

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City
Twentieth Congress
First Regular Session**

HOUSE BILL NO. 5703



**Introduced by,
AKBAYAN REPRESENTATIVES DADAH KIRAM ISMULA, JOSE MANUEL TADEO
"CHEL" I. DIOKNO, PERCIVAL V. CENDAÑA, and DINAGAT ISLANDS
REPRESENTATIVE KAKA J. BAG-AO**

E X P L A N A T O R Y N O T E

The term "*Bakwit*" is a colloquial Filipino adaptation of the word "*evacuate*," commonly used to describe individuals who have been forcibly displaced due to armed conflict, natural disasters, or other emergencies.

In September 2013, clashes between the Armed Forces of the Philippines and a faction of the Moro National Liberation Front (MNLF) in Zamboanga City, Mindanao, forced approximately 120,000 people to flee their homes.¹ The siege also resulted in the destruction of around 10,000 houses. Many internally displaced persons (IDPs) sought shelter in evacuation centers. These evacuations centers, however, were overcrowded, unsanitary, and unsafe, leading to deplorable living conditions. As a result, at least 167 deaths were recorded among IDPs while residing in evacuation and transitional facilities.²

On May 23, 2017, violent conflict erupted in Marawi City between government forces and armed extremists affiliated with the Maute Group and ISIS. The five-month siege led to the near-total destruction of the city's urban core and displaced an estimated 350,000³ residents from Marawi and surrounding municipalities. Families sought refuge in evacuation centers, transitional shelters, or with relatives. What were intended as temporary solutions have since become semi-permanent settlements, highlighting the urgent need for sustainable support and long-term recovery.

¹ <https://www.refugeesinternational.org/reports-briefs/philippines-displaced-and-forgotten-in-zamboanga/>

² <https://www.philstar.com/nation/2014/09/02/1364630/death-toll-among-zamboanga-siege-evacuees-hits-167>

³ <https://dtm.iom.int/sites/g/files/tmzbd11461/files/reports/DTM%20%239.pdf>

According to the United Nations High Commissioner for Refugees (UNCHR), the Philippines is home to approximately 264,000 persons of concern. This includes around 134,000 (51%) internally displaced persons, 129,000 (48%) stateless individuals or those at risk of statelessness, and about 1,400 (1%) refugees and asylum seekers. Most IDPs and stateless persons are concentrated in Southern Mindanao.⁴

This proposed legislation seeks to formally recognize and safeguard the rights of Internally Displaced Persons (IDPs), especially those affected by armed conflict, natural disasters, and development-related displacement. It seeks to ensure a human rights-based approach to their protection and welfare, in line with International Humanitarian Law (IHL) and relevant international treaties and conventions. The measure also upholds the rights of other non-combatants, reinforcing the State's commitment to dignity, safety, and justice for all displaced populations.

Thus, the immediate approval of this Bill is earnestly sought.



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⁴ <https://www.unhcr.org/asia/where-we-work/countries/philippines>

(a) Apartheid – Refers to inhumane acts committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups, committed with the intention of maintaining that regime.

1 **(b) Arbitrary Deprivation of Liberty** - Refers to the detention or
2 imprisonment of a person without legal basis or due process, including those done
3 during displacement.

4 **(c) Arbitrary Internal Displacement** – Refers to any act or situation of
5 forced displacement or forcible evacuation committed by any person, group,
6 organization, or State actor, directed against civilian populations, which is:

- 7 1. Contrary to law, public order, or public policy;
- 8 2. Committed with abuse of authority, oppression, or wanton disregard of
9 the right to life, liberty, or abode;
- 10 3. Characterized by violations of human rights, armed conflict, violence,
11 or development-related activities that do not observe free, prior, and
12 informed consent (FPIC) from affected communities.

13
14 Development-induced displacement, when carried out without free and informed
15 consent, in violation of FPIC, or without legal safeguards, shall be considered a form
16 of arbitrary internal displacement.

17 **(d) Armed Conflict** – Refers to any use of force between States or protracted
18 armed violence between governmental authorities and organized armed groups, or
19 between such groups within a State, giving rise to situations governed by the Geneva
20 Conventions of August 12, 1949, and their Common Article 3. It may be:

- 21 1. International – Between two or more States, including belligerent
22 occupation; or
- 23 2. Non-international – Between governmental authorities and organized
24 armed groups, or between such groups within the same State.

25 This does not include internal disturbances, riots, or sporadic acts of violence.

26 **(e) Clan War (Rido)** – Refers to retaliatory conflict characterized by cycles of
27 violence between families, clans, or kinship groups, often due to land disputes, honor,
28 or other socio-political grievances.

29 **(f) Collective Punishment** – Refers to any action where a group of people is
30 punished due to real or perceived acts or omissions of one or more of its members.

31 **(g) Conflict-Affected Areas** – Refer to areas where:

- 32 1. There are actual armed encounters;
- 33 2. Political armed groups dominate the local situation; or
- 34 3. Communities are subject to protracted violence.

35 **(h) Conflict-Vulnerable Areas** – Refer to geographically isolated and
36 disadvantaged areas (GIDAs) or other communities that are susceptible to armed
37 conflict, organized violence, or resource-based tensions.

1 **(i) Crimes against humanity** - Refers to acts such as murder, enforced
2 disappearance, torture, persecution, and other inhumane acts committed as part of a
3 widespread or systematic attack against civilians, as defined under SEC. 6 of RA 9851.

4 **(j) Durable Solution** – Refers to a situation where IDPs no longer have
5 protection or assistance needs linked to displacement and can enjoy their rights
6 without discrimination. This includes:

- 7 1. Safe and voluntary return to original place of residence;
- 8 2. Local integration in the host community; or
- 9 3. Resettlement elsewhere with security and dignity.

