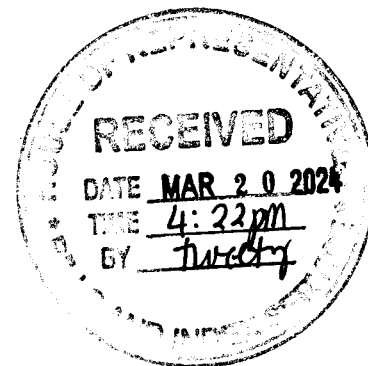


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Second Regular Session

House Bill No. 10212



**INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO,
JOCELYN P. TULFO, AND ERWIN T. TULFO**

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

EXPLANATORY NOTE

Article XIII, Section 17 of the 1987 Constitution created the Commission on Human Rights (CHR) as an independent body which shall, among other functions, investigate violations against civil and political rights in the country and shall protect and promote the human rights of its citizens.

In line with upholding the State policy enshrined under Article II, Section 7 of the 1987 Philippine Constitution which provides that the State values the dignity of every human person and guarantees full respect for human rights, the Commission's key areas of work include (1) prevention of human rights violation and abuses through advocacy, partnership, monitoring, information, education, research, and training; (2) investigation, reporting, and monitoring of human rights violations and abuses; (3) empowerment of victims of human rights violations and their families, other vulnerable sectors, and all stakeholders; and (4) recommendation and advocacy for appropriate rights-based legislative, administrative and judicial policies, programs, and measures.¹

The CHR has continued to uphold its responsibilities, yet internal challenges, including inadequate funding, understaffed departments, and an overall ambiguity regarding the execution of its mandate, hinder the Commission's ability to operate at its best.²

¹ APF, "Commission on Human Rights of the Philippines", *The Asia Pacific Forum of National Human Rights Institutions*, <https://www.asiapacificforum.net/members/philippines/>.

² Gavilan, Jodesz, "More power, independence: Can a charter give CHR more teeth?", *Rappler*, 26 Sep. 2023, <https://www.rappler.com/newsbreak/in-depth/things-to-know-commission-human-rights-own-charter-more-power-independence-teeth>.

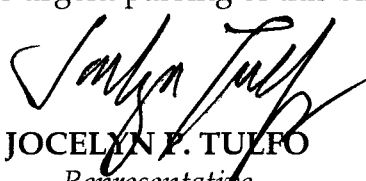
Therefore, there is a need to strengthen the CHR as a National Human Rights Institution (NHRI). The NHRI is a state-mandated body, independent of government, with a broad constitutional or legal mandate to protect and promote human rights at the national level.³

This proposed legislative measure aims to institutionalize the capacity of the CHR as an NHRI, an independent office, and a collegial body, and clearly define its powers and functions which cover the investigative, visitorial, legal, and monitoring operations, as well as human rights education, information, and advocacy of the Commission.

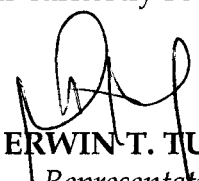
In view of the foregoing, the urgent passing of this bill is earnestly sought.



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Representative
2nd District of Quezon City



JOCELYN P. TULFO
Representative
ACT-CIS Partylist



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³ "About National Human Rights Institutions", *European Network of National Human Rights Institutions*, [https://ennhri.org/about-nhris/#:~:text=National%20Human%20Rights%20Institutions%20\(NHRIs,economic%2C%20social%20and%20cultural%20rights./](https://ennhri.org/about-nhris/#:~:text=National%20Human%20Rights%20Institutions%20(NHRIs,economic%2C%20social%20and%20cultural%20rights./)

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1 **AN ACT STRENGTHENING THE COMMISSION ON HUMAN RIGHTS (CHR)**
2 **AS A NATIONAL HUMAN RIGHTS INSTITUTION (NHRI) AND FOR OTHER**
3 **PURPOSES**
4

5 *Be it enacted by the Senate and the House of Representatives of the Philippines in Congress*
6 *assembled:*
7

