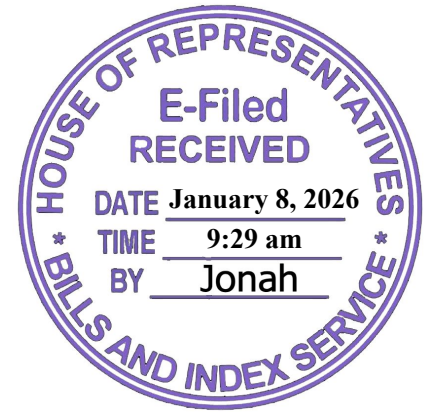


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **7062**



Introduced by Representative LEILA M. DE LIMA

AN ACT
ESTABLISHING THE REFUGEES AND STATELESS PERSONS PROTECTION
OFFICE (RSPPO), PROVIDING FOR THE REFUGEE AND STATELESS PERSON
STATUS DETERMINATION PROCEDURE, SETTING FORTH THE
OBLIGATIONS, RIGHTS, AND TREATMENT OF RECOGNIZED REFUGEES AND
STATELESS PERSONS, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

For over a century, the Philippines has turned its rich tradition of hospitality and *Bayanihan* into a lifeline, standing as a global beacon of hope and a defiant sanctuary for those fleeing the shadows of persecution and the isolation of statelessness.

Since the early 1900s, the Philippines served as a safe haven for vulnerable and marginalized refugees, asylum seekers, stateless applicants, stateless persons, and populations at risk of statelessness who frequently remain unprotected or overlooked within formal State systems. To date, there have been nine (9) waves of refugees in the Philippines¹, serving as a testament to the country as a beacon of hope and humanitarian spirit for those who need protection. This legacy is upheld today by thirteen (13) Philippine cities standing in solidarity with refugees² and by the national observance of June 20th as National Refugee Day, as declared by Presidential Proclamation No. 265 s. 2023.

The country's unwavering commitment to ensuring a safe, supportive, and protective environment for these persons of concern (POC) is reflected in its strong and comprehensive policy and legal framework. Our commitment is codified in our

¹ Peñamante, L. (07 June 2017). Nine Waves of Refugees in the Philippines. Retrieved from: <https://www.unhcr.org/ph/news/stories/nine-waves-refugees-philippines>

² UNCHR. Cities #WithRefugees. Retrieved from: <https://www.unhcr.org/ph/get-involved/cities-withrefugees>

status as a State Party to several international instruments including: the 1951 Refugee Convention and its 1967 Protocol, the 1954 Statelessness Convention and the 1961 Convention on the Reduction of Statelessness and the Global Compact on Refugees (GCR), which serves as our blueprint for fostering self-reliance among displaced populations.

Despite these commitments, our current protections rely on fragmented administrative orders and circulars. Consistent with Section 2, Article II of the 1987 Constitution, which adopts the generally accepted principles of international law as part of the law of the land, there is a vital need to codify these principles into a comprehensive law.

Hence, this proposed measure.

This Bill aims to address the distinct vulnerabilities of persons of concern (POC) by clearly defining their legal status, rights, and obligations within a permanent and comprehensive statutory framework.

Among its key features are the following:

First, the creation of the Refugees and Stateless Persons Protection Office (RSPPO) as an independent and autonomous body attached to the Department of Justice. The RSPPO will centralize and professionalize the identification, determination, and protection of POC, ensuring that proceedings are conducted with both fairness and efficiency.

Second, the codification of essential procedural safeguards to ensure that the pursuit of protection does not result in further harm or victimization. These safeguards include: (a) the principle of Non-Refoulement, which strictly prohibits the return of any individual to a country where they would face persecution on account of race, religion, nationality, or political opinion; (b) Alternatives to Detention, which affirm that POC shall not be detained solely on the basis of their status and encourage community-based arrangements while their applications are being resolved; and (c) the Suspensive Effect, which provides that the filing of an application automatically stays any deportation or exclusion proceedings.

Third, the provision of concrete mechanisms to promote the self-reliance and dignity of POC, including: (a) the Right to Work, which exempts recognized POC from the requirement of securing Alien Employment Permits and waives citizenship requirements for national licensure and board examinations; (b) Access to Education, granting POC the same rights to basic and secondary education enjoyed by Filipino citizens; and (c) Legal Access, which ensures free legal assistance through the Public Attorney's Office and exemptions from judicial and filing fees.

By enacting the Comprehensive Refugees and Stateless Persons Protection Act, the Philippines reaffirms that the protection of human dignity is a non-negotiable State policy. We move from a tradition of hospitality to a mandate of justice, ensuring that the *Bayanihan* we offer to the world is as enduring as the law itself.

A similar bill was filed by this Representation as SB No. 1854, during the 17th Congress, reflecting a sustained and long-standing legislative intent to provide a stable legal anchor for those seeking international protection in the Philippines.

In the 20th Congress, similar bills were filed by Representatives Ferdinand Martin Romualdez, Yedda Marie Romualdez, Andrew Julian Romualdez, Jude Acidre, and Gerville “Jinky Bitrics” Luistro.

By reintroducing and refining this measure in the current Congress, we signal to the international community that our commitment to human rights is not a fleeting political trend, but a core precept of our national identity and a priority that transcends successive legislative terms.

Early approval of this measure is requested.



LEILA M. DE LIMA

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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

CHAPTER 1
GENERAL PRINCIPLES

1 SECTION. 1. *Short Title.* – This Act shall be known as the “*Comprehensive*
2 *Refugees and Stateless Persons Protection Act*”.

