

## FREQUENTLY ASKED QUESTIONS REGARDING HUMAN RIGHTS

- 1. Question:** What are human rights?

Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, interdependent and indivisible.
- 2. Question:** Is there any hierarchy among human rights?

None. All human rights are equally important. The 1948 Universal Declaration of Human Rights makes it clear that human rights of all kinds—economic, political, civil, cultural and social—are of equal validity and importance.
- 3. Question:** Do individuals, as well as Government, have obligations?

Yes. Human rights obligations can also attach to private individuals, international organizations that have general responsibilities towards the community. While the Government legislation and policies detail how the human rights obligations will be discharged at national, provincial and local levels, NGOs or other organs of society to directly shoulder responsibility for implementation.
- 4. Question:** Is it possible to realize human rights when resources are limited?

Yes. In many situations the obligations to respect a given right may require more in the way of political will than financial resources.
- 5. Question:** What is the difference between collective rights and individual rights?

The term collective rights refer to the rights of such peoples and groups, including ethnic and religious minorities and indigenous peoples, where the individual is defined by his or her ethnic, cultural or religious community.
- 6. Question:** Can the Government take away our Human Rights?

No individual, no government – can ever take away our human rights. Fundamentally, because everyone is a human being and therefore a moral being.
- 7. Question:** Is Human Rights a Right or a Privilege?

Human rights are the basic rights and freedoms that belong to every person in the world, from birth until death. However, these rights can sometimes be restricted – for example if a person breaks the law, or in the interests of national security or pandemic.
- 8. Question:** What laws or legal documents that ensure the human rights of Filipino citizens?

The rights of Filipinos can be found in Article III of the 1987 Philippine Constitution. Also called the Bill of Rights, it includes 22 sections which declare a Filipino citizen's rights and privileges that the Constitution has to protect, no matter what.

Aside from various local laws, human rights in the Philippines are also guided by the UN's International Bill of Human Rights – a consolidation of 3 legal documents including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social, and Cultural Rights (ICESCR).

9. **Question:** Who has human rights?

Absolutely everyone. Criminals, president, law enforcers, children, men, women, stateless persons, the unemployed, those in employment, bankers, those accused of carrying out acts of terrorism, charity workers, teachers, dancers, astronauts regardless of where you are from, what you believe or how you choose to live your life.

10. **Question:** Even criminals, president and law enforcers?

Absolutely everyone. Criminals, president and law enforcers are humans too. The power of human rights lies in the very fact that they treat everyone as equal in terms of possessing human dignity. Some people may have violated the rights of others or may pose a threat to society and may therefore need to have their rights limited in some way in order to protect others, but only within certain limits. These limits are defined as being the minimum which is necessary for a life of human dignity.

11. **Question:** Who oversees the fulfillment and protection of human rights in the Philippines?

Human rights are both rights and obligations, according to the UN. The state – or the government – is obliged to “respect, protect, and fulfill” these rights.

12. **Question:** Is Commission on Human Rights (CHR) an independent body which resolve cases?

In the Philippines, the Commission on Human Rights (CHR) primarily handles the investigations of human rights violations. However, it has no power to resolve issues as stated in the Supreme Court decision in 1991.

Aside from investigations, it also provides assistance and legal measures for the protection of human rights guided by Section 18 Article XIII of the Philippine Constitution.

13. **Question:** Do criminals or those who break the law still enjoy human rights?

Criminals or those in conflict with the law are still protected by rights as indicated in many legal documents such as the Philippines' Criminal Code and UN's Standard Minimum Rules for the Treatment of Prisoners.

Specific human rights, however, may be removed, provided they go through due process beforehand.

14. **Question:** Where do Human Rights come from?

It comes from the fact that we are not only physical beings, but also moral and spiritual human beings. Human rights are needed to protect and preserve every individual's humanity, to ensure that every individual can live a life of dignity and a life that is worthy of a human being.

15. **Question:** Why "should" anyone respect Human Rights?