10 **(k) Enforced Disappearance** – Refers to the arrest, detention, or abduction
11 of persons by state agents or persons acting with State acquiescence, followed by a
12 refusal to acknowledge the deprivation of liberty or concealment of the person's fate
13 or whereabouts.

14 **(l) Ethnic Cleansing** – Refers to the forced removal of an ethnic or religious
15 group from a geographic area through violence, intimidation, or coercion to create a
16 homogenous population.

17 **(m) Generalized and/or Organized Violence** – Refers to the widespread,
18 systematic use of terror or brutality to control individuals, groups, or communities,
19 including torture, mass killings, or destruction of homes and infrastructure,
20 intimidation and threats, or targeted destruction of a community, ethnic group, or
21 political opposition.

22 **(n) Implementation of Development Projects** – Refers to any public or
23 private project or activity aimed at growth, expansion, or modernization that leads to
24 displacement of persons or communities. Displacement arising from development shall
25 be considered arbitrary if:

- 26 1. Conducted without Free, Prior, and Informed Consent;
- 27 2. Lacking meaningful consultation;
- 28 3. Without adequate compensation or resettlement measures; or
- 29 4. In violation of socio-economic and environmental safeguards.

30 Implementation of development project should:

- 31 1. As much as possible, prevent displacement caused by projects carried
32 out by public or private actors;
- 33 2. Ensure that the stakeholders concerned will explore feasible alternatives,
34 with full information and consultation of persons likely to be displaced
35 by projects; and
- 36 3. Carry out a socio-economic and environmental impact assessment of a
37 proposed development project prior to undertaking such a project.

4. Full disclosure to and consultation with affected populations⁵.

(o) Internal Displacement – Refers to the involuntary or coerced movement of persons or groups from their homes or places of habitual residence within national borders, due to:

1. Armed conflict;
2. Generalized or organized violence;
3. Human rights violations;
4. Natural or human-induced or human-made disasters; or
5. Implementation of development projects.

(p) Internally Displaced Person (IDP)/Bakwit – Refers to any person or group of persons who has been forced to flee or leave their homes or places of habitual residence due to the factors listed above, and who has not crossed an internationally recognized state border.

(q) Non-combatants - Refers to civilians or persons not directly participating in hostilities or armed conflict.

(r) Order of Battle/Watchlist – Refers to any document or listing maintained by security forces or non-state actors identifying individuals or organizations as threats to national security. Such lists shall not justify arbitrary displacement or result in violations of civil liberties.

(s) Sexual Abuse – Refers to the actual or threatened physical intrusion of a sexual nature, using coercion, force, deceit, or abuse of power.

(t) Sexual Exploitation – Refers to any actual or attempted abuse of a position of vulnerability or differential power for sexual purposes, including profiting monetarily or politically from such exploitation.

(u) Vulnerable and Marginalized Groups – Refer to individuals or communities more susceptible to the risks and impacts of displacement, including but not limited to:

1. Women and children;
2. Elderly persons;
3. Persons with disabilities (PWDs);
4. Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs);
5. LGBTQ+ individuals;
6. Small farmers, artisanal fisherfolk, and others facing social and economic disadvantage.

SEC. 4. Scope. This Act shall apply to all individuals or groups who are forcibly displaced within the territory of the Philippines regardless of the cause, duration, or

⁵ Reference made to the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).

location of displacement, whether temporary or protracted. It covers displacement caused by armed conflict, development aggression, generalized violence, disasters, human rights violations, or political persecution.

This Act shall be implemented in consonance with existing domestic laws and institutional mandates to ensure complementarity and harmonized delivery of protection, assistance, and durable solutions, to IDPs or Bakwits.

CHAPTER II

RIGHTS OF INTERNALLY DISPLACED PERSONS

SEC. 5. State Responsibility and Primary Duty to Protect Internally Displaced Persons (IDPs).

(a) Primary Responsibility of the State. The State has the primary duty and responsibility to protect the rights of internally displaced persons (IDPs), prevent arbitrary internal displacement, and provide humanitarian assistance and durable solutions to affected populations.

(b) Obligations of Government Agencies and Local Government Units (LGUs). National government agencies, LGUs, and other relevant government agencies shall:

1. Ensure immediate and sustained protection, assistance, and delivery of services to IDPs.
2. Coordinate to provide services and humanitarian aid to affected communities.
3. Allocate necessary funds to respond to IDPs' immediate needs and facilitate their recovery, rehabilitation, and reintegration into society.
4. Take all necessary administrative, legislative, and judicial measures to prevent acts that may result in arbitrary displacement.
5. Ensure full participation of IDPs and affected communities in the planning and implementation of responses and solutions.

(c) Role of Parties to Armed Conflict. Parties to armed conflict, whether State or non-State actors, shall:

1. Uphold the protection and rights of civilians and refrain from any act that causes or exacerbates displacement.
2. Respect IHL obligations, particularly the prohibition on the targeting of civilians and civilian infrastructure.
3. Avoid the use of displacement as a method of warfare.
4. Refrain from using "Order of Battle" lists or counterinsurgency operations to forcibly remove, intimidate, threaten, coerce, or deceive communities.

1 **(d) Prevention of Arbitrary Displacement.** The State shall take all
2 measures to:

- 3 1. Prevent displacement due to violent conflict, political repression,
4 disasters, or unsustainable development;
- 5 2. Address systemic inequalities and vulnerabilities that increase
6 displacement risks;
- 7 3. Uphold the right to security of tenure and protection from unlawful
8 eviction;
- 9 4. Ensure that any planned relocation or evacuation is carried out lawfully,
10 in a manner that is informed, voluntary, dignified, and consultative.