3
4 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to
5 value the dignity of every human being, including refugees, asylum seekers, stateless
6 applicants, stateless persons, and populations at risk of statelessness, and to
7 guarantee the respect for their individual rights.

8
9 In pursuit of this policy, the State shall give priority to the enactment of
10 measures and development of programs that will promote the human dignity of these
11 individuals, protect them from any threat, violence, further persecution, or exploitation,
12 and ensure their reintegration into mainstream society.

13
14 In keeping with core international human rights instruments to which the State
15 is a party, and consistent with Section 2, Article II of the 1987 Constitution which
16 adopts the generally accepted principles of international law as part of the law of the
17 land, the State shall exert efforts to address the vulnerabilities of refugees, asylum
18 seekers, stateless applicants, stateless persons, and populations at risk of

1 statelessness and by codifying matters pertaining to their status, obligations, rights
2 and treatment, in keeping with their fundamental freedoms guaranteed under the
3 provisions of the 1951 Convention Relating to the Status of Refugees and its 1967
4 Protocol, and the 1954 Convention Relating to the Status of Stateless Persons, and
5 the 1961 Convention on the Reduction of Statelessness.

6
7 SEC. 3. *Definition of Terms.* – As used in this Act, the following terms are
8 hereby defined as:

9
10 (a) *1951 Refugee Convention* refers to the 1951 United Nations
11 Convention relating to the Status of Refugees;

12
13 (b) *1967 Protocol* refers to the 1967 Protocol Relating to the Status of
14 Refugees;

15
16 (c) *1954 Statelessness Convention* refers to the 1954 United Nations
17 Convention relating to the Status of Stateless Persons;

18
19 (d) *1961 Statelessness Convention* refers to the 1961 Convention on the
20 Reduction of Statelessness;

21
22 (e) *Alternatives to detention* refers to procedures allowing persons of
23 concern (POC) to reside in the community, subject to a number of conditions or
24 restrictions on their freedom of movement where necessary and human rights
25 standards as provided under national and international law.

26
27 (f) *Applicant* refers to a person who has submitted the Application,
28 including their accompanying and applying Family Members, or in the case of
29 a child or incapacitated person, the person on whose behalf an Application was
30 submitted;

31
32 (g) *Asylum seeker* refers to a person who is seeking international
33 protection and whose claim has not been finally decided upon.

34
35 (h) *Application* refers to the formal written claim to refugee or stateless
36 status, as the case may be, and initiates the status determination procedure.

37
38 (i) *Child* refers to a person below eighteen (18) years of age or a person
39 who is 18 or over 18 years of age but who is unable to fully take care of, or
40 protect herself or himself or themselves from abuse, neglect, cruelty,
41 exploitation, persecution, or discrimination because of a physical or mental
42 disability or condition;

1 (j) *Country of Origin* refers to (i) the country to which an Asylum Seeker
2 is a national or citizen; (ii) the country of the Asylum Seeker's former habitual
3 residence, if not having a nationality; or (iii) the country to which a stateless
4 status Applicant is a habitual resident;

5
6 (k) *Durable solutions* refer to the satisfactory and permanent resolution
7 of refugee or stateless status ensuring national protection for their civil, cultural,
8 economic, political and social rights. For refugees, a durable solution requires
9 establishment or re-establishment of a permanent legal status and generally
10 involves voluntary repatriation, local integration or resettlement. For stateless
11 persons, the only durable solution is the acquisition/confirmation of nationality.

12
13 (l) *Family Members* refer to the spouse and children below 18 years of
14 age who accompany the Applicant. The term also includes any person who is
15 dependent socially, economically or emotionally upon the Applicant, to the legal
16 spouse and/or child of the Applicant.

17
18 (m) *Non-refoulement* refers to the principle of customary international
19 law which provides that no State shall expel or return a refugee in any manner
20 whatsoever, to the frontiers of territories where his or her or their life or freedom
21 would be threatened on account of his or her or their religion, nationality,
22 membership in a particular social group or political opinion.

23
24 (n) *Protection* refers to all activities aimed at ensuring full respect for the
25 rights of the individual in accordance with the letter and spirit of the relevant
26 bodies of law, such as human rights law, humanitarian law, and refugee and
27 statelessness law;

28
29 (o) *Protection Officer* refers to an officer of the Refugees and Stateless
30 Persons Protection Office who evaluates the claims of the Applicant to refugee
31 and stateless status and their eligibility for protection;

32
33 (p) *Persons of Concern (POC)* collectively refers to refugees, asylum
34 seekers, stateless applicants, stateless persons and populations at risk of
35 statelessness;

36
37 (q) *Recognized Refugee or Stateless Person* refers to an Applicant who
38 has been determined as a refugee or stateless person by the Refugees and
39 Stateless Persons Protection Office (RSPPO);

40
41 (r) *Refugee* refers to a person who, owing to well-founded fear of being
42 persecuted for reasons of race, religion, nationality, membership of a particular
43 social group or political opinion, is outside the country of his or her or their
44 nationality and is unable or, owing to such fear, is unwilling to avail himself or

herself or themselves of the protection of that country; or who, not having a nationality and being outside the country of his or her or their former habitual residence, is unable or, owing to such fear, is unwilling to return to it.