Fundamentally, because everyone is a human being and therefore a moral being. The majority of individuals, if shown that they are violating someone else's personal dignity, will try to refrain. In general, people do not want to hurt other people. However, in addition to the moral sanctions of one's own conscience or that of others, there is now legislation in most countries of the world which obliges governments to respect the basic human rights of citizens, even when they may be unwilling to do so.

16. **Question:** Who looks after human rights?

We all need to. There is legislation both at national and at international levels which imposes restrictions on what governments are able to do to their citizens but, if no-one points out that their actions are violating international norms, it can continuously violate with impunity. As individuals, we need not only to respect the rights of others in our everyday lives but also to keep watch on others. The protective systems are there for all of us if we use them.

17. **Question:** How can I defend my rights?

Claim your rights. Let the other person know that you know they are not entitled to treat you in this way. Pinpoint the relevant laws or legislation or legal documents. Tell others about it: tell the press, write to your parliamentary representative and head of state, inform any NGOs. Ask their advice. Speak to a lawyer, if you have the opportunity. Make sure that your government knows what action you are taking. Make them realize that you are not going to give up. Show them the support you can draw on. In the final analysis, and if everything else has failed, you may want to resort to the courts.

18. **Question:** From whom can I claim my rights?

Nearly all the basic human rights that are listed in the international documents are claims against the government, or government officials. Human rights protect your interests against the government, so you need to claim them from the government or from their representatives. If you feel that your rights are being violated by, for example, your employer or your neighbor, you cannot resort directly to international human rights legislation unless there is also something the government of the country ought to have done to prevent employers or neighbors from behaving in this way.

19. **Question:** When was PNP Human Rights Affairs Office activated?

HRAO under the Office of the Chief, PNP was officially activated on June 29, 2007 pursuant to General Order DPL -04-2007 and confirmed by the National Police Commission through its Resolution No. 2007-247.

20. **Question:** Does anyone have a duty to protect my rights?  
Yes. A right is meaningless without a corresponding responsibility or duty on someone else's part. Every individual has a moral duty not to violate your personal dignity but our government, in signing up to international agreements, has not just a moral duty but also a legal duty.
21. **Question:** Is Philippines one of the country's many recorded violations in Human Rights?  
There is no country in the world that has a completely clean record on human rights, even today. There may be more frequent violations but every single violation is a problem that ought not to have happened and that needs to be dealt with.
22. **Question:** Have we made any progress in reducing human rights violations?  
Great progress – Consider the abolition of death penalty, the vote for women, the freeing of prisoners thru the President's grant reprieves, commutations, and pardons, remit fines and forfeitures, after conviction by final judgment, cases with Human Right violations have been tried in courts and the laws that have had to be changed as a result. There have been many positive results, but a great deal more remains to be done.
23. **Question:** Filipino people have the right to say whatever they want?  
Everyone has the right to freedom of opinion and expression Correct! You have the right to have your own ideas and opinions and to express them to others. We exercise this freedom of speech whenever we text, tweet, or use any other forms of media to publicly express our opinion. However, this doesn't mean you have a right to say whatever you want. Sometimes a situation can occur when a particular right may be in conflict with another right. For example, your right to express an opinion should not come at the cost of someone else's right to be treated with respect.
24. **Question:** The Philippine National Police is the organization responsible for making sure, people in Philippines have their human rights respected and protected?  
False. The main responsibility for upholding the rights of all people living in Philippines lies with the Philippine Government. However, many groups and organizations also have some responsibility to look after human rights. The police (as part of the justice system) look after people's right to be safe and to be protected by the law.
25. **Question:** Why do we talk about human rights and not human responsibilities?  
It goes without saying that we need to act responsibly as individuals and groups to respect the rights of others, not to abuse human rights and to advance the rights of others as well as ourselves. Everyone has duties to the community in which alone the free and full development of his personality is possible.

