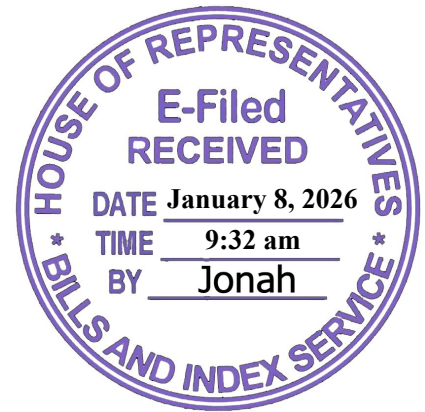


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 7063



Introduced by Representative LEILA M. DE LIMA

AN ACT
PROTECTING THE RIGHTS OF INTERNALLY DISPLACED PERSONS (IDPs)
AND PENALIZING THE ACTS OF ARBITRARY INTERNAL DISPLACEMENT

EXPLANATORY NOTE

Internal displacement is a shadow that can fall upon any Filipino at any moment, whether through the sudden fury of nature or the tragic onset of conflict.

And today, over nine million of our countrymen are living that reality.

The Philippines continues to face one of the most severe internal displacement situations in the East Asia and Pacific region. According to the Global Report on Internal Displacement 2025 (GRID) released by the Internal Displacement Monitoring Centre (IDMC)¹, more than nine million Filipinos were displaced at the end of 2024 due to natural hazards, armed conflict, and violence. Of this number, approximately 8.996 million were displaced by disasters, while about 193,000 were displaced as a result of conflict and violence.

The report further indicates that the Philippines ranks highest in terms of internal displacement movements in the region and second in the number of internally displaced persons (IDPs), next to Myanmar. By the end of 2024, an estimated 1.036 million Filipinos remained internally displaced due to disasters, while another 123,000 were displaced due to violence or conflict². These figures underscore the persistent and multifaceted nature of internal displacement in the country, exacerbated by climate change, recurring natural hazards, armed conflict, and development-related displacements.

Consistent with the principles enshrined in the 1987 Philippine Constitution, International Humanitarian Law (IHL), international human rights law, and treaties and conventions to which the Philippines is a State Party, including the United Nations

¹ IDMC (2025) Global Report on Internal Displacement 2025. Retrieved from: <https://doi.org/10.55363/IDMC.XTGW2833>

² Ordinario, C. (13 May 2025). PHL sees over 9 million internally displaced by disasters and conflict in 2024, says report. Retrieved from: <https://businessmirror.com.ph/2025/05/13/phl-sees-over-9-million-internally-displaced-by-disasters-and-conflict-in-2024-says-report/>

Guiding Principles on Internal Displacement, there is a compelling need to adopt a comprehensive, rights-based legal framework for the protection of internally displaced persons. The State has the obligation to ensure that IDPs, particularly non-combatant civilians in situations of non-international armed conflict, enjoy full and equal protection of their rights and freedoms without discrimination on account of displacement.

This measure seeks to institutionalize the State's duty to protect IDPs from discrimination, persecution, and other human rights violations, and to prioritize their rehabilitation, reintegration, and durable solutions. It provides for the protection of the rights of IDPs during and after displacement and ensures their safe, voluntary, and dignified return, local integration, or resettlement elsewhere in the country. The proposed measure likewise covers arbitrary internal displacement arising from armed conflict, generalized or organized violence, human rights violations, development projects, and natural, human-induced, or human-made hazards.

This Act harmonizes and complements existing domestic laws, including Republic Act No. 11188 or the "Special Protection of Children in Situations of Armed Conflict Act," Republic Act No. 8371 or the "Indigenous Peoples' Rights Act of 1997," Republic Act No. 9851 or the "Philippine Act on Crimes Against International Humanitarian Law, Genocide, and Other Crimes Against Humanity," and Republic Act No. 10821 or the "Children's Emergency Relief and Protection Act," among others.

In recognition of the growing risks posed by climate change and disaster-induced displacement, this measure also aligns with Republic Act No. 9729 or the "Climate Change Act of 2009," Republic Act No. 10121 or the "Philippine Disaster Risk Reduction and Management Act of 2010," and other relevant laws, to ensure a coherent, preventive, and responsive framework that upholds the rights and dignity of internally displaced persons.

Building upon the significant legislative momentum of the 19th Congress, this measure generally adopts the core principles and provisions of House Bill No. 8269, which earned overwhelming approval on its third and final reading. It honors the rigorous deliberations of previous lawmakers while addressing the intensifying displacement figures reported at the end of 2024, ensuring that the State's commitment to its most vulnerable citizens is finally codified into law.

In the 20th Congress, similar bills were filed in this Chamber by Representatives Ziaur-Rahman Alonto Adiong, Rufus Rodriguez, Maximo Rodriguez, Jr., Bella Vanessa Suansing, Mikaela Angela Suansing, Dadah Kiram Ismola, Jose Manuel Tadeo "Chel" I. Diokno, Percival Cedaña, Kaka J. Bag-ao, Ferdinand Martin Romualdez, Yedda Marie Romualdez, Andrew Julian Romualdez, Jude Acidre, Bienvenido M. Abante Jr., and in the Senate, by Senators Risa Hontiveros, Lito Lapid, and Jinggoy Ejercito Estrada.

The immediate passage of this measure is earnestly sought.