11 **(e) Protection Against Discrimination.** IDPs shall enjoy the same rights
12 and freedoms as other persons under the Constitution and other national and
13 international laws. Discrimination against them based on their displacement, ethnicity,
14 gender, beliefs, disability, religion, or social background strictly prohibited.

15 **SEC. 6. Rights of Internally Displaced Persons During and After**
16 **Displacement.** - Internally Displaced Persons (IDPs) shall, without discrimination of
17 any kind, enjoy all rights guaranteed under the Constitution, international human
18 rights law, international humanitarian law, and domestic statutes. These rights
19 include, but are not limited to, the following:
20

- 21 (a.) Right to Non-Discrimination.
- 22 (b.) Right to Life, Liberty, and Protection from Violence.
- 23 (c.) Right to Basic Needs and Humanitarian Assistance.
- 24 (d.) Right to Adequate Shelter and Protection of Property.
- 25 (e.) Right to Health and Education.
- 26 (f.) Right to Legal Identity and Documentation.
- 27 (g.) Right to Freedom of Movement and Choice of Residence.
- 28 (h.) Right to Family Unity and Protection of Missing Persons.
- 29 (i.) Right to Participation and Information.
- 30 (j.) Right to Seek and Receive Protection and Assistance.

31 **SEC. 7. Durable Solutions for Internally Displaced Persons.** - Internally
32 Displaced Persons (IDPs) have the right to pursue durable solutions that fully restore
33 their rights, security, and dignity. The State shall ensure that any process of return,
34 local integration, or resettlement is voluntary, safe, informed, and sustainable, and
35 that no IDP is returned to, relocated to, or left in conditions that threaten life, health,
36 liberty, or well-being.

37 In addition to the rights enumerated in SEC. 6, durable solutions shall be pursued
38 through the following guarantees:

39 **(a) Right to Choose a Durable Solution.** IDPs have the right to freely
40 choose among:

1. Return to their place of origin or habitual residence;
2. Local integration in the area of displacement; or
3. Resettlement in another area within the country.

This decision must be voluntary and based on accurate, timely information from the state.

(b) Right to Safe, Voluntary, and Dignified Transition. The State shall ensure that any return, integration, or resettlement:

1. Is based on informed consent and is free of coercion;
2. Provides appropriate support for transition and reintegration;
3. Respects cultural integrity and safety;
4. Avoids relocation to areas of conflict, disaster risk, or insufficient basic services.

(c) Right to Housing, Land, and Property Restitution. IDPs have the right to:

1. Recover lost homes, lands, or properties;
2. Receive just compensation or alternative shelter where restitution is not possible;
3. Be protected from further displacement or arbitrary eviction.

(d) Right to Access Services and Livelihood in Durable Solutions. IDPs shall be entitled to:

1. Basic services like shelter, health care, water, sanitation, and electricity;
2. Education, livelihood, and social protection programs;
3. Civil documentation and legal assistance.

(e) Right to Participation in Durable Solutions Planning and Implementation. IDPs must be consulted and involved in decisions about their return, integration, or resettlement. This includes:

1. Inclusive planning with women, youth, IPs, PWDs, and marginalized groups;
2. Coordination with host communities and civil society.

(f). Right to Remedy and Non-Repetition. IDPs must have access to:

1. Legal restitution or compensation for losses;
2. Legal aid and justice mechanisms;
3. Reforms and peacebuilding efforts to guarantee non-recurrence of displacement.

(g) Monitoring and Evaluation of Durable Solutions. The State shall:

1. Track progress of return, integration, or resettlement;
2. Monitor access to services and rights restoration;
3. Collect detailed data and work with LGUs, CHR, and CSOs;
4. Coordinate with mechanisms established under SEC. 16.

(h) Integration into Development and Anti-Poverty Programs. Durable solutions shall be linked to national development, DRRM, climate resilience, and anti-poverty strategies. IDPs shall be included in the implementation of programs under RA 8425 and other related social reform initiatives.

SEC. 8. Duties and Responsibilities of the State. The State shall be responsible for protecting the rights of Internally Displaced Persons (IDPs) before, during, and after displacement. Its key duties include:

(a) Prevention of Displacement. Address the root causes of displacement through conflict resolution, responsible development planning, and climate adaptation. Ensure FPIC, socio-environmental safeguards, and inclusive consultations, especially where Indigenous Peoples and vulnerable communities may be affected.

(b) Protection During Displacement. Guarantee the physical security, dignity, and freedom of movement of IDPs. Protect them from abuse, discrimination, and exploitation, ensure their access to humanitarian assistance in accordance with international and national standards.

(c) Provision of Basic Services and Immediate Assistance. Ensure timely delivery of food, water, shelter, health care, education, and psychosocial support to IDPs in displacement sites, transit locations, or host communities.

(d) Support for Durable Solutions. Facilitate voluntary return, local integration, or resettlement of IDPs. Provide access to services, restitution, shelter, and livelihoods. Coordinate with agencies to deliver long-term support for sustainable reintegration.

(e) Participation and Accountability. Establish participatory mechanisms to ensure meaningful IDP involvement in decisions affecting them. Provide access to grievance redress systems and uphold transparency and accountability in displacement responses.

(f) Institutional Coordination and Implementation. Designate lead agencies for effective coordination. These agencies shall form part of an inter-agency mechanism or task force to ensure synchronized policy development, service delivery, and monitoring of displacement situations.

