



August 26, 2013

Dear Commissioners of the CHRP,

We are appalled at the verified stories of recent human rights violations committed by two Commissioners against their staff. These violations are not to be rooted mainly, much less solely, in personality shortcomings and management attitudes and values. No, these actions of ill-treatment and public use of violent means that dominate personal and work relationship issues must have no place in an institution wherein human rights are essential, preferred and practiced values.

Furthermore, we are aware that these violations are added on to past incidents of uncorrected and continuing acts of unprofessionalism, below-par performance and favouritism that eroded the integrity and credibility of some Commissioners as well as the institution of the CHRP itself. Non-performing Commissioners are millstones in the fight against impunity and a waste of people's and donors' money. Sadly, these accumulated acts, abetted by most, frustratingly become a standard normal mindset and behaviour within the Institution delivering a sub-standard way of service. In such an environment, tolerated corruption cannot be far from thriving shielded as it is from public knowledge and scrutiny. Eventually, among the staff who know and/or experience abuses or human rights violations, dignity and professionalism are compromised out of fear for economic survival.

Violations by commission and omission –among others, office drivers made to become family drivers, unreported or tolerated minimal presence of employees – may be ‘micro’ compared to extrajudicial killing, enforced disappearance and torture cases but unchecked and unaccountable violations nonetheless, thus falling within the ambit of impunity. Among the Commissioners, a culture of ‘micro’ impunity has established itself. Collecting underserved salaries may not be of self-enrichment of Napoles-ian scale but is definitely an act of corruption and concomitantly, corruptive of the institution.

The present situation is unacceptable and must not be tolerated any further.

The absence of a mechanism in CHRP’s Manual of Procedures to exact accountability from Commissioners and officials may have presupposed a mature disposition and moral strength to decisively deal with isolated shortcomings among themselves as presumed regularity. The recent events, which are the latest in a series of inexcusable conduct among the officials of the Commission, have highlighted and made it imperative that there is a necessity to formulate such procedures and embed them in the new Charter of the CHRP.



The above situation places us in a dilemma whether to demand the resignation of most, if not all, of the Commissioners; that it would be a far better and bearable move for the sake of the Institution than suffer and bear the shame in the last two years of the present Commission. Save for many dedicated directors and staff who diligently perform their duties despite a deeply divided and dysfunctional leadership, the Institution is bereft on any moral high-ground and leadership to promote and protect our human rights against violations perpetrated by government, security force or any of its bodies or its members. How could the Commission do so, when the collective leadership of our present National Human Rights Institution (NHRI) itself lacks sensitivity, probity, discernment and courage to monitor, rectify and halt violations among its own members. The new set of Commission members must have embodied and will commit to these virtues and values upon assumption into office.

As claimholders, we are disappointed with the lukewarm response and/or lack of due diligence of the rest of the Commission and related officers to the manipulation of legal technicalities to gloss over and/or cover up the abuses committed by Commissioners Norberto de la Cruz and Maria Cecilia Rachel Quisumbing against their staff that had forced the latter to resign from their jobs. *“Hindi na namin masikmura ang pagyurak sa aming dignidad at pagkatao.”* [We can no longer stomach the trampling done against our dignity and person.] Another expressed one’s frustration: *“Makakatanggap pa sila ng retirement pension mula sa gobyerno sa kabilang kanilang paglabag sa karapatang pantao!”* [And they will still receive a retirement pension from the government despite committing human rights violations!] And yet the affected staff knew that by their principled resignations, their families would suffer from a diminution of income. An added burden is a negative stigma when applying for new employment because of being unjustly fired instead of accepting the resignation.

Because of the situation above, we chose to stand with the victims among the CHRP personnel in their fight to regain their dignity, to obtain justice for each other and to assist in building the integrity and credibility of CHRP as an institution.

We demand that the two mentioned Commissioners take a leave of absence immediately so that an open inquiry within the Institution could be conducted without undue influence or intimidation from the former. Both, because of their rank as Commissioners, had already their initial venues to explain their sides.

In fifteen (15) days, we expect that recommendations for redress and reparation or even possible legal actions that could be taken by the victims are finished and given to the latter.

Such actions, when fulfilled, are starting positive signs that the CHRP would be non-selective in its condemnation of state-perpetrated human rights violations. It should then take the next step to radically and comprehensively undertake reforms within the Commission up to the end of its



term. Some of these issues, mentioned in the CSO Reflective Assessment, are the accountability of below-par performance of several Commissioners and some Directors in their designated tasks, such as those that deal with the National Monitoring Mechanism (NMM), Liaison with CSOs, Human Rights Education, the Oversight Committee on Torture and being investigators for IHL violations. Compounded by a divided leadership and a below-par performance of the Commission, the CHRP has, unwittingly, lent itself as an accessory to impunity.

If these actions, which we believe are part of the CHRP's obligations of conduct and of result, are not taken, we shall be compelled to seek other fora and to conduct appropriate actions to obtain redress for the victims and reforms for the institution.

Saddened and pained that these issues could have been discussed and resolved in CSO-CHR dialogue regarding the results of the CSO Reflective Assessment, but are now overtaken by events, we, nonetheless, believe that convergence of human rights defenders is inevitable. We look forward to that day when the Commission on Human Rights of the Philippines, with its Commissioners and members, would be fully committed to its mandate and become a prime example of institutional passion for human rights.

Justice and dignity for us all,

PAHRA National Executive Council

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*cc: Atty. Jacqueline V. Mejia, Executive Director, CHRP*  
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