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The EU Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) assessment of the Republic of the Philippines covering the period 2020-2022

Accompanying the document

Joint Report to the European Parliament and the Council

on the Generalised Scheme of Preferences covering the period 2020-2022

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1 SUMMARY ASSESSMENT

The new Government, which came to power on 30 June 2022 through open and competitive presidential elections, has affirmed its commitment to the compliance with the GSP+ commitments since the beginning. Recent dialogue under the GSP+ framework as well as in other fora ⁽¹⁾ has been constructive and the Republic of the Philippines (the Philippines) has taken several steps to address points of concern. The situation continues to progress under the current administration.

1.1 Priorities and Monitoring

During the reporting period, EU monitoring focused on extra-judicial killings, intimidation of and attacks against civil society (including red-tagging and violence against human rights defenders and media professionals), child labour, labour rights and cooperation with United Nations (UN) bodies including the International Labour Organization (ILO).

A GSP+ monitoring mission ⁽²⁾ to the Philippines took place from 28 February to 4 March 2022 ⁽³⁾. The conclusions from the mission, which took place when the former administration was still in power, showed a mixed picture with some positive developments under economic and social rights but continued violations of civil and political rights.

More recent dialogue with the new administration, which took office on 30 June 2022, has been constructive and the Philippines's authorities have taken several steps to address points of concern, even if tangible results are now needed.

1.2 Human Rights

In the reporting period (2020-2022), human rights concerns relate notably to extra-judicial killings of people allegedly involved in the trade and use of drugs under the previous administration, and the insufficient investigation and prosecution thereof, as well as to impunity around attacks, harassment, red-tagging and, in some cases, killings of human rights defenders, political opponents, members of clergy, journalists, trade unionists, environmental defenders, and indigenous people.

The new administration has shown willingness to engage with the international community on human rights, having actively participated in multiple mechanisms of the UN Human

⁽¹⁾ For instance, the EU-Philippines Subcommittees on Good Governance, Rule of Law and Human Rights, as well as Development and Trade Cooperation. In October 2022 the Filipino Trade Minister and the Head of the Senate were in Brussels for a high-level visit to the European Parliament and in March 2023 the EU Special Representative for Human Rights visited the Philippines.

⁽²⁾ https://www.eeas.europa.eu/delegations/philippines/press-statement_en

All links provided in this Staff Working Document were up to date as of 20 October 2023.

⁽³⁾ On 16 February 2022, i.e. few days before the monitoring mission, the European Parliament adopted a resolution calling on the European Commission to immediately initiate the procedure which could lead to the temporary withdrawal of GSP+ preferences if there is no substantial improvement in the human rights, including labour rights, situation.

Rights Council (UNHRC). The Government has taken several positive steps, notably in the framework of the UN Joint Programme for capacity building and technical cooperation on human rights signed in July 2021. More recent positive developments include the Government's new focus on prevention and rehabilitation in the "war on drugs", active participation in the works of the UNHRC and the visits of several UN Special Rapporteurs. The Government has also made statements on its intention to fight against impunity⁽⁴⁾. There have been some first court convictions for extra-judicial killings in 2021 and 2022 and efforts to move forward the investigation of other cases. The new Government announced that it does not plan to reinstate the death penalty, and the Philippines was actually among the 125 countries to vote in favour of the 9th UN Resolution of 15 December 2022 for a global moratorium on the death penalty⁽⁵⁾. Notwithstanding the positive developments, the EU would expect more resolute actions to address the outstanding issues of concern, particularly ensuring accountability for extra-judicial killings and other human rights abuses, notably related to the "war on drugs" campaign, combatting the harassment of civil society, as well as violence against journalists.

The Philippines' legislative framework protects to a large extent the civil and political liberties of its citizens, with a few exceptions. Liberty of expression and of the media and the Internet are in general granted, and relatively high in comparison to other countries in the region⁽⁶⁾. However, effective implementation of this legislative framework due to institutional weaknesses and lack of capacity remain problematic.

1.3 Labour Rights

During the reporting period very serious violations of the freedom of association were reported, including allegations of extrajudicial killings of trade unionists, red-tagging, harassment, death threats and intimidation and arrests and detentions of trade union members. In September 2021, the ILO concluded *inter alia* that there was no tangible progress in any of the areas covered in the 2019 report of the Committee on the Application of Standards (CAS). Since the new administration took office, there is movement in the right direction with some tangible results, like improved cooperation with the ILO, in particular the submission to the ILO of a tripartite roadmap in September 2023. However, concrete results on other issues are still pending.

The Labour Code of 1974 is only partly aligned with Convention No. 87 on Freedom of Association and Protection of the Right to Organise, and while several bills were filed to address ILO requests, none of the proposed amendments that have been tabled in the legislature over the years have been adopted so far.

Some progress was noted in the fight against child labour, notably in terms of legislation against the online sexual exploitation of children and tackling trafficking in persons. These laws have augmented the legal protection of minors against online sexual exploitation, regardless of any form of consent from the child, and introduced additional tools to pursue

⁽⁴⁾ Impunity remains a concern although it does not appear to stem from a deliberate policy under the current Government. It could rather be the result of a lack of accountability for crimes committed under the previous administration by influential individuals, exacerbated by weak institutions, notably a weak justice system.

⁽⁵⁾ <https://worldcoalition.org/2022/12/20/9th-resolution-for-a-moratorium-on-the-death-penalty-the-trend-is-growing/>

⁽⁶⁾ There have been cases of restrictions or harassment of individual media under the old administration, which still await final resolution.

human traffickers both online and offline and to enhance the surveillance and investigation of those crimes ⁽⁷⁾.

Overall, national labour laws need to better align with international standards on freedom of association, and the protection of workers' right to security of tenure should be ensured. Better enforcement is required towards eradication of forced and child labour and trafficking in persons. More action is also necessary to protect minors from online sexual abuse and exploitation, in particular those working in the informal economy.

1.4 Environment and Climate

The Philippines has made good progress on the implementation of all relevant environmental and climate conventions, has ratified the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer and is preparing for the ratification of the Basel Ban Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes.

The Philippines has taken steps towards the implementation of the Convention on International Trade in Endangered Species of Fauna and Flora (CITES), but there have been no notable developments in the implementation of the Cartagena Protocol on Biosafety since 2020. The Philippines has applied to receive technical support towards the implementation of the Stockholm Convention on Persistent Organic Pollutants. In 2021, the Government submitted its first Nationally Determined Contribution (NDC) under the Paris Agreement, but it needs operationalisation and monitoring tools for its implementation.

1.5 Good Governance

In the area of drug control, in 2020 the International Narcotics Control Board (INCB) stated that “*extra judicial responses to drug-related activities were in clear violation of the international drug control conventions*” ⁽⁸⁾ and in 2021 and in 2022 ⁽⁹⁾ continued calling on the Government to issue immediate and unequivocal condemnations and denunciations of such actions and to stop them immediately. The new administration has indicated that the national drugs policy is shifting to prevention and rehabilitation in accordance with international human rights commitments. This more balanced approach towards anti-drug policy on the supply and demand sides should continue. The deficiencies in the judiciary system and in law enforcement still need to be addressed, and perpetrators of human rights violations brought to justice.

Compliance with the UN Convention Against Corruption (UNCAC) has improved but weaknesses remain. There is a need for better inter-agency coordination, strengthening of administrative procedures and oversight at all levels, clearer rules for asset recovery as well as the risk assessments on corruption. The Government is taking strides towards e-government with the intention to reduce the risk of corruption in administrative procedures.

⁽⁷⁾ <https://www.pna.gov.ph/articles/1195150>

⁽⁸⁾ <https://www.incb.org/incb/en/news/press-releases/2020/incb-reviews-the-drug-control-situation-in-the-philippines--including-alleged-extrajudicial-responses-to-suspected-drug-related-activities--and-reiterates-request-to-conduct-a-mission-to-the-philippines.html>

⁽⁹⁾ See also the INCB report for 2022, para 689: “*The Board reiterates its view that extrajudicial killings as a response to drug-related activities violate the international drug control conventions, which require that drug-related crime be addressed through formal criminal justice responses with internationally recognized due process of law*”.

1.6 Status of Ratification and Reporting

The Philippines maintained ratification of all 27 GSP+ related international conventions. The country fulfilled only in part and in some cases with continued delays its reporting obligations and some of the reports related to the environmental conventions are still due.

2 LONG-TERM VIEW: THE PHILIPPINES SINCE JOINING GSP+ IN 2014

The Philippines is the only South-East Asian country benefitting from the GSP+ arrangement since 2014 ⁽¹⁰⁾. It has recorded sustained economic growth and improved labour market and employment conditions since then, except in 2020 when many sectors were forced to stop operations and the country entered recession due to the COVID-19 pandemic.

Since 2014, the Government of the Philippines made progress in addressing poverty, hunger and unemployment, although gains made were negatively impacted by the COVID-19 pandemic and the associated prolonged lockdowns and a sharp decline in remittances of Philippine overseas workers. Climate change and extreme weather events also continued to affect the enjoyment of human rights. Labour market conditions continuously improved since 2014, except in 2020 due to the pandemic.

Total trade between the EU and the Philippines has grown steadily since 2015 except in 2020 when global trade was hampered by the pandemic.

The GSP+ contributed to sustaining the level of the Philippines' exports to the EU during the pandemic, notwithstanding the rising costs of logistics and raw materials. The utilisation rate of GSP+ tariff preferences has steadily increased in recent years, reaching 77% in 2022. Approximately 90% of total EU imports from the Philippines enjoy zero tariff.

The largest share of the Philippines' overall exports, including to the EU, remains integrated circuits ⁽¹¹⁾. While agricultural exports have been increasing, structural problems as well as the increasing exposure of the Philippines to climate change and extreme weather events, in particular typhoons, flooding and drought tempered its growth. Coconut products and canned tuna continue to gain foothold on the EU market and have shown steady growth thanks to the GSP+ preferences.

The Government has also proactively promoted opportunities under GSP+ tariff preferences among Philippine exporters.

⁽¹⁰⁾ Commission Delegated Regulation (EU) No 1/2014 of 28 August 2013, establishing Annex III to Regulation (EU) No 978/2012 of the European Parliament and of the Council applying a scheme of generalised tariff preferences, OJ L1 of 4.1.2014.