(s) *Stateless Person* refers to a person who is not considered a national by any State under the operation of its law; and

SEC. 4. *Basic Principles.* – This Act shall be governed by the following principles:

- a) Non-discriminatory application of the refugee and stateless status determination procedure, taking into consideration, among others, their age, gender, disability, and diversity.
- b) Non-deprivation of refugee or stateless status and non-discrimination in the application of the 1951 Refugee Convention and its 1967 Protocol and the 1954 Statelessness Convention on account of race, religion, political opinion, or country of origin;
- c) Preservation and promotion of family unity;
- d) Best interest of the child as the primary consideration in all actions concerning children, including those who are unaccompanied and separated;
- e) Non-detention on account of being stateless or a refugee;
- f) The principle of non-refoulement, pursuant to customary international law, may also apply to other individuals whose lives or freedom may be threatened;
- g) An applicant for refugee status and/or their dependents shall not be punished on account of their illegal entry or presence in the country, provided they present themselves to the authorities and/or shows good cause for his or her or their illegal entry or presence;
- h) Recognized refugees and stateless persons shall enjoy the same treatment accorded to aliens generally, unless otherwise provided in this Act; and
- i) After a period of three (3) years' residence, all recognized refugees and stateless persons shall enjoy exemption from reciprocity required by law.

CHAPTER 2
REFUGEES AND STATELESS PERSONS
PROTECTION OFFICE

SEC. 5. *Refugees and Stateless Persons Protection Office.* – There is hereby created the Refugees and Stateless Persons Protection Office (RSPPO) as an attached agency of the Department of Justice (DOJ). The RSPPO shall be independent and autonomous, but attached to the DOJ for purposes of policy and program coordination.

1 SEC. 6. *Powers and Functions.* – The RSPPO shall have the following
2 functions:

- 3
- 4 a) Facilitate identification, registration, status determination, and protection
5 of refugees and stateless persons under the terms of this Act, guided by
6 the 1951 Refugee Convention and its 1967 Protocol and the 1954 and
7 1961 Statelessness Conventions, respectively;
- 8
- 9 b) Establish and implement a fair, efficient, transparent, adaptable and non-
10 adversarial procedure to facilitate identification, treatment, and
11 protection of refugees and stateless persons, including applicants,
12 consistent with this Act, international law, and humanitarian tradition of
13 the Republic of the Philippines; *Provided*, that alternatives to detention
14 throughout the procedure shall be promoted.
- 15
- 16 c) Issue visas and other relevant documentation to refugees, asylum
17 seekers, stateless applicants, and stateless persons in accordance with
18 laws, rules and regulations. The requirements and validity of such
19 documentation shall be guided by the implementing rules and
20 regulations and will take into consideration the specific circumstances
21 and vulnerabilities of refugees, asylum seekers, stateless applicants,
22 and stateless persons.
- 23
- 24 d) Formulate and coordinate the development, implementation, monitoring,
25 and evaluation of government policies, plans, and programs, including
26 integration in development, sectoral and emergency response and
27 recovery frameworks, towards the protection and pursuit of durable
28 solutions for and with POC;
- 29
- 30 e) Coordinate with relevant agencies in ensuring access to services,
31 including provision of shelter to refugees, asylum seekers, stateless
32 applicants, and stateless persons in coordination with the Department of
33 Human Settlements and Urban Development (DHSUD) and local
34 government units (LGUs);
- 35
- 36 f) Assist and coordinate with government agencies, civil society
37 organizations, the United Nations High Commissioner for Refugees
38 (UNHCR) and other agencies of the United Nations, whenever
39 necessary, to consider and facilitate means and measures aimed at
40 finding durable solutions for refugees and stateless persons and
41 ensuring their protection and access to appropriate assistance and
42 services; and
- 43

1 g) To perform such acts as may be necessary to carry into effect the
2 provisions of this Act and other laws, rules, and regulations relating to
3 refugees and stateless persons.
4

5 SEC. 7. *Composition.* – The RSPPO shall be headed by an Executive Director
6 who shall be assisted by the following:
7

- 8 a) Three (3) Deputy Directors on refugee protection, addressing
9 statelessness and on administrative and financial matters;
10 b) Five (5) Senior Protection Officers;
11 c) Ten (10) Associate Protection Officers; and
12 d) Such a number of personnel, as may be necessary, to enable the
13 RSPPO to effectively and efficiently execute its mandate.
14

15 The Executive Director and Deputy Directors shall be appointed by the
16 President. All other officials and personnel of the RSPPO shall be appointed by the
17 Executive Director.
18

19 SEC. 8. *Minimum Requirements for Qualification.* - No person shall be
20 appointed as Executive Director unless such person has been engaged in the practice
21 of law for at least ten (10) years, with at least eight (8) years of experience or exposure
22 in the field of refugee and statelessness matters and/or human rights. The Executive
23 Director shall have the same qualifications for appointment, rank, category, salary
24 grade, and salaries benefits, allowances and other emoluments as those of an
25 Undersecretary.
26

27 No person shall be appointed as Deputy Director unless such person has at
28 least six (6) years of experience or exposure in the field of refugee and statelessness
29 matters and/or human rights; *Provided*, that at least two (2) Deputy Directors must be
30 members of the Philippine Bar with at least six (6) years of experience. They shall
31 have the same qualifications for appointment, rank, category, salary grade and
32 salaries, benefits, allowances, and other emoluments as those of an Assistant
33 Secretary.
34

35 The Senior Protection Officers shall have a Salary Grade of 28 and must have
36 at least four (4) years of experience or exposure in the field of refugee and
37 statelessness matters and/or human rights.
38

39 The Associate Protection Officers shall have a Salary Grade of 27 and must
40 have at least two (2) years of experience or exposure in the field of refugee and
41 statelessness matters and/or human rights; *Provided*, that at least eight (8) Protection
42 Officers are members of the Philippine Bar.
43

1 Personnel of the RSPPO shall have a Salary Grade between 15 to 19 whose
2 responsibilities and qualifications shall be determined by the Executive Director in
3 accordance with civil service laws, rules, and regulations.

