



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

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The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights – Special Procedures Branch and, with reference to the letter dated 9 November 2021 from Ms. Beatriz Balbin, Chief of the OHCHR-Special Procedures Branch, has the honor to convey the enclosed inputs from the government of the Philippines to the thematic report of the Special Rapporteur on the Right to Development on the compliance of COVID recovery plans and policies with the right to development perspective in the context of the 2030 Agenda and Sustainable Development and core international human rights treaties (pursuant to HRC Resolutions 33/14 and 42/23).

The inputs were provided by the Presidential Human Rights Committee (PHRC). The Government of the Philippines hopes that these inputs would contribute to the SR's deeper appreciation of the topic especially in the context of countries' experiences and be helpful in the preparation of his thematic report to be presented to the UN General Assembly. The Philippines consents to having these inputs published in the OHCHR's website.

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 Office of the United Nations High Commissioner for Human Rights - Special Procedures Branch the assurances of its highest consideration.

Geneva, 08 March 2022



OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

Attention: The Special Procedures Branch

Palais Wilson

52 Rue des Paquis, CH-1201 Geneva

E-mail addresses: registry@ohchr.org, ohchr-registry@un.org,
srdevelopment@un.org, ohchr-srdevelopment@un.org

**CONTRIBUTION FROM THE REPUBLIC OF THE PHILIPPINES
TO THE THEMATIC REPORT BY THE
SPECIAL RAPPORTEUR ON THE RIGHT TO DEVELOPMENT
ON THE COMPLIANCE OF COVID RECOVERY PLANS AND POLICIES
IN THE CONTEXT OF RTD AND THE SDGS
(Pursuant to HRC Resolutions 33/14 and 42/23)**

In response to the letter dated 9 November 2021 from Ms. Beatriz Balbin, Chief of the OHCHR-Special Procedures Branch, the government of the Philippines conveys the contribution from the Presidential Human Rights Committee (PHRC) to the thematic report of the Special Rapporteur on the Right to Development on the compliance of COVID recovery plans and policies with the right to development perspective in the context of the 2030 Agenda and Sustainable Development and core international human rights treaties, as follows:

1. On how are rights holders - individuals and communities - placed at the center of processes of COVID recovery plans elaboration, from the planning to the evaluation stages

Using a "whole-of-government" and "whole-of-society" approach to rehabilitation and recovery, the government of the Philippines implemented Recharge Philippines or "**Recharge PH**", a program formulated by the National Economic and Development Authority-led Task Group on Recovery of the National Task Force against COVID-19, which sought to refocus and accelerate the implementation of measures geared towards mitigating the socioeconomic impact of the COVID-19 pandemic.

Relative thereto, sub-task groups were established to assist in the development of measures to boost the government's COVID-19 response. Among which was the **National Employment Recovery Strategy (NERS) Task Force**, which was created for the implementation of NERS 2021-2022, the government's employment recovery plan that expands the "*Trabaho, Negosyo, Kabuhayan*" initiative of the Department of Labor and Employment (DOLE) and the Department of Trade and Industry (DTI). The NERS 2021-2022 takes into account changes in the labor market as a consequence of the COVID-19 pandemic and the accelerated digital transformation.

Furthermore, Republic Act (RA) No. 11469 (s. 2020) or the "**Bayanihan¹ to Heal As One Act**" and RA No. 11494 (s. 2020) or the "**Bayanihan to Recover As One Act**" were enacted in order to immediately mobilize the provision of assistance to affected individuals and families, as well as critically impacted businesses, such as the implementation of:

- a) cash-for-work programs;
- b) COVID-19 interventions under the transportation industry;
- c) COVID-19 assistance to restart enterprises program;
- d) sustainable livelihood program;
- e) agriculture stimulus package to support agrifishery enterprises, farmers, and fisherfolks;
- f) health-related responses such as the hiring of human resources for health, provision of special risk allowances and hazard duty pay to private and public health workers, including augmentation for operations of hospitals under the Department of Health.