(g) Capacity Building and Resource Mobilization. Ensure sufficient budgetary allocation and resource mobilization to support IDPs and strengthen the institutional capacity of implementers, host communities, and civil society. This includes optimizing existing financing tools such as the Local DRRM Fund (LDRRMF) and inclusion in the Annual Investment Plans (AIPs).

1 The State shall regularly review and evaluate the implementation of these
2 responsibilities through participatory monitoring mechanisms established under this
3 Act.

4
5 **SEC. 9. Provision of Humanitarian Assistance, Protection of Aid Workers,**
6 **and Support to Livelihoods During Displacement.**

7
8 **(a) State Responsibility in Humanitarian Response.** The State, through
9 its national agencies and Local Government Units (LGUs), shall ensure the timely,
10 impartial, and rights-based delivery of humanitarian assistance to Internally Displaced
11 Persons (IDPs), including life-saving relief, psychosocial care, and recovery services.
12 IDPs shall be consulted and involved in the planning, delivery, and monitoring of such
13 assistance to ensure cultural appropriateness, equity, and accountability.

14
15 LGUs in affected areas, in coordination with the DSWD, DOH, NDRRMC, and
16 relevant agencies, shall:

- 17 1. Provide food, clean water, temporary shelter, healthcare, sanitation, and
18 education;
- 19 2. Facilitate safe and dignified evacuation, transit, and return;
- 20 3. Deliver medical, psychological, and mental health support services;
- 21 4. Ensure special protection and targeted assistance for women, children,
22 elderly, LGBTQ+, PWDs, ICCs/IPs, and other marginalized groups;
- 23 5. Ensure access to legal aid and documentation through the Public
24 Attorney's Office (PAO) and accredited legal aid groups;
- 25 6. Prevent recruitment of children and youth by armed groups, human
26 trafficking, or other forms of exploitation.

27
28 **(b) Protection of Humanitarian Assistance and Personnel.** The State
29 shall take all measures to ensure that humanitarian assistance is not delayed,
30 politicized, militarized, or used for purposes inconsistent with humanitarian principles.
31 Humanitarian organizations and personnel shall be protected from violence, threats,
32 coercion, or obstruction in the conduct of lawful humanitarian work.

33
34 **(c) Access to Livelihood and Social Support.** Displaced persons shall be
35 supported in maintaining or restoring access to livelihood and self-reliance while in
36 displacement. To this end, the State shall:

- 37 1. Ensure access to safe and dignified temporary employment;
 - 38 2. Promote short-term cash-for-work and food-for-work programs;
 - 39 3. Provide vocational training and capacity-building;
 - 40 4. Support income-generating activities and business recovery;
 - 41 5. Facilitate access of IDPs to social protection programs, including
42 recovery assistance for displaced informal workers, farmers, and
43 fisherfolk, in coordination with DSWD and other agencies.
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45

CHAPTER III
VIOLATION OF RIGHTS OF INTERNALLY DISPLACED PERSONS

SEC. 10. Violations of the Rights of Internally Displaced Persons. Any person, whether a public official or private individual, who directly or indirectly causes, facilitates, or commits acts that result in arbitrary internal displacement, or violates the rights of IDPs as recognized under this Act and other applicable laws, shall be held administratively, civilly, or criminally liable in accordance with existing laws.

The following acts are deemed violations, and may give rise to appropriate sanctions, subject to due process:

- a) Arbitrary or forced displacement without lawful basis or due process;
- b) Obstruction or denial of access to humanitarian assistance;
- c) Violence, threats, or intimidation directed at IDPs or humanitarian workers;
- d) Discrimination in the provision of assistance or services to IDPs;
- e) Coercion or manipulation of IDPs in choosing or implementing durable solutions;
- f) Failure of responsible agencies or officials to fulfill their obligations under this Act;
- g) Use of relief operations for partisan, military, or exploitative purposes.

These violations shall be pursued in accordance with the Revised Penal Code, RA 9851 (Philippine Act on Crimes Against International Humanitarian Law), RA 9710 (Magna Carta of Women), RA 8371 (IPRA), RA 10821 (Children in Emergencies Act), and other relevant laws.

Administrative or disciplinary action shall also be imposed on any public officer or employee who, by gross negligence or inexcusable neglect, fails to discharge mandated duties under this Act.

SEC. 11. Prohibited Acts of Arbitrary Internal Displacement. - It shall be unlawful for any person, group, organization, public official, or person in authority to:

- (a)** Directly commit the act of arbitrary internal displacement;
- (b)** Force, instigate, encourage, induce, or incite others to commit the act of arbitrary internal displacement;
- (c)** Cooperate in the act of arbitrary internal displacement by committing another act, without which the act would not have been carried out;
- (d)** Cooperate in the execution of the act of arbitrary internal displacement by previous or simultaneous acts.

Commanding officers of the military, police, or law enforcement agencies, or other authorities shall be liable for acts of arbitrary internal displacement committed

by forces under their effective command and control, or effective authority and control, as the case may be, where such officers knew or, owing to the circumstances of their position, should have known that the forces were committing or about to commit such acts and failed to take all necessary and reasonable measures within their power to prevent or suppress their commission, or to submit the matter to competent authorities for investigation and prosecution.

In cases where acts of arbitrary internal displacement are committed by a corporation or juridical entity, the members of the Board of Directors who were present during the meeting and voted for the approval of any resolution or order directing the commission of such acts, and the responsible corporate officers or agents, shall also be held liable.

