



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. 11075



Introduced by
HON. ATTY. GERVILLE “JINKY BITRICS” R. LUISTRO

AN ACT STRENGTHENING THE POWERS AND DEFINING THE FUNCTIONS OF THE COMMISSION ON HUMAN RIGHTS, ENHANCING ITS AUTHORITY TO ENFORCE, INVESTIGATE, AND PROMOTE HUMAN RIGHTS, AND FOR OTHER PURPOSES, PROVIDING MECHANISMS FOR THIS PURPOSE, AND APPROPRIATING FUNDS THEREFOR

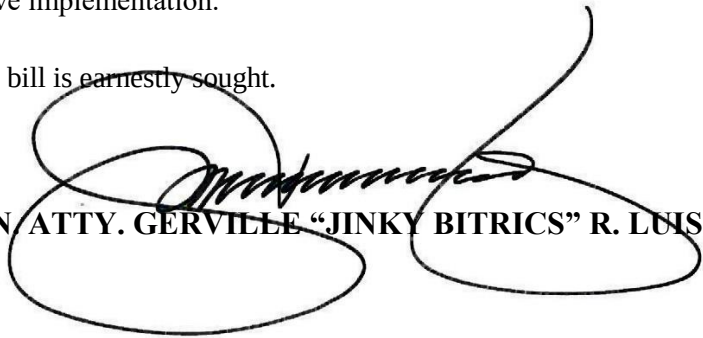
EXPLANATORY NOTE

The Commission on Human Rights (CHR) is an independent National Human Rights Institution (NHRI), created under the 1987 Philippine Constitution, established on 05 May 1987 by virtue of Executive Order No. 163. The Commission is mandated to conduct investigations on human rights violations against marginalized and vulnerable sectors of the society, involving civil and political rights.¹

During its enactment, the CHR has achieved significant milestones and faced challenges. However, while the state of human rights in the Philippines has progressively improved, certain pressing issues and personalities hinder its full application.

This bill aims to provide the CHR the appropriate powers to aid it in its constitutional mandate and prerogative for the law’s full and effective implementation.

In view of the foregoing, approval of the bill is earnestly sought.


HON. ATTY. GERVILLE “JINKY BITRICS” R. LUISTRO

¹ <https://chr.gov.ph/about-us/>



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PURPOSES, PROVIDING MECHANISMS FOR THIS PURPOSE, AND
APPROPRIATING FUNDS THEREFOR**

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

SECTION 1. *Short Title.* This Act shall be known as the “Empowerment of the Commission on Human Rights Act”.

SECTION 2. *Declaration of Policy.* It is the policy of the State under Section 18, Article XIII of the 1987 Constitution, to create the Commission on Human Rights (CHR) as a response to the atrocities committed during Martial Law.

In pursuant of the Constitution, it shall likewise be the policy of the State to protect and promote the rights and dignity of every human being in the country. The State values the dignity of every human person and guarantees the full respect for human rights. It is the legislature’s highest priority to give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic and political inequalities, and remove cultural inequalities by equitably diffusing wealth and political power for the common good, in accordance with Section 1, Article XIII of the 1987 Constitution.

SECTION 3. *Constitutional Functions of the Commission on Human Rights.* – Under Section 18, Article XIII of the 1987 Constitution, the CHR shall have the following powers and functions:

- a. Investigate, on its own or on complaint by any party, all forms of human rights violations involving civil and political rights;
- b. Adopt its operational guidelines and rules of procedure, and cite for contempt for violations thereof in accordance with the Rules of Court;
- c. Provide appropriate legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad, and provide for preventive measures and legal aid services to the under-privileged whose human rights have been violated or need protection;
- d. Exercise visitorial powers over jails, prisons, or detention facilities;
- e. Establish a continuing program of research, education, and information to enhance respect for the primacy of human rights;
- f. Recommend to Congress effective measures to promote human rights and to provide for compensation to victims of violations of human rights, or their families;
- g. Monitor the Philippine Government's compliance with international treaty obligation on human rights;
- h. Grant immunity from prosecution to any person whose testimony or whose possession of documents or other evidence is necessary or convenient to determine the truth in any investigation conducted by it or under its authority;
- i. Request the Assistance of any department, bureau, office, or agency in the performance of its functions;
- j. Appoint its officers and employees in accordance with law; and
- k. Perform such other duties and functions as may be provided by law.

SECTION 4. *Recognition of the Commission on Human Rights as an independent and autonomous Commission* – In accordance with Section 17, Article XIII of the 1987 Constitution, the CHR is established as an independent and autonomous body, tasked with the promotion and protection of human rights in the Philippines. The CHR is empowered to ensure that the government, its agencies, and other entities respect, fulfill, and protect the human rights of all individuals. Accordingly, the CHR shall be recognized as an independent Constitutional body, free from external interference, and its office, functions, and decisions must be respected. No individual, group, or entity, regardless of rank, age, position, or affiliation, shall have the authority to question, undermine, or threaten the autonomy, integrity, or independence of the CHR in the performance of its duties.