Moreover, the Commission on Higher Education launched the "**Bayanihan 2 for Higher Education Tulong Program**" providing subsidy and allowance to qualified students in private and public higher educational institutions. Local government units, i.e., provinces and

¹ "**Bayanihan**" is a Filipino culture that refer to a traditional system of mutual assistance in which members of the community work together to accomplish a difficult task and achieve a common, greater goal. It is a spirit of civic unity and cooperation among Filipinos that promote a culture of collaboration and empowerment of every individual through teamwork, innovation and action.

municipalities, have also implemented measures depending on the effect of the pandemic in their respective localities.

2. On measures ensuring that COVID recovery plans are based on rights holders' development priorities

The Philippine government continues to prioritize the people's well-being and safety from COVID-19, as well as their human development goals and objectives as citizens. We would like to reiterate that in the context of prevention and recovery from the COVID-19 pandemic, the Philippines promotes a whole-of-society approach to strengthen the established linkages between government and non-government organizations, development priorities, and resource allocation to realize the Sustainable Development Goals. The Philippine government remains committed to the fulfillment of the 2030 Agenda for Sustainable Development and in the realization of [AmBisyon Natin 2040](#)², which represents the collective long-term vision and aspirations of Filipinos for the kind of life they want and the country that they want to see by 2040.

The National Economic and Development Authority (NEDA), the country's premier socioeconomic planning body, has also come up with a 10-point policy agenda that reflects a shift to an "endemic" paradigm and at the same time promotes the overall welfare of Filipinos beyond COVID-19, to wit:

- a) metrics;
- b) vaccination;
- c) healthcare capacity;
- d) economy and mobility;
- e) schooling;
- f) domestic travel;
- g) international travel;
- h) digital transformation;
- i) enacting a pandemic flexibility bill; and
- j) medium term preparation for a pandemic resilience.

3. On measures providing rights holders access to reliable, timely, and easy to comprehend information on all aspects of COVID recovery plans

The Department of Health (DOH), through its **Knowledge Management and Information Technology Service**, offers to the public various webinars in order to promote correct information on COVID-19 amid the spread of fake news online.

On one hand, the Department of the Interior and Local Government (DILG) issued [Memorandum Circular No. 2021-019 \(s. 2021\)](#)³, providing guidelines on the implementation of demand generation and communication activities in support to the National COVID-19 Vaccine Deployment Plan. Specific objectives of the issuance are as follows: (a) adults, caregivers, and parents understand the need for immunization as a means to meet national herd immunity to protect their families and communities; (b) priority eligible groups are aware of the vaccine deployment plan and implementation schedule; (c) all Filipinos understand the key difference between the government-led vaccination roll-out and the WHO vaccine clinical trials; (d) health workers, community leaders, and other frontline workers are able to communicate key messages of the campaign and respond to concerns from their stakeholders; (e) local

² <https://2040.neda.gov.ph/about-ambisyon-natin-2040/>

³ https://dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-2021217_edb3c416c3.pdf

government units, private sector, civil society organizations and other key stakeholders are engaged to champion the immunization activities for community-level mobilization.

4. On measures ensuring that civil society participates throughout processes of COVID recovery plans elaboration

The Philippine government recognizes the importance of engaging civil society organizations (CSO) to complement ongoing efforts in response to the COVID pandemic. In relation thereto, the DILG issued [Memorandum Circular No. 2020-135 \(s. 2020\)](#)⁴, providing guidelines and procedure for the mobilization and engagement of civil society, private sector organizations, and volunteer groups and/or individuals in the implementation of COVID-19 response and recovery programs of the government. The DILG issuance recognized that "the partnership and collaboration with CSOs can signify various changes and broad range of functions and tasks in overcoming the COVID-19 pandemic." Identified areas of engagement include (a) increasing the contact tracing capacity of local government units; (b) changing the people's behavior by participating in awareness campaigns; (c) monitoring the impact of programs, projects, and activities against COVID-19; (d) providing capacity-building activities relative to skills development, setting-up of livelihood opportunities, and social enterprise development.

