



COMMISSION ON HUMAN RIGHTS OF THE PHILIPPINES

Inputs to the General Assembly Resolution 70/166: Effective Promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities 15 May 2017

1. The Commission on Human Rights of the Philippines (herewith the Commission or CHRP) submits to the Office of the High Commissioner for Human Rights, its inputs and updates on the work of the Commission on monitoring, follow-up and advocacy activities related to the rights of persons belonging to national or ethnic, religious and linguistic minorities.
2. This submission is based on the Commission's own documentation of independent monitoring and statements on the rights of indigenous peoples, and the rights of persons belonging to religious minorities. The submission also took into consideration local and international reports from government, civil society, the media, and non-government organizations. Particularly, the Commission's written contribution and activities around the UN Permanent Forum on Indigenous Issues, and its inputs to the Special Rapporteur in the field of cultural rights are largely reflected in this submission.
3. Pursuant to its legal mandate, the Commission renders protection, promotion and policy services with due regard to the human rights of indigenous peoples. These services include the conduct of investigation on complaints filed by indigenous peoples (IP) groups; provision of legal assistance; monitoring of the human rights situation of IP communities that are impacted by mining and agribusiness activities; calling for and formation of inter-agency working groups and task force comprised of focal persons from responsible government agencies that are legally mandated to address specific problems raised by the IP communities involved; issuance of human rights advisories that set forth the standards expected from duty-bearers in respecting, protecting and fulfilling IP rights; conduct of dialogues and orientation with IP communities on human rights, among others.
4. While the National Commission on Indigenous Peoples (NCIP) is the specific government office in the Philippines that has the primary jurisdiction to promote and protect the four bundles of IP rights (i.e., to ancestral domains and lands; to self-governance and empowerment; to social justice and human rights; and to cultural integrity) there are substantial number of IP complainants that request such assistance from the CHRP. CHRP records show that the most number of cases involving indigenous peoples are concentrated in Mindanao (southern part of the country), particularly in Caraga (Region XIII), Davao (Region XI), and the Zamboanga Peninsula (Region IX), known to be conflict-affected areas where Muslim separatist movements and insurgencies occur. The complaints are mostly about murder, harassment, and deprivation of property, thus correspond to violations of the basic rights to life, liberty, property, and security of person. The data, in addition to information provided by civil society groups, further substantiates the vulnerability of indigenous

communities. In particular, from January 1, 2009 to December 20, 2016, there are forty-eight (48) women IPs who are reportedly victims of human rights violations.