LEILA M. DE LIMA

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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **7063**

Introduced by Representative LEILA M. DE LIMA

AN ACT
PROTECTING THE RIGHTS OF INTERNALLY DISPLACED PERSONS (IDPs)
AND PENALIZING THE ACTS OF ARBITRARY INTERNAL DISPLACEMENT

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Rights of
2 Internally Displaced Persons Act.”
3

4 SEC. 2. *Declaration of Principles and State Policies.* – Consistent with the
5 principles enshrined in the 1987 Constitution, the standards set by the International
6 Humanitarian Law (IHL) and human rights laws, international treaties and conventions
7 adhered to by the Philippines, and international customary law, including the United
8 Nations’ Guiding Principles on Internal Displacement (UNGPID), and other
9 humanitarian standards, it is hereby declared a State policy to adopt a human rights-
10 based approach for the promotion and protection of the rights of internally displaced
11 persons (IDPs) in situations of armed conflict, generalized and/or organized violence,
12 clan wars, violations of human rights, implementation of development projects, natural,
13 human-induced and human-made hazards.
14

15 When armed conflict of a non-international character is inevitable, the State
16 shall ensure the promotion and protection of the rights of the citizens who are non-
17 combatants and who shall enjoy in full equality, the same rights and freedom under
18 international and domestic law as do other persons in the country. These citizens shall
19 not be discriminated against in the enjoyment of any rights and freedoms on the
20 ground that they are internally displaced.
21

22 The State shall likewise ensure that the IDPs shall be protected from any form
23 of discrimination or persecution and shall prioritize their rehabilitation and reintegration
24 to society.
25
26
27

1 SEC. 3. *Definition of Terms.* – As used in this Act:

2
3 (a) *Apartheid* refers to inhumane acts committed in the context of an
4 institutionalized regime of systematic oppression and domination by one (1) racial
5 group or groups and committed with the intention of maintaining that regime;
6

7 (b) *Arbitrary Internal Displacement* refers to an act of displacement or any other
8 coercive act committed by any person or group/s of persons and directed against the
9 civilian population, which is contrary to law, good morals, public order, or public policy,
10 or committed with abuse of authority, oppressive or wanton disregard of the right to
11 life, liberty or property and abode of the residents, whether permanent or temporary,
12 of an area in which they are lawfully present, which causes displacement and
13 characterized by those situations as defined under Section 8 of this Act;
14

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

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

25 This does not include internal disturbances, riots, or sporadic acts of violence.
26

27 (d) *Children* refer to persons below eighteen (18) years of age or those over but
28 are unable to fully take care of themselves or protect themselves from abuse, neglect,
29 cruelty, exploitation, or discrimination because of a physical or mental disability or
30 condition;
31

32 (e) *Clan War (Rido)* refers to any conflict characterized by sporadic outbursts
33 of retaliatory violence between and among families, kinship groups, and communities;
34

35 (f) *Conflict-affected Areas* refer to communities where (a) there are actual
36 armed encounters between the government forces and political armed groups, or (b)
37 where political armed groups dominate the state of affairs of the community, or (c)
38 where other forms of violent conflicts exist;
39

40 (g) *Conflict-vulnerable Areas* refer to communities that are proximate to conflict-
41 affected areas, where possible side-stepping of armed group or groups is imminent. It
42 can also include geographically isolated and disadvantaged areas (GIDA) whose
43 resources, actual or symbolic, are deemed valuable by the political armed group;
44

45 (h) *Durable Solution* refers to a situation where the internally displaced persons
46 no longer have any specific assistance and protection needs that are linked to their
47 displacement and can enjoy their human rights without discrimination on account of
48 their displacement. This includes:
49

- 50 1. Safe and voluntary return to original place of residence;

2. Local integration in the host community; or
3. Resettlement elsewhere with security and dignity.

Provided, That durable solutions are always understood to be determined upon consultation with the internally displaced persons and communities as well as the groups and individuals assisting them.

(i) *Enforced Disappearance* refers to the arrest, detention, abduction or any other form of deprivation of liberty committed by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such person outside the protection of the law;

(j) *Ethnic Cleansing* refers to an act of one ethnic or religious group to remove the civilian population of another ethnic or religious group from a certain geographic area by using force, threat, or intimidation, or deception to a person or groups of peoples in areas ethnically homogenous, such as Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs), or religious groups to be removed from a given area, their place of abode or territories that they have occupied since time immemorial;

(k) *Generalized and/or Organized Violence* refers to the purposeful and systematic use of terror and brutality to control individuals, groups and communities, using overwhelming force, and is characterized by widespread, massive, or sufficient intensity, causing arbitrary internal displacement of persons or communities. Its methods include causing severe pain and suffering, killing, intimidating, threatening and, in some cases, destroying a community, ethnic group or political opposition;

(l) *Imperative Military Necessity* refers to the principle of military necessity in IHL, which permits measures that are actually necessary to accomplish a legitimate military purpose and are not otherwise prohibited in international humanitarian law;

(m) *Implementation of Development Projects* refers to the carrying out of any undertaking or activity aimed at economic, social, or political growth, advancement, and expansion that results or may result in the arbitrary internal displacement of persons: *Provided*, That the term does not include projects that have undergone consultation with and secured the consent of the affected communities and those that are legitimate resettlement schemes and/or programs, including expropriation of property by the government.

Reference to the *Kampala Convention* shall serve as guide in the State's obligations in development projects, which states that:

- i. States Parties, as much as possible, shall prevent displacement caused by projects carried out by public or private actors;
- ii. States Parties shall ensure that the stakeholders concerned will explore feasible alternatives, with full information and consultation of persons likely to be displaced by projects; and

1 iii. States Parties shall carry out a socioeconomic and environmental impact
2 assessment of a proposed development project prior to undertaking such
3 a project;
4

5 (n) *Internal Displacement* refers to involuntary movement or forced evacuation
6 or expulsion of any person or group of persons who flee or leave their homes or places
7 of habitual residence, within the national borders, as a result of or in order to avoid or
8 minimize the effects of armed conflict, situations of generalized and/or organized
9 violence, violations of human rights, implementation of development projects,
10 natural, human-induced and human-made hazards;
11

12 (o) *Internally Displaced Person (IDP)* refers to any person or group of persons
13 who has or have been forced or obliged to flee or to leave their homes or places of
14 habitual residence within the national borders and who have not crossed an
15 internationally recognized State border, as a result of, or in order to avoid or minimize
16 the effects of armed conflict, situations of generalized and/or organized violence,
17 violations of human rights, implementation of development projects, clan wars, natural,
18 human-induced and human-made hazards;
19