SECTION 5. *Creation of a Commission of Human Rights Investigatory Department.* – In accordance with Section 18(a), Article XIII of the 1987 Constitution, and to effectively carry out

its mandate to investigate human rights violations, there is hereby created with the Commission on Human Rights an Investigatory Department., which shall be responsible with the conduction of a thorough, impartial, and independent investigations into all human rights violations, including those committed state actors, non-state actors, and other entities that may threaten or infringe upon the rights of individuals.

SECTION 6. *Purpose of Commission of Human Rights Investigatory Department* – The Investigatory Department shall have the following functions, powers, and purposes:

1. **Conduct Investigations** – To independently and impartially investigate all alleged violations of human rights, including but not limited to extrajudicial killings, torture, forced disappearances, arbitrary detention, and other forms of abuse.
2. **Gather Evidence** – To collect and preserve evidence, interview witnesses, issue subpoenas, and access documents relevant to its investigations, in accordance with established laws and procedures.
3. **Collaborate with Other Agencies** – To work in coordination with relevant government agencies, civil society organizations, and international human rights bodies, while maintaining its independence in investigating cases of human rights violations.
4. **Ensure Accountability** – To recommend actions, including legal proceedings, disciplinary measures and/or penalties, or institutional reforms, to ensure accountability for human rights violations.
5. **Report Findings** – To issue timely and transparent reports of its investigations, including the identification of responsible parties and recommendations for redress, both to the government and to the public.
6. **Provide Protection to Victims and Witnesses** – To ensure the safety and protection of victims, witnesses, and whistleblowers, and provide support for their participation in investigations and legal processes.
7. **Promote Restorative Justice** – To recommend restorative justice measures, including reparations, rehabilitation, and reconciliation programs, as part of the broader strategy for addressing human rights violations.
8. **Maintain Autonomy** – The Investigatory Department shall operate independently and autonomously, ensuring that its work is not influenced by external pressures or political interference. It shall report directly to the Commission on Human Rights and maintain its own investigatory functions distinct from other branches of government.
9. **Provide legal assistance to victims of human rights violations** – To ensure the continuity and the legal remedies available to the families of the victims of human rights violation.

SECTION 7. *Duties and Mandate of CHR investigatory* – The Commission on Human Rights has the force of law to, among others, implement:

- a. **Promotion of Collaborative Efforts with International Bodies** – The Commission shall engage in cooperative efforts with the United Nations and other relevant international bodies to enhance national capacity for the promotion and protection of human rights. This includes, but is not limited to, the provision of advisory services, technical assistance, and public information campaigns aimed at strengthening human rights education and awareness on both national and global scales.
- b. **Establishment of Human Rights Documentation and Training Centers** – Upon the request of interested States, the Commission shall urge the Centre for Human Rights to establish United Nations-affiliated centers for human rights documentation, training, and capacity-building. These centers shall be funded through the Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights, facilitating access to resources and training necessary to support local and national human rights initiatives.
- c. **Facilitation of Information and Best Practice Exchange among National Institutions** – The Commission shall establish mechanisms for the systematic exchange of information, resources, and best practices with other national human rights institutions. This effort shall aim to support the effective establishment, operation, and continuous improvement of these institutions, fostering collaboration and shared learning.
- d. **Legislative Review and Recommendations for Enhanced Human Rights Protections** – The Commission shall undertake comprehensive reviews of relevant legislation and submit recommendations for updates or new legislation that align with evolving Principles on the status of national institutions for the protection and promotion of human rights. These recommendations shall be formally presented to legislative bodies as part of the Commission’s commitment to uphold and advance international human rights standards at the national level.

SECTION 8. *Implementing Agency.* The Commission on Human Rights shall be the primary implementing agency to aid the review in cases involving crimes against human rights.

SECTION 9. *Implementing Rules and Regulations.* Within one (1) month from the approval of this Act, the Commission on Human Rights and the Secretary of Interior and Local Government shall formulate rules and guidelines as may be necessary for the proper implementation and enforcement of this Act.

SECTION 10. *Appropriations.* The amount necessary for the initial implementation of this Act shall be charged under the current appropriations of the Commission of Human Rights. Thereafter, regular appropriations for the implementation of this Act shall be included in the General Appropriations Act.

SECTION 11. *Separability Clause.* If any provision of this Act shall be declared unconstitutional or invalid, such declaration shall not invalidate other parts thereof which shall remain in full force and effect.

SECTION 12. *Repealing Clause.* All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are inconsistent with or contrary to the provisions of this Act are hereby amended, repealed or modified accordingly.

SECTION 13. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in any newspaper of general circulation.

Approved,