5. To illustrate the institution's work on issues related to conflict, peace and resolution for indigenous peoples, CHRP has condemned¹ in 2015 the Armed Forces of the Philippines (AFP) and the Communist Party's New Peoples Army (NPA) who perpetrate numerous crimes against the Lumad communities in Mindanao, and urgently called for the cessation of such violations. From 2001 and September 2015, at least 35 cases of extrajudicial killings involving 59 members of the indigenous peoples' community in Mindanao have been reported to CHRP for investigation. Of these, 10 cases were allegedly perpetrated by the AFP, while 8 cases were attributed to the NPA. It has also been reported that in 2015, approximately 8,090 IPs remain displaced² in Mindanao due to the internal armed conflict, and the CHRP has closely worked with the United Nations High Commissioner for Refugees (UNHCR) to strengthen monitoring of internally displaced persons (IDP) in Mindanao.
6. CHRP's main activities to protect and promote IP rights are anchored on a domestic piece of legislation, i.e. the Indigenous Peoples Rights Act (Republic Act No. 8371), aside from being guided by the UNDRIP. The IPRA antedates UNDRIP by ten years, since the former was enacted into law by the Philippine legislature on October 1997. One eminent legal commentator, Candelaria (2012), would argue that the UNDRIP enjoys strong moral weight due to the overwhelming support by countries and IPs organizations worldwide. For instance, it deals more explicitly and strongly with the issues of militarization of IPs' lands, protection of traditional knowledge and the right to self-determination. However, the UNDRIP is not a legally binding instrument and it does not have a supervisory mechanism to monitor its implementation. On the other hand, Candelaria would say that as domestic instrument, IPRA is more detailed than the other two instruments (the other one being the ILO Convention No. 169), because it not only states the rights but also creates and organizes the institutions, such as the National Commission on Indigenous Peoples (NCIP), the primary government agency that is in charge of the implementation. IPRA gives special emphasis on indigenous women, children, and youth. It also states that particular attention should be paid to the rights and special needs of the elderly and differently-abled IPs. IPRA also provides for IP rights during armed conflict, as well as penalties for violation of provisions related thereto. Under both ILO Convention No. 169 and IPRA, the government must implement their provisions, with the participation of the IPs, and coordinate all efforts of these peoples. Like the UNDRIP, IPRA emphasizes the mechanisms for redress of grievances in the event of violation of IP rights.³
7. However, what is more revealing is the fact that both IPRA and UNDRIP do not categorically mention the role of national human rights institutions in their respective implementation. Still, when the constitutionality and validity of the IPRA was assailed before the Supreme Court of the Philippines, CHRP, on March 22, 1999, filed a Motion to Intervene and/or to Appear as Amicus Curiae. There, the CHRP strongly asserted that IPRA is an expression of the principle of *parens patriae* and that the State has the responsibility to protect and guarantee the rights of those who

1 Benitez, L. (Nov. 3, 2015) CHR condemns violations against Lumad communities. <http://www.rappler.com/move-ph/issues/mindanao/111488-chr-condemns-violations-lumad> (accessed Dec. 19, 2016)
Balagtas, A. & Yap D. (Nov. 3, 2015) AFP, NPA recruiting "Lumad" - CHR <http://newsinfo.inquirer.net/736350/afp-npa-recruiting-lumad-chr>.

2 UNHCR Displacement Dashboard – Mindanao, Philippines Forced Displacement Annual Report, 2015 http://unhcr.ph/cms/wp-content/uploads/2015-Mindanao-Philippines-Forced-Displacement-Report_Final-HR3.pdf (accessed Dec. 19, 2016)

3 Candelaria, S. (2012) Comparative Analysis on the ILO Indigenous and Tribal Peoples Convention No. 169, UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Indigenous Peoples' Rights Act (IPRA) of the Philippines. International Labour Organization. -Manila: ILO

are at a serious disadvantage like indigenous peoples. For this reason it prayed that the petition against IPRA be dismissed. The Supreme Court ruled as such.⁴

8. CHRP's work to ensure that UNDRIP and IPRA, in particular, are implemented rests not only on its activities as the independent monitor of government's acts and omissions that directly and indirectly impact on the IPs' human rights, but also on its mandate to provide appropriate legal measures for the protection of human rights of all persons within the Philippines. While CHRP has no power to restrain acts or to command certain acts to be done, it can file in behalf of the parties in interest the necessary legal remedy, such as an application for temporary restraining order or writ of prohibitive or mandatory injunction with the National Commission on Indigenous Peoples or the regular courts to ensure that IP rights are protected.
9. Notably, no less than the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Asia Pacific Forum (APF) recognized the practices of CHRP in their joint 2013 publication titled *"The United Nations Declaration on the Rights of Indigenous Peoples - A Manual for National Human Rights Institutions,"*⁵ as follows:

9.1 The bilateral project between CHRP and the New Zealand Human Rights Commission that ran from 2006 to 2010, aimed at building the capacities of indigenous communities in the Philippines to identify, investigate, verify, document and monitor human rights violations affecting their own communities. The project used a human rights community development approach to address priorities for indigenous communities, by focusing on developing the skills and knowledge of indigenous peoples to enable them to act as agents of change for their own communities. The Declaration and ILO Convention No. 169 provided the human rights framework. The project focused on the Higaonon Tribe of Esperanza, Agusan del Sur. The selected community partners include: The Kankana-ey of Kibungan, Benguet, represented by Mr. Bobby Wayan and Mr. Bernard Paleng-awan: The Kankana-ey people are a predominantly agricultural community living in an area high within the Cordilleras, which is difficult to access due to the lack of paved roads. They have been the subject of a previous pilot study a few years ago under the Metagora programme, which focused on indigenous people's rights to ancestral lands. Another selected community is the Higaonon of Esperanza, Agusan del Sur, represented by Datu Ducu Aquilino Lidanhog and Datu Sakili Agapito Lidanhog. The Higaonon are one of the earliest settlers on the western side of the Agusan River. Their culture is steeped in tradition, employing a Datu system and their own code of conduct. The third and last community selected is the Sama Dilaut, more commonly known as the Badjau of Sulu, Basilan and Zamboanga, represented by Mr. Buhali A. Adjilani and Mr. Anthony Penafiel. The Badjau are a boat-dwelling people with ties to the ancient sea-faring tribes of Southeast Asia.⁶

9.2 The CHRP resolution (CHR IV No. A2011-004) on the case of displacement of residents at Brgy. Didipio, Kasibu, Nueva Viscaya finding human rights violations committed by both state and non-state actors, particularly the mining company Oceana Gold Philippines, Inc. The said resolution was issued on January 10, 2011.

4 Isagani Cruz and Cesar Europa vs. Secretary of Environment and Natural Resources, et al. G.R. No. 135385, December 6, 2000. <http://sc.judiciary.gov.ph/jurisprudence/2000/dec2000/135385.htm> (accessed Dec. 19, 2016)

5 Found in <http://www.ohchr.org/Documents/Issues/IPeoples/UNDRIPManualForNHRIs.pdf> (accessed Dec. 19, 2016)

6 Reference:
http://nhri.ohchr.org/EN/Themes/IndigenousPeoples/DocumentsPage/HRC_Building_Human_Rights_Communities-%20PHIL-NZ%20joint%20project.pdf (accessed Dec. 19, 2016)

9.3 Formation of the Government Linkages Office (now Policy Advisory Office) to focus specifically on engaging with governmental institutions to more effectively monitor and promote State compliance with its treaty obligations.

10. Other activities carried by CHRP in the past two years related to protection and promotion of the rights of indigenous peoples include:

10.1. Human Rights Promotion at the National level:

a. In December 15-17, 2015, CHRP supported the workshop “Building Sustainable, Resilient and Rights-Inspired Communities of Lumads in Mindanao” which gathered around twenty five leaders representing the following ethnic tribes – Ata Manobo, Agusanon Manobo, Teduray, Mansaka, Balaan, Kiritakan Menuvu, Erumanen Ne Menuvu, Subanen, Mandaya and Higaonon. This meeting surfaced the ESCR-related needs of the Lumad members. As a follow-up, in June 21-23, 2016, a consultation “Empowering the Lumads Pursue Their Economic, Social and Cultural Rights (ESCR)” was conducted with partners coming from various government agencies dealing with education, health, local governance, social services, environment – as well as select members coming from the diplomatic community and donor partners such as the Royal Norwegian Embassy, Swiss, German Embassies and WorldBank.

b. In November 24-25, 2016, CHRP in coordination with the National Commission of Indigenous Peoples (NCIP), the Department of Natural and Environment Resources (DENR) facilitated a consultation-dialogue in Butuan City between the Ponson Tribe, the Carrascal Mining Company and the Marc Ventures Mining Company. Concerns discussed include environmental degradation, encroachment of mining activities in the Manobo-Ponson ancestral domain.