The following acts, whether committed by State or non-State actors, are considered to constitute Arbitrary Internal Displacement and are prohibited and punishable under this Act:

(a) Displacement Due to Discriminatory Policies or Collective Punishment:

1. Forcing individuals or groups to leave their homes based on ethnicity, religion, political opinion, gender, clan affiliation, or social identity;
2. Acts of apartheid, ethnic cleansing, or other systematic oppression resulting in internal displacement;
3. Use of forced displacement to alter the demographic composition of a region or community;
4. Displacement as retaliation for real or perceived offenses of a group (collective punishment);
5. Red-tagging, vilification, or labeling of communities as threats to national security without due process.

(b) Displacement Due to Armed Conflict:

1. Forced evacuation of civilians in conflict zones without compelling military necessity and without IHL safeguards;
2. Targeting civilian populations, infrastructure, or IDP shelters during military operations;
3. Use of hunger, siege, economic blockade, or environmental destruction as tactics to displace communities;
4. Indiscriminate aerial bombing or shelling of populated areas.

(c) Displacement Due to Development Projects:

1. Evictions or relocations without meaningful consultation and Free, Prior, and Informed Consent (FPIC);
2. Absence of fair compensation, adequate housing, or access to livelihoods;

3. Use of coercion, harassment, or militarization to force relocation for infrastructure, mining, or agribusiness projects.

(d) Displacement Due to Human Rights Violations:

1. Use of enforced disappearance, illegal arrests, or extrajudicial killings to intimidate and drive people from their communities;
2. Criminalization of Indigenous, environmental, or humanitarian defenders resulting in forced flight;
3. Counterinsurgency campaigns targeting entire villages as “enemy sympathizers.”

(e) Displacement Due to Negligence in Disaster Risk Management:

1. Government failure to prepare for or respond adequately to predictable hazards resulting in avoidable displacement;
2. Forced evacuation without provision of safe shelter, food, or return mechanisms;
3. Prolonged displacement due to bureaucratic delays or lack of political will.

(f) Displacement as a Military or Political Strategy:

1. Forcing communities to flee to control territory or access resources;
2. Blocking return or rebuilding in areas linked to opposition or rebel groups;
3. Construction of fences, checkpoints, or barriers preventing IDP return.

(g) Abuse of State Policies or Legal Instruments:

1. Issuance of military orders, executive directives, or administrative resolutions that displace civilians without legal justification;
2. Use of emergency powers or anti-terror laws to justify displacement;
3. Deployment of security forces into civilian areas without consultation or oversight.

SEC. 12. Compensation, Restitution, and Reparation. Internally Displaced Persons (IDPs) who have suffered harm, loss, or rights violations as a result of displacement shall be entitled to **appropriate forms of compensation, restitution, and reparation**, in accordance with this Act and applicable international and domestic legal standards. These include:

(a) Compensation. Just compensation shall be provided for demonstrable loss or destruction of housing, land, livelihood, property, or assets due to arbitrary displacement, as verified through documentation or community-based validation.

1
2 **(b) Restitution.** Where feasible, the State shall support IDPs in returning to
3 their original homes or properties and recovering housing, land, personal
4 documentation, or inheritance-based claims lost during displacement.
5

6 **(c) Reparation.** IDPs shall have access to appropriate forms of reparation
7 including restitution, rehabilitation, compensation, satisfaction, and guarantees of
8 non-repetition. This includes access to psychosocial care, trauma counseling, family
9 tracing, legal rehabilitation, and livelihood reintegration support.
10

11 The State shall establish procedures for filing and processing compensation
12 claims, including through an independent grievance and claims mechanism, in
13 consultation with IDPs, affected communities, and civil society organizations.
14

15 Nothing in this SEC. shall prevent IDPs from pursuing civil, administrative, or
16 criminal remedies against individuals, entities, or officials responsible for their
17 displacement or loss.
18

19 **SEC. 13. Penalties and Administrative Accountability.** Any person, whether
20 natural or juridical, including public officials or private individuals, found to have
21 committed or facilitated acts prohibited under this Act shall be held liable in accordance
22 with existing laws.
23

24 **(a) Criminal Liability.** Violations constituting crimes under the Revised Penal
25 and other applicable laws shall be prosecuted.
26

27 **(b) Civil Liability.** Victims of displacement shall have the right to seek
28 damages or civil remedies under existing laws against perpetrators of acts of arbitrary
29 internal displacement.
30

31 **(c) Administrative Liability.** Government officials who, through gross
32 negligence, manifest inaction, abuse of authority, or willful violation of their duties
33 under this Act, shall be subject to administrative proceedings, which may include
34 suspension, dismissal, disqualification from office, and forfeiture of benefits, in
35 accordance with civil service laws and the Code of Conduct and Ethical Standards for
36 Public Officials and Employees. This includes, but is not limited to:
37

- 38 1. failure to act on validated complaints filed by Internally Displaced
39 Persons (IDPs);
- 40 2. failure to implement the provisions of this Act within mandated timelines;
41 or
- 42 3. failure to coordinate as required by this Act and its implementing rules
43 and regulations.
44

45 These penalties do not prevent other legal actions under existing laws. The
46 Department of Justice (DOJ) and Civil Service Commission (CSC), in coordination with
47 the Commission on Human Rights (CHR), shall issue guidelines to enforce this section
48 effectively.

SEC. 14. Aggravating Circumstance. When any of the acts prohibited under this Act are committed by public officials, military or police officers, or persons in authority who abuse their position or act with deliberate neglect of duty, such conduct shall be treated as an aggravating circumstance, in any related legal case, whether administrative, civil, or criminal.