20 (p) *Order of Battle* refers to any document made by the military, police or any
21 law enforcement agency of the government, listing the names of persons and
22 organizations that are perceived to be enemies of the State and are considered as
23 legitimate targets as combatants that it could deal with, through the use of means
24 allowed by domestic and international law;
25

26 (q) *Sexual Abuse* means the actual or threatened physical intrusion of a sexual
27 nature, whether by force or under unequal or coercive conditions;
28

29 (r) *Sexual Exploitation* means any actual or attempted abuse of a position of
30 vulnerability, differential power, or trust, for sexual purposes, including, but not limited
31 to, profiting monetarily, socially, or politically from the sexual exploitation of another;
32 and

33 (s) *Vulnerable and Marginalized Groups* refer to those that face higher
34 exposure to disaster risk and poverty including, but not limited to, women, children,
35 youth, elderly, persons with disabilities (PWDs) and ICCs/IPs.
36

37 SEC. 4. *Scope.* – This Act shall primarily provide for the protection of rights of
38 IDPs during and after displacement, as well as their safe, voluntary, and dignified
39 return, local integration, or resettlement elsewhere in the country. This Act shall
40 likewise cover arbitrary internal displacement of civilians as a result of or in order to
41 avoid the effects of armed conflict, situations of generalized and/or organized violence,
42 violations of human rights, implementation of development projects, natural, human-
43 induced, and human-made hazards.
44

45 This Act covers relevant domestic laws, such as Republic Act No. 11188 or the
46 “Special Protection of Children in Situations of Armed Conflict Act”; Republic Act No.
47 8371 or “The Indigenous Peoples’ Rights Act of 1997”; Republic Act No. 9851 or the
48 “Philippine Act on Crimes Against International Humanitarian Law, Genocide, and
49 Other Crimes Against Humanity”; and Republic Act No. 10821 or the “Children’s
50 Emergency Relief and Protection Act”, among others.

1 To address the risks involved in natural hazards and the overall impact of
2 climate change and global warming on the rights of those who are internally displaced,
3 due reference shall be made to the pertinent provisions of Republic Act No. 9729 or
4 the "Climate Change Act of 2009"; Republic Act No. 10121 or the "Philippine Disaster
5 Risk Reduction and Management Act of 2010", and other relevant laws.
6

7 SEC. 5. *Primary Duty to Protect the IDPs.* – The State has the primary duty and
8 responsibility to provide protection and humanitarian assistance to IDPs. As such,
9 State authorities, including local government units (LGUs) and parties to an
10 armed conflict, irrespective of their legal status and applied without any adverse
11 distinction, shall respect and ensure compliance with their obligations under
12 international law, including IHL, human rights laws, and other relevant domestic laws,
13 so as to prevent and avoid conditions that might lead to the arbitrary internal
14 displacement of persons.
15

16 SEC. 6. *Protection of Rights of IDPs During and After Displacement.* – IDPs
17 shall enjoy, in full equality, the same rights and freedoms under international and
18 domestic law as do other persons in the Philippines. They shall not be discriminated
19 against in the enjoyment of any rights and freedoms on the ground that they are
20 internally displaced, or on any grounds such as race, color, sex, language, religion or
21 belief, political or other opinion, national, ethnic or social origin, legal or social status,
22 age disability, property, birth, or on any other similar criteria.
23

24 The following rights of IDPs shall be protected and upheld during and after their
25 displacement whether found inside or outside evacuation centers:
26

27 a) *Provision and Access to Basic Necessities.* – At the minimum,
28 regardless of the circumstances, and without discrimination, the
29 national and local governments shall provide IDPs with and ensure safe
30 access to:
31

- 32 i. Essential and adequate food and nutrition;
- 33 ii. Water sanitation, hygiene facilities, including menstrual
34 hygiene management requirements, and potable water;
- 35 iii. Dignified, adequate, and safe shelter and housing in
36 accordance with international and domestic standards;
- 37 iv. Legal assistance such as, but not limited to, legal advice and
38 documentation;
- 39 v. Appropriate clothing;
- 40 vi. Essential medical and dental services and sanitation, including
41 psychological and social services, and essential drugs and
42 medicines;
- 43 vii. Other humanitarian needs, including support to persons with
44 specific needs, mother-child-friendly facilities to include, but not
45 limited to, breastfeeding stations, temporary learning places,
46 place of worship;
- 47 viii. Due consideration in the processing of permits in the use of
48 parcels of lands for temporary residential or commercial use by
49 IDPs; and

ix. Mitigation, prevention and response measures to protect displaced populations especially women, children, and youth, among others, from all forms of violence, exploitation, abuse, neglect, and discrimination.

b) Protection Against Criminal Offenses and Other Unlawful Acts. –

i. It shall be unlawful to commit any of the following acts against IDPs in all circumstances:

1. murder;
2. hostage taking;
3. summary or arbitrary execution and enforced disappearance, including abduction or unacknowledged detention, threatening or resulting in death; and
4. unlawful confinement.

ii. Attacks or other acts of violence against IDPs who do not or no longer participate in hostilities shall be prohibited in all circumstances, without prejudice to being held liable for any offense committed by them. In particular, IDPs shall be protected against:

1. direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted;
2. starvation as a method of combat;
3. their being used to shield military objectives from attack, or to shield, favor or impede the operations of military, police or any armed group;
4. attacks against any evacuation center, facility, encampment or other settlements; and
5. use of anti-personnel landmines.

iii. IDPs shall be protected in particular against:

1. rape and other outrages upon personal dignity, such as forced prostitution, trafficking of persons, any act of gender-specific violence, or any form of indecent assault;
2. mutilation, torture, cruel, inhumane or degrading treatment or punishment;
3. any form of violence against children, such as trafficking, forced labor or sexual exploitation and other violations of children's rights;
4. slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation or forced labor of children; and
5. acts of violence intended to spread terror among IDPs.