10.2. Human Rights Protection at the National Level

a. In November 2015, CHRP also participated in the public inquiry initiated by the Committee on Indigenous Cultural Communities of the House of Congress on the alleged violations committed to more than 600 Mindanao-based indigenous peoples groups “encamped” at the compound of the United Church of Christ of the Philippines (UCCP) in Haran, Davao City.

b. In July 15, 2016, CHRP wrote to the Office of Police Director General Ronald De la Rosa of the Philippine National Police (PNP) requesting for a security detail/assistance for Datu Nestor Apas a Mandaya who complained of being harassed by the New People's Army (a rebel group in the Philippines). In 20 July 2016, CHRP also officially coordinated with the Office of Police Director General Ronald De la Rosa of the Philippine National Police, PCSupt. Dennis Siervo of the PNP-Human Rights Affairs Office (PNO-HRAO) and its Internal Affairs Services (IAS) to investigate on the alleged harassment committed by police elements against Hawudon Kidlat Ruperto Ponson, a tribal leader of the Manobo tribe from Carrascal, Surigao del Sur. Latter sought assistance from CHRP and also complained that when his house was raided in November 4, 2014, personal belongings which he considered as tribal heirlooms were unlawfully taken from him.

10.3. International Level

a. In early 2016, the Office of Chairperson Jose Luis Martin C. Gascon participated in two regional events in Bangkok organized by the OHCHR in relation to the UNDRIP and its implementation in Asia.

b. The CHRP actively participated in the third cycle of the Universal Periodic Review and contributes substantially to the work of the special procedures and treaty bodies. In 2016, CHRP submitted parallel reports to the Committee Against Torture (CAT), Committee on the Elimination of Discrimination against Women (CEDAW), and Committee on Economic, Social and Cultural Rights (CESCR). For the UPR, the CHRP submitted its parallel report on September 2016 and actively monitored the interactive dialogue on 8 May 2017, both in Geneva and through the live webcast.

c. CHRP reports include specific reference to indigenous peoples. For instance, CHRP requested the CESCR to call on the Philippines to:

c.1. Re-examine the power of the NCIP, or even the regular courts, to timely issue injunctive writs to prevent displacement, harassment, and any untoward incident between contending parties.

c.2. Generate sufficient resources to fully implement the necessary programs and to protect indigenous peoples' rights.

c.3. Ensure that the NCIP will continue to render effective assistance to indigenous peoples, particularly in cases that involve indigenous peoples and non-indigenous peoples, despite the Supreme Court decision in *Unduran vs. Aberasturi*.⁷ Moreover, there should be a clear delineation of NCIP's mandate in protecting the rights of indigenous peoples.

d. On the other hand, CHRP pointed out to the CEDAW the following:

d.1. The Committee may wish to urge the State Party to elaborate on its efforts of ensuring access to justice, particularly to protective services and adequate support systems, to women living in geographically inaccessible and isolated areas, including indigenous and Moro women, as well as efforts to make these available to women with diverse SOGIE.

d.2. The Committee may wish to recommend that the State Party report on the measures in place to protect women and to address vulnerabilities in the context of displacement and humanitarian situations. Specifically, the State may be asked to report on specific interventions and how they effectively address the multiple and intersecting forms of discrimination experienced by indigenous and Moro women in the context of displacement, armed conflict, and/or development aggression.

d.3. The CHRP has also documented local government units that criminalize and penalize home births. These ordinances, although encouraging facility-based delivery, penalize birth attendants and women who give birth at home. The CHRP is concerned with the proliferation