⁽¹¹⁾ About 25% of total exports to the EU in 2022.

3 RECENT DEVELOPMENTS

In the reporting period, in accordance with the Philippine Development Plan (PDP) 2017-2022 ⁽¹²⁾, progress was made on key economic reforms, including easing restrictions for foreign direct investment - a positive signal in terms of increasing the country's competitiveness in the region. This opening concerns renewable energy, public services and the retail sector. Furthermore, corporate income tax was lowered. The new administration has continued on this path and is implementing the laws and rulings liberalising renewable energy, public services and retail. The government is planning to further improve the conditions for foreign investment.

The Government adopted the National Employment Recovery Strategy 2021-2022 for restoring the country's labour market from the effects of COVID-19 and implemented several measures to cushion its socioeconomic impact. The “*Bayanihan* to Recover as One Act”, enacted in September 2020, was aimed to accelerate recovery from the pandemic and improve the resilience of the Philippine economy, through the provision of emergency subsidies to low-income households, unemployment or involuntary separation assistance for displaced workers, loan programmes for micro, small and medium enterprises and moving of statutory deadlines for the payment of taxes, among other measures.

After the full re-opening of the country in 2022, the Philippines exhibited a strong post-pandemic recovery. GDP grew by 7.6% in 2022 ⁽¹³⁾, ranking the Philippines third among its ASEAN peers. However, the Government, International Monetary Fund, World Bank, and Asian Development Bank (ADB) all predict a slower growth in 2023 ⁽¹⁴⁾ due to both domestic and global headwinds. Despite this forecast, the Philippines' GDP growth rate will remain one of the highest in Asia ⁽¹⁵⁾, and the Philippines' economy the fastest or second fastest growing economy in ASEAN ⁽¹⁶⁾.

The unemployment rate reached a record low of 4.3% in December 2022. The World Bank indicated ⁽¹⁷⁾ that, despite overall improvements in the labour market, the quality of jobs remained a concern. Due to the pandemic, the proportion of the population that is poor rose to 18.1% in 2021 from 16.7% in 2018 ⁽¹⁸⁾. Based on the *Listahanan 3* poverty database of the Department of Social Welfare and Development, 5.6 million Filipinos were identified as poor in 2022, which translates into 36 in every 100 households.

The new Government adopted the Philippine Development Plan (PDP) 2023-2028 ⁽¹⁹⁾, which aims at deep and fundamental transformations in all sectors – social, economic, institutional, and environmental – to reinvigorate job creation and accelerate poverty

⁽¹²⁾ <https://pdp.neda.gov.ph/updated-pdp-2017-2022/>

⁽¹³⁾ According to the national official statistics.

⁽¹⁴⁾ The Development Budget Coordination Committee (DBCC) has projected a growth of 6-7% for 2023, whereas the IMF (5.5%), World Bank (5.4%), and ADB (6.3%) also predict even slower growth. The latest forecasts from Moody's and Standard and Poor's for March 2023 foresee a growth of around 5.7%.

⁽¹⁵⁾ This is based on the Asian Development Outlook (ADO) for 2023.

⁽¹⁶⁾ The forecast of the international rating agencies in March 2023 for the year was around 5.8%.

⁽¹⁷⁾ Regaining Lost Ground, Revitalizing the Filipino Workforce, December 2021, <https://openknowledge.worldbank.org/bitstream/handle/10986/36874/P1774080b8d6f508b0944c08618e5c8a18d.pdf?sequence=1&isAllowed=y>

⁽¹⁸⁾ Philippine Statistics Authority, 15 August 2022.

⁽¹⁹⁾ <https://pdp.neda.gov.ph/philippine-development-plan-2023-2028/>

reduction (to a single-digit level by 2028) and move towards a prosperous, inclusive, and resilient society ⁽²⁰⁾.

EU–Philippines Development Cooperation

The EU's support to the Philippines focuses on improving governance, job creation, renewable energy, and assistance to vulnerable populations, specifically in Mindanao, the poorest region of the Philippines affected by conflicts and population displacement. The EU remains one of the largest foreign development partners in support of Mindanao and the Peace Processes through a comprehensive approach directly targeting the political settlement with the Instrument contributing to Stability and Peace and longer-term development mainly through the former Development Cooperation Instrument and the current Neighbourhood, Development International Cooperation Instrument – Global Europe (NDICI-GE).

EU development cooperation is closely aligned with the Philippine Development Plan (PDP) 2023-2028, with clear leadership and ownership on the part of the Philippine authorities.

In December 2021, the EU approved its [Multiannual Indicative Programme \(MIP\) for the Philippines for 2021-2027](#). The MIP allocates €147 million for the period 2021-2024 to fund programmes in two main areas of intervention: Resilient Green Economy and Green Jobs, and Peaceful and Just Society and Good Governance. With this new cooperation strategy, the EU continues its long-standing engagement in the Philippines on governance, access to justice and peace initiatives, but also chooses to support the country in its strategic decision to move towards a more environmentally sustainable and resilience-oriented economic development. In this context, the EU will also engage in Team Europe Initiatives with Member States to support the development of a circular economy with a reduction of plastic waste and to strengthen green digital connectivity. Both are priorities under the EU Global Gateway and the EU Indo-Pacific Strategies. Future programmes will support the Mindanao peace process and the rule of law in the country.

Bilateral development cooperation is complemented by projects financed through regional and thematic programmes and instruments that are often implemented by civil society organisations addressing social issues, the protection of environment, indigenous people rights, human rights, local governance, peacebuilding, and migration. Under regional cooperation, the EU is currently supporting the ARISE+ Philippines on trade (2021-2024) with €5.8 million. The International Trade Centre is the implementer with a focus on fostering inclusive economic growth and poverty reduction in the Philippines. It is foreseen that small and medium-sized enterprises in the Philippines will benefit from an improved business environment to increase their competitiveness.

In addition, the EU is one of the most important donors to the Philippines in cases of serious natural disasters which require emergency aid, such as after super-typhoon Odette (end 2021).

4 EU–PHILIPPINES TRADE AND GSP+

The EU is the Philippines' 4th largest trading partner, accounting for 7.6% of the country's total trade in 2022 (after China, Japan and the US), and 11.0% of its exports. The Philippines is the EU's 39th largest trading partner globally, accounting for 0.4% of the EU's total trade.

EU exports to the Philippines have been dominated by machinery, transport equipment, chemicals and food products while the Philippines' main exports to the EU have been office

⁽²⁰⁾ The new PDP also has a chapter on enhancing the administration of justice.

and telecommunication equipment, machinery, food products, and optical and photographic instruments ⁽²¹⁾).

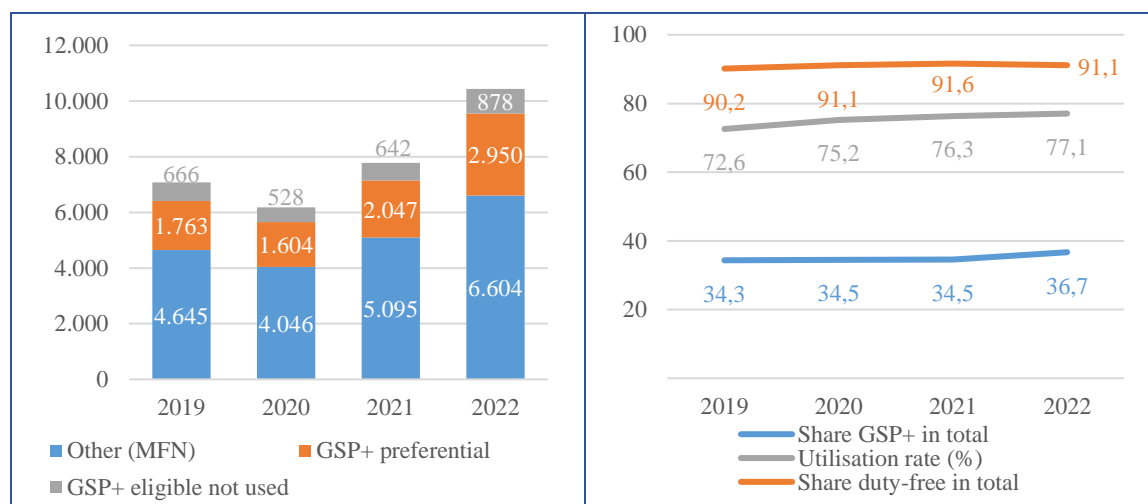
Figures 1-4 below describe the Philippines’ utilisation of GSP+ preferences in the context of the EU’s overall imports from the country ⁽²²⁾.

In 2019-2022, the Philippines’ utilisation rate of GSP+ tariff preferences amounted to 72-77%, lower than most GSP+ beneficiary countries but with an improving trend (Figure 1 and 2). Close to €3 billion worth of goods imported to the EU benefitted from GSP+ preferences in 2022 (Figure 1 and 2); the top products were machinery and mechanical appliances, followed by animal and vegetable fats and oils and their cleavage products (Figure 3). The latter also incurred the most tariff reduction in 2022, followed by meat and fish preparations (Figure 4).

Figure 1: EU imports from the Philippines and GSP+ utilisation rate, 2019-2022

	2019	2020	2021	2022	Trend %
Total imports, € million	7,075.1	6,177.4	7,783.6	10,431.7	47.44
GSP+ eligible, € million	2,429.9	2,131.8	2,688.6	3,827.8	57.53
GSP+ used, € million	1,763.5	1,603.7	2,046.9	2,949.8	67.27
Share GSP+ in total, %	34.3	34.5	34.5	36.7	
GSP+ utilisation rate, %	72.6	75.2	76.3	77.1	

Figure 2: EU imports from the Philippines by trade regime (€ million) and utilisation rates (%), 2019-2022



⁽²¹⁾ https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/philippines_en#:~:text=Trade%20in%20goods%20between%20the%20two%20partners%20equaled,EU%20the%20largest%20foreign%20investor%20in%20the%20Philippines.