1 Threats and incitement to commit any of the foregoing acts under paragraph
2 (b), subsections (i) and (iii) herein shall be prohibited.

3
4 iv. IDPs shall not be interned in or confined in any evacuation center,
5 facility, encampment or other settlement. If in exceptional
6 circumstances such internment or confinement is necessary, it shall
7 not last longer than what is required by the circumstances, as may be
8 determined by the Commission on Human Rights (CHR), in close
9 coordination and consultations with the military and law enforcement
10 agencies conducting operations, and other concerned agencies of the
11 government; and

12
13 v. IDPs shall be protected against discriminatory practices of
14 recruitment into the Armed Forces of the Philippines (AFP), law
15 enforcement agencies, or any armed group as a result of their
16 displacement. In particular, any cruel, inhumane or degrading practice
17 that compel compliance or punish noncompliance with recruitment
18 shall be prohibited in all circumstances.

19
20 c) *Freedom of Movement.* –

21
22 i. Every IDP has the right to liberty of movement and the right to
23 choose residence and move freely in and out of any evacuation
24 center, encampment or other settlements. Restrictions on
25 movement shall be introduced only in exceptional circumstances,
26 such as national emergencies, pandemics, and those of similar
27 nature, subject to any lawful and reasonable order which must be
28 issued in writing by the government;

29
30 ii. IDPs, whether or not they are living in an evacuation center,
31 encampment or other settlements, including home-based settings,
32 shall not be discriminated against in the enjoyment of the rights to:
33 1. enjoy freedom of thought, conscience, religion or belief,
34 opinion and expression;
35 2. seek freely opportunities for employment and to participate
36 in economic activities;
37 3. associate freely and participate equally in community
38 affairs;
39 4. vote and participate in governmental and public affairs,
40 including the right to have access to the means necessary
41 to exercise these rights; and
42 5. communicate in a language they understand.

43
44 iii. IDPs have the right to:
45 1. seek safety in another part of the country;
46 2. leave the country;
47 3. seek asylum in another country; and
48 4. be protected against forcible return or resettlement in any
49 place where their lives, safety, liberty and/or health would be
50 at risk.

1
2 d) *Recognition, Issuance and Replacement of Documents.* – The authorities
3 concerned shall issue to the IDPs all documents necessary for the enjoyment
4 and exercise of their legal rights. In particular, these authorities shall facilitate
5 the issuance of new documents or the replacement of documents lost in the
6 course of displacement, without imposing unreasonable conditions, such as
7 requiring the return to one's area of habitual residence in order to obtain their
8 documents and without discrimination against men and women, who shall have
9 equal rights to obtain and to be issued the same in their own names: *Provided,*
10 *however,* That pending the release or access of such documentation from the
11 authorities, the enjoyment and exercise of legal rights of the IDPs will not be
12 suspended.

13
14 e) *Family Unity and Missing Persons.* –

- 15
16 i. Members of internally displaced families who wish to remain
17 together shall be allowed to do so. Families that are separated by
18 displacement and whose personal liberty have been restricted by
19 internment or confinement in any evacuation center, facility,
20 encampment or other settlements should be reunited immediately,
21 with appropriate measures taken to expedite the reunion,
22 particularly when children are involved;
- 23 ii. The State shall facilitate inquiries made by family members and
24 encourage and cooperate with the work of international and local
25 humanitarian organizations engaged in the task of family
26 reunification, such as the International Committee of the Red Cross
27 (ICRC) and the International Red Cross and Red Crescent
28 Movement;
- 29 iii. IDPs have the right to know the status and whereabouts of their
30 missing relatives. The authorities concerned shall endeavor to
31 establish the status and whereabouts of IDPs reported missing and
32 cooperate with relevant international organizations engaged in this
33 task. They shall inform the next-of-kin on the progress of the
34 investigation and notify them of any result;
- 35 iv. The authorities concerned shall endeavor to collect and identify the
36 mortal remains of the deceased, prevent their despoliation or
37 mutilation and facilitate the return of those remains to the next-of-
38 kin or dispose of them respectfully according to customs and
39 tradition; and
- 40 v. Grave sites of IDPs shall be protected and respected in all
41 circumstances and shall have the right of access to the grave sites
42 of their deceased relatives.

43
44 f) *Health and Education.* –

- 45
46 i. Certain IDPs, such as children, especially unaccompanied minors,
47 expectant and breastfeeding mothers, mothers with young children,
48 female heads of households, PWDs and elderly persons, and other

1 vulnerable groups, shall be entitled to protection and assistance
2 required by their condition and to treatment which takes into account
3 their special needs;

- 4 ii. All wounded and sick IDPs, as well as those with disabilities, shall
5 receive to the fullest extent practicable and with the least possible
6 delay the medical care and attention they require, without distinction
7 on any ground other than the medical ones. When necessary, IDPs
8 shall have access to psychiatric care, psychological and social
9 services and such other forms of assistance necessary for them;
- 10 iii. Special attention shall be paid to the health needs of women, girls and
11 lesbian, gay, bisexual, transgender, and queer (LGBTQ) community,
12 including access to comprehensive reproductive health care services
13 and hygiene support, to be provided whenever feasible by female
14 health care providers, as well as appropriate counseling and other
15 services for victims of sexual and other abuses;
- 16 iv. Special attention shall also be given to the prevention of health
17 emergencies, contagious and infectious diseases, among IDPs; and
- 18 v. The authorities concerned shall ensure that IDPs, in particular,
19 displaced children, receive education that is free and compulsory at
20 the early and basic education. Special efforts shall be made to ensure
21 the full and equal participation of women and children including those
22 with disabilities in educational programs, and that respect for their
23 cultural identity, language and religion, educational and training
24 facilities shall be made available to them whether or not they are living
25 in evacuation facilities, encampments, or other settlements, as soon
26 as circumstances permit.