⁷ The Supreme Court ruled pursuant to Section 66 of the Philippine Indigenous Peoples Rights Act that the NCIP shall have jurisdiction over claims and disputes involving rights of Indigenous Cultural Community/Indigenous Peoples (ICC/IPs) only when they arise between or among parties belonging to the same ICC/IP. When such claims and disputes arise between or among parties who do not belong to the same ICC/IP, i.e., parties belonging to different ICC/IPs or where one of the parties is a non-ICC/IP, the case shall fall under the jurisdiction of the proper Courts of Justice, instead of the NCIP. In this case, while most of the petitioners (i.e. *Unduran, et al.*) belong to Talaandig Tribe, respondents do not belong to the same ICC/IP. Thus, even if the real issue involves a dispute over land which appear to be located within the ancestral domain of the Talaandig Tribe, it is not the NCIP but the RTC which shall have the power to hear, try and decide this case. (*Unduran vs. Aberasturi*, G.R. No. 181284, October 20, 2015, <http://sc.judiciary.gov.ph/pdf/web/viewer.html?file=/jurisprudence/2015/october2015/181284.pdf>) Last Accessed: 15 September 2016

of these ordinances, as they impact indigenous women in the exercise of their cultural rights, and women in geographically isolated areas, beyond the reach of government health services and facilities.

e. In its parallel report for the UPR, CHRP pointed out the failure of the Philippines to ratify the ILO Convention No. 169. At the 27th Session of the UPR Working Group on 8 May 2017, five (5) recommendations were given to the Philippines relevant to rights of indigenous peoples and minorities, including the ratification of ILO 169.

f. CHRP coordination with the Special Procedures of the Human Rights Council are also crucial in the advocacy to promote and protect human rights, including the rights of indigenous peoples. The following are among the engagement of the CHRP with the Special Procedures:

f.1 Special Rapporteur on the human rights of internally displaced persons on his mission to the Philippines (country visit to the Philippine in July 2015). “He [Mr. Chaloka Beyani] is grateful to the Commission on Human Rights of the Philippines and many civil society organizations that provided information and assistance. The present report reflects on numerous causes and situations of internal displacement and provides an independent and impartial assessment.”⁸

f.2. At the Paris Climate Change Conference in December 2015, the CHRP held a consultation with the Special Rapporteur on human rights and the environment.

f.3. At the [Expert Meeting on Climate Change and Human Rights in Geneva](#), Switzerland on 6-7 October 2016, the CHR is part of the panel on mobilizing human rights machinery to monitor the impacts of climate change and promote accountability for climate commitments, together with the Special Rapporteur on the rights of persons with disabilities, Special Rapporteur on the rights of indigenous peoples and Special Rapporteur on the right to food.

g. CHRP also participated in the 2016 and 2017 United Nations Permanent Forum on Indigenous Issues (UNPFII). Through the representation of Commissioner Gwendolyn Pimentel-Gana⁹, focal commissioner for the rights of indigenous peoples, Commissioner Roberto T. Cadiz, focal commissioner for business and human rights, and Atty. Jesus Torres, Division Chief of the Commission’s Economic, Social and Cultural Rights Center, the CHRP raised the unique significance of NHRI participation in the Permanent Forum, as well as the Commission’s advocacy to promote and protect the rights of indigenous communities in the Philippines.^{10, 11}

11. Two notable legal developments in the Philippines to promote the UNDRIP and where the CHRP has been involved are as follows:

⁸ ReliefWeb, “Report of the Special Rapporteur on the human rights of internally displaced persons on his mission to the Philippines (A/HRC/32/35/Add.3),” <http://reliefweb.int/report/philippines/report-special-rapporteur-human-rights-internally-displaced-persons-his-mission> (December 18, 2016).

⁹ Commissioner Pimentel-Gana participated in both 2016 and 2017 UNPFII.

¹⁰ Asia Pacific Forum, “APF members highlight their work with indigenous communities,” <http://www.asiapacificforum.net/news/apf-members-highlight-their-work-indigenous-communities/> (accessed Dec. 19, 2016)

¹¹ Click on the following hyperlinks to read CHRP statements at the 16th Session of the UNPFII: Statement of Commissioner Roberto Eugenio T. Cadiz at the 16th Session of the UN Permanent Forum on Indigenous Issues. [April 25, 2017](#) and [May 1, 2017](#).