5. On States committing to COVID recovery policies and plans in line with the 2030 Agenda

The Philippines has adopted several COVID-related recovery measures in line with the 2030 Agenda for Sustainable Development, which includes the following:

- [DOLE Department Order No. 209 \(s. 2020\)](#)⁵, providing guidelines on the adjustment measures program for affected workers due to the COVID-19 pandemic;
- [DOLE Department Order No. 210 \(s. 2020\)](#)⁶, providing guidelines for the implementation of the *Tulong Panghanapbuhay Sa Ating* Displaced/Disadvantaged Workers Program;
- [DOLE Department Order No. 212 \(s. 2020\)](#)⁷, prescribing guidelines on the provision of financial assistance for displaced land-based and sea-based Filipino workers due to COVID-19;
- [DOLE Labor Advisory No. 09 \(s. 2020\)](#)⁸, providing guidelines on the implementation of flexible work arrangements as remedial measure due to the ongoing outbreak of COVID-19;
- [DOLE Labor Advisory No. 11 \(s. 2020\)](#)⁹, providing supplemental guidelines relative to remedial measures in view of the ongoing outbreak of COVID-19;

⁴ https://www.dilg.gov.ph/PDF_File/issuances/memo_circulars/dilg-memocircular-20201013_abe7daefe3.pdf

⁵ https://www.dole.gov.ph/php_assets/uploads/2020/03/a.department-order-no.-209.pdf

⁶ https://www.dole.gov.ph/php_assets/uploads/2020/03/DO-210v2.pdf

⁷ https://www.dole.gov.ph/php_assets/uploads/2020/04/Department-Order-No.212-Series-of-2020.pdf

⁸ https://www.dole.gov.ph/php_assets/uploads/2020/03/Labor-Advisory-No.-09-20-Guidelines-on-the-Implementation-of-Flexible-Work-Arrangements-as-Remedial-Measure-due-to-the-Ongoing-Outbreak-of-Coronavirus-Disease-2019-COVID-19.pdf

⁹ https://www.dole.gov.ph/php_assets/uploads/2020/03/Labor-Advisory-No.-11-20-Supplemental-Guidelines-relative-to-the-remedial-Measures-in-view-of-the-ongoing-outbreak-of-coronavirus-disease-2019-COVID-19.pdf