27
28 g) *Property and Possessions.* – The property and possessions of IDPs shall, in
29 all circumstances, be protected against the following acts:

- 30
31 i. Pillage or looting;
- 32 ii. Direct and indiscriminate attacks or other acts or omissions;
- 33 iii. Being used to shield military operations or objectives;
- 34 iv. Being made the object of reprisal;
- 35 v. Being destroyed or appropriated as a form of collective punishment;
- 36 and
- 37 vi. Destruction, arbitrary and illegal appropriation, occupation or use.

38
39 h) *Right to Participation.* – IDPs, including children, shall have the right to
40 actively participate in the planning and management of their displacement situation as
41 well as return, local integration, or settlement elsewhere. In addition, IDPs shall be
42 provided with conditions to facilitate the exercise of their right to political participation.
43 The rights and obligations herein shall not be interpreted as restricting, modifying or
44 impairing the provisions of any international human rights or international humanitarian
45 law or rights granted to persons under domestic law.

46
47 The guarantees under this section shall likewise not be denied to civil society
48 organizations, people's organizations, and similar groups who extend assistance to
49 the IDPs.

1 SEC. 7. *Assistance During Displacement of IDPs.* – The primary duty and
2 responsibility for providing humanitarian assistance to IDPs lie with the State, in close
3 collaboration with the LGUs exercising territorial jurisdiction over the affected area/s.
4 As such, the military and law enforcement agencies conducting operations, the
5 Department of Social Welfare and Development (DSWD), the Department of Health
6 (DOH), the local government hospitals, the LGUs concerned and other appropriate
7 government agencies shall provide immediate relief and humanitarian assistance to
8 IDPs, families and communities.

9
10 The Public Attorney's Office (PAO) shall immediately coordinate with the
11 abovementioned agencies for the provision of legal assistance to the IDPs.

12
13 Humanitarian assistance to IDPs shall not be diverted or suspended for any
14 political or military reason. All authorities concerned shall grant and facilitate the free
15 passage of humanitarian assistance to the IDPs and ensure rapid, safe and
16 unimpeded access of persons engaged in giving such assistance, their transport and
17 supplies to the displaced communities.

18
19 Persons engaged in humanitarian assistance, including their transport, shall not
20 be the objects of attack or other acts of violence.

21
22 All concerned authorities shall assist the IDPs in the restitution or recovery of
23 their property and possessions and shall provide or assist these persons in obtaining
24 appropriate financial assistance or other forms of just reparation.

25
26 The guarantees under this section shall likewise not be denied to civil society
27 organizations, people's organizations, and similar groups who extend assistance to
28 the IDPs.

29
30 SEC. 8. *Prohibited Acts of Arbitrary Internal Displacement.* – The prohibited
31 acts of arbitrary internal displacement shall include those committed:

- 32
- 33 a) based on policies of apartheid, ethnic cleansing, or similar practices aimed at
34 or resulting in altering the ethnic, religious or racial composition of the affected
35 population;
 - 36 b) in situations of armed conflict, unless the safety and security of civilians and
37 non- combatants are involved or imperative military reasons so demand;
 - 38 c) in cases of development projects, which have not secured the free and prior
39 informed consent (FPIC) of the concerned ICCs/IPs or those which are not
40 justified by compelling and overriding public interest and with proper
41 implementation of return, local integration, or resettlement elsewhere of
42 affected IDPs, including just compensation in view of expropriation
43 proceedings;
 - 44 d) in cases of natural, human-induced, and human-made hazards, unless the
45 safety, security, and health of those affected require their evacuation;
 - 46 e) when used as a form of collective punishment;
 - 47 f) in cases of clan wars, unless the safety and security of those civilians not
48 involved in the conflict or violence are endangered; and

1 g) in cases where there is malice, bad faith, gross negligence, or in any manner
2 causes a willful violation of the rights granted herein and other similar rights
3 provided by international human rights law and domestic laws and policies.
4

5 An Order of Battle or any document of similar nature issued by the military or
6 any law enforcement agency of the government shall not justify arbitrary internal
7 displacement and shall subject the perpetrators to the penalties provided herein.
8

9 **SEC. 9. *Safeguards Against Arbitrary Internal Displacement.*** – If displacement
10 is inevitable under circumstances beyond control that pose hazardous and security
11 risks to the lives and properties of persons living in communities, displacement shall
12 not be carried out in a manner that violates the rights to life, liberty, dignity, security,
13 and property of those affected, irrespective of their legal status and applied without
14 any adverse distinction.
15

16 All concerned authorities, groups, and persons shall observe the following
17 safeguards against arbitrary internal displacement:
18

- 19 a) All feasible alternatives shall be explored in order to avoid displacement. Where
20 no alternative exists, all measures shall be undertaken to minimize
21 displacement and its adverse effects on the population that will be affected;
22 b) If displacement is inevitable, the authorities, pursuant to their respective
23 mandates and functions, shall ensure, to the greatest practicable extent, that
24 proper accommodation is effected in satisfactory conditions of safety, nutrition,
25 water and sanitation, and health and hygiene, and that members of the same
26 family, especially women and children, are not separated;
27 c) Minorities, peasants, pastoralists, PWDs and other groups with special
28 dependency on and attachment to their lands shall be protected from arbitrary
29 internal displacement.
30

31 ICCs/IPs shall be protected from arbitrary internal displacement. When
32 displacement is considered necessary as an exceptional measure, it shall take place
33 only with the FPIC of ICCs/lps concerned pursuant to the provisions of Republic Act
34 No. 8371 and existing guidelines on FPIC;

35 d) In situations other than during the emergency stages of armed conflicts and
36 disasters, the following guarantees shall be complied with:
37

