



**PERMANENT MISSION OF THE REPUBLIC OF THE PHILIPPINES
TO THE UNITED NATIONS AND OTHER INTERNATIONAL
ORGANIZATIONS, GENEVA**

LT-EPG-22-2019

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (Attn: Special Procedures Branch) and, with reference to OL PHL 2/2019 dated 8 March 2019, has the honor to provide through the attachment its detailed response with respect to the work of the Working Group III on Investor-State Dispute Settlement (ISDS) Reform.

The Permanent Mission of the Philippines wishes to convey to the Office of the High Commissioner for Human Rights (Attn: Special Procedures Branch) that the Philippines supports the initiative of the UN independent human rights experts relative to the Investor-State Dispute Settlement (ISDS) reform and concurs with the position. The Philippines is of the view that there is merit in improving the ISDS mechanism to ensure that the rights and well-being of individuals, especially the disadvantaged and marginalized are protected and upheld.

The Permanent Mission of the Republic of the Philippines to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights (Attn: Special Procedures Branch) the assurances of its highest consideration.

Geneva, 30 April 2019

OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS

ATTN: Special Procedures Branch

Palais des Nations
52 Rue des Paquis
CH-1201 Geneva

Annex 1- Detailed Response to OL PHL 2/2019



OHCHR REGISTRY

-3 MAY 2019

Recipients :..... **SPB**

Detailed Response to OL PHL 2/2019 in relation to the ongoing work of the Working Group III on Investor-State Dispute Settlement (ISDS) Reform under the United Nations Commission on International Trade Law (UNCITRAL)

The Philippines supports the initiative of the UN independent human rights experts relative to the Investor-State Dispute Settlement (ISDS) reform and concurs with the position. The Philippines is of the view that there is merit in improving the ISDS mechanism to ensure that the rights and well-being of individuals, especially the disadvantaged and marginalized are protected and upheld.

The Philippines finds the instrument as significant and relevant in fulfilling the Filipinos' long-term vision and aspirations reflected in the planning document *Ambisyon Natin 2040* or Our Ambition 2040, where families are strongly rooted, comfortable and secure by having decent jobs that bring sustainable income, including opportunities for entrepreneurship. In addition, the instrument complements and contributes to the attainment of the specific outcomes espoused in the Philippine Development Plan (PDP) 2017-2022 Chapters 6 and 7 on pursuing swift and fair administration of justice and Chapters 10-13 that are aimed at human capital development and promote better social protection, especially among the vulnerable groups, including the indigenous peoples and persons with disabilities.

The Philippines wishes to emphasize that its Constitution, through the Bill of Rights, is designed to protect the sovereign rights and privileges and safeguard individuals against the violation of the State. Specifically, the *Writ of Amparo* is a remedy provided by our justice system to persons whose right to life, liberty and security is violated or threatened with any violation by an unlawful act or omission of a public official or employee, or of a private individual or entity. Further, the fundamental law of the land is also bound by the principle of social justice (Article 13) that mandates the Congress to give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by diffusing wealth and political power for the common good.

The Philippines, in supporting the ongoing process of the Open-Ended Intergovernmental Working Group on Transnational Corporations and Other Business enterprises with respect to human rights (OEIGWG) to elaborate a legally binding instrument, advocates for equitable access to remedies and other measures deemed valuable in ensuring that TNCs and OBEs are committed to their obligation to respect human rights. *END.*