8 **SECTION 1. *Short Title.*** – This Act shall be known as the “Commission on Human
9 Rights (CHR) Charter”.
10

11 **SEC. 2. *State Policy on Human Rights.*** – The State values the dignity of every human
12 person and guarantees full respect for human rights. It shall give highest priority to the
13 enactment of measures that respect, protect, and fulfill the right of all people to human
14 dignity at all stages of human life.
15

16 **SEC. 3. *Definition of Human Rights.*** – Human rights are the supreme, universal,
17 inherent, and inalienable rights to life, dignity, and self-development of every person
18 regardless of race, sex and gender, nationality, ethnicity, language, religion, or any other
19 status. These rights include those guaranteed by the Philippine Constitution, domestic
20 laws, and international human rights instruments such as, but not limited to, the
21 international bill of rights, *i.e.*, the Universal Declaration of Human Rights; the
22 International Covenant on Civil and Political Right; and the International Covenant on
23 Economic, Social, and Cultural Rights; international humanitarian law; and all other
24 existing and future human rights instruments to which the Philippines is a State Party.

1
2 **SEC. 4. *The Commission as an Independent Office.*** – The independence of the
3 Commission on Human Rights, hereinafter referred to as the “Commission”, shall
4 always be respected and upheld. The Commission shall enjoy full fiscal autonomy.
5 Appropriations for the Commission shall not be reduced and be automatically and
6 regularly released.

7
8 **SEC. 5. *The Commission as a National Human Rights Institution.*** – The
9 Commission is the National Human Rights Institution (NHRI) of the Philippines in
10 accordance with the Principles Relating to the Status of National Institutions (Paris
11 Principles) and other United Nations (UN) Resolutions and Instruments pertaining to
12 the effective functioning of NHRIs. As such, the State and all its agents shall ensure and
13 respect the compliance of the Commission with the Paris Principles.

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

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

25
26 **SEC. 7. *The Commission, Composition, and Qualifications.*** – The Commission shall
27 be composed of a Chairperson and four (4) Members who must be:

- 28
29 (a) Natural-born citizens of the Philippines;
30 (b) At least thirty-five (35) years of age at the time of their appointment;

1 (c) With proven probity, integrity, and competence in the field of human rights
2 work;

3 (d) Must not have been convicted by final judgment of any crime involving moral
4 turpitude; and

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

8 A majority thereof shall be members of the Philippine Bar, who have been engaged
9 in the practice of law for at least ten (10) years. The composition must observe gender-
10 balanced and pluralist representation, which shall be in accordance with the Paris
11 Principles.
12

13 **SEC. 8. *Appointment and Term of Office of the Chairperson and Members of the***
14 ***Commission.*** – The Chairperson and Members of the Commission shall be appointed
15 by the President for a term of seven (7) years without reappointment.
16

17 Of those first appointed under the enactment of this Charter, the Chairperson shall
18 hold office for seven (7) years, two Members for six (6) years, and the other two
19 Members for five (5) years. The term of the Chairperson and Members shall start on the
20 day immediately after the end of the previous one, regardless of the date of
21 appointment. In no case shall any Chairperson or Member be appointed, reappointed,
22 or designated in a temporary, part-time, or acting capacity. Appointment to any
23 vacancy occurring during the term shall be only for the unexpired portion of the term
24 of the predecessor.
25

26 Vacancies in the offices of the of the Chairperson and of the Commissioners shall be
27 filed within ninety (90) days from its occurrence. However, the incumbent Chairperson
28 or Member shall hold the position until such time appointment was made by President
29 for the same position.
30

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

5
6 The Selection Committee shall convene immediately, as soon as vacancy exists or
7 when the term of the current Members ends within six (6) months or when an
8 impending vacancy occurs. The Committee shall develop its own rules of procedures
9 for the selection of nominees for the position of Chairperson and Commissioners, in
10 accordance with requirements of an open, transparent, and merit-based selection
11 process, as mandated by the Paris Principles. The conduct of consultations with human
12 rights organizations and other relevant stakeholders for the selection of the new
13 members of the Commission *en banc* shall form part of the rules and procedures.