CHAPTER IV

INTERNALLY DISPLACED PERSONS COMPENSATION BOARD

SEC. 15. Compensation and Reparations Mechanisms for Internally Displaced Persons. An Internally Displaced Persons Assistance and Compensation Board (IDPACB) shall be established under the Department of Social Welfare and Development (DSWD), in coordination with the Department of Budget and Management (DBM), Department of Justice (DOJ), National Commission on Indigenous Peoples (NCIP), National Anti-Poverty Commission, and the Commission on Human Rights (CHR), which shall serve in an independent monitoring and advisory capacity. These agencies with representatives from NAPC-VDC and civil society working with the IDPs shall participate in the formulation of policies, validation processes, and grievance resolution mechanisms, and help ensure community-led oversight in implementation.

The IDPACB shall be responsible for designing and implementing a non-judicial compensation and reparations process for IDPs, with the following functions:

1. Develop and administer administrative procedures for receiving, verifying, and processing claims;
2. Coordinate with relevant national agencies, LGUs, and IP governance structures for validation, support services, and case management;
3. Recommend qualified claims for approval and release of compensation through appropriate administrative channels, subject to documentation or verified alternative evidence;
4. Refer fraudulent, unverified, or disputed claims to the DOJ or appropriate courts for resolution;
5. Ensure that lack of formal documentation shall not automatically disqualify a claimant, provided displacement can be verified through credible alternative means, including community attestations or third-party verification;
6. Promote transparency, accessibility, and procedural simplicity in the filing and resolution of claims;
7. Ensure compliance with recognized compensation standards, including fair market valuation, consideration of lost livelihood and assets, and reparations for psychosocial harm — with special prioritization for women, children, IPs, PWDs, and other marginalized groups.

The IDPACB shall not possess quasi-judicial authority. All legal disputes regarding claims or entitlements shall be resolved through the regular courts.

1 However, the Board may administratively resolve uncontested claims in accordance
2 with this Act and its implementing rules.

3 A CHR representative shall sit on the Board in a non-voting, advisory capacity,
4 consistent with its constitutional mandate to monitor human rights compliance.

5 Compensation or assistance granted under this Act shall be without prejudice
6 to the claimant's right to access other forms of reparations or assistance under national
7 and local government schemes.

8 The operations of the IDPACB shall be funded annually through the General
9 Appropriations Act (GAA). The Board shall submit an annual Strengthens protection
10 against gender-based harassment public report to Congress and the Commission on
11 Human Rights detailing the number of claims received, approved, referred, or denied,
12 and the status of fund utilization.

13 **CHAPTER V** 14 **INSTITUTIONAL MECHANISMS, OVERSIGHT, AND FUNDING FOR IDP** 15 **PROTECTION** 16

17 **SEC. 16. Appropriations and Displacement Assistance Fund** 18

19 **(a) Initial Funding Allocation**

- 20 1. The amount necessary for the implementation of this Act shall be included
21 in the annual General Appropriations Act (GAA).
- 22 2. For the first year of implementation, an initial allocation shall be sourced
23 from the Contingent Fund of the National Government.
24

25 **(b) Establishment of the Displacement Assistance Fund (DAF).** A
26 **Displacement Assistance Fund (DAF)** shall be established and administered by
27 the Department of Social Welfare and Development (DSWD), in coordination with the
28 National Disaster Risk Reduction and Management Council (NDRRMC), to support the
29 needs of Internally Displaced Persons (IDPs) as defined in this Act.
30

31 The DAF shall be used exclusively for the following purposes:
32

- 33 1. Emergency relief and humanitarian assistance for IDPs;
- 34 2. Financial assistance for IDPs to support rehabilitation and reintegration;
- 35 3. Compensation for properties lost or destroyed due to arbitrary
36 displacement;
- 37 4. Legal aid and representation for IDPs pursuing displacement-related
38 claims;
- 39 5. Durable solutions and recovery programs; and
- 40 6. IDP data management, coordination, and monitoring systems.
41

42 The **Commission on Human Rights (CHR)** shall serve as an independent
43 monitoring body to ensure compliance with human rights standards in the utilization
44 and management of the DAF.

The **National Anti-Poverty Commission (NAPC)**, through its **Victims of Disasters and Calamities (VDC) Sectoral Council**, shall participate in the monitoring of the Displacement Assistance Fund. It shall gather feedback from organized IDP groups and civil society organizations, issue community-based monitoring inputs, and raise policy or implementation concerns to CHR, DSWD, and the Joint Congressional Oversight Committee. NAPC-VDC shall also assist in public information and capacity-building for IDP communities to access the Fund.

(c) Budget Allocation by Local Government Units (LGUs). All LGUs shall allocate a portion of their Local Disaster Risk Reduction and Management Fund (LDRRMF) or other local funds for IDP-related programs, including:

1. Immediate humanitarian response and basic services;
2. IDP registration, profiling, and monitoring;
3. Sustainable livelihood and social protection programs for displaced populations; and
4. Resettlement, reintegration, and recovery support.

(d) Foreign and Private Sector Assistance. The government may accept grants, donations, and other forms of financial or material assistance from foreign governments, international institutions, and the private sector to augment the Displacement Assistance Fund, provided that such assistance does not include conditions contrary to national sovereignty, human rights, or the principles of this Act.

SEC. 17. Monitoring and Reporting

(a) Commission on Human Rights (CHR) Responsibilities

1. The CHR shall act as the **independent national human rights monitoring body** to oversee the enforcement of this Act, and particularly oversee the implementation of IDP protection and durable solutions programs.
2. It shall conduct **periodic assessments, fact-finding missions, and audits** on the situation of IDPs across the country.
3. The CHR shall submit an **annual report** to LGUs, Congress, the Office of the President, and the Supreme Court detailing compliance, gaps, and recommendations for strengthening IDP protection.
4. It shall establish a **hotline and online complaint mechanism** to report violations of the rights of IDPs.