4
5 The Executive Director shall determine the functions and responsibilities of the
6 Protection Officers subject to existing laws, rules and regulations.

7
8 CHAPTER 3
9 REFUGEE AND STATELESS STATUS DETERMINATION
10 PROCEDURE
11

12 SEC. 9. *Refugee and Stateless Status Determination Procedure.* – The RSPPO
13 shall establish a free, fair, speedy, and non-adversarial Refugee and Stateless Status
14 Determination (RSSD) procedure. The procedure may be classified as regular or
15 accelerated depending on the circumstances of the Applicant.

16
17 SEC. 10. *Application.* – In general, the Application may be filed directly with the
18 RSPPO or in the central office or any field office of the Bureau of Immigration (Bureau).

19
20 For applications filed in ports of entry (airports or seaports), the Application is
21 initiated by a declaration of the arriving alien before the immigration officer or port
22 personnel of their intention to seek asylum in the Philippines.

23
24 In cases where the Applicant detained in any government detention facility, the
25 Applicant or their counsel may file an Application for an accelerated procedure with
26 the Warden or the Head of the government detention facility where the Applicant is
27 detained.

28
29 In case the Application is filed with the Bureau, ports of entry, or government
30 detention facility, the Commissioner of the Bureau (Commissioner) or the head of the
31 field office of the Bureau, the Warden or the Head of the government detention facility,
32 where applicable and as the case may be, shall forward the Application to the RSPPO
33 together with relevant documentation and evidence to support the claim to refugee or
34 stateless status, where available.

35
36 In cases where it is not feasible for the Applicant to personally file their
37 Application, intention to apply for recognition as a refugee or stateless person may be
38 signified through other means as established under the implementing rules and
39 regulations.

40
41 At any time prior to the rendering of the decision, the Applicant may submit
42 additional documents, statements and pleadings to supplement the Application.

1 SEC. 11. *Suspensive Effect of the Application.* - Any proceeding for the
2 deportation or exclusion of the Applicant and/or their Family Members shall be
3 suspended upon filing of the Application until a final determination of their status has
4 been reached, regardless of the stage of the proceedings.

5
6 To uphold safe, humane and dignified treatment for applicants as part of the
7 fundamental right to seek international protection and to strengthen vital procedural
8 rights, alternatives to detention (ATD), to the extent possible, shall be considered as
9 part of the RSSD procedure. Necessity, reasonableness and proportionality of
10 detention shall be assessed.

11
12 The Applicant, together with their Family Members as may be relevant, who
13 may be detained for an immigration-related violation, may be released from custody
14 upon the order of the Executive Director, or their duly authorized representative upon
15 the recommendation of the Executive Director, subject to the conditions that the former
16 may impose.

17
18 The Executive Director, in the exercise of the power to release an Applicant
19 and/or their Family Members from detention, may take into consideration their special
20 needs and/or circumstances, such as if they are victim-survivors of trauma or torture,
21 victim-survivors or potential victims of trafficking, children, persons with disability,
22 and/or elderly.

23
24 The Commissioner shall implement the order of release, informing the RSPPO
25 of the action thereon.

26
27 SEC. 12. *Priority of Refugee Status Determination.* – Where in the Application
28 for recognition as a stateless person or in the processing thereof, a refugee claim
29 appears to exist, the stateless status determination shall, with the consent of the
30 Applicant, be suspended and the Application shall be considered first for refugee
31 status determination. If the claim to refugee status is denied with finality, the stateless
32 status determination shall recommence automatically.

33
34 SEC. 13. *Burden of Proof* . – The burden of proof in a claim to refugee or
35 stateless status, in principle, rests on the Applicant. However, the duty to ascertain
36 and evaluate all the relevant facts is a shared and collaborative burden between the
37 Applicant and the Protection Officer.

38
39 The Applicant has the obligation to provide accurate, full, and credible account
40 or proof in support of their claim and submit all relevant evidence that are reasonably
41 available. The Protection Officer shares the duty to ascertain and evaluate all relevant
42 facts of the case.

1 For this purpose, the Executive Director, Deputy Directors, and Protection
2 Officers are authorized to administer oaths.

3
4 SEC. 14. *Rights of an Applicant.* - From the time of the filing of the Application,
5 until the finality of the decision on the Application, the Applicant shall have the following
6 rights:

- 7
8 a) To legal counsel, including legal representation and counselling from
9 the Public Attorney's Office (PAO) subject to its rules and regulations;
10 b) To be informed and have access to the procedure and to due process;
11 c) To the extent possible, to have the Applicant's interview conducted in
12 a private, secure, and appropriate location, and in a confidential
13 manner;
14 d) To participate in the procedure in a language and manner they
15 understand and to have access to the services of an interpreter, if
16 necessary;
17 e) To have access to the UNHCR;
18 f) To have protection from any forcible return in any manner whatsoever,
19 to a country where the Applicant may face persecution on account of
20 one's race, religion, nationality, membership of a particular social
21 group or political opinion; and
22 g) To access protection services as provided under existing laws, rules
23 and regulations.

24
25 Nothing herein shall be construed in a manner that will diminish the enjoyment
26 of such rights. Applicants shall have the right to avail themselves greater rights
27 provided under the 1951 Refugee Convention and its 1967 Protocol and the 1954 and
28 1961 Statelessness Conventions, international human rights treaties of which the
29 Philippines is a State Party to and existing laws, rules, and regulations, including those
30 granted under this Act.