⁽²²⁾ Source for all statistics: Eurostat data as of September 2023. GSP statistics only cover goods imported in the EU market, i.e., goods released for free circulation in the EU. The GSP statistics do not cover other EU-imports, like goods imported for the customs inward processing procedure or re-imports after the customs outward processing procedure. Trade flows registered as “confidential” do not appear in the GSP+ usage figures and regime 1 normal trade; but do appear in total trade figures (regime 4). https://ec.europa.eu/eurostat/cache/metadata/en/ext_go_agg_esms.htm#conf1537195068659

Figure 3: Top Philippine product groups benefitting from GSP+ tariff preferences, 2022, € million

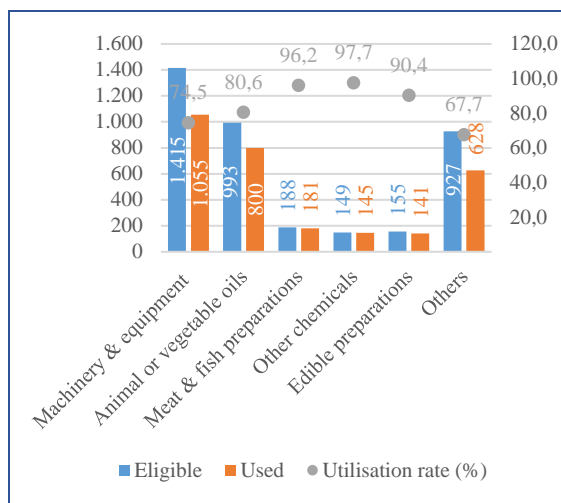
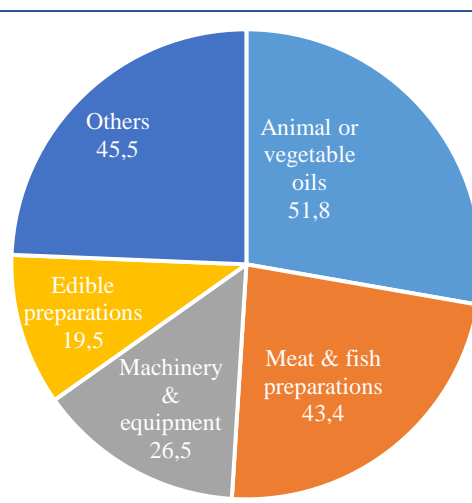


Figure 4: GSP+ tariff reduction gains per product group, 2022, € million



5 COMPLIANCE WITH GSP+ OBLIGATIONS

5.1 UN Human Rights Conventions (Conventions 1-7)

The Philippines continued to implement the 3rd 2018-2022 Philippine Human Rights Plan (PHRP-3) entitled “An Agenda for Protecting Human Lives, Uplifting Human Dignity and Advancing People’s Progress”. To implement Resolution 45/33 of the UNHRC, the Government and the UN signed on 23 July 2021 the first-ever national-level Joint Programme (UNJP) 2021-2024 for capacity building and technical cooperation on human rights, financially supported by the EU. The programme has seen strong engagement by the Government, civil society, the National Commission on Human rights and UN partners. In September 2022, the Office of the UN High Commissioner on Human Rights (OHCHR) issued a report on UNJP ⁽²³⁾ in which it noted that the Government had taken some initiatives to advance accountability for human rights violations and abuses, to engage with some civil society organisations and to implement relevant legislative and institutional measures. The report also indicated shortcomings ⁽²⁴⁾ in access to justice for victims and persistence of killings, arbitrary detention and physical and legal intimidation against human rights and environmental defenders, journalists, lawyers, labour rights activists, humanitarian workers, and leaders of indigenous communities.

The Government actively engaged in discussions on human rights notably with the UN Committee on the Rights of the Child on 13-14 September 2022. The Human Rights Committee concluded the 5th periodic review on the implementation of the International Covenant on Civil and Political Rights of the Philippines on 10-11 October 2022, while the 4th Human Rights Council’s Universal Periodic Review (UPR) of the Philippines took

⁽²³⁾ <https://www.ohchr.org/en/documents/country-reports/ahrc5158-implementation-human-rights-council-resolution-4533-and-progress>

place on 14 November 2022⁽²⁴⁾, with the Philippines formally supporting 215 recommendations (out of 287) in March 2023.

The Philippines facilitated Special Procedures visits after a hiatus of several years.

The UN Special Rapporteur on the Sale and Sexual Exploitation of Children visited the country in November 2022, while the UN Special Rapporteur on extra-judicial killings visited the country in a private capacity in February and July 2023. A visit by the UN Special Rapporteur on Freedom of Information and Expression is announced for January 2024.

While the Government has filed all required reports to the UN monitoring bodies, there has been mixed progress on issues related to the implementation of human rights conventions in the reporting period.

5.1.1 International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

The Indigenous People's Rights Act of 1997 includes legal safeguards, but there are shortcomings in its implementation⁽²⁵⁾, notably with regards to the legal process of granting title to ancestral lands to indigenous people, ensuring full and meaningful consultations with a view to obtaining their free, prior and informed consent before the adoption or application of any measure that may affect their rights, and ensuring fair and equitable sharing of the benefits of development projects. Moreover, there is a need to ensure accountability for the harassment, intimidation, violence against and killings of indigenous people and indigenous rights defenders. The adoption of the Anti-Discrimination Bill on the Basis of Race, Ethnicity and Religion remains pending.

5.1.2 International Covenant on Civil and Political Rights (ICCPR)

While extra-judicial killings have decreased and reflect a change in the anti-drug policy towards prevention and rehabilitation, the continued occurrence of such killings and the prevalence of a culture of impunity are still a source of serious concern. While the Government took initial steps towards investigating some of these killings, these only resulted in a very limited number of convictions so far, and efforts need to continue.

In its recent interactions with the EU as well as the UN, the Philippines assured that the new administration is firmly against extra-judicial killings and all forms of violence against drug users and offenders and expressed commitment to ensure transparency and accountability of perpetrators of human rights violations. The Philippines also engaged with the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, who visited the country in February 2023 in a private capacity, and noted encouraging signs that the Government is willing to investigate extra-judicial killings (i.e. two bills are pending in Congress: one making autopsies after unlawful deaths mandatory and one setting up an independent forensic science institute).

In 2022, four bills to reintroduce the death penalty were submitted by individual Members of Congress, including for drug related offences. However, neither chamber of the

⁽²⁴⁾ The Philippines accepted 215 out of the 289 recommendations made but also rejected a number of key important ones, including on red-tagging and abortion.

⁽²⁵⁾ Concluding observations on the fifth periodic report of the Philippines, Human Rights Committee, 3 November 2022.

legislature has acted upon those bills and the new Government has stated that it had no intention of reintroducing the death penalty.

The Philippines has a very long tradition of civil society activism and counts about 101,000 registered non-profit organisations, of which 60,000 are non-governmental organisations (NGOs) engaged in advocacy work ⁽²⁶⁾. There are however reports of crackdowns and red-tagging of human rights defenders, activists, and other civil society actors, exposing them to possible death threats, intimidation, attacks, arbitrary arrest, and detention, enforced disappearances and extrajudicial killings. On 28 February 2023, a House of Representatives panel approved a measure seeking to promote and protect human rights defenders. The bill still needs to pass the House plenary and the Senate but does not appear on the priority list of the new Government ⁽²⁷⁾. The Anti-Terror Act (ATA) of 2020 contains a broad definition of terrorism, which could result in human rights violations and threats to human rights defenders. Following petitions filed by civil society organisations, in December 2021, the Supreme Court struck down two provisions of the ATA and the definition of terrorism was narrowed. As a consequence, the conditions for its application have become stricter. However, concerns remain about the lack of transparency in designation of individuals as terrorists under the law, and its negative impact on civic space.

Despite very vibrant media in the country, in the 2022 World Press Freedom Index the position of the Philippines has worsened to 147th place from 138th in 2021 (out of 180 countries) ⁽²⁸⁾. Violations of the freedom of expression occurred, *inter alia*, via the closure of media outlets based on discriminative use of laws or licensing procedures, and the use of criminal and civil legal actions against journalists and media outlets. Under the new Government, levels of a hostile rhetoric and attitude towards the press have considerably decreased. However, harassment and intimidation of journalists, individual cases of killings and cyberattacks continue to happen, often linked to individual cases who count on impunity. The Government assured that there was no state-sponsored action to target journalists and curtail media freedom and informed of actions and mechanisms to proactively ensure the safety of media workers. It should be also noted that during the last months of 2022 and the first months of 2023, a number of court decisions acquitted human rights defenders and journalists from charges brought against them. However, this only occurred after lengthy processes which impacted negatively on their ability to conduct their human rights work. Former Senator Leila De Lima who has been in pretrial detention since February 2017, which was deemed unlawful by the UN Working Group on Arbitrary Detention, was finally granted bail on 13 November 2023.

The authorities of the Philippines reaffirmed their commitment to ensuring accountability, notably through the AO35 mechanism under the Inter-Agency Committee on extrajudicial killings, enforced disappearances, torture and other grave violations of the right to life, liberty, and security of persons. The Operational Guidelines of the AO35 mechanism were updated in 2022 to improve their efficiency and effectiveness.

⁽²⁶⁾ <https://www.scribd.com/document/608254836/Philippines-Human-Rights-2020-2022>, p. 21.

⁽²⁷⁾ The first Philippine Human Rights Defenders (HRD) National Assembly took place on 14 December 2021, with participation of over 100 human rights defenders and Civil Society Organisations (CSOs). It sought to empower the engagement of grassroots and non-mainstream NGOs to ensure that their voices are heard in discussion on trends *vis-à-vis* human rights advocacy. The EU has supported HRDs in the Philippines: in the last years it focused on strengthening their capacity and skills and support to victims of human rights violations and those that are most at risk. Special focus is given to women, land and environmental rights defenders, indigenous peoples, lawyers, trade unionists and journalists.

⁽²⁸⁾ <https://rsf.org/en/rsf-s-2022-world-press-freedom-index-new-era-polarisation-0>

EU–Philippines Development Cooperation on Human Rights

Under the European Instrument for Democracy and Human Rights (EIDHR), the EU finances a project to strengthen the protection of human rights defenders in the Philippines and to mitigate the risks in their work. The project started in 2022 and is set to run until January 2024. One of the objectives of the project is to raise the capacity and skills of human rights defenders and to support victims of human rights violations and those that are most at risk. Special focus is given to women, land and environmental rights defenders, church people, indigenous peoples, lawyers, and trade unionists.