14
15 **SEC. 10. Prohibition and Disqualification.** – The Chairperson and Members of the
16 Commission shall not, during their tenure, hold any other office or employment.
17 Neither shall they engage in the practice of any profession or in the active management
18 or control of any business, which in any way may be affected by the functions of their
19 office, nor shall they be financially interested, directly or indirectly, in any contract with,
20 or in any franchise or privilege granted by the Government and its subdivisions,
21 agencies, or instrumentalities, including government-owned or -controlled
22 corporations or their subsidiaries.

23
24 They shall avoid conflict of interest in the conduct of their office. They shall not be
25 allowed to appear or practice before the Commission within one year following the
26 completion of their term of office, their resignation, or any other manner of separation
27 from office.

28
29 No spouse, common law partner, or relative by consanguinity or affinity within the
30 fourth civil degree, or business or professional partner of the Chairperson or Members,

1 may transact business directly or indirectly with the Chairperson or Members, or
2 appear as counsel or agent of a party in any matter pending before the Commission.

3
4 These prohibition and disqualification shall apply during the tenure of the official
5 concerned and one year thereafter.

6
7 **SEC. 11. *Salary, Retirement, and Other Privileges of the Chairperson and Members.***

8 - The Chairperson and Members of the Commission shall receive the same salary,
9 retirement, privileges, and benefits as Justices of the Court of Appeals, and their salaries
10 shall not be decreased during their term of office.

11
12 Upon the death of a retired Chairperson or Member, his or her surviving legitimate
13 spouse and/or dependent children shall be entitled to receive, on a monthly basis, all
14 the retirement benefits that the deceased retiree was receiving at the time of his or her
15 death under the provisions of applicable retirement laws. The surviving legitimate
16 spouse and/or dependent children shall continue to receive such retirement benefits
17 during his or her lifetime or until he or she remarries.

18
19 "Dependent children", as used in this section, refers to a legitimate, illegitimate, or
20 legally adopted child who is chiefly dependent on the said deceased Chairperson or
21 Member of the CHR if such dependent child is not more than twenty-one (21) years of
22 age, unmarried and not gainfully employed, or if such dependent child, regardless of
23 age, is incapable of self-support because of any mental or physical defect or condition.

24
25 **SEC. 12. *Structural Organization.*** - The Commission shall have the following offices
26 in the Central Office: Office of the Chairperson, Offices of the Commissioners, Office of
27 the Executive Director, Office of the Commission Secretary, Planning and Management
28 Office, General Administration Office, Financial Management Office, separate offices
29 for the performance of its powers and functions (which shall include but not limited to
30 offices for human rights protection services, human rights education and training
31 services, human rights prevention and visitorial services, and human rights policy

advisory services), regional and provincial offices and such other offices as the Commission may establish in accordance with its functions.

The Commission shall have regional offices in every region, each of which shall be headed by a Regional Director and each shall have their own office building. The regional offices will include the geographically grouped regional offices and the Cordillera Administrative Region. The National Capital Region shall be divided into four (4) districts; each shall also be headed by a Regional Director.

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

The authority and responsibility for the exercise of the mandate of the Commission and for the discharge of its powers and functions shall be vested in the Commission *en banc*, which shall have supervision and control of the said office.

The Commission may affect changes in the organization as the need arises: *Provided*, That such reorganization shall be funded out of the personnel services appropriation of the Commission.