31
32 SEC. 15. *Group-based procedures.* - The RSPPO may activate procedures for
33 group-based recognition for large-scale situations characterized by the arrival across
34 an international border of persons in need of international protection in such numbers
35 and at such rate as to render individual determination of their claims impracticable.

36
37 SEC. 16. *Security Clearance.* - Prior to the issuance of a decision recognizing
38 the refugee or stateless status by the RSPPO, it will endorse the relevant personal
39 information of the Applicant to the appropriate security agency of the government for
40 vetting of any derogatory information which may affect his or her or their application.

41
42 In the vetting of applications for refugee or stateless status, the principles under
43 relevant international human rights, refugee, and statelessness law shall be
44 considered.

1
2 Verification and regular security vetting shall also apply and form part of the
3 process for group-based procedures.
4

5 CHAPTER 4
6 RENDERING, FINALITY AND EFFECTS OF THE DECISION AND MODES OF
7 APPEAL
8

9 SEC. 17. *Decision.* - A written decision on the Application shall be rendered by
10 the RSPPO within a prescribed period. A decision denying recognition of the Applicant
11 may be appealed pursuant to Sections 19 and 20, Chapter 4 of this Act and in
12 accordance with existing rules and regulations.
13

14 SEC. 18. *Request for Reconsideration.* - In case the Application is denied, the
15 Applicant or their counsel may file a letter-request or motion for reconsideration from
16 the decision denying the Application to the RSPPO or appropriate authority within a
17 prescribed period upon any meritorious circumstances as may be identified under the
18 implementing rules and regulations of this Act.
19

20 SEC. 19. *Administrative Appeal to the Office of the President.* - A decision or
21 resolution of the RSPPO denying an Application or a letter-request or motion for
22 reconsideration may be appealed to the Office of the President (OP) under the
23 principle of exhaustion of administrative remedies and in accordance with the rules
24 and regulations governing appeals on RSSD cases to the OP.
25

26 SEC. 20. *Judicial Appeal.* - In line with the provisions of the Rules of Court, the
27 Applicant may seek judicial review of the decision or resolution on the request or
28 motion for reconsideration of the decision of the OP.
29

30 SEC. 21. *Finality of the Decision.* - The decision is deemed final in instances
31 where the Applicant failed to request for reconsideration of the decision or seek
32 administrative or judicial appeal pursuant to Sections 19 and 20, Chapter 4 of this Act.
33

34 SEC. 22. *Effects of Recognition.* - The recognition of the Applicant as a refugee
35 or stateless person and the benefits that may be derived thereof, shall also inure, as
36 appropriate, to their Family Members who are present in the Philippines.
37

38 Recognized refugees and stateless persons shall enjoy, and exercise rights
39 and privileges accorded by the 1951 Refugee Convention and its 1967 Protocol and
40 the 1954 Statelessness Convention, international human rights treaties of which the
41 Philippines is a State Party to and subject to existing laws, rules and regulations
42 including those under Section 11, Chapter 3 of this Act.
43
44

1 CHAPTER 5
2 EXCLUSION
3

4 SEC. 23. *Persons Excluded.* – This Act shall not apply to the following persons:
5

- 6 a) Who are at present receiving from organs or agencies of the United
7 Nations other than the UNHCR protection or assistance so long as they
8 are receiving such protection or assistance;
9

10 When such protection or assistance has ceased for any reason,
11 without the position of such persons being definitively settled in
12 accordance with the relevant resolutions adopted by the General
13 Assembly of the United Nations, these persons shall *ipso facto* be
14 entitled to the benefits of this Act.
15

- 16 b) Who are recognized by the competent authorities of the country in
17 which they have taken residence as having the rights and obligations
18 which are attached to the possession of the nationality of that country;
19 and
20

- 21 c) Who, for serious reasons, are considered to have committed any of the
22 following:

- 23 i. Crimes against peace, war crimes, or crimes against humanity,
24 as defined in the international instruments addressing such
25 crimes;
26 ii. Serious non-political crimes outside the Philippines prior to their
27 admission to the Philippines; or
28 iii. Acts contrary to the purposes and principles of the United
29 Nations.
30

31 CHAPTER 6
32 CANCELLATION, REVOCATION, AND CESSATION OF
33 REFUGEE OR STATELESS STATUS
34

35 SEC. 24. *Cancellation of Refugee or Stateless Status.* - The refugee or
36 stateless status shall be cancelled if the recognition was granted erroneously as a
37 result of:
38

- 39 a) Intentional misrepresentation or concealment by the Applicant or a third
40 party of facts that were material to the determination of the claim;
41 b) New evidence shows that the Applicant ought not to have been
42 recognized in the first place;
43 c) Recognition was granted on the basis of a material mistake of fact or
44 law;

- 1 d) Misconduct by the Applicant, including but not limited to threats or
2 bribery, being the motivating reason for the recognition of refugee or
3 stateless status.
4

5 SEC. 25. *Revocation of Refugee Status.* - The refugee status shall be revoked
6 if, subsequent to recognition, the refugee engages in conduct that would bring him or
7 her or them within the exclusion grounds under Sections 23(c)(1) and 23(c)(3),
8 Chapter 5 of this Act.
9

10 SEC. 26. *Revocation of Stateless Status.* - The stateless status shall be
11 revoked if there are serious reasons to believe that, after recognition, the stateless
12 person engages in conduct that would bring him or her or them within the exclusion
13 grounds under Chapter 5 of this Act.
14