5.1.3 *International Covenant on Economic, Social and Cultural Rights (ICESCR)*

In the reporting period, the Philippines has maintained its position as a country of mid-ranking human development regarding economic and social rights, as exemplified by the UNDP Human Development Index ⁽²⁹⁾, which noted the decline in poverty - in accordance with the current Philippine Development Plan – that aims to reach a single digit poverty rate by 2028. The authorities of the Philippines implemented some programmes targeting the most vulnerable populations, but the COVID-19 pandemic reversed some of these gains. Income inequality and poverty remain significant, and further measures are needed to address structural challenges.

The unemployment rate ⁽³⁰⁾ was 4.3% in December 2022, the second lowest since 2005. The number of unemployed people stood at 2.22 million, down from 3.27 million in December 2021 ⁽³¹⁾ and the labour force participation rate amounted to 66.4%. Still, a high share of workers is engaged in the informal economy (estimated at around 34% of GDP ⁽³²⁾) without legal protection or safeguards. There are also concerns about the insufficient level of, and non-compliance with, minimum wages, inadequate sanctions for employers in case of violations, and low level of social protection.

The Government adopted the National Employment Recovery Strategy 2021-2022 for the recovery of the country’s labour market from the adverse effects of COVID-19 and implemented several measures to cushion its socioeconomic impact.

5.1.4 *Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)*

In the reporting period, the authorities of the Philippines continued to implement the National Advocacy and Communication Strategic Plan 2017-2022 developed by the Inter-Agency Council on Violence against Women and Children (VAWC). The updated Gender Equality and Women’s Empowerment (GEWE) Plan 2019-2025 supports and aligns with the remaining years of the Philippine Plan for Gender-Responsive Development (PPGD) 1995-2025.

The new administration intends to improve the implementation of the Anti-Violence against Women and Their Children Act of 2004. The Safe Spaces Act of 2019 prohibits all forms of gender-based harassment committed in public spaces, educational or training

⁽²⁹⁾ HDI (1 = maximum) 0.712 (2018), 0.699 (2021); <https://hdr.undp.org/data-center/human-development-index#/indicies/HDI>

⁽³⁰⁾ Measured as the number of people actively looking for a job as a percentage of the labour force.

⁽³¹⁾ <https://psa.gov.ph/statistics/survey/labor-and-employment/labor-force-survey/title/Unemployment%20Rate%20in%20December%202022%20is%20Estimated%20at%204.3%20Percent>

⁽³²⁾ <https://worldeconomics.com/Informal-Economy/Philippines.aspx#:~:text=The%20size%20of%20Philippines%27s%20informal%20economy%20is%20estimated,options%20to%20allow%20easy%20comparison%20with%20other%20countries.>

institutions, the workplace, as well as online. The Department of the Interior and Local Government (DILG) and the Philippine Commission on Women (PCW) issued joint guidelines to ensure the implementation of the law at the local level ⁽³³⁾. However, the lack of legislation providing for divorce may compel victims of domestic violence to remain in violent relationships.

Various international and human rights organisations report that discrimination against women remains a matter of concern. Domestic violence against women is still widespread, and the situation further deteriorated during the pandemic, while many cases were left unreported due to cultural and social stigmatisation. The findings of the Gender & Inclusion Assessment of the COVID-19 Pandemic on Vulnerable Women and Girls indicate that the pandemic has worsened the situation of many women and girls across vulnerable subgroups ⁽³⁴⁾.

Maternal health remains a concern in the Philippines. COVID-19-related quarantine measures further compounded the pre-existing vulnerabilities of the national and local health systems and limited access to family planning programmes. The Government made efforts to reduce maternal mortality and unsafe abortions, but the continued criminalisation of abortion leads many women to seek out clandestine abortion services that endanger lives and health.

Executive Order No. 141 on Teenage Pregnancy of June 2021 mandated all Government agencies and entities to address the root causes of the rising number of teenage pregnancies. These include actions in the fields of education and reproductive health for the young ⁽³⁵⁾.

The Philippines performs very well in terms of gender parity although in accordance with the World Economic Forum's Global Gender Gap Report, its overall ranking has dropped from the 8th (out of 149 countries) in 2018 to the 19th place (out of 146 countries) in 2022 and improved again to 16th place in 2023 following the re-opening of the economy. Its Global Gender Gap Index slightly declined in the period between 2018 and 2022, from 0.799 to 0.783 (parity is marked as 1) ⁽³⁶⁾ and up again to 0.791 in 2023, making the Philippines the second highest ranked country in Asia Pacific with respect to gender equality ⁽³⁷⁾.

⁽³³⁾ National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21 to the Human Rights Council Working Group on the Universal Periodic Review, Forty-first session, 7-18 November 2022. A/HRC/WG.6/41/PHL/1, p. 17.

⁽³⁴⁾ The report was part of a nationwide interagency initiative coordinated by the United Nations Population Fund (UNFPA). It targeted rural women, members of the LGBTIQ community, migrant workers, persons with disability, and internally displaced persons; https://philippines.unfpa.org/sites/default/files/pub-pdf/silayan_gia_report.pdf. See also Gender Country Profile for the Philippines 2021, Center for Women's and Gender Studies (University of the Philippines), study funded by the EU.

⁽³⁵⁾ According to a January 2020 UNFPA policy brief, teenage pregnancy had increased by 23% and out of all live births within the adolescent age group, only 3% are fathered by men of the same age group, and that such pregnancies may be the result of coercion and unequal power relations between girls and older men.

⁽³⁶⁾ https://www3.weforum.org/docs/WEF_GGGR_2022.pdf

⁽³⁷⁾ <https://www.weforum.org/reports/global-gender-gap-report-2023/>

EU–Philippines Development Cooperation on Gender Equality

The EU's Gender Action Plan for the Philippines focuses on five key priorities including integrating the women, peace and security agenda and ensuring freedom from all forms of gender-based violence. To enable the timely integration of these objectives and targets into programming, following consultations with relevant stakeholders, the EU Delegation and Member States prepared the Gender Action Plan's Country Level Implementation Plan (CLIP) for 2021-2025. The Implementation Plan is based on the updated gender profile of the Philippines and proposes specific actions to contribute to gender equality in the country.

Linked to this, four projects under the EIDHR and the Civil Society Organisations and Local Authorities (CSO-LA) Programme with a total value of €2.4 million were launched in 2020 and 2021, with a focus on protecting women human rights defenders, improving women's economic opportunities, participation in eco-governance, and access to reproductive health; improving their disaster preparedness; as well as the empowerment of girls from marginalised indigenous peoples' communities in conflict affected areas in Mindanao. Four new contracts targeting women and girls were signed at the end of 2022: they focus on the empowerment of indigenous girls, the improvement of sexual and reproductive health and rights for teenagers and women's political empowerment, for a total budget of around €2 million.

In addition, two regional programmes funded by the EU are also implemented in the Philippines: The Spotlight 'Safe and Fair' programme targeting female migrant workers and the WeEmpowerAsia programme on women economic empowerment, ended in 2022.

5.1.5 Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

The Government of the Philippines has yet to establish a national preventive mechanism on torture complying with the obligations of the Optional Protocol to the Convention against Torture.

Concerns remain about severe overcrowding in places of detention, which were exacerbated by the influx of individuals arrested as part of the "war on drugs" campaign. The Philippines is taking measures to expand capacity and improve conditions in places of detention, as well as to decongest them. For instance, from 1 January 2022 to 30 September 2022, a total of 55,664 detainees were released through paralegal modes.

The Government took measures to prevent torture and ill-treatment, including training programmes on human rights for police officers and prison personnel. However there remain concerns about torture and ill-treatment in places of detention, including under police custody.

Detained persons do not always enjoy all the fundamental legal safeguards from the very outset of their detention. There are reports of extensive use of prolonged pre-trial detention, and that first-time drugs offenders face compulsory rehabilitation or incarceration. Furthermore, there are reports of individuals admitted to rehabilitation centres being subjected to ill-treatment, solitary confinement, forced labour and psychological violence, without any oversight mechanism in place. The situation for women prisoners, including those who are pregnant or nursing, is a particular area of concern.

5.1.6 Convention on the Rights of the Child (CRC)

The Philippines achieved progress regarding children's rights, notably with the adoption of several pieces of legislation strengthening the protection of children. These include the Act of December 2021 Prohibiting the Practice of Child Marriage and Imposing Penalties which criminalises the facilitation or solemnisation of marriages to a child below the age

of 18, as well as the cohabitation of an adult with a child outside wedlock. This is a crucial development as the country has one of the highest rates of child marriage in the world.

In January 2022, the Philippines enacted the Domestic Administrative Adoption and Alternative Child Care Act ⁽³⁸⁾ simplifying domestic adoption and mandating the creation of a Regional Alternative Child Care Office for each region of the country which will be tasked to ensure a well-functioning system to receive local petitions for a Certificate Declaring a Child Legally Available for Adoption, and other requests regarding alternative placement and well-being of children.

The Act of March 2022 Providing for Stronger Protection against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape, increased the age of sexual consent from 12 to 16 years.

The Foundling Recognition and Protection Act of May 2022 recognises the status of foundlings found in the Philippines and/or in Philippine embassies, consulates, and territories abroad as natural-born citizens of the Philippines. As a matter of right, they are entitled to government programmes and services, including registration, facilitation of documents for adoption, education, legal and police protection, proper nourishment and medical care for survival and development, and admission to safe and secure child centres.

While some progress was noted in the fight against child labour, more needs to be done particularly against the online sexual exploitation of children which has increased during the pandemic ⁽³⁹⁾. The Act on Anti-Online Sexual Abuse and Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) as well as the Expanded Anti-Trafficking in Persons Act (Republic Act No. 11862) adopted in July 2022 have been good developments in this direction ⁽⁴⁰⁾ and need to be effectively enforced and complemented by appropriate child protection services and support to victims.