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

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

- 1 (a) Investigate, on its own or upon complaint by any party, all forms of violations
2 of human rights;
- 3 (b) Adopt its operational guidelines and rules of procedure and cite for contempt
4 any person for violations thereof or its lawful orders and, for this purpose, the
5 Rules of Court shall have supplementary application;
- 6 (c) Provide appropriate legal and preventive measures, which include but shall not
7 be limited to the following:
- 8 (1) Legal assistance and counseling to victims;
- 9 (2) Directing concerned government agencies in giving protection to victims of
10 human rights violations;
- 11 (3) Issuing cease and desist orders;
- 12 (4) Petition the Court for *Writ of Habeas Corpus*, *Writ of Amparo*, *Writ of Habeas*
13 *Data*, *Writ of Kalikasan*, and any other protective writs, in behalf of the victims
14 of human rights violations; and
- 15 (5) Issue continuing mandamus for the protection of human rights of all persons
16 within the Philippines;
- 17 (d) Provide legal aid services to the underprivileged whose human rights have been
18 violated or need protection. Clients needing legal assistance/representation may
19 also be referred to the Public Attorney's Office or Legal Aid Offices, as may be
20 necessary and appropriate;
- 21 (e) Exercise unannounced, unhampered, unrestricted visits over jails, prisons,
22 camps, custodial or detention facilities, places of confinement, safe houses, and
23 similar places of deprivation of liberty;
- 24 (f) Establish a continuing program of research, education, and information to
25 enhance respect for the primacy of human rights. The CHR shall coordinate with
26 the Department of Education (DepEd), the Commission on Higher Education
27 (CHED), the Philippine Judicial Academy (PHILJA), the Legal Education Board
28 (LEB), and other state colleges and universities to ensure the objective above
29 stated;
- 30 (g) Recommend to Congress effective measures to promote and protect human
31 rights;

- 1 (h) Recommend effective measures to provide for compensation to victims of
2 violations of human rights or their families;
- 3 (i) Monitor the Philippine government's compliance with international treaty
4 obligations on human rights;
- 5 (j) Report to international human rights mechanism on all aspects relating to
6 government's compliance to its treaty obligations;
- 7 (k) Grant immunity from prosecution to any person whose testimony or possession
8 of documents or other evidence is necessary or convenient to determine the truth
9 in any investigation conducted by it or under its authority;
- 10 (l) Request the assistance of any department, bureau, office, or agency in the
11 performance of its functions;
- 12 (m) Call on government departments, bureaus, offices, or agencies to comply with
13 its obligations under the international human rights obligations;
- 14 (n) Perform its Gender and Child Ombud roles, as well as to ensure that the status,
15 rights, and interests of the marginalized and vulnerable sectors are upheld in
16 accordance with the Constitution, laws, and international instruments on human
17 rights;
- 18 (o) Issue human rights advisories and position papers/opinion on all matters
19 affecting the human rights of all persons directed to concerned agencies of
20 government for their consideration and implementation;
- 21 (p) Issue Human Rights Clearances and Certificates of No Pending Human Rights
22 Case;
- 23 (q) Appoint its officers and employees in accordance with law; and
- 24 (r) Perform such other duties and functions as may be provided by law.
- 25

26 **SEC. 15. Investigative Powers and Functions.** - The Commission shall investigate,
27 on complaint or on its own, cases of human rights violations. In the exercise of its
28 investigative function, the Commission shall:

29

- 30 (a) Act promptly on reports or complaints filed in any form by any individual or
31 organization. Findings of human rights violations shall include

1 recommendations for appropriate remedies and referral to proper government
2 agencies for the filing of administrative, criminal, or civil actions. The
3 recommendations may include proposals for legislative, administrative, or
4 judicial reforms. The investigation and other proceedings conducted by any
5 administrative, judicial, or quasi-judicial bodies shall not bar the investigation of
6 the Commission on allegations of human rights violations, and findings by the
7 Commission must be given weight;

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

10 (c) Compel the attendance of witnesses and the production of evidence, place a
11 witness under oath or affirmation, issue *subpoenas*, and take testimony in any
12 investigation or inquiry conducted by the Commission or any of its offices;