- 38 i. Specific decision which shall be taken by the authority
39 empowered by law to order such measures;
40 ii. Full disclosure of information on the reasons and procedures for
41 the displacement and, when applicable, also on financial
42 assistance and relocation;
43 iii. Free and informed consent of those persons to be displaced shall
44 be sought;
45 iv. Authorities concerned shall endeavor to involve those
46 affected, particularly women, elderly persons and PWDs, in the
47 planning and management of their return, local integration or
48 resettlement elsewhere;

- 1 v. Law enforcement measures, when required, shall be carried out
2 by competent legal authorities, with proper observance of due
3 process and respect for human rights; and
4 vi. The right to an effective remedy, including the review of such
5 decisions by appropriate judicial authorities, shall be respected.
6

7 SEC. 10. *Permanent Prohibition Against Arbitrary Internal Displacement.* – The
8 prohibition against arbitrary internal displacement and the fundamental safeguards for
9 its prevention shall not be suspended under any circumstance, including political
10 instability, threat of war, state of war, or other public emergencies.
11

12 SEC. 11. *Early Recovery Plan.* – All LGUs shall craft their Early Recovery Plans
13 (ERPs) under the supervision of the Department of the Interior and Local Government
14 (DILG).
15

16 In this regard, the appropriate bureau under the DILG and the CHR shall jointly
17 design the mechanism for providing technical assistance to LGUs, monitoring the
18 compliance of LGUs, and conducting the periodic review of the ERPs.
19

20 The authorities concerned shall endeavor to involve those belonging in the
21 vulnerable and marginalized sector in the planning and management of their return,
22 local integration or resettlement elsewhere.
23

24 SEC. 12. *Return, Local Integration or Resettlement.* – Competent authorities,
25 such as the military and law enforcement agencies conducting operations, the DSWD,
26 the DOH, the LGUs concerned, and other relevant government agencies, shall have
27 the primary duty and responsibility to establish conditions and provide durable
28 solutions as means for IDPs to return voluntarily, in safety and with dignity, to their
29 homes or places of habitual residence, or to resettle voluntarily in places of refuge
30 and/or in another part of the country, taking into consideration the right of IDPs to
31 choose a residence.
32

33 The CHR, through inclusive and extensive consultation, shall formulate a
34 National Strategy on Solutions to Internal Displacement, which will be presented for
35 adoption by the Inter-Agency Coordinating Committee.
36

37 The National Strategy shall be evaluated five (5) years from its adoption which
38 shall be the basis for the enhancement of the subsequent National Strategy.
39

40 Said authorities, including the CHR, shall likewise ensure prior consultations
41 and full participation of IDPs during and after the planning and management of their
42 return, local integration, or resettlement elsewhere.
43

44 SEC. 13. *Development of Host Communities.* – The State shall undertake the
45 continuous development of host communities by ensuring that the relevant
46 socioeconomic, infrastructure and public works, and other development and
47 investment plans, programs, and funding adequately and proportionately include the
48 specific needs and requirements of these communities and localities.
49

1 SEC. 14. *Mechanisms for International Humanitarian Assistance.* –
2 International humanitarian organizations, their local counterparts and other
3 appropriate actors shall have the right to offer their services, including humanitarian
4 assistance, in support of the IDPs. These acts shall be considered done in good faith
5 and not as unfriendly acts or interference in the internal affairs of the government.
6 Consent thereto shall not be arbitrarily withheld, particularly when concerned domestic
7 authorities are unable or unwilling to provide the required humanitarian assistance.

8
9 All authorities shall grant and facilitate the free passage of humanitarian
10 assistance and grant persons engaged in the provision of such assistance rapid and
11 unimpeded access to the IDPs.

12
13 All humanitarian organizations and agencies which provide assistance to IDPs
14 shall respect relevant domestic laws, international standards, and codes of conduct.
15 They shall give due regard to the protection of the needs and human rights of the IDPs.
16 Such organizations conducting operations in any emergency-affected areas, or are
17 directly or indirectly interacting with the IDPs, are prohibited from committing any acts
18 of sexual exploitation and sexual abuse such as but not limited to: (a) sexual activity
19 with children, as defined under existing laws; (b) use of sex in exchange of money,
20 employment, goods or services including hiring of prostitutes; and (c) any sexual
21 relationship with beneficiaries that involves improper use of position or authority.
22 Humanitarian or aid workers shall uphold their duty of care towards the displaced
23 populations and shall maintain the trust of the communities being served. They are
24 obliged to create and maintain an environment which prevents sexual exploitation and
25 abuse.

26
27 The importation and donation of food, clothing, medicine and equipment
28 necessary for relief and assistance of IDPs are hereby authorized in accordance with
29 Section 105 of the Tariff and Customs Code of the Philippines, as amended, as
30 regards national internal revenue taxes and import duties of national and local
31 government agencies, and the prevailing provisions of the General Appropriations Act
32 (GAA).

33
34 SEC. 15. *Penalties.* –

35
36 a) The penalty of *reclusion temporal* in its minimum to medium period shall
37 be imposed upon any person or group of persons who commit the
38 following:

- 39
40 i. Those who directly commit the act of arbitrary internal
41 displacement;
42 ii. Those who directly force, instigate, encourage, induce or incite
43 others to commit the act of arbitrary internal displacement;
44 iii. Those who cooperate in the act of arbitrary internal displacement
45 by committing another act, without which the act of arbitrary
46 internal displacement would not have been carried out;
47 iv. Those who cooperated in the execution of the act of arbitrary
48 internal displacement by previous or simultaneous acts;
49 v. Those commanding officers of the military, police or other law
50 enforcement agencies or other authorities, for acts of arbitrary

1 internal displacement committed by forces under their effective
2 command and control, or effective authority and control, as the
3 case may be, as a result of their failure to exercise proper control
4 over such forces, where the commanding officers or authorities
5 knew or, owing to the circumstances at the time, should have
6 known that the forces were committing or about to commit such
7 crimes, and failed to take all necessary and reasonable means
8 within their power to prevent or repress their commission, or to
9 submit the matter to competent authorities for investigation and
10 prosecution; and

11 vi. In case the acts of arbitrary internal displacement are committed
12 by a corporation or a juridical entity, the members of the Board of
13 Directors who were present in the meeting and who actually voted
14 for the approval of the resolution or order directing the
15 commission of arbitrary internal displacement, and the corporate
16 officers or agents who carried out such resolution or order of the
17 corporation shall each be criminally liable.