There have also been improvements in the ranking of the Philippines in indicators such as infant and under-5 mortality, the ratio of literate females to males aged 15-24 years old, and the participation rates and ratio of girls and boys in primary education ⁽⁴¹⁾.

However, serious issues regarding children's rights remain. Apart from poverty, children are affected by the poor implementation and enforcement of existing laws to protect their rights. Remaining challenges include violations against children rights in conflict affected areas, particularly in Mindanao, the adverse effects on children of the extra-judicial killings particularly during past years, lack of registration of many children and the high level of violence against children.

⁽³⁸⁾ <https://www.pna.gov.ph/articles/1165335>

⁽³⁹⁾ The Department of Justice-Office of Cybercrime reported an increasing trend in cyber tip reports of CSAEM attributed to the Philippines which ballooned to 2.8 million in 2021 from 1.2 million in 2020 and 400,000 in 2019. The 2022 Disrupting Harm in the Philippines study by UNICEF Office of Research, Interpol, and ECPAT International, reported 20% of internet-using children aged 12-17 had experienced online sexual abuse and exploitation in 2021; <https://www.unicef.org/philippines/press-releases/saferkidsph-statement-enactment-republic-act-no-11930-protection-children-against>. For more details see also the National Study on Online Sexual Abuse and Exploitation of Children in the Philippines of UNICEF of 2020, <https://www.unicef.org/philippines/media/2711/file/UNIPH-2021-NationalStudyOSAEC-FullReport.pdf>

⁽⁴⁰⁾ <https://www.pna.gov.ph/articles/1180657>

⁽⁴¹⁾ HRC (2020) *Situation of human rights in the Philippines. Report of the United Nations High Commissioner for Human Rights. A/HRC/44/22.*

Conclusions and priorities

The Philippines has made some progress in advancing economic and social rights and in cooperating with the UN under the Joint Programme for capacity building and technical cooperation on human rights, which provides an opportunity for further progress on issues of concern. Moreover, the new Government has announced a revised human rights-based approach to drug-control and counter-terrorism.

Priority areas for further action include, among others, upholding the Philippines' stance against the death penalty and fully implementing all the recommendations of the 2022 Universal Periodic Review, adopting legislation establishing a national preventive mechanism on torture, and prioritising the passage of the bill for the protection of human rights defenders as well as on ensuring freedom of the media and of expression. Moreover, the Philippines should ensure the transparent and independent investigation and prosecution of extra-judicial killings including through cooperation with the International Criminal Court as well as providing remedies for victims and holding perpetrators accountable. The Philippines should adhere to the rules enshrined in the Rome Statute of the International Criminal Court, to which it was a party until 16 March 2019. The Philippine Government should take the necessary steps so that justice could be speedily conducted regarding the pending case of former Senator de Lima.

5.2 ILO Labour Rights Conventions (Conventions 8-15)

The Philippines has made progress in improving the implementation of labour standards (e.g., fight against human trafficking) and in improving the evidence basis for future policy making (e.g., a child labour survey was conducted and published in 2021). However, tangible progress is expected in addressing the very serious issues raised in relation to Convention No. 87 on Freedom of Association and Protection of the Right to Organise. The adoption of necessary legislation to bring Philippine national legislation in line with the Convention has been pending for several years, including the Security of Tenure Bill.

5.2.1 Freedom of Association and Collective Bargaining (Conventions No. 87 and No. 98)

The Philippines' application of Convention No. 87 has been raised at the International Labour Conference's Committee on the Application of Standards (CAS) meetings in 2016, 2019 and 2023.

The ILO's Committee of Experts on the Application of Conventions and Recommendations (CEACR) noted its deep concerns in 2021 over allegations of violence against trade unionists and in its latest report of February 2023 repeated that it still expected the Government to continue taking measures to ensure that all allegations of killings, red-tagging, harassment and other serious forms of violence against trade unionists are properly investigated and lead to concrete results, "so as to establish the facts, including any links between the violence and trade union activities, determine culpability, punish the perpetrators and contribute to preventing and combating impunity" ⁽⁴²⁾.

A virtual exchange held in September 2021 between ILO, the Government and designated representatives from the workers' group and employers' group concluded that no tangible progress had been achieved in any of the areas covered by the 2019 CAS conclusions. The

⁽⁴²⁾ This urgent request was repeated by the CEACR in its report published in February 2023 (page 232).

Government was therefore requested to prepare a time-bound action plan outlining the steps to address the 2019 CAS conclusions ⁽⁴³⁾.

In the second half of 2022 the Department of Labour and Employment was more proactive and undertook measures to address the issue of red-tagging with interventions in September 2022 by way of a five day community support programme seminar for 54 police officers. This seminar focused on respecting the rights to freedom of association and collective bargaining. In October 2022, a series of inter-agency consultations was held with representatives of the labour unions, employer groups and the Regional Task Force to End Armed Conflict in Region IV-A to discuss and address the issue of red-tagging incidents in the region.

In January 2023 an ILO High Level Tripartite Mission took place ⁽⁴⁴⁾ and in September 2023 the government submitted to the ILO a tripartite roadmap. While this has taken some time and is at the early stages, there is a general agreement by the social partners to implement the roadmap.

In its 2023 conclusions, CAS called on the Government to prevent violence related to the right to organise, undertake immediately investigations into acts of violence, identify and punish perpetrators, ensure that monitoring bodies operate and have adequate resources, create conditions in which workers and employers can establish and join organisations of their choice. The Committee requested the Government to finalise with ILO technical assistance and in consultation with social partners a tripartite roadmap addressing the outstanding issues, as recommended by the ILO high-level mission to the Philippines which had taken place in January 2023 and represented a follow-up to a discussion in CAS in 2019. The Committee also asked the Government to prepare a progress report and submit it to the ILO Committee of Experts (CEACR) by 1 September 2023.

Bills to end contractualisation (Security of Tenure Bill) as well as to align the national labour legislation with ILO Conventions on collective bargaining and freedom of association have not yet been adopted.

The CEACR raised concerns about the low coverage of collective agreements – according to ILOSTAT, only 1.4% of employees in the country are covered by them ⁽⁴⁵⁾.

5.2.2 Abolition of Forced Labour (Conventions No. 29 and No. 105)

The Philippines has been facing a challenge of human trafficking within the country and across borders. Since 2012, the Government has undertaken efforts including advice and assistance provided to Filipinos looking for work overseas, the identification of and support for victims of trafficking, and the identification, prosecution, and conviction of perpetrators. While the number of identified victims and the number of convictions were initially low, the situation has improved in the last few years with the establishment of new structures to combat human trafficking and the application of other measures, including awareness raising campaigns for the public and training for enforcement agencies. The establishment of the Department of Migrant Workers and the enactment of the Expanded Anti-Trafficking in Persons Act of 23 June 2022 should boost the Government's campaign against human trafficking. Among others, this Act provides additional tools against human trafficking particularly when violations involve the use of the internet and digital platforms. The Government has taken steps to address the vulnerability of overseas

⁽⁴³⁾ This request was repeated by the CEACR in its report published in February 2023 (page 231).

⁽⁴⁴⁾ The conclusions can be found at https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---normes/documents/missionreport/wcms_874240.pdf

⁽⁴⁵⁾ CEACR report published in February 2023, page 238.

workers with regard to the exaction of forced labour including through bilateral labour agreements with destination countries and regular dialogue with them to ensure workers' rights and welfare are protected.

Further efforts are needed to ensure that perpetrators are identified, prosecuted, and convicted, and corruption and involvement of border officials in trafficking eradicated. Domestic legislation also needs to be further aligned with Convention No. 105 on Abolition of Forced Labour namely through amendment to the Revised Penal Code to avoid the risk of imprisonment, involving compulsory labour, for expressing political views; changes to the Cybercrime Prevention Act; and an amendment of the Labour Code to avoid the risk of imprisonment, involving compulsory labour, for participation in an illegal strike – all of these issues have been raised by the CEACR repeatedly since 2013.

5.2.3 Minimum Age for Work and Worst Forms of Child Labour (Conventions No. 138 and No. 182)

Since 2012 the Government has taken several steps to eliminate child labour. These include the adoption of policy frameworks and legislation prohibiting child labour in certain sectors. Other measures include the encouragement of school attendance, support to families in need and projects implemented in cooperation with local communities and other partners to remove children from work in agriculture, mining, and fishing, as well as from the worst forms of child labour, including armed groups.

The most recent figures show that in 2021, of the estimated 31.64 million children 5 to 17 years old, 1.37 million or 4.3% were working (this rate was higher than the proportion in 2019 and 2020 of 3.4% and 2.8%, respectively). The agricultural sector had the highest proportion of working children ⁽⁴⁶⁾.

The Committee of Experts on the Application of Conventions and Recommendations (CEACR, 2020) noted with deep concern the significant number of children who are subject to commercial sexual exploitation in the Philippines and the low number of prosecutions and convictions in this regard. Online sexual abuse and exploitation of children has increased under the pandemic, affecting some 2 million children. In this context, the Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act was enacted on the 30 July 2022. This new law aims to strengthen the country's response in addressing the rising vulnerability and victimisation of Filipino children by online predators.

Further efforts are needed to improve the legal and practical protection of children. This includes extending the scope of provisions of Labour Code of 1974, ensuring that self-employed children and children working in the informal economy benefit from the protection provided under Convention No. 138, ensuring that persons under 18 years of age cannot be involved in hazardous work, and removing children from child labour, notably its worst forms.

EU–Philippines Development Cooperation on Child Labour

The EU will support in the coming years two projects that will address the worst forms of child labour in Mindanao and in Visayas.

One project (2022-2025) will focus on building capacities of civil society organisation, local government, and government line agencies in Mindanao to address child labour, focusing on

⁽⁴⁶⁾ <https://psa.gov.ph/statistics/survey/labor-and-employment/survey-on-children>, March 2023.

preventing and reducing child labour, promoting acceptable conditions of work in crop agriculture. Two provinces of Mindanao (Bukidnon and Davao del Norte) will be targeted.

Another project (2023-2025) will focus on strengthening community-based protection systems to eliminate Worst Forms of Child Labour (WFCL) in Visayas Region. The aim is to eliminate the WFCL through a multi-stakeholder approach, awareness-raising, improving services access for victims and their families and WFCL related policies and programmes at the local, district and national level.

