



**AMNESTY INTERNATIONAL PHILIPPINES SUMMARY**  
**SALIENT POINTS OF THE HUMAN RIGHTS DEFENDERS PROTECTION (HRDP) BILL**  
**HOUSE BILL 77: “AN ACT DEFINING THE RIGHTS AND FUNDAMENTAL FREEDOMS OF HUMAN**  
**RIGHTS DEFENDERS, DECLARING STATE RESPONSIBILITIES, AND INSTITUTING EFFECTIVE**  
**MECHANISMS FOR THE PROTECTION AND PROMOTION OF THESE RIGHTS AND FREEDOMS”**

Authored by: Rep. Edcel C. Lagman

On [28 February 2023](#), House Committee on Human Rights approved Rep. Edcel Lagman’s [HB 77](#) as substitute bill for similar proposals, including Makabayan bloc’s HB 256 and 2484 which have identical subjects. The proposed Human Rights Defenders Protection (HRDP) Act is closely patterned from the 'Model Law for the Recognition and Protection of Human Rights Defenders' developed by the International Service for Human Rights and endorsed by 28 high-level experts.

It was reinitiated on 30 June 2022 after mirror House Bill 10576 seeking to institute protection mechanisms for HRDs was precluded from being signed into law due to time constraints, despite having been approved up to the third and final reading by the House of Representatives with zero negative votes and abstentions. A Senate counterpart measure [filed](#) by Leila De Lima in 2019 is [still pending committee approval](#) as of late.

In essence, the Bill aims to strengthen the legal framework of human rights defense through the recognition of its lawful occupation, profession, and activities, thereby emphasizing the obligations of the State in protecting and fulfilling the rights and freedoms attached to it.

SALIENT POINTS	REFERENCE
Defines Human Rights Defenders (HRDs) as “any person who, individually or in association with others, acts or seeks to act to protect, promote, or strive for the protection and realization of human rights and fundamental freedoms and welfare of the people at the local, national, regional, and international levels”	Sec.4.b
Seeks to respect, protect, promote , and fulfill 17 specific rights and freedoms of HRDs essentially founded upon the UNDHR, such as: right to promote and protect human rights and fundamental freedoms; right to form groups and organizations; right to peaceful assembly; right against vilification; right to privacy; right to seek and utilize resources; right to benefit from sanctuary, remedies, and reparations, and freedom from intimidation and reprisal, among other entitlements.	Chapter II. Sec 5 to 21.
Recognizes and by extension penalizes acts of intimidation and reprisal directed to that of the HRD's associates, legal or other representatives; relatives or family members, including common law partners; formal or informal groups, associations, organizations, communities, or networks associated with the HRD; as well as the HRD's property or possessions, or those of any other individuals or entities formerly listed.	Sec.4.h  Intimidation or Reprisal is defined as “any form of violence, threat, retaliation, de facto or de jure adverse discrimination, pressure,

	judicial harassment, or any other arbitrary or abusive action or threat, including cyber-attacks, hacking, defacement of websites, distributed denial-of-service attacks and similar acts .... including proposed, attempted, or imputed work or activity”
Subjects both offending private actor and public authority to penalties under the Revised Penal Code.	Sec 28 and 29
Expressly identifies false labeling, red-tagging, and name calling as forms of vilification subject to legal penalties.	Sec.11
Emphasizes the duties of the State, government personnel, and public authorities to respect, promote, protect, and fulfill the rights of human rights defenders by: <ol style="list-style-type: none"> <li>1. Obligation not to engage in unfounded and derogatory labeling of HRDs such as “reds”, “terrorists”, “communists”, and/or “enemies of the State” (Sec.30)</li> <li>2. Obligation to ensure protection of HRDs from arbitrary or unlawful surveillance, recording, search and seizure in relation to their legitimate work or activity</li> <li>3. Strengthening CHR’s Protection Program</li> <li>4. Protecting the rights of subordinate employees to refuse to participate in human rights violation by commission or omission.</li> <li>5. Adopting a human rights-based approach to governance and development including in counter-insurgency and anti-terror programs and policies.</li> </ol>	Chapter III
Imposes administrative, civil, and criminal sanctions against government personnel failing to act with extraordinary diligence on reported violations of the Act.	Sec. 40
Offending public authorities are prohibited from invoking the presumption of regularity in the performance of duty as defense in the conduct of investigation	Sec.33
Directs the Department of Education (DepEd) and the Commission on Higher Education (CHED) to include Human Rights Education as a compulsory component within the curricula of all public and private academic institutions, colleges, and universities.	Sec.39
Accountability mechanisms:  Government agencies are ordered to institutionalize Command Responsibility in both military and civilian offices that will impose sanctions against errant superiors.  It also forms an independent collegial body known as the Human Rights Defender Protection Committee (HRDPC) to facilitate inter-agency and inter-department coordination to prevent violations, investigate on its own or on complaints by any party ,and ensure accountability from violators; consult and work with HRDs for Act implementation; monitor the effects of current and proposed legislation on HRDs; and submit	Chapter IV Sec. 41

initiatives to relevant authorities to foster a secure and supportive environment for HRDs.	
The HRDPC shall consist of a Chairperson appointed by the CHR, and six (6) members nominated by human rights organizations Philippine Alliance of Human Rights Advocates (PAHRA), Karapatan, the Free Legal Assistance Group (FLAG), and the National Union of Peoples' Lawyers (NUPL).	