

27 May 2015

President Benigno S. Aquino III
Presidential Communications Operations Office
3/F New Executive Building (NEB), Malacañang Compound
Email: op@president.gov.ph

Dear Mr. President,

Re: Civil Society's Concerns on Commission on Human Rights of the Philippines (CHRP) Must Be Adequately Addressed

The Asian NGO Network on National Human Rights Institutions (ANNI) writes to you to convey several deep-seated concerns ahead of the appointment of the 5th Commission on Human Rights of the Philippines (CHRP).

Firstly, the ANNI is alarmed at the legitimacy crisis that has plagued the CHRP over the last two years (2013-2015), which has negatively impacted the public standing and confidence in the institution as well as demoralized the staff members of the CHRP.

According to credible monitoring reports received from Philippine human rights organizations, the "crisis" most recently culminated in hasty appointment of Executive Director Atty. Marc Titus B. Cebreros, which was in clear violation of established rules of procedures pertaining to hiring/promotion, including the CHRP's own pertinent processes. This follows the dismissal of Commissioner Cecilia Rachel V. Quisumbing after being found guilty of administrative charges in 2014, and on-going investigations by the Ombudsman into alleged misconduct of another Commissioner.

We further wish to call your attention to the recurring recommendations made by the International Coordinating Committee's Sub-Committee on Accreditation (ICC-SCA) in relation to the [selection and appointment process of the CHRP's governing body](#). ANNI similarly echoes the concerns of the ICC-SCA, and is dismayed that no positive changes or measures have been observed since 2007 despite retaining its A status.

Hence, it is against such a backdrop that the ANNI appeals to you to ensure the formalization of a robust, transparent and participatory appointment and selection process that involves key stakeholders on the ground such as human rights defenders (HRDs) and victims of rights abuses.

ANNI is given to understand a nomination and endorsement of candidates into the 5th CHRP were made by civil society for your consideration. However, such modalities and procedures must be formally instituted to safeguard the real and perceived independence of the CHRP, ensure good governance of an NHRI and foster a sense of national ownership of the institution.

In that regard, ANNI stresses that the draft revised founding law, currently under consideration by Parliament, must comprehensively address the glaring and recurring concerns relating to the

following:

1. **Mandate:** Clarify and consolidate the existing powers and functions of the CHRP currently found in other domestic laws and Executive Orders;
2. **Composition, Selection and Appointment:** Formalize in legislation or appropriate regulation(s) and make public a clear and comprehensive process that promotes open and transparent merit-based selection;
3. **Paris Principles-compliance both in Law and Practice:** Respond in a comprehensive and timely manner to chronic and endemic human rights violations in the country, and to ensure that actions taken address these issues at an institutional level and are undergirded by a systemic, long-term and follow-up plan.

The ANNI urges the government of Philippines to take decisive and measurable steps to repair the severe legitimacy deficit of the CHRP, as well as to ensure that the 5th CHRP institutionalizes its relationship with HRDs and is a discerning partner in the national human rights protection system.

Thank you for your kind attention and we hope to hear favorably from you.

Yours sincerely,



Mukunda Kattel
Director
Asian Forum for Human Rights and Development (FORUM-ASIA),
Secretariat of ANNI

About the Asian NGO Network on NHRIs (ANNI)

The Asian NGOs Network on National Human Rights Institutions (ANNI) was established in December 2006. It is a network of Asian NGOs and human rights defenders working on issues relating to National Human Rights Institutions (NHRIs). ANNI is composed of members that are national organizations from all over Asia. ANNI currently has 30 member organizations from 17 countries or territories. The work of the ANNI members focus on strengthening the work and functioning of Asian NHRIs to better promote and protect human rights as well as to advocate for the improved compliance of Asian NHRIs with international standards, including the Paris Principles and General Observations of the Sub-Committee on Accreditation (SCA) of the International Coordinating Committee (ICC).

The Asian Forum for Human Rights and Development (FORUM-ASIA) is the Secretariat of ANNI. FORUM-ASIA has Consultative Status with the ECOSOC (UN Economic and Social Council) since 2004.

Copy furnished:

Mr Mabedle Lawrence Mushwana
Chairperson, International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)

Mr. Kieren Fitzpatrick
Director, Asia Pacific Forum (APF)

Mr. Vladlen Stefanov
Chief, National Institutions and Regional Mechanisms Section
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