5.2.4 Equal Remuneration and Elimination of Discrimination (Conventions No. 100 and No. 111)

Since 2012, legislation and a policy framework have been adopted to end discrimination against women in the workplace, promote gender equality and setting out working conditions in some sectors, such as domestic work. Despite these efforts and a high ranking in the World Economic Forum's Global Gender Gap (see section 5.1.4.), the Philippines continues to face some challenges, notably a low female labour market participation, occupational segregation, and a disadvantaged position of women regarding wage levels and access to education, training, and prospects for professional development. Furthermore, Senate Bill No. 429, which proposes to amend Sections 135 and 137 of the Labour Code to prohibit discrimination based on sex in hiring and security of employment, has not yet been adopted.

Likewise, other groups of workers in vulnerable situations, such as persons with disabilities, need more support and a reduction of the existing barriers in access to the labour market and decent jobs. Suggested solutions include awareness raising, provision of childcare facilities, extending paternity leave, adapting the working conditions for parents with young children, enabling flexible working arrangements, including working from home and e-commerce⁽⁴⁷⁾, adoption of legislation which would prohibit all forms of discrimination in the workplace and improved collection of gender disaggregated data to outline women's economic engagement⁽⁴⁸⁾. The Philippines will also need to align its legislation with the principle of equal pay for work of equal value under Convention No. 100 on Equal Remuneration⁽⁴⁹⁾.

Conclusions and priorities

The ILO high-level tripartite mission that took place in January 2023 to support the Government and the social partners in taking effective action for the implementation of the 2019 CAS conclusions is certainly a positive development.

The Government needs to align national legislation with Convention No. 87 and take legislative action particularly to protect the workers' right to security of tenure by eradicating all forms of abusive employment practices. In addition, it has to further strengthen workers' right to self-organisation by easing the minimum membership requirements for registration of independent unions from 20% to 5%, and for federations from 10% to 5%. The institutionalisation of online registration, decentralising the registration process and ensuring one-day process cycle time are of utmost importance.

⁽⁴⁷⁾ <https://www.weforum.org/agenda/2019/10/philippines-women-work/>

⁽⁴⁸⁾ <https://neda.gov.ph/wp-content/uploads/2021/09/Determinants-of-Female-Labor-Force-Participation-in-the-Philippines.pdf>

⁽⁴⁹⁾ This request was repeated by the CEACR in its report of February 2023 (pages 652-653).

Regarding forced labour, further efforts are needed to ensure that perpetrators are identified, prosecuted and convicted, and to eradicate corruption and involvement of border officials in trafficking. Alignment of domestic legislation with Convention No. 105 would also improve the situation.

While child labour figures have decreased, further efforts are needed to protect minors from online sexual abuse and exploitation as well as those working in the informal economy. Access to the labour market for all, including persons with disabilities and women, should be improved including through the amendment of the Labour Code prohibiting discrimination based on sex and a reduction in the Gender Pay Gap.

5.3 UN Conventions on Environmental Protection and Climate Change (Conventions 16-23)

The Philippines is home to two-thirds of the earth's biodiversity and ranks third in the world in marine biodiversity. The country also ranks among the top ten countries globally with the largest number of species threatened with extinction. It is also among the world's most disaster-prone countries. At risk from both climate-related and geological hazards such as floods, droughts, typhoons, landslides and mudslides, earthquakes and volcanic eruptions, the country experiences on average 20 tropical cyclones every year and an almost daily occurrence of seismic shocks which cost the country an average of 0.5% of its GDP annually.

As one of the fastest growing countries in Asia, economic development and population growth have exacerbated the country's environmental challenges. Ineffective management of biodiversity resources⁽⁵⁰⁾, policy gaps, poor enforcement of environmental laws and regulations, and conflicts have also resulted in the decline of natural resources in terms of both quantity and quality, especially for those nearing extinction. The Philippines is however taking steps towards the implementation of environmental conventions.

As an emerging economy, the Philippines' greenhouse gas emissions (GHG) have doubled over the last decade, though emissions per capita remain rather low (1.3t per capita). As an archipelago, the Philippines is very vulnerable to climate change impacts, including sea level rise, increased frequency of extreme weather events and natural disasters, and rising temperatures. The country is especially exposed to tropical cyclones, flooding, and landslides, and has the second-highest annual weather-related fatalities rate worldwide.

EU–Philippines Development Cooperation on Environment and Climate

Under the MIP 2021-2027 the priority area 1: Green, Resilient Economy and Green Jobs will focus on the sectors of Circular Economy and Plastic Waste Management, Digital connectivity and green digital transformation and Specific Climate Change adaptation and mitigation actions. A new programme on Green Economy has been proposed and is under preparation (€60 million). The programme will support the transition towards circular economy and plastic waste, following a three-level approach focusing on central level, local level and private sector.

Ongoing cooperation with the Philippines is supporting the sustainable energy generation to meet the growing needs of the economy and provide energy access to the poor and marginalised sector in accordance with the Philippine Development Plan, generating electricity from renewable sources, increasing efficiency of energy use, and increasing access for the poor to

⁽⁵⁰⁾ <https://www.usaid.gov/philippines/energy-and-environment>

affordable, disaster-resilient energy, through the Access to Sustainable Energy in the Philippines project (ASEP, €66 million). The programme is ending in 2023.

Under regional cooperation the EU supported the preservation of the natural environment with the Biodiversity Conservation and Management of Protected Areas in ASEAN (BCAMP, €10 million).

To strengthen environmental law enforcement, in 2021, the Government established the Environmental Law Enforcement and Protection Service.

5.3.1 Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES)

The Philippines ratified CITES in 1976, but its legislation is still classified under Category 2, which means it does not meet all the requirements of the CITES implementation. The Philippines has taken several measures to combat wildlife crimes and curb illegal wildlife trade. The annual value of illegal wildlife trade in the country is estimated at USD 1 billion; this includes the market value of wildlife and its resources, their ecological role and value, damage to habitats, and loss in potential ecotourism revenues ⁽⁵¹⁾.

The Wildlife Law Enforcement Action Plan 2018-2028 came into effect in January 2021 and serves as the national roadmap for addressing wildlife crimes. A draft of the amendments to the 20-year-old Wildlife Act was introduced in the Senate in 2021 but did not make it into law. Meanwhile, the Philippines has automated the issuance of CITES import, export, and re-export permits of terrestrial species, with permits being granted online.

5.3.2 Waste Conventions: Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and Stockholm Convention on Persistent Organic Pollutants (POPs)

The Government of the Philippines has consistently met its reporting obligations under the Basel Convention. Philippine laws, regulations and procedures related to waste trade and the definition of hazardous waste are well aligned with the requirements of the Convention.

Since March 2020, the Philippines is also implementing the Basel Convention Plastic Waste Amendments pertaining to the control of the transboundary movements of plastic waste. The Government has been building the capacity of its customs and environmental administrations with support from donors to prevent cases of illegal traffic of plastic wastes and enforce policies on transboundary movements of plastic waste.

The Philippines is moving towards ratifying the Basel Convention Ban Amendment that prohibits developed countries from exporting their hazardous waste and toxic wastes to other countries, whether for disposal or recycling ⁽⁵²⁾.

⁽⁵¹⁾ Addressing Illegal Wildlife Trade in the Philippines, p. 3, <https://www.adb.org/sites/default/files/publication/490006/addressing-illegal-wildlife-trade-philippines.pdf>.

⁽⁵²⁾ Greenpeace and EcoWaste Coalition (2020) Waste trade and the Philippines: How local and global policy instruments can stop the tide of foreign waste dumping in the country, <https://www.greenpeace.org/philippines/publication/4208/waste-trade-and-the-philippines-how-local-and-global-policy-instruments-can-stop-the-tide-of-foreign-waste-dumping-in-the-country>

With regard to the Stockholm Convention, the national reports for the third and fourth reporting cycle are overdue. The last report, due in August 2022, was submitted in November 2022.

The National Implementation Plan (NIP) of the Stockholm Convention was last updated in 2014. In 2020, the Philippines applied for technical support from the Global Environment Facility (GEF) to update the NIP to include all POPs listed under the Convention up to 2020⁽⁵³⁾. The request for support also covers the updating of the inventory for all POPs to enable the consistent implementation of the requirements of the Convention. The regulatory reforms are proposed to include the complete ban of import and use of POPs, with specific reference to industrial POPs, in compliance with the Convention.

5.3.3 *Convention on Biological Diversity (CBD) and Cartagena Protocol on Biosafety*

The Philippines' Government is compliant with its reporting obligations under the CBD. The authorities are running programmes for the conservation of key species such as the rufous hornbill, tamaraw, Philippine cockatoo and dugong.

EU–Philippines Development Cooperation on Biological Diversity

The Philippines continues to be a beneficiary of the support provided under the second phase of the Biodiversity Finance Initiative, funded by the EU and other European donors that was extended to 2025 and is targeting results based and effective budgeting for biodiversity as well as reduction and redesign of subsidies that are harmful to nature. The Philippine Biodiversity Strategy and Action Plan 2015-2028 constitutes the country's third National Biodiversity Strategy and Action Plan under the CBD.

The Philippines has also been implementing several projects to arrest the loss of biodiversity since 2020 with the support from international cooperation agencies.

The Philippines is compliant with its reporting obligation under the Cartagena Protocol. There have been no notable developments in the implementation of the Cartagena Protocol since 2020.

5.3.4 *Conventions on Climate Change and Protection of the Ozone Layer*⁽⁵⁴⁾

The Philippines submitted its first Nationally Determined Contribution (NDC) to the UNFCCC in April 2021⁽⁵⁵⁾. Biennial Update Reports remain overdue, even if their submission is expected soon. The National Climate Change Action Plan (NCCAP) 2011-2028 is one of the policy framework instruments forming the basis for the NDC⁽⁵⁶⁾ and it is currently under review.