13 (d) Conduct forensic and medical sciences in making findings of human rights
14 violations, including but not limited to: collection of physical evidence from
15 locations relevant to its investigation, assessment of living victims of human
16 rights violations to determine their physical and mental well-being, and conduct
17 independent examination of the remains of alleged victims to document any
18 inquiry and to determine cause and manner of death. Pursuant thereto, the
19 Commission shall have the authority to exhume and conduct autopsy on the
20 aforesaid human remains, subject to the consent of the family of the deceased, if
21 applicable;

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

25 (f) Ensure provision of compensation for victims of human rights violations or their
26 families, as appropriate and proportional to the gravity of the violation and the
27 circumstances of each case, resulting from gross violations of international
28 human rights law and serious violations of international humanitarian law;

29 (g) Provide safety to witnesses, as well as human rights defenders under threat. For
30 this purpose, the Commission shall implement and manage a Witness Protection
31 Service, which will provide security, shelter, relocation, and livelihood assistance

1 to witnesses and their families until such time the threat ceases, or when the case
2 can be endorsed to the Department of Justice and the witness or person under
3 threat qualifies for the latter's protection service.

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

7 (i) Cite for contempt of any person for violating the Commission's Rules of
8 Procedures and lawful orders. In matters concerning contempt, the Rules of
9 Court shall apply supplementary to the Rules of Procedures of the Commission; and

10 (j) Perform such other powers and functions as may be necessary or incidental to
11 the effective exercise or conduct of its investigative powers.

12
13 **SEC. 16. Visitorial Powers.** - The Commission or its duly authorized representatives
14 are hereby mandated and authorized to conduct regular, independent, unannounced,
15 unhampered, and unrestricted visits to or inspection of all places of detention and
16 confinement.

17
18 *A place of deprivation of liberty* shall refer to any place of detention, imprisonment,
19 confinement, or the placement of a person in a public or private custodial or
20 rehabilitative setting under or within the jurisdiction and control of the Philippines
21 where persons are or may be deprived of their liberty by virtue of an order given by a
22 public authority at his/her instigation or with his/her consent or acquiescence.

23
24 **SEC. 17. Scope of Legal Measures.** - In order to strengthen the exercise of its
25 investigatory power, the Commission, including its Regional and Provincial/District
26 Offices, may issue the following legal measures as well as provisional remedies, which
27 shall include, but not limited to:

28
29 (a) Mandatory Protection Orders (MPOs) directing government security forces and
30 other government agencies or private institutions to provide specific protection
31 to victims of and witnesses to human rights violations;

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

- 2 i. Temporary liberty for medical examination (especially for sick and/or
3 pregnant persons deprived of liberty; and
4 ii. Such other legal remedies to correct government actions that encroach on
5 or have the threat to violate human rights, such as petitions for certiorari,
6 mandamus, and declaratory relief;

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

- 9 i. Actions for protective custody of minor-victims of violation of children's
10 rights;
11 ii. Petitions for involuntary commitment, in coordination with the concerned
12 social and development office; and
13 iii. Petitions, motions, or pleadings to correct an error in the commitment,
14 detention, and/or taking of custody of children in conflict with the law
15 (CICL); and

16 (d) Mediation between parties on issues that are and can be subject to settlement.
17
18
19
20

21 **SEC. 18. *Monitoring Functions.*** – In the exercise of its mandate to monitor the
22 Government's compliance with its international human rights obligations, the
23 Commission shall:
24

- 25 (a) Monitor and advise government on its responsibilities and obligations under
26 international human rights treaties to which the Philippines is a signatory;
27 (b) Prepare its own independent reports to the UN, human rights treaty bodies, and
28 other international human rights mechanisms, including the Universal Periodic
29 Review and special procedures mechanisms, in relation to its monitoring of
30 government's compliance with its international human rights obligation;

- 1 (c) Make the appropriate recommendations to the concerned government agency
2 with regard to requests for official visits of Special Procedures mandate-holders
3 and other treaty and charter-based mechanism;
- 4 (d) Recommend ratification of, or accession to, international human rights
5 instruments, and ensure their implementation;
- 6 (e) Conduct inquiries on the manner of implementation by the Government of
7 specific human rights obligations;
- 8 (f) Request the cooperation of any public official on the measures undertaken by his
9 or her agency to comply with the State's international human rights obligations;
- 10 (g) Coordinate with relevant government agencies in terms of its compliance with
11 international human rights obligations; and
- 12 (h) Undertake other activities as may be necessary in the conduct of its monitoring
13 and reporting function as an NHRI.