18
19 b) The penalty of *prision mayor* in its minimum period shall be imposed
20 upon those who attempt to commit the offense of arbitrary internal
21 displacement; and

22 c) The penalty of *prision mayor* in its minimum period shall be imposed
23 upon persons who, having knowledge of the act of arbitrary internal
24 displacement and without having participated therein, either as
25 principals or accomplices, took part subsequent to its commission by any
26 of the following acts:

27
28 i. By themselves profiting from or assisting the offender to profit
29 from the effects of the act of arbitrary internal displacement;

30 ii. By concealing the act of arbitrary internal displacement and/or
31 destroying the effects or instruments thereof, in order to prevent
32 its discovery; and

33 iii. By harboring, concealing or assisting in the escape of the
34 principal/s in the act of arbitrary internal displacement.

35
36 SEC. 16. *Applicability of the Revised Penal Code and Special Penal Laws.* –
37 The provisions of the Revised Penal Code and other relevant special penal laws,
38 insofar as they are applicable, shall be suppletory to this Act.

39
40 SEC. 17. *Non-prescription.* – The crimes defined and penalized under this Act,
41 their prosecution, and the execution of sentences imposed on their account, shall not
42 be subject to any prescription.

43
44 SEC. 18. *Jurisdiction of the Courts.* – The proper and competent civilian courts
45 shall have jurisdiction over the offense of arbitrary internal displacement as defined
46 and penalized in this Act.

47
48 SEC. 19. *Damages.* – A court of competent jurisdiction shall determine the
49 damages inflicted against IDPs and direct the persons responsible for arbitrary internal
50 displacement to award monetary compensation under the following circumstances:

- 1 a) Where the death of an individual victim occurs, the amount to be
2 determined by the court shall be granted to the legal heirs of the victim
3 as a death benefit;
4 b) Where physical, emotional, and/or psychological injury is caused to an
5 individual victim, actual and compensatory damages, including moral,
6 nominal, exemplary, and temperate damages resulting from such injury,
7 shall be paid to the victim. Upon a finding of such injury and distinct from
8 the compensation for actual, compensatory, moral, nominal, and/or
9 temperate damages, such determination shall also include a referral to
10 the DOH and the DSWD for appropriate interventions or services,
11 including psycho-social intervention and rehabilitation; and
12 c) Cases for damages filed under this Act shall be considered as
13 independent civil action and summary in nature. The Supreme Court
14 shall promulgate the necessary rules and regulations to govern the
15 procedure for cases filed in this manner.
16

17 SEC. 20. *Financial Assistance to IDPs.* – Whenever human rights violations are
18 caused to the IDPs as incidents or consequences of arbitrary internal displacement,
19 the necessary financial assistance for their reparation, return, local integration or
20 resettlement elsewhere shall be provided.
21

22 The CHR shall enhance its existing financial assistance program to include
23 financial assistance for the purpose of facilitating the reparation, return, local
24 integration or resettlement elsewhere of IDPs.
25

26 Receipt of such financial assistance shall be without prejudice to the amount of
27 assistance granted under other government programs, such as the Victims'
28 Compensation Program of the Department of Justice (DOJ) by virtue of Republic Act
29 No. 7309, the relief assistance to IDPs by the DSWD, the DOH, and other similar
30 programs which may be made available to IDPs under existing laws, rules and
31 regulations.
32

33 SEC. 21. *Nonmonetary Reparation.* – The DOH, the DSWD, the Department
34 of Education (DepEd), the Commission on Higher Education (CHED), the Technical
35 Education and Skills Development Authority (TESDA) and such other agencies shall
36 render necessary services as nonmonetary reparation for IDPs and their families as
37 may be determined, in coordination with the CHR, pursuant to the provisions of this
38 Act.
39

40 SEC. 22. *Role of the CHR.* – Pursuant to Article XII, Section 18(11) of the 1987
41 Constitution, the CHR is hereby designated as the institutional focal point for IDPs. As
42 such, the CHR shall have the following additional functions:
43

- 44 a) To monitor IDP conditions through the development of a system to track
45 concerns, actions taken and other relevant information, and be the
46 repositories of child protection and protection from sexual exploitation
47 and abuse policies to ensure that IDP rights are respected, protected,
48 and fulfilled in all phases of internal displacement;

- b) To conduct public inquiries, document violations of human rights, assist IDPs in seeking redress of grievances and work to ensure an effective response by the concerned authorities;
- c) To investigate, on its own or on the complaint by any party, all forms of human rights violations against IDPs involving civil and political rights, in accordance with Section 18(1) of Article XIII of the 1987 Constitution; and when found in the investigation that the filing of a case in court is warranted, request the assistance of any department, bureau, office or agency, such as the National Prosecution Service of the DOJ or the Ombudsman, by virtue of Executive Order No. 163, series of 1987;
- d) To render financial assistance at its sole discretion, as part of its existing financial assistance program, as well as psycho-social interventions and similar services to IDPs, and to issue necessary guidelines to implement the same;
- e) To recommend the grant of assistance to IDPs, by the other agencies of government, taking into consideration their respective mandates and functions as may be appropriate;
- f) To cite any person in contempt for violations of the orders issued by them in accordance with the Rules of Court;
- g) To follow up on early warning and ensure effective measures to protect the civilian population against arbitrary internal displacement;
- h) To advise the government on the rights of IDPs, formulate sound national policy and legislation and to facilitate discussions to effectively address situations of internal displacement;
- i) To undertake educational activities and training programs for State authorities, including the AFP, the Philippine National Police (PNP), and LGUs;
- j) To hold public information drives on the protection and rights of IDPs, and foster their participation in the decision-making process regarding issues that concern them; and
- k) To carry out such other acts that may be necessary to fully implement the purposes of this Act.