26. **Question:** How do human rights help with situation analysis?  
Human rights give an insight into the distribution of power. By identifying groups lacking effective rights—and groups who may be denying rights to others—it can highlight the root causes of poverty and vulnerability. As such, a rights approach provides a way of examining the operation of institutions and political and social processes that influence the livelihoods of the poor and the most vulnerable.
27. **Question:** What is Human Rights Based Policing (HRBP)?  
Human Right-Based Policing (HRBP) is the comprehensive, systematic, and institutional adherence to national or domestic laws on human rights; and compliance with international human rights principles, standards, and practices as well treaties, conventions, and protocols related to law enforcement or police functions.
28. **Question:** Which organizations/institutions are tasked with protecting human rights?  
There are so many organizations and institutions: CHR, DOJ, IAS. NAPOLCOM, PLEB, NGOs, CSOs, Ombudspersons or National Human Rights Commissions or Institutes.
29. **Question:** Is Human Rights applicable when Police Power is applied?  
The state normally empowers the police to enforce the law and order to establish peace and security in order to prevent crime in the society. The state empowers police legally to enforce measures, methods, and means, in order to prevent criminal offences or to detect and apprehend the perpetrators of those offences. In exercise of these powers, police have a number of obligations to protect and promote human rights of persons at all times only by enforcing minimum use of force. By doing so and extending honor to human rights, they not only enforce the legal system but also could promote the due process of law.
30. **Question:** Is Human Rights part of the manuals of the PNP?  
Yes. Human Rights standards made part of the manuals of the PNP and be ably imparted to the police at every level in order to promote a human rights culture, as rightly observed by office of the UN High Commissioner for Human Rights. PNP is equipped with the obligations and commitments of the government about its human rights.
31. **Question:** Is PNP Human Rights Affairs Office conduct deliberations to the public?  
Yes. At the same time, public also be imparted continuous training and protection through human rights education to know their rights and obligations towards society and the enforcement officers, especially police.

32. **Question:** What is community policing?

It focuses on the establishment of a partnership between the public and the police. It supports human rights and it helps to create open and transparent police. It is a philosophy, which recognizes and accepts the role of the community in the management and delivery of police services. The community is an active partner in the decision-making process. This partnership provides the means by which priorities, the allocation of resources, and the problems of crime are addressed.

33. **Question:** What is PNP Human Rights Development Program?

PNP Human Rights Development Program is commonly called as Letter of Instructions 55/07 (“PAMANA”) and was signed on December 7, 2007. It serves as the blueprint for action on human rights which the agency aims to accomplish to ensure the protection of the citizenry.

34. **Question:** What are the characteristics of human rights?

The most important characteristics of human rights are:

- a. Universal—the birthright of all human beings
- b. Focus on the inherent dignity and equal worth of all human beings
- c. Equal, indivisible and interdependent
- d. Cannot be waived or taken away
- e. Impose obligations of action and omission, particularly on States.
- f. Have been internationally guaranteed
- g. Legally protected
- h. Protect individuals and, to some extent, groups

35. **Question:** What are the four components of LOI “PAMANA”?

The four components of the PNP Human Rights Development Program are:

- a. Institutional Policy Development on Human Rights;
- b. Capability Building;
- c. Prevention and Control of Human Rights Violations; and
- d. Multi-Sectoral Cooperation;

36. **Question:** What are the 30 articles of Universal Declaration of Human Rights of 1948?

Enumerated below is the summary of the 30 articles of UDHR:

- a. Article 1 – We are all born free and equal everyone is born free and equal in dignity and with rights. We should all be treated in the same way.
- b. Article 2 – Human rights belong to everyone Human rights belong to everyone, whatever our differences. You should never be discriminated against for any reason, including your race, skin color, sex, language, religion, political opinion, nationality or social status.
- c. Article 3 - Everyone has the right to life, liberty and security. You have the right to live, and to live in freedom and safety.
- d. Article 4 – No-one shall be held in slavery nobody has the right to force you into slavery and you should not make anyone else your slave.