14

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

19

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

- 22
- 23 (a) Those committed by rebel groups in relation to international humanitarian law;
- 24 (b) Those committed by persons, both natural and juridical, in relation to economic,
25 social, and cultural rights, such as but not limited to labor, environment, and
26 demolition of houses; and
- 27 (c) Those committed by individuals in relation to protection and violations of rights
28 of marginalized, disadvantaged, and vulnerable sectors.

29

30 **SEC. 20. *Human Rights Education, Information, and Advocacy.*** - The Commission
31 shall establish a continuing program of education and information to enhance respect

1 for the primacy of human rights through its education and promotion office, in line with
2 the 1987 Constitution, domestic laws, applicable treaty obligations of the Philippines,
3 and the UN Declaration of Human Rights Education and Training.
4

5 The Commission shall develop and implement a Human Rights Education and
6 Training Program for law enforcement officers, education and training institutions, and
7 other government agencies in coordination with the Department of the Interior and
8 Local Government (DILG), the Department of Justice (DOJ), the Department of National
9 Defense (DND), the DepEd, CHED, LEB, PHILJA, and the Professional Regulation
10 Commission (PRC), and all other concerned agencies.
11

12 Likewise, the Commission shall develop and implement a Human Rights
13 Information Campaigns Program for civil society and the general public.
14

15 **SEC. 21. *Establishment of Human Rights Institute.*** – The Commission shall establish
16 a Human Rights Institute (HRI). It is an educational and training institute responsible
17 for the promotion and education of human rights and related fields, with in-house
18 capability in these areas of specialization. The Institute shall focus on formal education
19 programs and offer certificate courses on human rights and related fields.
20

21 **SEC. 22 *Functions of the Human Rights Institute.*** – The Institute shall have the
22 following functions:
23

- 24 (a) Serve as a training institute for investigators, prosecutors, justices, judges,
25 lawyers, and other human rights workers in government and civil society human
26 rights organizations on human rights and related issues. For this purpose, it shall
27 provide and implement curricula on human rights and conduct seminars,
28 workshops, and other training programs designed to develop human rights
29 knowledge, skills, attitudes, and behaviors;
30 (b) Receive income, legacies, and donations for the benefit of its Human Rights
31 Institute or for its support or maintenance, which shall be exempt from the

1 payment of taxes and other fees and charges of the government, its branches and
2 subdivisions, and which shall constitute a special fund to be administered and
3 disbursed solely for the Institute;

4 (c) Enter into consortium agreements with other educational and training institutes
5 for the development and implementation of its programs on human rights
6 education; and

7 (d) Advise basic and higher education institutions and regulators on the teaching of
8 human rights and related issues including recommending effective measures to
9 promote human rights.

10
11 **SEC. 23. *Annual Report.*** – The Commission shall prepare and make public an annual
12 report on the findings of its monitoring activities with regard to the status of the
13 government’s compliance with its international human rights treaty obligations. The
14 report shall include, but shall not be limited to, the following:

15
16 (a) Recommendations for legal, legislative, and institutional reforms for the greater
17 promotion and protection of human rights; and

18 (b) Adoption and implementation by the concerned government agency of the
19 recommendations on the protection and promotion of human rights contained in
20 the Commission’s policy issuances and case and investigation resolutions.

21
22 The Commission shall directly submit its annual report to the Office of the President,
23 the House of Representatives, and the Senate, for consideration of its recommendations.

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

28
29 The funds necessary for the initial implementation of the Financial Assistance
30 Program shall be taken from the current year’s appropriation of the Commission.

