

ADMINISTRATIVE ORDER NO. 163

STRENGTHENING AND INCREASING THE MEMBERSHIP OF THE PRESIDENTIAL HUMAN RIGHTS COMMITTEE, AND EXPANDING FURTHER THE FUNCTIONS OF SAID COMMITTEE

WHEREAS, Administrative Order No. 29, dated 27 January 2002 established the Presidential Human Rights Committee;

WHEREAS, the Philippines is one of the first elected members of the United Nations Human Rights Council, and has pledged to strengthen the Presidential Human Rights Committee in the country;

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by the law, do hereby order:

SECTION 1. *Composition.* The Presidential Human Rights Committee shall be composed of the following:

- The Executive Secretary as Chairman
- The Secretary of Justice as Vice-Chairperson
- The Secretary of Foreign Affairs as Co-Vice-Chairperson
- The Secretary of Education
- The Secretary of Interior and Local Government
- The Secretary of National Defense
- The Secretary of Health
- The Secretary of Social Welfare and Development
- The Secretary of Budget and Management
- The Press Secretary
- The Director-General of the National Economic Development Authority
- The Chief Presidential Legal Counsel
- The Lead Convenor of the National Anti-Poverty Commission

The foregoing members shall designate alternate representatives to render continuing support and extend such help as may be needed to carry out the functions and duties of the Committee.

The Chairperson of the Commission on Human Rights, the Ombudsman, the Chairperson of the House Committee on Civil, Political and Human Rights, the Chairperson of the Senate Committee on Justice and Human Rights, and the Supreme Court Administrator may join the Committee as observers.

SEC. 2. *Objective of the Committee.* The Committee shall serve as the primary advisory body to the President in effectively addressing all human rights concerns/issues in the country.

SEC. 3. *Functions and Duties of the Committee.* The Committee shall cooperate and coordinate with concerned government and private agencies, entities and groups in the performance of the following functions and duties:

- a. To formulate the National Human Rights Action Plan in accordance with international human rights treaty obligations and to adopt a “rights-based approach” in the formulation of said plan;
- b. To undertake the necessary measures that will ensure its adoption and implementation;
- c. To assist victims of human rights violations and their families, especially victims of enforced or involuntary disappearances, in enforcing their rights under pertinent laws including but not limited to The Victim Compensation Program (R.A. 7309) and the Witness Protection Program (R.A. 6981);
- d. To assess and monitor all aspects of the human rights situation in the country and to collate all necessary data on human rights violations and abuses;
- e. To set up and implement a media program to portray an accurate assessment of the human rights situation in the country;
- f. To ensure compliance with and strict adherence by the government to all its obligations under international human rights instruments where the Philippines is a party, including the timely submission of treaty implementation reports, replies and comments on cases filed with the United Nations;
- g. To conduct quarterly dialogues with the President;
- h. To submit annual reports to the President; and
- i. To perform such other functions and duties as may be directed by the President and/or as may be necessary to meet the objective of the Committee.

SEC. 4. *Assistance and Cooperation.* All government agencies are hereby directed to actively cooperate and support the Committee. For this purpose, the Committee, through the Chairperson, may call upon any department, bureau, office, agency or instrumentality of the government, including government owned or controlled corporations, for such assistance as it may need in the discharge of its functions. It shall also engage the participation of non-government organizations and other civil society representatives involved in human rights advocacy.

SEC. 5. *Local Agencies and Working Groups on International Human Rights Treaties.* The following are designated as Lead Agencies in coordinating compliance with international human rights treaties:

1. The Department of Justice – International Covenant on Civil and Political Rights (ICCPR)
2. The Department of Interior and Local Government – Convention against Torture (CAT)
3. The National Commission on Indigenous People – Convention on the Elimination of Racial Discrimination (CERD)

4. The National Economic and Development Authority – International Covenant on Economic, Social and Cultural Rights (ICESCR)
5. The Department of Labor and Employment – Convention on the Rights of Migrant Workers (CMW)
6. The National Commission on the Role of Filipino Women – Convention on the Elimination of Discrimination against Women (CEDAW)
7. The Department of Social Welfare and Development – Convention on the Rights of Child (CRC)

Working Groups shall be established for each of the treaties. The Lead Agency shall chair the Working Group and shall identify the government agencies which shall be members of the Working Group. The Lead Agencies shall request the assistance of any government agency to ensure that the treated are complied with.

The Department of Foreign Affairs shall coordinate with and provide assistance to the Working Groups in the preparation and submission of country reports to their respective treaty bodies.

In case the Philippines becomes a State Party to a new human rights instruments, the Presidential Human Rights Committee shall designate the Lead Agency to coordinate the implementation of such treaty.

SEC. 6. *Secretariat.* The Committee shall have a Secretariat attached to the Office of the President, which shall be headed by an Executive Director with the rank of Undersecretary, to be appointed by the President. The Secretariat shall provide staff support to the Committee.

SEC. 7. *Funding.* Initial funding for the operations of the Committee shall be taken from such available sources as may be identified by the Department of Budget and Management.

Subsequent funding for the operations of the Committee shall be incorporated in the budget proposal of the Office of the President.

SEC. 8. *Separability of Provisions.* If any provision of this Administrative Order is declared invalid or unconstitutional, the remaining provisions not affected hereby shall continue with full force and effect.

SEC. 9. *Repeal.* All orders, rules and regulations inconsistent with the Administrative Order are hereby repealed or modified accordingly.

SEC. 10. *Effectivity.* This Administrative Order shall take effect immediately.

DONE in the City of Manila, this 8th day of December in the year of our Lord, Two Thousand and Six.