Based on the overarching priority of accelerating the just transition to a green economy and the delivery of green jobs, the NDC sets a target of 75% green-house gas emissions

⁽⁵³⁾ GEF (2020) Reduction of POPs and UPOPs through integrated sound management of chemicals, <https://www.thegef.org/projects-operations/projects/10686>

⁽⁵⁴⁾ United Nations Framework Convention on Climate Change, Kyoto Protocol to the United Nations Framework Convention on Climate Change, and Montreal Protocol on Substances that Deplete the Ozone Layer.

⁽⁵⁵⁾ <https://unfccc.int/sites/default/files/NDC/2022-06/Philippines%20-%20NDC.pdf>

⁽⁵⁶⁾ As the country's main instrument on climate action, the NCCAP 2011-2028 includes 7 thematic areas of government action to address climate change, namely: food security, water sufficiency, ecological and environmental stability, human security, climate-smart industries and services, sustainable energy, and knowledge and capacity development, which are pursued coherently with the Sustainable Development Goals and the Sendai Framework for Disaster Risk Reduction; <https://climate.emb.gov.ph/wp-content/uploads/2016/06/NCCAP-1.pdf>

reduction relative to its business-as-usual scenario of 2000-2030 and peak its emissions by 2030. While the target is ambitious, more than 72% of the target is contingent on international financial support to implement mitigation actions in the agriculture, waste, industrial processes and product use, transport, and energy sectors. In addition, the plans to operationalise the NDC policies and measures and their corresponding financing, technology, and capacity development are yet to be developed, as well as the necessary measurement, reporting, and verification system to track, monitor, and report the progress of NDC implementation.

The strategy to accelerate climate action and strengthen disaster resilience constitutes a part of the next edition of the Philippine Development Plan 2023-2028 adopted in December 2022 and aims at the following outcomes: (a) climate and disaster risk resilience of communities and institutions increased; (b) ecosystem resilience enhanced; and (c) low carbon economy transition enabled⁽⁵⁷⁾.

The Government had set a moratorium on new coal power plants as from October 2020. However, the percentage of coal power generation in the Philippines increased to 48% in 2021 from 38% in 2020. Further, a study by the Global Electricity Review 2022 revealed that the country recorded an 8% increase in power generated using coal. The Philippines ranked 15th globally in terms of coal share in power generation⁽⁵⁸⁾. At COP26, the Philippines signed the Global Coal to Clean Power Transition Statement but with a reservation regarding clause 3 calling for a coal phase-out. Since its election, the new Government has reaffirmed the coal moratorium but has advocated natural gas, and is also considering nuclear energy, as a stopgap before fully committing to renewable energy-centric development. To accelerate transition to renewables, the Philippines opened their electricity market allowing foreign ownership of investments.

In October 2021, the Government adopted regulations targeting an 80% reduction on the importation and use of hydrofluorocarbons (HFCs) in the country by 1 January 2045. This target is in line with the Philippines' obligation as a developing country under the Kigali Amendment. On 3 November 2022, the Philippines ratified the Kigali Amendment⁽⁵⁹⁾ to the Montreal Protocol to gradually reduce the consumption and production of HFCs, which entered into force in February 2023.

Conclusions and priorities

The Philippines has made good progress on the implementation of all environmental and climate conventions. The country has ratified the Kigali Amendment to the Montreal Protocol and is preparing to ratify the Basel Ban Amendment to the Basel Convention.

The Philippines has submitted its first NDC for implementing the Paris Agreement, however, the plans to operationalise the NDC policies and measures as well as monitoring tools for its implementation are yet to be developed.

During the reporting period, the Philippines has been compliant with the CBD reporting. The final text of the historic Kunming-Montreal Global Biodiversity Framework, agreed at the 15th meeting of the Conference of the Parties to the UN CBD in December 2022, calls for all countries to develop national targets. The Philippines is expected to comply on this matter. On CITES, it is necessary that the Philippines brings its national

⁽⁵⁷⁾ <https://pdp.neda.gov.ph/philippine-development-plan-2023-2028/>

⁽⁵⁸⁾ <https://powerphilippines.com/think-tank-coal-in-ph-energy-mix-increased-despite-moratorium/>

⁽⁵⁹⁾ The Kigali Amendment is not in the list of the GSP relevant conventions. However, it is considered essential in terms of substance.

legislation in full compliance with the Convention in order to move from category 2 (“does not meet all the requirements of the CITES implementation”) to category 1 (“meets all the requirements”). No specific problems have been reported in relation to the implementation of the Basel and Stockholm Conventions.

5.4 UN Conventions on Good Governance (Conventions 24-27)

5.4.1 International Drug Control Conventions ⁽⁶⁰⁾

The Philippines Anti-Illegal Drugs Strategy (PADS), approved in 2018 through Executive Order No. 66, envisioned that by 2022, Filipino communities would be drug free through supply reduction efforts, strong law enforcement and adherence to and observance of human rights, coupled with comprehensive demand reduction initiatives and supported by strong international ties.

The law enforcement bodies designed their own programmes to implement this strategy, such as the *Barangay* (village) Drug Clearing Programme (BDCP) framework adopted by the Philippine Drug Enforcement Agency’s (PDEA) ⁽⁶¹⁾. In July 2021, the PDEA and the Philippine National Police (PNP) signed a memorandum to strengthen cooperation on anti-illegal drugs operations via the adoption of unified operational guidelines.

The implementation of the PADS resulted, *inter alia*, in the establishment of 63 accredited Drug Abuse Treatment and Rehabilitation Centres in the country as of 2021 ⁽⁶²⁾. Overall, the Government implements a “No Wrong Door” policy which ensures that the healthcare delivery system can provide access to interventions, treatment, rehabilitation, and reformation at any point of entry. Through the BDCP, in 2021, 55,169 identified Persons Who Use Drugs (PWUDs) underwent rehabilitation and reintegration programmes. Also in 2021, the Dangerous Drugs Board revised its rules to ensure better access to treatment and rehabilitation services.

Meanwhile, the *Yakap Bayan* (Nation’s Embrace) Programme developed by the Department of Social Welfare and Development (DSWD) assists drug users in their recovery and social reintegration and also provides aftercare services, such as counselling sessions, health and fitness therapy, spiritual interventions, skills training, and capacity building. Also, the PDEA collaborates with local government units to implement the *Balay Silangan* (House of Birth) Reformation Programme to reform drug offenders and facilitate their reintegration. As of July 31, 2022, 368 *Balay Silangan* Reformation Centres reformed 4,920 graduates and produced 1,565 employed individuals.

⁽⁶⁰⁾ UN Single Convention on Narcotic Drugs (1961), UN Convention on Psychotropic Substances (1971) UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988).

⁽⁶¹⁾ As of August 2022, the total number of *barangays* declared as drug-cleared and drug-free were 25,917 and 5,851, respectively - see the National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21 to the Human Rights Council Working Group on the Universal Periodic Review, Forty-first session, 7-18 November 2022. A/HRC/WG.6/41/PHL/1

⁽⁶²⁾ These 63 treatment and rehabilitation facilities reported to the Treatment and Rehabilitation Admission Information System (TRAIS). 2,708 admissions were recorded. Out of this number, 2,372 were inpatient with 2,344 new cases and 28 readmitted or relapse cases. Around 13.5% increase in admission in comparison to 2020 was noted which can be attributed to the resumption of operation by the different rehabilitation centres and the willingness of the PWUDs to undergo treatment and rehabilitation. For severe drug users which require facility-based interventions, the voluntary admission is at 42% of referred cases. <https://www.scribd.com/document/608254836/Philippines-Human-Rights-2020-2022>, p. 19.

Overall, in accordance with the State report for HRC, between 2016 and 2022, the Philippines anti-illegal drug campaign, as monitored by its internal monitoring mechanism, #RealNumbersPH, has resulted in the rescue of 4,627 children and the dismantling of 1,382 illegal drug laboratories and dens ⁽⁶³⁾.

In February 2021, the Government confirmed that the panel established to investigate cases of deaths during drug operations had commenced its initial work and in June 2021, it was announced that the panel and the Department of Justice had received access to records on alleged misconduct committed during anti-narcotic operations ⁽⁶⁴⁾. Also in June 2021, the prosecutor of the International Criminal Court requested judicial authorisation to proceed with an investigation regarding possible crimes against humanity.

Some initial noteworthy positive developments under the new administration are the Government's announcement that the focus of the war on drugs will shift to prevention and rehabilitation. While the number is still limited, the first court convictions for extra-judicial killings in the drug war have in the meanwhile also happened and some efforts are being made to move forward the investigation of other cases.

The Philippines submits periodic reports under the three Conventions to the INCB and UN Office on Drugs and Crime (UNODC) on the importation, exportation, production, manufacture, sale, stock, and seizure of any dangerous drug and/or controlled precursor and essential chemicals that are intended for medical and scientific use to prevent diversion from the licit to the illicit market (though the voluntary reports on consumption of psychotropic substances have stopped since 2018). In 2022 the INCB continued to engage in dialogue with the Philippines on drug control policies in the country, including on the issues of the alleged extrajudicial targeting of persons suspected of drug-related activity. The Philippine authorities are also preparing for a country visit of the INCB which aims to provide technical support to the country's implementation of the drug control conventions.

5.4.2 UN Convention against Corruption (UNCAC)

In the reporting period the fight against corruption has been weakened by the creation of several national commissions and task forces, which has led to a lack of clarity on the responsible institutions.

Based on the data provided by the National Task Force Against Corruption (TFAC), as of March 2022 there were 343 complaints, out of which 102 were referred back to the complainant with requests for specific details and additional evidence. Unfortunately, the Government is not able to provide the estimated economic value of the cases investigated by the TFAC.

Despite continuous progress in the areas of Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT), the Philippines have not yet addressed all its strategic deficiencies. In 2022 the Philippines remained on the FATF list of jurisdictions under increased monitoring (the so-called "grey list").

⁽⁶³⁾ The Government also participates in the campaign against illegal drugs at regional level in accordance with the Work Plan of ASEAN on Securing Communities against Illicit Drugs 2016-2025. See National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21 to the Human Rights Council Working Group on the Universal Periodic Review, Forty-first session, 7–18 November 2022. A/HRC/WG.6/41/PHL/1

⁽⁶⁴⁾ <https://www.incb.org/incb/en/publications/annual-reports/annual-report-2021.html>

Legislative bills on the amendment of the Witness Protection Programme and the establishment of a Whistle-blower Protection Programme remain pending in the Congress.

