 2023.

The government also pursued labor diplomacy with countries such as Saudi Arabia and Singapore to ensure the protection and fair treatment of OFWs, and improved employment opportunities.

## **15. On trade union rights**

**We wish to reiterate that the Philippines has implemented measures to protect trade union members from persecution, harassment, and violence. DOLE in particular**

established national and regional mechanisms to monitor compliance with International Labour Organization Convention Nos. 87 and 98. Tripartite monitoring bodies were created and issued operational guidelines, and focal persons were designated to report and ensure timely intervention on violations. DOLE also joined the Inter-Agency Committee (IAC) on Administrative Order No. 35, s. 2012, as an observer, and monitored 54 cases involving trade union members, officers, or labor rights advocates, with two cases of extra-legal killings are undergoing trial. Notably, Executive Order No. 23, s. 2023, established an IAC to investigate and resolve violations of freedom of association. This IAC prioritized processing pending cases and developing a roadmap consistent with the High-Level Tripartite Mission recommendations.

To enhance the effectiveness of mechanisms monitoring violations of trade union rights, the Department of Justice conducts human rights training for prosecutors, law enforcement, and CHR personnel. From 2017 to 2022, 1,114 personnel received such training.

## **16. On poverty**

The issue of poverty and the Philippines' efforts to combat it have already been thoroughly addressed in the submissions. Take, for instance, the Pantawid Pamilyang Pilipino Program (4Ps), the largest and most institutionalized social protection program in the country. This initiative has lifted over 1.3 million families out of poverty, benefiting millions more. Sadly, UNCESCR misleads by dismissing the broad, multi-sectoral, and multi-agency efforts of the Philippine government to combat the same.

It is also important to recognize that indigenous and marginalized communities have historically faced systemic barriers that no single policy can immediately dismantle. The government's approach goes beyond mere financial assistance; it has invested in expanding livelihood programs, providing scholarship grants, enhancing healthcare access, and recognizing indigenous land rights.

Progress is evident - poverty in the Philippines decreased from 23.5% in 2015 to 16.7% in 2018, a remarkable reduction in just three years. Despite the devastating economic impact of the COVID-19 pandemic, poverty only rose to 18.1% in 2021, showcasing the resilience of the country's policies in the face of unprecedented global challenges.

The UNCESCR would be remiss not to acknowledge that without these interventions, the economic setbacks caused by the pandemic could have been far more devastating. Through targeted cash transfers, robust social protection programs, and strategic recovery initiatives, the government shielded the most vulnerable from an economic collapse.

## **17. On the right to food**

The State has developed and implemented various programs to uphold the right to adequate food. A Supplementary Feeding Program has been carried out nationwide, benefiting 11,142,420 children enrolled in Child Development Centers and Supervised Neighborhood Playgroups from 2017 to 2022. This initiative significantly improved the nutritional status of beneficiaries, with an average improvement rate of 75% annually since 2016.

The enactment of Republic Act No. 11037, also known as the *Masustansyang Pagkain para sa Batang Pilipino* (Nutritious Food for the Filipino Child) Act, has strengthened the

provision of nutritious food, including milk and milk-based products, particularly for undernourished children.

The Philippine Multisectoral Nutrition Project is being implemented across 26 provinces, covering 135 municipalities and 5,936 barangays (villages), benefiting approximately 977,626 children under five years old, as well as pregnant and lactating women.

The Bangsamoro Umpungan Sa Nutrisyon Project has also been established in the BARMM, supporting 106,010 children under 12 years old and pregnant and lactating women from 2018 to 2022.

## **18. On the right to physical and mental health**

**The issue of reducing healthcare disparities and enhancing healthcare infrastructure, especially in rural and remote areas, was not raised in the list of issues and questions.** It is difficult to understand how the Committee can uphold its commitment to integrity when it appears to overlook its own established guidelines.

## **19. On drug policies**

**The UNCESCR's so-called concern about the State's approach to drug use and law enforcement in the context of the "war on drugs" is not only misplaced, it is dangerously uninformed.**

The UNCESCR has failed to acknowledge the comprehensive, multi-faceted strategy put in place to address the drug problem, which includes rehabilitation and recovery, rather than simply punishing offenders. It has evolved to include a holistic, health-centered approach, incorporating social and developmental services. These services focus on providing education, livelihood, and skills training, while also reducing stigma and discrimination against those affected by drug use. The National Anti-Drug Plan of Action is designed with the health and well-being of individuals in mind, not just punitive measures.

The government is also implementing the Barangay Drug-Clearing Program which provide after-care services to former drug users and implement support projects such as sports, religious and social activities in the barangay, implementation of sustainable livelihood projects as a reintegration program, conduct counselling activities for community and to the families of drug personalities and prepare the barangay for reintegration of former drug users.

In addition, the DSWD is also implementing the Yakap-Bayan Program, which assists Recovering Persons Who Used Drugs to be socially functioning and maintain a lifestyle change from rehabilitation or treatment with the catalytic role of families, communities, and Local Government Units service providers. The program was implemented by the Anti-Drug Abuse Councils at the local level, and with resources of the LGUs, NGAs, and CSOs adopting the whole-of-nation and community approach. it utilizes the continuum of care and prevents stigma through institutionalizing intervention at the barangay level

As such, we recommend that the corresponding paragraph in the Concluding Observations be stricken out.

## **20. On sexual and reproductive health**

The Philippines, like any sovereign state, has the right to define its laws in a way that reflects its values, its history, and its understanding of human life. It is not for the UNCESCR

to impose its views on a matter that is deeply rooted in the cultural, moral, and legal frameworks of the State.

The assertion that the prohibition subjects women and healthcare providers to criminal penalties and endangers lives is not only misleading but fails to capture the broader context. The Philippines has consistently made efforts to protect both the life of the mother and the unborn child. Instead of focusing on criminalization, focus should be on the fact that the State has worked diligently to improve maternal healthcare services. The government has invested heavily in maternal health initiatives, programs that are designed to prevent unwanted pregnancies, support women in their reproductive choices, and provide necessary healthcare services. If the UNCESCR genuinely cared about the lives of women and girls, it would focus on the facts rather than peddling a one-size-fits-all narrative that fails to reflect the complexities on the ground.

## **21. On the right to education**

The issue of discontinuation of the mandatory use of the mother tongue as a medium of instruction in Early Education was fully addressed by the Philippines in its Additional Responses dated 21 February 2025. To wit:

*In response to the passage of Republic Act No. 12027, which discontinued the mandatory use of mother tongue in early education, DepEd, in partnership with the NCIP, took steps to ensure that the IPRA remains upheld. **This guarantees that IP learners retain their right to education in their native languages, aligning with their cultural identity.** The Philippine government remains dedicated to ensuring that Indigenous learners not only recover from the educational disruptions of the pandemic, but also thrive in an education system that respects and uplifts their cultural heritage. The IPEd continues to be a key pillar under the BEDP, reinforcing DepEd's focus on equity, inclusivity, and culturally responsive learning for all.*

The matter has been thoroughly addressed in our replies to the list of issues, during the constructive dialogue, and in the additional information provided post-dialogue. Therefore, it raises a valid concern as to why the UNCESCR is revisiting points that have already been clearly and comprehensively answered.