For this purpose, all documents relating to, reasonably necessary for, or incidental to the performance by the CHR of these functions shall be **readily available** to them.

(b) National Anti-Poverty Commission (NAPC) Responsibilities. The NAPC, through the leadership of the Victims of Disasters and Calamities (VDC) Sectoral Council, shall:

1. Gather and consolidate community-level data and feedback on displacement trends, protection issues, and gaps in humanitarian response;
2. Facilitate the participation of organized IDP groups and basic sector organizations in local and national monitoring activities under this Act;
3. Coordinate with the CHR, DSWD, and NDRRMC to submit **community-based monitoring inputs** to complement official government reports;
4. Issue policy recommendations and advisories drawn from participatory consultations with affected sectors, and submit such inputs to the CHR, Congress, and the JCOC.

(c) National Disaster Risk Reduction and Management Council (NDRRMC) Responsibilities. The NDRRMC, in coordination with the Department of Social Welfare and Development (DSWD), Department of the Interior and Local Government (DILG), and Local Government Units (LGUs), shall:

1. Establish and maintain an **IDP Database and Tracking System** to monitor displacement incidents nationwide;
2. Submit **quarterly reports** on the number of IDPs, assistance provided, and durable solutions undertaken;
3. Ensure the **integration of IDP protection strategies** into national and local disaster risk reduction and management plans;
4. Submit all documents and data in relation to this Act to the Commission on Human Rights.

(d) Local Government Responsibilities. Local Government Units shall:

1. Maintain a **registry of IDPs** to facilitate the delivery of assistance;
2. Establish **community-based monitoring systems** in displacement-prone areas;
3. Ensure the **participation of IDPs** in local governance and rehabilitation planning;
4. Submit all relevant documents and data in relation to this Act to the Commission on Human Rights.

SEC. 18. Joint Congressional Oversight Committee on Internal Displacement (JCOC-ID)

(a) Creation and Composition. There is hereby created a Joint Congressional Oversight Committee on Internal Displacement (JCOC-ID) to oversee, review, and assess the implementation of this Act and to monitor State practices affecting the rights of Internally Displaced Persons (IDPs), including displacement arising from armed conflict, national security operations, disasters, and other causes.

The Committee shall be composed of twelve (12) Members:

- i. Six (6) Members from the Senate, including the Chairpersons of the Committees on Human Rights, Justice, Social Welfare, and Disaster Resilience, to be designated by the Senate President; and
- ii. Six (6) Members from the House of Representatives, including the Chairpersons of the Committees on Human Rights, Justice, and Disaster Resilience, to be designated by the Speaker of the House of Representatives.

Of the six (6) Members from each Chamber, four (4) shall come from the Majority and two (2) from the Minority. The Senate President and the Speaker shall ensure gender-balanced representation, including the inclusion of at least one-woman legislator from each House.

The JCOC-ID shall be co-chaired by the Chairpersons of the Senate and House Committees on Human Rights. It shall convene at least once a year and may hold additional meetings as necessary. The Committee shall be supported by a secretariat jointly assigned by both Houses of Congress.

In the conduct of its functions, the Committee shall invite, in an advisory and consultative capacity, representatives from civil society organizations, organized IDP groups or federations, Indigenous Peoples' organizations, and relevant sectoral bodies such as the National Anti-Poverty Commission – Victims of Disasters and Calamities Sectoral Council (NAPC-VDC) to provide technical expertise, policy analysis, and community-based perspectives.

(b) Powers and Responsibilities. The JCOC-ID shall have the following powers and responsibilities:

1. Conduct annual oversight reviews of policies, programs, and budget implementation under this Act;
2. Monitor the performance and compliance of national government agencies and local government units (LGUs) with regard to IDP protection, assistance, compensation, and the provision of durable solutions;
3. Propose amendments to existing laws or introduce new legislation to strengthen the protection and rights of IDPs;
4. Ensure adequate budget allocations and assess the utilization of the Displacement Assistance Fund (DAF) and other public funding mechanisms established for IDP support;
5. Receive, review, and evaluate annual reports submitted by implementing agencies including the Commission on Human Rights (CHR), the Internally Displaced Persons Assistance and Compensation Board (IDPACB), the Department of Social Welfare and Development (DSWD), the National Disaster Risk Reduction and Management Council (NDRRMC), and other relevant institutions;

6. Evaluate the effectiveness of rehabilitation, resettlement, and reintegration programs and recommend improvements to ensure rights-based, inclusive, and sustainable outcomes;
7. Submit an annual Joint Congressional Oversight Report to both Houses of Congress, presenting findings, identified implementation gaps, and proposed legislative or budgetary measures to enhance IDP protection and accountability.

(c) Special Oversight on National Security-Linked Displacement. In cases where internal displacement results from or is influenced by national security operations, counterinsurgency campaigns, or military actions, the JCOC-ID shall exercise the following additional powers:

1. Inquire into and request access to Orders of Battle, watchlists, executive directives, or other government documents of similar nature, including their legal and factual bases and justifications;
2. Issue subpoenas or other mandatory processes to compel submission of documents or testimony necessary to determine whether any such action or policy has led to arbitrary displacement or violated the rights guaranteed under this Act;
3. Require the appearance of the highest-ranking officials of concerned security, intelligence, or law enforcement agencies to provide testimony in executive or public sessions;
4. Convene executive sessions to evaluate any invocation of national security or executive privilege as grounds to withhold information, and assess the validity, legality, and proportionality of such claims;
5. Recommend corrective measures, policy changes, or legislative amendments, including the suspension, amendment, or repeal of programs, orders, or practices found to be inconsistent with this Act or human rights standards.