11.1. The development of the Guidelines in the National Monitoring of Human Rights Compliance in the Mining Industry – The Commission spearheaded the drafting of the guidelines for the national monitoring of human rights compliance in the mining industry after the Memorandum of the Executive Secretary dated July 06, 2012 (addressed to the Cabinet Cluster on Human Development and Poverty Reduction) was issued to implement and operationalize the mining policies of the past Aquino Administration as per Executive Order No. 79 (s. 2012). It initially identified CHRP, the Department of Environment and Natural Resources – Mines and Geosciences Bureau (DENR-MGB), the Department of Labor and Employment (DOLE), and Department of Justice (DOJ) as implementing agencies to: a. Provide mechanisms and clear guidelines to monitor human rights and labor rights violations; b. Develop operational linkages with concerned government agencies, particularly CHRP and the DOLE, inter alia, to assist victims and take appropriate action against violators. The guidelines expressly recognized among others that environmental concerns are human rights concerns and called on the government to apply a human rights-based approach to protect the environment. More so, the guidelines clarified that adverse impacts of mining activities to the environment in the form of pollution and disturbance to the livelihood and welfare of individuals or communities, among others, if finally supported by at least substantial evidence, shall be regarded as human rights abuses and violations. Said guidelines are still pending with the Mining Industry Coordinating Council (MICC). In particular, UNDRIP is categorically mentioned in the Guidelines as one of the references that provide standards for monitoring. It has been observed that many of the communities mostly affected by the mining industry are in ancestral domains of indigenous peoples, which thereby highlights the obligation of the State to recognize and promote the rights of indigenous peoples/indigenous cultural communities (IPs/ICCs) within the framework of national unity and development.

11.2. The current efforts to pass the ICCA Bill into law – House Bill No. 115, with the short title “Indigenous Peoples and Local Communities Conserved Areas and Territories (ICCA) Act of 2016,”¹² which is said to implement the United Nations Convention on Biological Diversity and the UNDRIP, aims to fully realize cultural rights of the indigenous peoples in the Philippines. The bill provides that it shall be the policy of the state to recognize, promote and support the initiatives of local communities in establishing and maintaining ICCAs in key biodiversity areas (KBAs) within forestlands. It requires a system of recognition, registration, protection and promotion of covered lands, providing penalties to any act of desecration for such areas. The bill clarifies the mandates of the different government agencies, such as the Department of Environment and Natural Resources and the National Commission on Indigenous Peoples (NCIP), among others, in the implementation of the bill's objectives. One of the catalysts that pursues the ICCA Bill is the international recognition of Ifugao's *muyong*, viewed from different perspectives, either as a forest conservation strategy, a watershed rehabilitation technique, a farming system or an assisted natural regeneration (ANR) strategy.¹³ Through the *muyong* system, the Ifugaos have aptly shown that ANR can be used effectively to transform woodlots into multiple-use centers without disturbing the pristine condition of the natural forest. It is expected that discrimination against indigenous knowledge of preserving natural resources would be diminished. As such, CHRP supports the passage of this law.

12. In addition, as per information obtained by the CHRP's ESCR Center, the following issues confront the IPs, which are deemed relevant in developing the approach for a national inquiry that CHRP will launch in 2017, to wit:

12 Text of the bill is found via http://www.congress.gov.ph/legisdocs/basic_17/HB00115.pdf (accessed Oct. 28, 2016)

13 Butic, M. & Ngidlo, R. (2003) *Muyong forest of Ifugao: Assisted natural regeneration in traditional forest management* <http://www.fao.org/docrep/004/AD466E/ad466e06.htm> (accessed October 28, 2016)

12.1. The state does not provide adequate resources to protect and promote the four bundles of IP rights as stated in the IPRA, which is a form of discrimination.

12.2. The state does not exert efforts to preserve indigenous culture, particularly the institutionalization, codification, and enforcement of indigenous customary laws and traditions, particularly on ancestral domain, collective ownership and native title.