15 SEC. 27. *Cessation of Refugee Status.* - The refugee status shall cease if a
16 Refugee:
17

- 18 a) Voluntarily re-availed of the protection of the country of their nationality;
19 b) Voluntarily re-acquired their lost nationality;
20 c) Voluntarily acquired a new nationality and enjoys the protection of the
21 country of their nationality;
22 d) Voluntarily re-established themselves in the country he or she or they
23 left, or outside which he or she or they remained owing to fear of
24 persecution;
25 e) Enjoys the protection from the country of their nationality, because the
26 reasons in connection with which they were granted refugee status
27 have ceased to exist; *Provided*, that this paragraph shall not apply to a
28 refugee who is able to invoke compelling reasons arising out of
29 previous persecution for refusing to avail themselves of the protection
30 of the country of his or her or their nationality; or
31 f) Not having a nationality, returned to their country of habitual residence
32 due to changed circumstance; *Provided*, that this paragraph shall not
33 apply to a refugee who is able to invoke compelling reasons arising out
34 of previous persecution for refusing to avail themselves of the
35 protection of the country of their former habitual residence.
36

37 SEC. 28. *Cessation of Stateless Status.* - The stateless status shall cease when
38 a stateless person acquires a nationality.
39

40 SEC. 29. *Application for Cancellation, Revocation or Cessation.* - A refugee or
41 stateless person may apply, personally or by electronic means, with the RSPPO for
42 the cancellation, revocation or cessation of their own refugee or stateless status,
43 providing justification and necessary documents, if any, in support of the application.
44

1 SEC. 30. *Motu proprio re-examination or re-assessment of refugee or stateless*
2 *status.* - The RSPPO may review and assess, *motu proprio*, the status of a refugee or
3 stateless person under circumstances that may have come to its attention, including
4 information from any interested person, that justifies a re-examination or re-
5 assessment for the cancellation, revocation, or cessation of such status.

6
7 SEC. 31. *Decision in cases of Cancellation, Revocation or Cessation.* - The
8 refugee or stateless status of a person shall not be cancelled, revoked, or ceased
9 unless pursuant to a decision rendered by the RSPPO, and after observance of due
10 process of law.

11
12 SEC. 32. *Request for Reconsideration and Appeal.* - A refugee or stateless
13 person or their counsel may seek reconsideration of the decision through the filing of
14 a letter-request for reconsideration or motion for reconsideration within a prescribed
15 period.

16
17 The refugee or stateless person may appeal to the OP or the courts pursuant
18 to Sections 19 or 20, Chapter 4 of this Act within the period prescribed under existing
19 rules and regulations.

20
21 SEC. 33. *Effects of Finality of Decision Denying Recognition.* - The RSPPO
22 shall inform the Bureau of the finality of the denial of Application. Said denial converts
23 the Applicant's asylum or stateless case into an immigration matter. The Applicant
24 shall be afforded sufficient time to leave the country unless they hold another
25 immigration status or the Commissioner has authorized the Applicant's continued stay.
26 Any immigration proceeding that has been suspended pursuant to Section 11, Chapter
27 3 of this Act may be reactivated.

28 29 CHAPTER 7 30 REMOVAL

31
32 SEC. 34. *Removal of a Refugee or a Stateless Person.* – Subject to due
33 process and upholding the principle of non-refoulement, a refugee or stateless person
34 may be removed from Philippine territory:

- 35
36 a) On grounds of national security or public order; or
37 b) Where he or she has, or they have, been convicted with finality of a
38 crime punishable by more than six (6) years and is considered a danger
39 to the community.

CHAPTER 8
RIGHTS, OBLIGATIONS, AND TREATMENT OF PERSONS OF CONCERN

SEC. 35. *General Obligations.* – Recognized refugees, stateless persons and other POC shall comply with Philippine laws and regulations as well as with measures taken for the maintenance of public order.

SEC. 36. *Right to Freedom of Religion.* – Recognized refugees, stateless persons and other POC shall enjoy the right to freedom of religion and the free exercise thereof in the same manner as Filipino citizens.

SEC. 37. *Right to Identity and Travel Documents.* - Recognized refugees, stateless persons and other POC shall be issued identity papers and travel documents for the purpose of travelling outside their territory, unless compelling reasons of ensuring protection of the refugee, stateless persons and other POC, national security or public order dictate otherwise. They shall also be given consideration in the issuance of travel documents when unable to obtain travel documents from their country of lawful residence.

SEC. 38. *Refugee and Stateless Seafarers.* – Recognized refugees, stateless persons and other POC, regularly traveling as crew members on board Philippine-registered vessels shall be given access to Refugee and Stateless Determination Procedures.

SEC. 39. *Movable Property.* – Recognized refugees, stateless persons and other POC shall have the right to acquire movable property and other rights pertaining thereto, including leases and other contracts relating to movable property, in the same manner as foreign nationals.

SEC. 40. *Intellectual Property.* - Recognized refugees, stateless persons and other POC shall have the same right as Filipino citizens with respect to intellectual property, such as inventions, designs or models, trademarks, trade names, and of rights in literary, artistic, and scientific works.

SEC. 41. *Right to Association.* – As regards non-political and non-profit making associations and trade unions, recognized refugees, stateless persons and other POC shall be accorded the same treatment as foreign nationals.

SEC. 42. *Access to Courts and Legal Assistance.* – Recognized refugees, stateless persons and other POC, shall have the same rights as Filipino citizens in matters pertaining to access to justice, including access to courts, legal assistance, counselling, and representation through the PAO and other *pro bono* legal aid services by other lawyers. They shall also benefit from indigency standards that would entitle

1 them to exemption from payment of filing, docket, and other similar fees subject to
2 laws, rules, and regulations.