- e. Article 5 – No-one has the right to torture you Nobody has the right to torture you or to punish you in a cruel or unfair way.
- f. Article 6 – Everyone has the right to be treated as a person in the eyes of the law you should be legally protected in the same way everywhere.
- g. Article 7 – Everyone is equal before the law you have the right to be treated by the law in the same way as everyone else. Everyone has a right to protection against violations of their human rights.
- h. Article 8 – Everyone has the right to be protected by the law If you are not treated fairly according to the laws of your country, you have a right to ask for legal help.
- i. Article 9 – No-one shall be arrested, detained or exiled without a good reason. Nobody has the right to put you in prison, to keep you there, or to send you away from your country unjustly, or without a good reason.
- j. Article 10 – Everyone has the right to a fair and public trial If you are accused of breaking the law, you have the right to a public trial. The people who try you should not be influenced by others.
- k. Article 11 – Everyone is innocent until proven guilty you should be considered innocent of committing a crime until it can be proven that you are guilty, in a fair trial. No-one should be charged with a crime for doing something that wasn't a crime at the time that they did it.
- l. Article 12 – Everyone has a right to privacy you have the right to ask for protection if someone tries to harm your good name, enter your house, open your letters, or bother you or your family without a good reason.
- m. Article 13 – Everyone has the right to freedom of movement you have the right to come and go as you wish within your country. You have the right to leave your country to go to another one; and you should be able to return to your country if you want.
- n. Article 14 – Everyone has the right to seek asylum from persecution if you are being harmed, or believe you are in danger of being harmed, in your own country, you have the right to go to another country and ask for protection.
- o. Article 15 – Everyone has the right to a nationality you have the right to belong to a country and nobody can prevent you, without a good reason, from belonging to another country if you wish.
- p. Article 16 – Everyone has the right to marry and raise a family every grown-up has the right to marry and have a family if they want to. Men and women have the same rights when they are married, and also when they are separated.
- q. Have the right to own things and nobody has the right to take these from you without a good reason.
- r. Article 18 – Everyone has the right to freedom of thought, conscience and religion you have the right to have your own religion or belief. This includes the right to change your religion or belief if you want, to practice your religion either on your own or with other people and to peacefully express your beliefs in teaching, practice and worship.
- s. Article 19 – Everyone has the right to freedom of opinion and expression you have the right to have your own ideas and opinions and to express them to others. You have the right to seek, receive and share information and ideas with people from any other country.
- t. Article 20 – Everyone has the right to freedom of assembly and association you have the right to organize peaceful meetings or to take part in meetings in a peaceful way. No-one can make you join a group if you don't want to.

- u. Article 21 – Everyone has the right to take part in the government of their country You have the right to take part in your country’s political affairs either by belonging to the government yourself or by choosing politicians to represent you. Governments should be voted for regularly, through free and fair voting procedures. Everyone should have a vote and all votes should be counted equally.
- v. Article 22 - Everyone, as a member of society, has a right to social security you have the right to affordable housing, medicine, education, and childcare, enough money to live on and medical help if you are ill or old. The society in which you live should help you to develop and to make the most of all the advantages that are offered to you.
- w. Article 23 – Everyone has the right to work and to fair working conditions you have the right to work. This includes the right to good working conditions, to fair pay and to join a trade union.
- x. Article 24 – Everyone has the right to rest and leisure you have the right to rest and relaxation time, including regular holidays with pay.
- y. Article 25 – Everyone has the right to a decent standard of living you have the right to the things you need to live a healthy and prosperous life. This includes food, clothing, housing and medical care and social services. Those with particular needs such as mothers and children, older people and people with disability, have the right to extra care and assistance.
- z. Article 26 – Everyone has the right to education. You have the right to go to school and primary school education should be free. You should be able to learn a profession or continue your studies to whatever level you wish.
- aa. Article 27 – Everyone has the right freely to participate in the cultural life of the community you have the right to share in your community’s arts and sciences, and in any good they do. Your works as an artist, a writer or a scientist should be protected, and you should be able to benefit from them.
- bb. Article 28 – Everyone has the right to live in a free and fair world you have the right to live in the kind of world where your rights and freedoms are respected.
- cc. Article 29 – Everyone has a responsibility to respect and protect human rights we all have a responsibility to respect and protect the rights of others.
- dd. Article 30 – Everyone has human rights and they cannot be taken away No person or group should try to take your human rights and freedoms away. AHRC Creative Commons information © Australian Human Rights Commission 2016.