The invocation of national security shall not automatically preclude the exercise of oversight by the JCOC-ID. All such inquiries shall be conducted in accordance with the internal rules of both Houses of Congress and applicable national laws on confidentiality, executive privilege, and national security.

SEC. 19. Monitoring of Compliance and Coordination. An **Inter-Agency Compliance Monitoring and Coordinating Committee** (IACMCC) shall be established to periodically monitor the compliance of government agencies and instrumentalities with the provisions of this Act. The Committee shall also facilitate inter-agency coordination in the planning, implementation, and evaluation of IDP-related programs and policies.

1 The Committee shall be co-chaired by the **Chairperson of the Commission**
2 **on Human Rights (CHR)** and the **Executive Director of the National Disaster**
3 **Risk Reduction and Management Council (NDRRMC).**

4 The participation of the CHR as Co-Chair of the Committee shall be without
5 prejudice to its constitutional independence as an independent national human rights
6 institution.

7 Its members shall include senior representatives (Undersecretary level or
8 equivalent) from the following government agencies:

- 9 a. Department of Social Welfare and Development (DSWD);
- 10 b. Department of Education (DepEd);
- 11 c. Department of the Interior and Local Government (DILG);
- 12 d. Department of Health (DOH);
- 13 e. Department of Justice (DOJ);
- 14 f. Department of Human Settlements and Urban Development (DHSUD);
- 15 g. Department of National Defense (DND);
- 16 h. Department of Environment and Natural Resources (DENR);
- 17 i. National Economic and Development Authority (NEDA);
- 18 j. Office of the Presidential Adviser on Peace, Reconciliation, and Unity (OPAPRU);
- 19 k. National Commission on Indigenous Peoples (NCIP);
- 20 l. Public Attorney's Office (PAO);
- 21 m. Council for the Welfare of Children (CWC);
- 22 n. Presidential Commission for the Urban Poor (PCUP);
- 23 o. National Commission on Muslim Filipinos (NCMF);
- 24 p. Philippine Commission on Women (PCW);
- 25 q. Philippine Statistics Authority (PSA);
- 26 r. Technical Education and Skills Development Authority (TESDA);
- 27 s. Bangsamoro Human Rights Commission (BHRC);
- 28 t. National Anti-Poverty Commission (NAPC);

29
30 With additional following representatives:

- 31
- 32 u. Sectoral Representative of the NAPC Victims of Disaster and Calamities Sectoral
- 33 Council (VDC SC);
- 34 v. Two (2) representatives from NGOs with established experience in working with
- 35 IDPs, selected by a panel composed of CHR and national civil society networks; and
- 36 w. Representative from organized and established IDP organization or federation
- 37 recognized by NAPC.

38 The Committee shall:

- 39 a. Collect and consolidate data on the number, locations, and conditions of
- 40 IDPs and maintain an updated national **IDP Monitoring and Compliance**
- 41 **Database** to support policy formulation and program delivery;

- 1 b. Coordinate the periodic review of agency compliance, based on benchmarks
2 and responsibilities outlined in this Act and its Implementing Rules and
3 Regulations (IRR);
4 c. Identify gaps, policy bottlenecks, and operational barriers affecting the
5 fulfillment of IDP rights and recommend timely corrective measures;
6 d. Work in coordination with the DSWD and IDPACB to follow through on
7 agency-level commitments for financial, legal, or psychosocial support,
8 without directly administering funds;
9 e. Submit an **annual Inter-Agency Compliance Report** to the Joint
10 Congressional Oversight Committee on Internal Displacement (JCOC-ID)
11 within thirty (30) days after the end of each fiscal year. This report shall
12 include findings, compliance ratings, and policy recommendations, and may
13 serve as a basis for legislative review or amendment of this Act.

14
15 **CHAPTER VI**
16 **FINAL PROVISIONS**
17

18 **SEC. 20. Implementing Rules and Regulations.** Within One hundred twenty
19 (120) days from the effectivity of this Act, the Department of Social Welfare and
20 Development (DSWD), in coordination with the Department of Justice (DOJ),
21 Department of the Interior and Local Government (DILG), Commission on Human
22 Rights (CHR), National Disaster Risk Reduction and Management Council (NDRRMC),
23 and the National Anti-Poverty Commission (NAPC) with representation of the Victims
24 of Disasters and Calamities (VDC) Sectoral Council, and in consultation with civil
25 society organizations (CSOs), Indigenous Peoples, and Internally Displaced Persons
26 (IDP) representatives, shall formulate and promulgate the Implementing Rules and
27 Regulations (IRR) of this Act.
28

29 **SEC. 21. Separability Clause.** If any provision of this Act is declared
30 unconstitutional or invalid by a competent court, the other provisions not affected
31 thereby shall remain in full force and effect.
32

33 **SEC. 22. Repealing Clause.** All laws, decrees, executive orders,
34 proclamations, rules, regulations, circulars, memoranda, and other issuances or parts
35 thereof that are inconsistent with any of the provisions of this Act are hereby repealed,
36 amended, or modified accordingly.

37 This shall include any administrative or legal measures that have the effect of
38 legitimizing or facilitating arbitrary internal displacement, denying protection or
39 assistance to internally displaced persons, or restricting their rights as recognized
40 under this Act.

41 **SEC. 23. Effectivity.** This Act shall take effect **fifteen (15) days** after its
42 publication in the **Official Gazette** or in a **newspaper of general circulation**,
43 whichever comes earlier.

44 Approved,