The Philippines ranked 116th out of 180 countries with a score of 33 (100 = very corruption clean) in the 2022 Transparency International's Corruption Perception Index ⁽⁶⁵⁾. According to the Global Corruption Index (GCI) published in November 2022, the Philippines in ASEAN are only less corrupt than Vietnam, Laos, Cambodia and Myanmar. The TRACE Bribery Risk Index of November 2022 comes to a similar result.

Conclusions and priorities

While the shift towards a health-based approach in the drug policy is in line with international standards, implementation capacity needs to be strengthened to ensure that the measures foreseen in the PADS can be rolled out at scale. Demand reduction and prevention remains under-supported and certain elements of the approach, such as mandatory testing, controls, treatment, detention, continue to raise concerns. In line with the commitments undertaken by all UN Member States at the 2016 UN General Assembly Special session on the world drug problem, access to voluntary treatment of people who use drugs should be ensured, adopting health- and people-centred approaches that incorporate human rights; compulsory detention and rehabilitation for people who use drugs should not be resorted to, as discouraged by the INCB. At the same time, serious deficiencies in law enforcement need to be addressed, and perpetrators brought to justice. The fact that House Bill 7814 geared towards the reinstatement of the death penalty for certain drug crimes remains on the table is concerning, as if adopted it would be a violation of the ICCPR's Second Optional Protocol. The new Government has stated that it does not intend to reinstate the death penalty and seems in the process of reconsidering its approach to drug related problems.

Compliance with the UNCAC has improved. The legal regime for the prevention of corruption and asset recovery was found to be generally sound in the UNCAC implementation review 2022, but some weaknesses remain, including the need for better inter-agency coordination, preparation of corruption risk assessments, strengthening of public procurement rules, and clarifying the rules for asset recovery.

⁽⁶⁵⁾ <https://www.transparency.org/en/cpi/2022>

ANNEX: PHILIPPINES – TREATY RATIFICATION AND REPORTING

Convention	Ratification status Reservations	Compliance with reporting obligations to monitoring bodies
Human rights conventions		
1. Convention on the Prevention and Punishment of the Crime of Genocide	Ratified: 07.07.1950 Reservations on Articles 4, 6, 7, 9	No reporting obligations
2. International Convention on the Elimination of All Forms of Racial Discrimination	Ratified: 15.09.1967 No reservations	Compliant with reporting obligations • Last report submitted on 06.07.2021 (with a 9-year delay).
3. International Covenant on Civil and Political Rights	Ratified: 23.10.1986 No reservations	Compliant with reporting obligations • Last report submitted on 31.05.2019. • Next report due in 2029.
4. International Covenant on Economic Social and Cultural Rights	Ratified: 07.06.1974 No reservations	Compliant with reporting obligations • Last report submitted 12.01.2022.
5. Convention on the Elimination of All Forms of Discrimination Against Women	Ratified: 05.08.1981 No reservations	Compliant with reporting obligations • Last report submitted on 02.07.2021.
6. Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	Ratified: 18.06.1986 No reservations	Compliant with reporting obligations • Last report submitted on 21.06.2022.
7. Convention on the Rights of the Child	Ratified: 21.08.1990 No reservations	Compliant with reporting obligations • Last report submitted on 01.03.2019. • Next report due on 19.09.2027.
Labour conventions ⁽⁶⁶⁾		
8. Convention concerning Forced or Compulsory Labour, No. 29	Ratified: 15.07.2005	Compliant with reporting obligations • Latest CEACR comments: 2021. • Latest report received in 2020. • Next regular report due in 2023.
9. Convention concerning Freedom of Association and Protection of the Right to Organise, No. 87	Ratified: 29.12.1953	Compliant with reporting obligations • Latest CEACR comments: 2023. • Latest regular report received in 2022. • Next regular report due in 2025.
10. Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively, No. 98	Ratified: 29.12.1953	Compliant with reporting obligations • Latest CEACR comments: 2023. • Latest regular report received in 2022. • Next regular report due in 2025.
11. Convention concerning Equal Remuneration of Men and Women Workers for Work of Equal Value, No. 100	Ratified: 29.12.1953	Compliant with reporting obligations • Latest CEACR comments: 2023. • Latest report received in 2021. • Next regular report due in 2024.
12. Convention concerning the Abolition of Forced Labour, No. 105	Ratified: 17.11.1960	Compliant with reporting obligations • Latest CEACR comments: 2021. • Latest report received in 2020. • Next regular report due in 2023.
13. Convention concerning Discrimination in Respect of Employment and Occupation, No. 111	Ratified: 17.11.1960	Compliant with reporting obligations • Latest CEACR comments: 2023. • Latest report received in 2021. • Next regular report due in 2024.
14. Convention concerning Minimum Age for Admission to Employment, No. 138	Ratified: 04.06.1998 Minimum age specified: 15 years	Compliant with reporting obligations • Latest CEACR comments: 2021. • Latest report received in 2020. • Next regular report due in 2023.
15. Convention concerning the Prohibition and Immediate Action	Ratified: 28.11.2000	Compliant with reporting obligations • Latest CEACR comments: 2021.

⁽⁶⁶⁾ Reservations do not apply in the ILO system, so there is no relevance to providing information on reservations under each of these conventions.

Convention	Ratification status Reservations	Compliance with reporting obligations to monitoring bodies
for the Elimination of the Worst Forms of Child Labour, No. 182		<ul style="list-style-type: none"> • Latest report received in 2020. • Next regular report due in 2023.
Environmental conventions		
16. Convention on International Trade in Endangered Species of Wild Fauna and Flora	Ratified: 18.08.1981 No reservations	Compliant with reporting obligations <ul style="list-style-type: none"> • Latest (2020) Annual Report (AR) submitted on 25.10.2021. • AR for 2019 submitted on 30.10.2020. • Previous annual reports submitted: 2018 AR on 08.11.2019; 2017 AR on 08.11.2018; 2016 AR on 30.10.2017; 2015 AR on 20.10.2016. • Annual Illegal Trade reports submitted for 2016 to 2020. • Biennial or Implementation Reports lagging behind: ⁽⁶⁷⁾ Last (2015-15) IR submitted on 10.06.2020. Prior IR (2013-14) submitted on 02.11.2015.
17. Montreal Protocol on Substances that Deplete the Ozone Layer	Ratified: 17.07.1991 No reservations	Compliant with reporting obligation <ul style="list-style-type: none"> • Annual data for 2021 have been submitted.
18. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal	Ratified: 21.10.1993 No reservations	Compliant with reporting obligation <ul style="list-style-type: none"> • National report (NR) for 2021 submitted on 31.12.2022. • NR for 2020 submitted on 27.12.2021. • NR for 2019 submitted on 30.12.2020. • Previous NRs submitted: 2018 NR on 20.12.2019; 2017 NR on 27.12.2018; 2016 NR on 27.12.2017; 2015 NR on 28.12.2016; 2014 NR on 29.12.2015; 2013 NR on 29.12.2014; 2012 NR on 03.01.2014.
19. Convention on Biological Diversity	Ratified: 08.10.1993 No reservations	Compliant with reporting obligation <ul style="list-style-type: none"> • Sixth National Report submitted on 02.04.2019. • Previous NRs submitted: NR5 on 14.11.2014; NR2-NR4 on 06.05.2014.
20. The United Nations Framework Convention on Climate Change	Ratified: 02.08.1994 No reservations	Lack of compliance with reporting obligations <ul style="list-style-type: none"> • First NDC submitted 15.04.2021 ⁽⁶⁸⁾. • Second national communications (NC2) submitted 20 Dec 2014. • No Biennial Update Report (BUR) submitted to date.
21. Cartagena Protocol on Biosafety	Ratified: 05.10.2006 No reservations	Compliant with reporting obligation <ul style="list-style-type: none"> • Fourth national report submitted on 19.09.2019. • Previous NRs submitted: NR3 on 12.05.2016; NR2 on 20.12.2011.
22. Stockholm Convention on Persistent Organic Pollutants	Ratified: 27.02.2004 No reservations	Lack of compliance with reporting obligations <ul style="list-style-type: none"> • National reports for fourth (due 31.08.2018) and third (due 31.08.2014) reporting cycle overdue.

⁽⁶⁷⁾ Reporting mandatory, but not subject to compliance procedure.

⁽⁶⁸⁾ The Philippines submitted an Intended NDC in October 2015; see <https://www4.unfccc.int/sites/NDCStaging/pages/Party.aspx?party=PHL> and <https://www4.unfccc.int/sites/submissions/INDC/Published%20Documents/Philippines/1/Philippines%20-%20Final%20INDC%20submission.pdf>

Convention	Ratification status Reservations	Compliance with reporting obligations to monitoring bodies
		<ul style="list-style-type: none"> The fifth report due on 31.08.2022 was submitted in November 2022.
23. Kyoto Protocol to the United Nations Framework Convention on Climate Change	Ratified: 20.11.2003 No reservations	No reporting obligations
Good governance conventions		
24. United Nations Single Convention on Narcotic Drugs	Ratified: 02.10.1967 ⁽⁶⁹⁾ No reservations.	Compliant with reporting obligations <ul style="list-style-type: none"> All reports and statistics provided since 2012 (voluntary reports on consumption of psychotropic substances not provided after 2018). Review by INCB <ul style="list-style-type: none"> INCB mission has been requested by the INCB since 2017 but not yet taken place. Extrajudicial killings in the context of the “war against drugs” are non-compliant with conventions.
25. United Nations Convention on Psychotropic Substances	Acceded: 07.06.1974 No reservations	
26. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances	Ratified: 07.06.1996 No reservations	
27. United Nations Convention against Corruption	Ratified: 08.11.2006 No reservations	No reporting obligations. Reviewing by UNODC & peer review <ul style="list-style-type: none"> Latest executive summary of review report (2nd cycle) published on 19.04.2022 (for discussion at 13th session of the Implementation Review Group in June 2022).

⁽⁶⁹⁾ Participation in the Convention by virtue of ratification, accession or succession to the Protocol of 25 March 1972 or to the 1961 Convention after the entry into force of the Protocol: 07.06.1974