1 Thereafter, the funding requirement shall be included in the annual General
2 Appropriations Act.

3
4 **SEC. 25. *Legal Assistance Program.*** - The Commission shall maintain a Legal
5 Assistance Program to benefit underprivileged victims of human rights violations,
6 which may be in coordination with human rights organizations and lawyers' groups,
7 the Integrated Bar of the Philippines, the Public Attorney's Office, and Philippine law
8 schools.

9
10 **SEC. 26. *Protection of Filipinos Abroad.*** - The Commission shall undertake
11 measures for the protection and promotion of human rights of Filipinos living abroad
12 in coordination and cooperation with the Department of Migrant Workers (DMW),
13 Department of Foreign Affairs (DFA), or deputize Philippine Embassy or Consulate
14 officers, or foreign-based human rights and migrant workers' non-government
15 organizations in countries where the incidence of human rights violations against
16 Filipinos is widespread and commonplace, including traditional host countries of
17 overseas Filipino workers.

18
19 The Commission may establish bilateral or multilateral relationships with other
20 national human rights institutions for the protection of human rights of Filipinos.

21
22 **SEC. 27. *Security of Data.*** - All documentation and information collected by the
23 Commission shall be kept strictly confidential, unless the Commission decides
24 otherwise in relation to a particular document: *Provided*, That no sensitive information,
25 whether personal or otherwise, shall be published without the express consent of the
26 individual or authority concerned: *Provided, further*, That this provision shall be in
27 accordance with all applicable existing and future laws, particularly, but not limited to,
28 Republic Act No. 10173, otherwise known as the "Data Privacy Act of 2012". Publication
29 of sensitive information without the express consent of the individual or authority
30 concerned will be dealt with accordingly.

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

7
8 Any legal action filed to harass, vex, exert undue pressure, or stifle any legal recourse
9 that any member or staff of the Commission has taken, or may take, in the performance
10 of their functions, under this Act and other applicable laws, if proven in court to have
11 been filed for any of the aforementioned purposes, be immediately dismissed with
12 prejudice. The court may award damages, attorney's fees, and costs of suit under a
13 counterclaim if such has been filed.

14
15 **SEC. 29. *Franking Privilege.*** – The Commission may transmit through ordinary mail
16 and/or registered mail with return card, free of charge, all official communications and
17 papers directly connected with the conduct of its duties, functions, or the exercise of
18 administrative supervision over its personnel.

19
20 **SEC. 30. *Financial Report.*** – The Commission shall make available to the public its
21 annual financial statements and related financial reports as required by governing
22 oversight agencies.

23
24 **SEC. 31. *Appropriations.*** – In addition to the regular appropriations of the
25 Commission, the sum of Two Billion Three Hundred Forty Six Million Pesos
26 (PHP2,346,000,000.00) for the initial implementation of this Act shall be included in the
27 annual General Appropriations Act (GAA) in the year following its enactment into law.
28 Thereafter, such sums, as may be necessary for the full implementation of this Act, shall
29 be included in the annual GAA.

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

7
8 **SEC. 33. *Implementing Rules and Regulations.*** – Within sixty (60) days from the
9 approval of this Act, the Commission shall formulate the implementing rules and
10 regulations in the exercise of its general, investigative, monitoring, education, and
11 advocacy powers and functions in consultation with other concerned government
12 agencies and stakeholders.

13
14 **SEC. 34. *Separability Clause.*** – Should any provision or part of this Act be held
15 unconstitutional or invalid, the other provisions or parts thereof not affected thereby
16 shall continue to be in full force and effect.

17
18 **SEC. 35. *Repealing Clause.*** – All laws, decrees, orders, and issuances, or portions
19 thereof, which are inconsistent with the provisions of this Act, are hereby repealed,
20 amended, or modified accordingly.

21
22 **SEC. 36. *Effectivity.*** – This Act shall take effect after fifteen (15) days from its
23 complete publication in two (2) newspapers of general circulation.

24
25 *Approved,*