3
4 SEC. 43. *Public Relief.* – Recognized refugees, stateless persons and other
5 POC shall be accorded the same right as Filipino citizens with public relief and
6 assistance, including but not limited to, inclusion in social welfare, health, subsistence,
7 and emergency response and recovery programs.

8
9 SEC. 44. *Gainful Decent Employment.* – Recognized refugees, stateless
10 persons and other POC shall be exempt from securing an alien employment permit
11 (AEP) as a requirement for engaging in wage-earning and self-employment activities;
12 *Provided, however,* that a provisional or special work permit may be issued by the
13 Bureau while their application for refugee or stateless status determination is pending
14 resolution.

15
16 For the exercise of professions, the citizenship requirement for the taking of
17 national board examinations for practice of professions regulated by the Professional
18 Regulation Commission is waived for recognized refugees and stateless persons upon
19 compliance with appropriate requirements.

20
21 Recognized refugees, stateless persons and other POC are likewise exempted
22 from securing authorization from the Secretary of Justice in participating in an industry
23 as provided in Commonwealth Act No. 108, otherwise known as the Anti-Dummy Law,
24 as amended.

25
26 SEC. 45. *Housing.* – Recognized refugees, stateless persons and other POC
27 shall have the same rights to housing as foreign nationals generally in the same
28 circumstances.

29
30 SEC. 46. *Public Education and Recognition of Prior Learning.* – Recognized
31 refugees, stateless persons and other POC shall have the same right to basic and
32 secondary education as a Filipino citizen. They shall be accorded the same rights as
33 foreign nationals with respect to secondary and tertiary education, including access to
34 studies, the recognition of foreign school certificates, diplomas and degrees, the
35 remission of fees and charges, and the award of scholarships.

36
37 SEC. 47. *Labor Legislation and Social Security.* – Recognized refugees,
38 stateless persons and other POC shall be accorded the same treatment as Filipino
39 nationals with respect to labor standards and social security under the Labor Code
40 and other applicable Philippine social security legislations, subject to conditions
41 prescribed therein.

42
43 The right to compensation for the death of a refugee, stateless person or other
44 POC resulting from employment injury or from occupational disease shall not be

1 affected notwithstanding the residence of the beneficiary is outside the Philippine
2 territory.

3
4 SEC. 48. *Freedom of Movement.* – Recognized refugees, stateless persons
5 and other POC shall have the right to choose their place of residence and to move
6 freely within Philippine borders, subject to regulations applicable to foreign nationals
7 generally.

8
9 SEC. 49. *Fiscal Charges.* – Recognized refugees, stateless persons and other
10 POC shall be entitled to the same treatment as Filipino citizens in terms of duties,
11 charges or taxes, except fees or charges concerning issuance of administrative
12 documents, identity papers, issued to foreign nationals.

13
14 SEC. 50. *Administrative Assistance.* – The RSPPO, Department of Foreign
15 Affairs (DFA), the Bureau, Philippine Statistics Authority (PSA), and other relevant
16 agencies shall assist refugees, stateless persons or other POC in exercising rights
17 that would normally require the action of authorities of a foreign country to which they
18 cannot have recourse. Assistance may include:

- 19
20 a) Delivery or causing the delivery to refugees, stateless persons or
21 other POC of such documents or certifications as would normally be
22 delivered to foreign nationals by or through their national authorities;
23 b) In lieu of official instruments and in the absence of proof to the
24 contrary, giving credence to such delivered documents or certifications;
25 c) Subject to such exceptional treatment as may be granted to
26 indigent persons, fees may be charged for the services mentioned herein,
27 *Provided*, that such fees shall be moderate and commensurate with those
28 charged to nationals for similar services.

29
30 Under no circumstance shall the Applicant be asked to approach authorities in
31 their country of origin to obtain documents or take other steps that would place their
32 remaining family members or associates in the country of origin at risk.

33
34 SEC. 51. *Naturalization.* – The State shall, as far as practicable, facilitate the
35 integration and naturalization of recognized refugees and stateless persons. It shall
36 endeavor to expedite both administrative and judicial naturalization proceedings and
37 reduce as far as possible the charges and costs of such proceedings.

38
39 CHAPTER 9
40 MISCELLANEOUS PROVISIONS

41
42 SEC. 52. *Monitoring of Human Rights Situation of POC.* - The Commission on
43 Human Rights (CHR) shall monitor the human rights situation of POC in the exercise
44 of its Constitutional mandate. Within the Bangsamoro Autonomous Region in Muslim

1 Mindanao, the Bangsamoro Human Rights Commission (BHRC) shall monitor the
2 human rights of POC pursuant to laws, rules, and regulations. The CHR and BHRC
3 shall work together to uphold the rights of POC.
4

5 SEC. 53. *Data Protection.* - The information provided by an Applicant under this
6 Act and in other information management activities shall be confidential. The
7 information collected may be used to make a determination of the veracity of the
8 factual statements in the Application and other legitimate purposes in line with the
9 provision of protection and durable solutions for and with POC. The RSPPO shall
10 ensure that the processing of personal information is compliant with the requirements
11 of Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012, and
12 other laws, rules, and regulations allowing disclosure of information to the specific
13 agencies and adherence to the principles of transparency, legitimate purpose and
14 proportionality.
15

