

EXECUTIVE ORDER NO. 163

DECLARING THE EFFECTIVITY OF THE CREATION OF THE COMMISSION ON HUMAN RIGHTS AS PROVIDED FOR IN THE 1987 CONSTITUTION, PROVIDING GUIDELINES FOR THE OPERATION THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, the 1987 Constitution has been ratified by the people;

WHEREAS, the 1987 Constitution has created an independent office called the Commission on Human Rights; and

WHEREAS, there is an urgent necessity to constitute the Commission on Human Rights to give effects to the State policy that "the State values the dignity of every human person and guarantees full respect for human rights."

NOW, THEREFORE, I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order:

Section 1

The Commission on Human Rights as provided under Article XIII of the 1987 Constitution is hereby declared to be now in existence.

Section 2

The Commission on Human Rights shall be composed of a Chairman and four members who must be natural-born citizens of the Philippines and, at the time of their appointment, at least thirty-five years of age, and must not have been candidates for any elective position in the elections immediately preceding their appointment. However, a majority thereof shall be members of the Philippine Bar.

The Chairman and the Members of the Commission on Human Rights shall not, during their tenure, hold any other office or employment. Neither shall they engage in the practice of any profession or in the active management or control of any business which in any way may be affected by the functions of their office, nor shall they be financially interested, directly or indirectly, in any contract with, or in any franchise or privilege granted by the government, any of its sub-divisions, agencies, or instrumentalities, including government-owned or controlled corporations or their subsidiaries.

The Chairman and the Members of the Commission on Human Rights shall be appointed by the president for a term of seven years without reappointment. Appointment to any vacancy shall be only for the unexpired term of the predecessor.

The Chairman and the members of the Commission on Human Rights shall receive the same salary as the Chairman and the Members of the Commission on Human Rights

shall receive the same salary as the Chairman and Members, respectively, of the Constitutional Commissions, which shall not be decreased during their term of office.

Section 3

The Commission on Human Rights shall have the following powers and functions:

- Investigate, on its own or on complaint by any party all forms of human rights violations involving civil and political rights;
- Adopt its operational guidelines and rules of procedure, and cite for contempt for violations thereof in accordance with the rules of Court.
- Provide appropriate legal measures for the protection of human rights of all persons within the Philippines, as well as Filipinos residing abroad and provide for preventive measures and legal aid services to the under-privileged whose human rights have been violated or need protection;
- Exercise visitorial powers over jails, prisons, or detention facilities;
- Establish a continuing program of research, education and information to enhance respect for the primacy of human rights;
- Recommend to the Congress effective measures to promote human rights and to provide for compensation to victims of violations of human rights, or their families;
- Monitor the Philippine Government's compliance with international treaty obligations on human rights;
- Grant immunity from prosecution to any person whose testimony or whose possession of documents or other evidence is necessary or convenient to determine the truth in any investigation conducted by it or under its authority;
- Request the assistance of any department, bureau, office or agency in the performance of its functions;
- Appoint its officers and employees in accordance with law; and
- Perform such other duties and functions as may be provided by law.

Section 4

The presidential committee on human rights, created under executive Order no. 8 dated March 18, 1996, as modified, is hereby abolished. The Commission on Human Rights shall exercise such functions and powers of the presidential committee on Human Rights under Executive Order No. 8, as modified, which are not inconsistent with the provisions of the 1987 Constitution.

The unexpended appropriations of the Presidential Committee on Human Rights are hereby transferred to the Commission on Human rights. All properties, records, equipment, buildings, facilities and other assets of the Presidential Committee on Human Rights shall be transferred to the Commission on Human Rights.

The Commission on Human Rights may retain such personnel of the Presidential Committee on Human Rights effected under this Executive Order shall receive the benefits to which they may be entitled under existing law, rules and regulations.

Section 5

The approved annual appropriations of the Commission on Human Rights shall be automatically and regularly released.

Section 6

All laws, orders, issuances, rules and regulations or parts thereof inconsistent with this Executive Order are hereby repealed or modified accordingly.

Section 7

This Executive Order shall take effect immediately.

Done in the City of manila, this 5 th day of May, in the year of our Lord, nineteen hundred and eighty-seven.