SEC. 23. *Monitoring of Compliance.* – An inter-agency coordinating committee shall be tasked to periodically monitor the compliance with this Act. The Committee shall be co-headed by the Chairperson of the CHR and the Executive Director of the National Disaster Risk Reduction and Management Council (NDRRMC).

The members of the group shall be composed of:

- a) Undersecretary, DSWD;
- b) Undersecretary, DepEd;
- c) Undersecretary, DILG;
- d) Undersecretary, DOH;
- e) Undersecretary, DOJ;
- f) Undersecretary, Department of Human Settlements and Urban Development (DHSUD);
- g) Undersecretary, Department of National Defense (DND);
- h) Undersecretary, Department of Environment and Natural Resources (DENR);
- i) Undersecretary, National Economic and Development Authority;

- 1 j) Presidential Adviser, Office of the Presidential Adviser on Peace,
2 Reconciliation, and Unity;
3 k) Commissioner, National Commission on Indigenous Peoples (NCIP);
4 l) Chief Public Attorney, PAO;
5 m) Executive Director, Council for the Welfare of Children;
6 n) Chairperson, Presidential Commission for the Urban Poor (PCUP);
7 o) Secretary, National Commission on Muslim Filipinos;
8 p) Executive Director, Philippine Commission on Women (PCW);
9 q) National Statistician and Civil Registrar General, Philippine Statistics
10 Authority;
11 r) Director General, TESDA;
12 s) Commissioner, Bangsamoro Human Rights Commission; and
13 t) Three (3) representatives from nongovernmental organizations
14 (NGOs) with experience in working with IDPs, nominated by a selection
15 board composed of human rights groups and NGOs.
16

17 The Committee shall work towards the collection of data on the number and
18 conditions of IDPs, leading to a database that will aid the government in efficient
19 planning and policy-making regarding issues affecting IDPs.
20

21 The Committee shall likewise prioritize the release of immediate financial
22 assistance, allotted by its component agencies, to those affected by internal
23 displacement.
24

25 The Committee shall submit an annual report to the Joint Congressional
26 Oversight Committee herein created, within thirty (30) days at the end of each fiscal
27 year, which shall be the basis for proposed amendments to existing legislation to
28 improve the conditions of IDPs.
29

30 *SEC. 24. Joint Congressional Oversight Committee.* – A Joint Congressional
31 Oversight Committee (JCOC) is hereby created, composed of the Chairperson of the
32 Senate Committee on Justice and Human Rights and seven (7) other Senators
33 designated by the Senate President, and the Chairperson of the House Committee on
34 Human Rights and seven (7) other Members of the House of Representatives
35 designated by the Speaker of the House of Representatives: *Provided*, That of the
36 seven (7) Members to be designated by each House of Congress, four (4) shall
37 represent the Majority and three (3) shall represent the Minority. The Senate President
38 and the Speaker of the House of Representatives shall ensure the representation of
39 women legislators in the JCOC.
40

41 The JCOC shall also have the power to inquire into, summon and investigate
42 the Orders of Battle as defined under this Act, and/or any document of similar nature,
43 as well as the legal and factual justifications for the inclusion of specific persons and
44 groups in said Orders of Battle or similar documents. In this regard, the JCOC may
45 issue mandatory process directing the transmission of all such documents relevant
46 and necessary for the Committee to determine the validity of the inclusion of specific
47 persons or groups in the Orders of Battle or similar documents. For this purpose, the
48 highest-ranking officers or heads of offices shall be charged with testifying before the
49 JCOC in relation to any inquiries on the Orders of Battle or similar documents.
50

1 The invocation of national security as a defense may not prevent the JCOC
2 from inquiring into the factual and/or legal bases for the existence of an Order of Battle,
3 or any similar document, or the inclusion of specific persons or groups in said Orders
4 of Battle or similar documents. Should there be a need to inquire into the factual basis
5 for the invocation of national security, the JCOC shall convene in an executive session
6 and hear the officials invoking it. Should the basis not be satisfactory to the JCOC, the
7 public hearing/s will continue and appropriate recommendations shall thereafter be
8 made by the JCOC.

9
10 SEC. 25. *Appropriations.* – The amount necessary for the initial implementation
11 of this Act shall be charged against the current year’s appropriations of the
12 departments and agencies concerned. Thereafter, the funding of which shall be
13 included in the annual General Appropriations Act.

14
15 SEC. 26. *Implementing Rules and Regulations.* – Within one hundred
16 twenty (120) days from the effectivity of this Act, the Chairperson of the CHR and the
17 Secretary of the DND, DSWD, DILG, DOH, DOJ, DHSUD, and DENR, the
18 Chairperson of NCIP, PCW, PCUP, and National Anti-Poverty Commission-Victims of
19 Disasters and Calamities (NAPC-VDC), in coordination with other government
20 agencies and in consultation with human rights nongovernmental organizations and
21 people’s organizations, shall jointly formulate rules and regulations to implement the
22 provisions of this Act. The Chairperson of the CHR and the Secretary of the DND shall
23 act as the co-chairpersons of the body that shall formulate the implementing rules and
24 regulations (IRR).

25
26 SEC. 27. *Separability Clause.* – If any part or provision of this Act shall be
27 declared unconstitutional or invalid, the other provisions hereof which are not affected
28 thereby shall remain in full force and effect.

29
30 SEC. 28. *Repealing Clause.* – All laws, decrees, executive orders,
31 memorandum orders, memorandum circulars, administrative orders, ordinances or
32 parts thereof which are inconsistent with the provisions of this Act are hereby deemed
33 repealed or modified accordingly.

34
35 SEC. 29. *Effectivity.* – This Act shall take effect fifteen (15) days after its
36 publication in the *Official Gazette* or in a newspaper of national circulation.

Approved,