16 SEC. 54. *Data Sharing with Other Agencies.* - Where the effective cooperation
17 between RSPPO and its partners, including other government agencies and non-
18 government organizations requires the exchange of personal data of refugees, asylum
19 seekers and Applicants, such exchange shall be governed by the provisions of the
20 Republic Act No. 10173, otherwise known as the Data Privacy Act of 2012, and the
21 respective Data Sharing Agreements, where the latter exists. The sharing of
22 information with UNHCR is governed by the related provisions in the Conventions and
23 other relevant international instruments.
24

25 SEC. 55. *Local Integration.* - Local government units (LGUs) are encouraged
26 to support and integrate POC within their communities, conduct information and
27 awareness campaigns, and make available the necessary programs and services to
28 facilitate such integration in local development frameworks, including development
29 programming and emergency response and recovery frameworks.
30

31 SEC. 56. *Engagement with Non-government Entities.* - The RSPPO may
32 engage with civil society organizations (CSOs), non-government organizations
33 (NGOs), the private sector, the academe, communities of POC, faith-based
34 organizations and relevant people's organizations, and UN agencies for the purpose
35 of ensuring collaborative implementation of this Act and widen the support network
36 available to refugees, stateless persons and Applicants.
37

38 SEC. 57. *Applicants who may also be Victims - Survivors of Trafficking.* - The
39 principles governing treatment of Applicants who may also be victims - survivors of
40 trafficking will be considered to ensure that protection is available for both
41 circumstances under existing laws, rules and regulations.
42

43 SEC. 58. *Complementary Protection Mechanism.* - Notwithstanding the
44 primacy of the Refugee and Stateless Status Determination Procedure under this Act,

1 a fair, just, and speedy complementary protection mechanism shall be established to
2 ensure the protection of individuals who are not POC and may be in danger of being
3 subjected to torture or other cruel, inhuman, and degrading treatment or punishment
4 in another State pursuant to Section 17 of Republic Act 9745, otherwise known as the
5 “Anti-Torture Act of 2009” and the “Convention against Torture and Other Cruel,
6 Inhuman or Degrading Treatment or Punishment”. The procedure for the
7 complementary protection mechanism shall be guided by the implementing rules and
8 regulations of this Act.

9
10 SEC. 59. *Transition Period.* – Except for the designated personnel of the
11 RSPPU of the DOJ, the functions, duties, and transactions of the RSPPU shall be
12 transferred to the RSPPO within six (6) months from the effectivity of this Act during
13 which the RSPPU shall continue to function in holdover capacities until appointments
14 of RSPPO personnel are issued.

15
16 Accordingly, all applications for recognition of refugees and stateless persons
17 and cases pending with the RSPPU upon the effectivity of this Act and filed during the
18 transition period shall continue to be acted upon by the RSPPU.

19
20 SEC. 60. *Congressional Oversight Committee.* – There shall be created a
21 Congressional Oversight Committee on the Protection of Refugees, Asylum Seekers,
22 Stateless Persons, Stateless Applicants and Populations at Risk of Statelessness to
23 monitor and oversee the implementation of the provisions of this Act.

24
25 The Committee shall be composed of six (6) members from the Senate and six
26 (6) members from the House of Representatives with the Chairperson of the
27 Committee on Human Rights of the House of Representatives and the Committee on
28 Justice and Human Rights of the Senate as Co-chairpersons. The other members from
29 each Chamber are to be designated by the Senate President and the Speaker of the
30 House of Representatives, respectively. The minority shall be entitled to *pro rata*
31 representation but shall have at least two (2) representatives from each Chamber.

32
33 SEC. 61. *Appropriations.* - The amount necessary to carry out the provisions of
34 this Act shall be included in the General Appropriations Act of the year following its
35 enactment and every year thereafter.

36
37 SEC. 62. *Implementing Rules and Regulations (IRR).* - Within ninety (90) days
38 after the effectivity of this Act, the DOJ in consultation with the Bureau, Department of
39 Social Welfare and Development (DSWD), DFA, Department of Education (DepEd),
40 Department of Labor and Employment (DOLE), Department of Health (DOH), DHSUD,
41 Department of Trade and Industry (DTI), Department of the Interior and Local
42 Government (DILG), Department of Transportation (DOT), PSA, Commission on
43 Higher Education (CHED), Technical Education and Skills Development Authority
44 (TESDA), Civil Aviation Authority of the Philippines (CAAP), Manila International

1 Airport Authority (MIAA), National Housing Authority (NHA), Bureau of Immigration,
2 PAO, Professional Regulation Commission (PRC), Philippine Charity Sweepstakes
3 Office (PCSO), Philippine Health Insurance Cooperation (PhilHealth), CHR, together
4 with civil society organizations, non-government organizations, the private sector, the
5 academe, POC, faith-based organizations and relevant people's organizations, and
6 UN agencies shall prepare and issue the Implementing Rules and Regulations (IRR).
7

8 The IRR shall take effect fifteen (15) days following its complete publication in
9 two (2) newspapers of general circulation.
10

11 SEC. 63. *Repealing Clause.* - All laws, decrees, executive orders, rules and
12 regulations which are inconsistent with the provisions of this Act are hereby repealed,
13 amended or modified accordingly.
14

15 SEC. 64. *Separability Clause.* - If for any reason, any portion or provision of this
16 Act shall be held unconstitutional or invalid, all other parts or provisions not affected
17 shall thereby continue to remain in full force and effect.
18

19 SEC. 65. *Effectivity.* - This Act shall take effect fifteen (15) days after its
20 complete publication in at least two (2) national newspapers of general circulation.
21

22 Approved.
23