12.3. The state does not have clear plans to respond to the demands of the indigenous peoples of Mindanao, such as the Lumads, for justice, peace and development, in spite of the government's on going peace process with the different revolutionary groups like the Communist Party of the Philippines (CPP)-New Peoples Army (NPA)-National Democratic Front (NDF); Moro Islamic Liberation Front (MILF), Moro National Liberation Front (MNLF) and others. The IPs point out that they remain to be victims of armed conflicts, development aggression, schemes and machinations of groups that organize and recruit members of the tribes to join their cause within their ancestral domains, violating their individual and collective rights as indigenous peoples and non-recognition of their Indigenous Political Structures (IPS).

13. The 2017 CHRP national inquiry on the current situation of all indigenous peoples in the Philippines intends to provide solutions to such problems through consensus building among the IP stakeholders, government, and mainstream civil society. The processes and eventual findings of the national inquiry is expected to fully operationalize the IP Rights Observatory (IPRO) of CHRP.

14. Additionally, the CHRP provided comments to the Mainstreaming Human Rights Based Approach Principles in the Philippine Development Plan (PDP) and Regional Development Plans (RDPs), facilitated by the National Economic and Development Authority (NEDA). The PDP and RDPs consist of cross-cutting themes on development, the environment, economic rights, health and welfare that affect marginalized and vulnerable groups including indigenous communities, women, children, older persons and persons with disabilities.

15. The Commission conducted a "Reproductive Health National Inquiry"¹⁴ in the second and third quarters of 2016. The Commission found several barriers to the promotion and protection of the reproductive health and rights of women, including indigenous and minority women:

15.1. Despite passage of and current national implementation of the Responsible Parenthood and Reproductive Health Act (Reproductive Health Law), challenges continue on de facto availability, accessibility, sufficiency, and adequacy of reproductive health services and information.

15.2. There is apparent criminalization of traditional and indigenous home births in many local government ordinances, while DOH claimed that penalization of home births was not adopted as a policy. The DOH explains the same as a misinterpretation by the LGUs of the DOH's encouragement of facility based deliveries. With the proliferation of such ordinances, and the outcry of indigenous groups and women in geographically isolated and disadvantaged areas (GIDA), representatives from the DOH admit the need to review and for once clarify the Department's stand.

15.3. In many instances, health facilities are inaccessible or absent in geographically inaccessible areas, and in cases where they are present and accessible, challenges are posed as to the sufficiency of facilities and equipment and of the supplies of the commodities

¹⁴ "Let our voice be heard," Report of the Commission on Human Rights Philippines' National Inquiry on Reproductive Health and Rights, 2016, <http://198.23.173.74/chr/wp-content/uploads/CHR-RH-INQUIRY-REPORT.pdf> (Last Accessed: 10 May 2017). Recommendations can be found on pages 29-32 of the report.

available. There is also acknowledgment from health workers that there is difficulty in meeting the standards of doctor/nurse/midwife ratio to population served.

15.4. In Mindanao, concerns have been raised on the failure to engage indigenous and religious leaders in the reproductive health agenda and to engage them in information dissemination on reproductive health and rights. Barriers in accessing reproductive health services include lack of information and misinformation on reproductive health, breakdown of service delivery networks, religious and cultural barriers, and unprofessional and / or unethical practices of health service providers. Instances of misinformation due to religion or culture have also been documented which were shown to have affected women and men's willingness to access reproductive health services. In some cases, while women are generally aware of the available services, they are unwilling to avail of such services due to misplaced religious beliefs or cultural practices. For instance, while a 'fatwa' has been issued on the acceptability of reproductive health in Islam, not all Moro women are aware of the same. For indigenous peoples, while elders claim that it is not against indigenous culture, some women refuse to avail of services believing they are breaking cultural or that they have to seek the consent of their husbands. These led to recommendations on the need to improve information dissemination not only on available goods and services, but also to include men, traditional and religious leaders in the reproductive health agenda.