- [DOLE Labor Advisory No. 12 \(s. 2020\)](#)¹⁰, providing clarificatory guidelines on the COVID-19 adjustment measures program;
- [DOLE Labor Advisory No. 14 \(s. 2020\)](#)¹¹, providing clarification on the non-inclusion of one month Enhanced Community Quarantine (ECQ) period on the six-month probationary period;
- [DOLE Labor Advisory No. 18 \(s. 2020\)](#)¹², providing guidelines on the cost of COVID-19 prevention and control measures;
- DOLE and DTI interim guidelines on workplace prevention and control of COVID-19;
- DOLE Integrated Livelihood Program, further improving the viability and profitability of livelihood projects to enable beneficiaries cope with the economic impact of the COVID-19 pandemic;
- Department of Agriculture (DA), through the Agricultural Credit Policy Council (ACPC), implementation of the expanded Survival and Recovery (SURE) Aid and Recovery Project or SURE Covid-19 financing program, aimed at helping micro and small enterprises, and small, marginal farmers and fishermen adversely affected by the ECQ;
- DA, through the ACPC, implementation of the "Plant, Plant, Plant Program", which aims to increase farm productivity and ensure food sufficiency during the pandemic;
- DA's "*Ahon Lahat, Pagkain Sapat Kontra sa COVID-19*", providing for the immediate intervention for food production and availability, food accessibility, affordability, and price stabilization;
- [Joint Memorandum Circular No.1 \(s. 2020\)](#)¹³, providing special guidelines on the provision of social amelioration measures by the Department of Social Welfare and Development (DSWD), DOLE, DTI, DA, Department of Finance, Department of Budget and Management, and Department of the Interior and Local Government to the most affected residents of the areas under ECQ;
- Department of Agrarian Reform's project "The PaSSOver: ARBold Move for Deliverance of ARBs from the COVID-19 Pandemic", providing immediate and essential support services to the agrarian reform beneficiary organizations to mitigate the impact of the COVID-19 pandemic and address the demands affecting the agriculture sector;
- Department of Science and Technology's Small Enterprise Technology Upgrading Program, which is aimed at encouraging and assisting small and medium enterprises to adopt to technology innovations to improve their operations and boost their productivity and competitiveness;
- DSWD's "Assistance to Individuals in Crisis Situations", which is a social safety net or a stop-gap measure to support the recovery of individuals and families suffering from unexpected life events or crises, such as the COVID19 pandemic;
- DSWD's "Livelihood Assistance Grants", providing qualified beneficiaries whose small business or livelihood has been affected by COVID-19 are given financial assistance;
- DSWD Memorandum Circular No. 05 (s. 2020), providing supplemental guidelines to Memorandum Circular No. 04 (s. 2020) on the provision of social amelioration measures;
- The Small Business Corporation, under the guidance of the OTI, has set up a 1 billion peso enterprise rehabilitation financing facility under the *Pondo sa Pagbabago at Pag-asenso* (COVID-19 P3 -ERF) to support micro and small businesses affected by the economic impact of the pandemic in the country;

¹⁰ https://www.dole.gov.ph/php_assets/uploads/2020/03/labor-advisory-no.-12-1.pdf

¹¹ https://www.dole.gov.ph/php_assets/uploads/2020/04/Labor-Advisory-No.-14-Series-of-2020.pdf

¹² https://www.dole.gov.ph/php_assets/uploads/2020/05/Labor-Advisory-No.-18-20.pdf

¹³ <http://www.csc.gov.ph/2014-02-21-08-28-23/pdf-files/category/1715-joint-mc-no1s2020.html>

- Philippine Health Insurance (PhilHealth) Corporation Advisory No.2021-039 on the COVID-19 injury compensation package and benefits under the National Health Insurance Program;
- [PhilHealth Advisory No. 2021-0007](#)¹⁴, providing guidelines on the coverage of COVID-19 vaccine injury due to serious adverse effects following immunization resulting in hospitalization, permanent disability, or death under the COVID-19 National Vaccine Indemnity Fund; and
- [Philippine Ports Authority Memorandum Circular No. 002-2021](#)¹⁵ on the extension of the implementation of financial assistance for the critically impacted maritime sector.

6. On States guaranteeing social protection floors. even in times of crisis

Finally, to help Filipinos manage the impact of the pandemic, the Philippine government issued policies that deferred the payment of certain obligations, e.g., Bureau of Internal Revenue (BIR) Memorandum Circular No. 80-2021 (s. 2021) suspending the running of the statute of limitations on assessment and collection of taxes due to the declaration of ECQ, and provided emergency financial subsidies! social amelioration services.

The government of the Philippines hopes that the above information would contribute to the SR's deeper appreciation of the topic and be useful in the preparation of his upcoming report to be presented at the UN General Assembly (pursuant to HRC resolutions 33/14 and 42/23).

We invite the SR to visit the websites provided for complete information on the various programs cited above. ###

¹⁴ <https://www.philhealth.gov.ph/circulars/2021/circ2021-0007.pdf?fbclid=IwAR1XUPfaHKmb3fJHGCEuW35-wcHIWVEBI6mXgNFBzfmlRjcoOmFKHyEfxZ0>

¹⁵ https://www.ppa.com.ph/sites/default/files/issuances_docs/PPA%20MC%20No.%20002-2021.pdf